



EITD Research

Research for Enterprise, Industries, Technology and Development

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Judge Complains to State Counsel for Investigation!

Monday September 28, 2009, High Court, Kumba

Subject: Letter of the EITD Research RJJR Programme to Justice Evande on his judgment in Suit No. HCK/31/2008 and related matters in his High Court Registry

Friday, 25/09/09, Mr. Mbwoye (Director of EITD Research) was at Justice Evande's office as the Judge had commanded on 24/09/09. But the Judge avoided the meeting rendezvous and ordered Mr. Mbwoye (through his Court Registry and Convocation of 25/09/09) to appear before him on Monday 28/09/09. Mr. Mbwoye's report of the incidence is available on the Revival of Justice and Judiciary Reform (RJJR) Programme website, address: www.rjjr.eitdr.org.

So 9.02 am, Monday 28/09/09, Mr. Mbwoye was at the High Court office of the Judge. The Judge was not there. He arrived at 12.18 pm. Mr. Mbwoye asked a Registrar to inform the Judge of his presence, and was told to hold on for the Judge to settle down in his office. Mr. Mbwoye took a seat and waited. A buzzer rang, not far from where Mr. Mbwoye was sitting. The Registrar went into the Judge's office. She came out and asked what Mr. Mbwoye's name was again? Then, returned into the office. Some State Counsels came in and left. Then at 2.00 pm, a deputy State Counsel came and asked Mr. Mbwoye to follow him outside. He had some pieces of paper in his hand. He told Mr. Mbwoye that the Judge has made a complaint against Mr. Mbwoye to the State Counsel for investigation. Mr. Mbwoye responded saying the Judge had said he wanted to make the complaint (see our report of meeting with the Judge on Thursday 24/09/09 available at the RJJR Programme website, address: www.rjjr.eitdr.org).

Mr. Mbwoye was led to the State Counsel's office and asked to wait, as the State Counsel was not on seat. He arrived at 2.20 pm, and met a crowd waiting for him outside his office. His deputy quickly made sure he saw Mr. Mbwoye. There were about nine (9) people, some sitting, others standing, in his office when Mr. Mbwoye met with him. The meeting was brief. He told Mr. Mbwoye he was referring the Judge's complaint to the Central Police Commissioner for investigation and wanted a report from him before proceeding. He then asked Mr. Mbwoye to await further instructions from his deputy. And so Mr. Mbwoye waited amid the crowd that appeared to have swelled and was losing patience outside the State Counsel's office till 5.20 pm when the deputy State Counsel told Mr. Mbwoye to go home, and return tomorrow at 9.00 am, as the file was not yet ready.

Did someone say the machinery of Justice grinds slowly but surely? Or, was it that justice delayed is justice denied? Mr. Mbwoye asked himself on his way home to return to the High Court tomorrow, 29/09/09.

The EITD Research RJJR Programme uses various political processes and public interest litigation to robustly engage the justice system and hold it to account continually. Website address: www.rjjr.eitdr.org.