

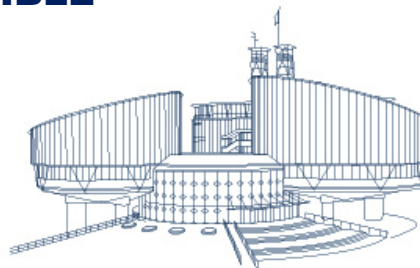
PRESS RELEASE

COMPLAINTS ABOUT FAIRNESS OF CRIMINAL TRIAL BROUGHT BY BROTHERS CHARGED WITH MURDER OF MALTESE JOURNALIST INADMISSIBLE

Degiorgio v. Malta

ECHR 232 (2026) 24.09.2026

Issued by the Registrar of the Court



In its decision in the case of [Degiorgio v. Malta](#) (application nos. 26602/25 and 26731/25), the European Court of Human Rights has unanimously declared the applications inadmissible. The decision is final.

The case concerned the applicants' complaints about the fairness of the criminal proceedings against them. In 2019 the applicant brothers had been charged with, among other things, the wilful homicide of the journalist Daphne Caruana Galizia. After committal proceedings, but before the trial by jury took place, their lawyer renounced his mandate. As the brothers were unable to find another lawyer to represent them, the Criminal Court appointed legal aid lawyers for that purpose. In October 2022 the brothers agreed to a plea bargain and pleaded guilty to the charges against them. They complained before the European Court that their trial had been unfair because they did not have legal assistance of their choosing, nor adequate time to prepare their defence.

The Court found that the appointment of legal aid lawyers had been reasonable in the circumstances. The interests of the expediency of the case and that of third parties, constituted relevant and sufficient grounds in the interests of justice for overriding the brothers' wishes to continue looking for a lawyer of choice. The Court also found that the brothers' guilty pleas had been entered into voluntarily and could not be said to have resulted from any duress.

PRINCIPAL FACTS AND COMPLAINTS

The applicants, George Degiorgio and Alfred Degiorgio, are brothers and Maltese nationals who were born in 1962 and 1964 respectively.

In 2019 the brothers were charged with the murder of the journalist Daphne Caruana Galizia. After committal proceedings, but before the trial by jury took place, their lawyer renounced his mandate. As the brothers were unable to find another lawyer, despite the extensions given by the Criminal Court, the latter appointed legal aid lawyers for that purpose and set a new trial date. On two occasions, requests by the legal aid lawyers for more time to prepare the defence were refused by the Criminal Court.

The jury trial started on 14 October 2022. The same day the brothers agreed to a plea bargain

and pleaded guilty to the charges against them. Medical experts confirmed under oath that they were fit and understood the implications of their pleas. In line with the agreement reached by the parties, the brothers were both sentenced to 40 years' imprisonment.

Relying on Article 6 § 3 (right to a fair trial/adequate time/legal assistance of own choosing), the applicants complained that they had not been given adequate time and opportunity to find a new lawyer of choice, and that the appointment of the legal aid lawyers had not been according to law. They also complained that the legal aid lawyers had not had adequate time to prepare their defence.

OUTCOME

REASONING OF THE COURT

Legal assistance of own choosing

The Court noted that the brothers had not complained before it that they had entered their guilty plea involuntarily. In any event, their guilty plea did not affect their complaint that they had not been given adequate time and opportunity to find a lawyer of their choice.

The brothers had had 12 days to find a lawyer, and, despite the summer period and their argument that most lawyers would have been "unreachable" during that time, they had in fact been in touch with several lawyers who had refused to take their case. No evidence had been submitted as to the reasons for such refusals. It had therefore been reasonable for the Criminal Court to disregard their objections as to the appointment of the legal aid lawyers, as it was not clear that they would have been able to find a lawyer of their choice. In those circumstances, the Court accepted that the interests of the expediency of the case and that of third parties, constituted relevant and sufficient grounds in the interests of justice for overriding the applicants' wishes.

Finally, the Court pointed out that, even if there had been no relevant and sufficient reasons, the brothers themselves had not explained or attempted to argue how the decision to appoint them legal aid lawyers had affected the fairness of the proceedings.

The complaint was therefore declared inadmissible as being manifestly ill-founded.

Adequate time

Conversely, for the purposes of the assessment of the brothers' complaint regarding adequate time for the preparation of their defence, the Court could not ignore the fact that they had reached a plea bargain agreement and had pleaded guilty to all the charges, which amounted to a waiver of a number of procedural rights.

The brothers had not challenged the content of their plea bargain before the national courts or the Court, nor had they claimed that it had been unfair. The procedural safeguards had been fully respected and there was no reason to doubt that the guilty pleas had been submitted in full awareness of the facts of the case and the legal consequences. The guilty pleas had also been made in a genuinely voluntary manner, and both applicants had been fit to stand trial, as confirmed by the experts on that the same day. While the time the legal aid lawyers had had for the preparation of their defence might have appeared short, the Court observed that two lawyers, rather than one, had been appointed. Furthermore, the brothers had already been presented with the facts and all the prosecution evidence during the period in which they had been represented by the lawyer of their choice and could therefore already have assessed the likelihood of their being convicted. At the time they had already considered a plea bargain. Thus, the time allotted for their defence could not be considered as creating such pressure, that the guilty pleas could have been tainted by constraint. Finally, there was no evidence of any other inducement, constraint or pressure being applied to them by their legal aid lawyers, and their admissions had been accompanied by appropriate safeguards.

The complaint was therefore declared inadmissible as being manifestly ill-founded.

PROCEDURE AND COMPOSITION OF THE COURT

The application was lodged with the European Court of Human Rights on 21 August 2025.

The decision was given by a Chamber of seven judges, composed as follows:

Lado **Chanturia** (Georgia), *President*,
Lorraine **Schembri Orland** (Malta),
Faris **Vehabović** (Bosnia and Herzegovina),
Anja **Seibert-Fohr** (Germany),
Anne Louise **Bormann** (Denmark),
Sebastian **Rădulețu** (Romania),
András **Jakab** (Austria),

and also Hasan **Bakırcı**, *Section Registrar*.

The decision is available only in English.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.