

Obituary: Leolin Price QC

Lawyer who helped the Maastricht rebels, opening a wound that pains the Conservative Party to this day

LEOLIN PRICE, who has died aged 88, was the most senior of a trio of Eurosceptic lawyers (the others being Michael Shrimpton and Martin Howe) who provided legal advice for the anti-Maastricht campaign in Parliament in the early 1990's; in 1993 he prepared Lord Rees-Mogg's challenge to the ratification of the Maastricht Treaty.

With his relish for argument, taste for complex legal detail and scepticism about the EU and all its works, Price was ideally suited to the role of constitutional gadfly. In the end the Maastricht rebellion proved a major headache for the government during John Major's troubled second term as prime minister, consuming over 200 hours of debate over 23 days in committee and producing 600 amendments, many of them drafted by Price. The dispute came close to scuppering the treaty and bringing down the government.

The European Communities (Amendment) Bill (aka the Maastricht Bill) eventually became law at the end of July 1993, but in a last-ditch effort to prevent this, the former editor of The Times Lord Rees-Mogg, supported by Price and David Pannick, QC (and backed by Sir James Goldsmith), applied for judicial review.

The substance of the case resolved around the nature of the "social protocol" which Major had secured during negotiations with Britain's EU partners, which enabled Britain to opt out of the Social Chapter of the Treaty. The legal team argued that the protocol also increased the powers of the European Parliament – something which, under a 1978 Act, required specific parliamentary approval, which had never been given during the passage of the Bill bringing the Maastricht Treaty

into British law.

The case garnered much publicity, but Rees-Mogg's application was rejected in the court of first instance and on appeal, one judge describing as "an exaggeration" Price's claim that the case was "perhaps the most important constitutional issue to be faced by the courts for 300 years". The Treaty was duly ratified, and the lasting scars left on the Conservative Party have not healed to this day.

One of five children of a village schoolmaster, Arthur Leolin Price was born at Talybont-on-Usk in Breconshire and educated at Judd School, Tonbridge, from where he won a scholarship to Keble College, Oxford, to read History. During the war he served as an officer in the Royal Artillery, latterly as adjutant of the Indian Mountain Artillery Training Centre in Ambala, Punjab province.

On demob he returned to Oxford to read Law. Called to the Bar by Middle Temple in 1949, he soon established a reputation in commercial and chancery litigation. After taking Silk in 1968, as well as his work in Britain he developed a thriving international practice, representing clients in New South Wales and the Bahamas. Later he was appointed a deputy High Court judge.

Although Price was a lifelong Conservative and on the committee of the Society of Conservative Lawyers for more than two decades, he acted for Arthur Scargill during the 1980s; and in 1982 he advised Harriet Harman when, as legal officer for the National Council for Civil Liberties, she was found in contempt of court after showing restricted legal documents to a journalist. Price acted for her during the appeal process that led to the European Court of Human Rights overturning her conviction, successfully arguing that the prosecution had breached her right to freedom of expression. On the issue of Europe, Price always put principle before party, and after the Maastrich debates he campaigned against the subsequent Nice

Treaty. In 2008 he supported the spread-betting millionaire Stuart Wheeler in his legal bid to force the government to hold a referendum on the Lisbon Treaty.

Price served as a governor of Great Ormond Street Hospital, and in the 1970s successfully persuaded the Labour Chancellor Denis Healey to promote a legislative amendment permitting British royalties for JM Barrie's Peter Pan to go to Great Ormond Street in perpetuity.

Leolin Price finally retired from work last June at the age of 88. He was appointed CBE in 1996.

He married, in 1963, Rosalind (Lindy) Lewis, the elder daughter of the Conservative peer Lord Brecon. She died in 1999, and he is survived by their two sons and two daughters.

Leolin Price, born May 11 1924, died March 24 2013.