

Public Statement

The Law Society of Upper Canada Expresses Concerns about Removal and Deportation of Nauru's Magistrate of Law and Revocation of the Visa of the Chief Justice

Toronto – The Law Society of Upper Canada is gravely concerned over the removal and deportation of Peter Law, Chief Magistrate and Supreme Court Register of Nauru, and the revocation of the visa of the Chief Justice Geoffrey Eames.

On January 19, 2014, Peter Law's employment was terminated. The police then took him into custody and to the airport where he was deported. Chief Justice Geoffrey Eames issued an injunction preventing the removal of Peter Law from his position as Chief Magistrate and Supreme Court Register of Nauru. In response, the visa of the Chief Justice was revoked and he was barred from entering Nauru.

Both the removal and deportation of Peter Law and the revocation of the visa of the Chief Justice are linked to their administration and adjudication of asylum seeker cases. Prior to Peter Law's removal and deportation, he was scheduled to hear the direction hearings of about 40 to 60 asylum seekers charged with rioting in 2013. As well, the revocation of the visa of Chief Justice Eames follows immediately after he issued an injunction stopping the Nauru government from removing and deporting Peter Law.

The Law Society is deeply concerned about situations where members of the judiciary are themselves targeted in the legitimate exercise of their duties. The Law Society believes strongly in the importance of protecting judicial independence. Judges frequently have to rule on controversial matters and interpret the law in areas where there is legal uncertainty. Judges must be able to make controversial, and even unpopular, rulings without fear of politically motivated sanctions.

The Law Society urges the government of Nauru to:

- a) take steps to ensure that judges are not subject to politically-motivated sanctions as a result of issuing decisions;
- b) publicly recognize the importance and legitimacy of the work of judges and their contributions to the strengthening of democracy and the rule of law;
- c) ensure that all judges can carry out their peaceful and legitimate duties and activities without fear of removal from office; and

- d) ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

The Law Society of Upper Canada is the governing body for 46,200 lawyers and 6,000 paralegals in the Province of Ontario, Canada and the Treasurer is the head of the Law Society. The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.

The Law Society urges the legal community to intervene in support of members of the legal profession in their effort to advance the respect of human rights and to promote the rule of law.

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