

CJ condemns judge's action

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Chief Justice Ivor Archie says he is concerned that one of his sitting judges, Justice Herbert Volney, might have been engaging in negotiations with a political party. Hours after Volney tendered his resignation in order to become a candidate for the UNC in the May 24 general election, Archie accepted the resignation and advised President George Maxwell Richards of the shock decision. Volney, who had been a judge for more than 15 years, is expected to fight the St Joseph seat. Yesterday, he delivered letters to both Archie and Richards. But the resignation has clearly upset Archie, who according to reports, had been trying since Monday to verify rumours that one of his judges was considering entering the political arena.

A statement issued from CJ Archie's office yesterday said that on Monday, "reports began to surface that Justice Volney might be leaving the Bench to enter politics." The statement added: "Enquiries from the media and other sources both within and external to the judiciary to Mr Jones Madeira, Court Protocol and Information Manager, were brought to the attention of Mr Justice Volney, who categorically denied that there was any substance to them." The statement said that by Tuesday, "the reports had become more insistent and the Chief Justice summoned Mr Justice Volney, intending to speak to him about those reports and other remarks the judge had made from the Bench that had been recently reported in the print media.

"At that meeting, Mr Justice Volney indicated that it was his intention to demit office by the end of April 2010, but declined to confirm any post-resignation plans relative to entering politics, advising the Honourable the Chief Justice instead that he wished to keep his options open," the statement said. "The Chief Justice reiterated at that stage that, contrary to Mr Justice Volney's view, it was very much a matter of concern to the Chief Justice and the judiciary that a sitting judge might have been engaging in negotiations with a political party. "The discussion ended with no clear indication of the judge's future plans, but with a promise from him that he would tender his resignation by today (April 28, 2010).

"In those circumstances, the Chief Justice had no option other than to indicate that he would accept the resignation once it was proffered, which should be as soon as possible, and to confirm that the judge would cease to perform any judicial duties from April 28, 2010. "The Honourable the Chief Justice has advised His Excellency the President accordingly." Archie recognised that the issue of a sitting judge entering politics was one of public concern and importance, and, therefore, deemed it necessary to emphasise the principles by which judges ought to govern their conduct in this regard. "It is vital that judicial officers, in reality and in the perception of the public, remain independent of political parties and the cut and thrust of national politics," he said.

"To do otherwise would compromise the independence of the judiciary and the perception of impartiality that must be preserved if the public is to have trust and confidence in the administration of justice. "Accordingly, it would be wholly improper for a sitting judge to even entertain any private discussion with any political party or group"