

Minister: 'Who will judge the judges?'

PRETORIA — Judges should have to answer to a conduct committee when cases of misconduct and incompetence arise, Justice and Constitutional Development Minister Enver Surty said yesterday.

Surty, in a lecture to the Faculty of Law of the University of Pretoria, said it is critical to ensure that the administration of the courts by the executive does not impinge on the independent and impartial dispensation of justice. "It stands to reason that a weak, unprincipled judiciary will be powerless to stem a tide of human rights violations and to keep state power in check," he said.

"But what constitutes misconduct and gross misconduct? What standards are expected of the judiciary? And who should do the disciplining of judges in matters that do not justify impeachment?"

The answer, Surty said, which "is the proper balance between accountability and independence, is a conduct committee of the Judicial Service Commission made up of judges and a code of conduct against which individual judge's conduct can be measured". — Sapa.