

**‘JUSTICE IS SWEETEST WHEN IT IS FRESHEST’ – THE
RIGHT TO A TRIAL WITHOUT UNREASONABLE
DELAY.¹**

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ABSTRACT

This article attempts to capture some salient features of international fair trial standards in the light of two major instruments, the European Convention on Human Rights and UN Covenant on Civil and Political Rights. It takes a comparative dimension in studying applications of international standards in certain common law countries, such as the UK, Australia and New Zealand. The article considers the three tests applicable to the determination of fairness in a trial - (a) the complexity of the case as a whole; (b) the manner in which the case has been handled by the national judicial authorities and the courts; and (c) the applicant's own conduct – and considers the remedies that are, and should be, applied to redress situations of unreasonable delay.

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¹The quote is from Lord Bacon's *Abridgment* (vol 5 p607)