



EITD Research

Research for Enterprise, Industries, Technology and Development

Director: D.M. Mbwoye. B.Eng(Hons), B.A., M.Phil.

P.O. Box 168, Kumba, South West Region, Cameroon.

Tel: (237) 3335-4623/7766-2395/9794-7734 Fax: (237) 3335-4623

E-mail: info@eitdr.org Web site: www.eitdr.org

Meeting With State Counsel and Police

Wednesday September 30, 2009, State Counsel's Office, 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

Tuesday, 29/09/09, Mr. Mbwoye (Director of EITD Research) met with the Central Police Commissioner and learnt that the State Counsel wanted to see him and the Commissioner today, 30/09/09, at 9.00 am, in the State Counsel's office. Mr. Mbwoye's report of yesterday (29/09/09) is available on the Revival of Justice and Judiciary Reform (RJJR) Programme website, address: www.rjrr.eitdr.org.

9.00 am, Wednesday 30/09/09, Mr. Mbwoye was at the State Counsel's office. The Police (two lead officers sent by the Central Police Commissioner to represent him at the meeting) arrived at 9.20 am. The State Counsel came in at 10.10 am. The meeting soon started in the presence of about fifteen to twenty or more other people (some sitting, some standing) in the State Counsel's office.

The Police gave the State Counsel the file of the matter they had brought from their boss. The State Counsel asked Mr. Mbwoye what EITD Research stood for, if Mr. Mbwoye was its Director, and whether the RJJR Programme was the brainchild of Mr. Mbwoye. Satisfied with the answers received, the State Counsel read aloud the entire contents of the file, which consisted of two RJJR Programme letters (one to Justice Evande and the other to his High Court Registrar) and our report of our meeting with Justice Evande and his Registrar on Thursday September 28, 2009. These documents and others are available on the RJJR Programme website, address: www.rjrr.eitdr.org.

The State Counsel put the file on his table when he finished reading it, and addressed all in the room saying "This is war"! He said breakdown in communication has often caused war, and is what he is observing in the matter before him. That he was sure the issues raised in the RJJR Programme letters would have been easily dealt with if Mr. Mbwoye had gone to see Justice Evande personally. That putting the communication in writing is explosive and exposing things that go on in the judiciary, many of which bosses such as himself (the State Counsel), Justice Evande and others may not be aware of. That he can understand Justice Evande's reaction to the RJJR Programme letter because the Judge is an honourable man of integrity and probity. That, as a former High Court Judge, he knows many things including typing errors that can delay the signing of judgments for even up to a year or more! That if subordinates do all sorts of things that tarnish services, should they all get sacked or killed? That bosses have the duty of providing immediate solutions whilst managing wayward subordinates as much as they can.

The State Counsel then said he was withdrawing the file from the Police, and would instead conduct an internal administrative inquiry. That even as he does not doubt the allegations in the RJJR Programme letters, he has the duty of investigating their veracity. That 10,000 FCFA alleged to have been collected by the High Court Registrar from Mr. Mbwoye will be refunded if found to be true after his investigation, and suggested the RJJR Programme consider writing an apology letter to Justice Evande. Mr. Mbwoye thanked the State Counsel for his candour in grappling with the issues, and that it will arrange the RJJR Programme to have the State Counsel's responses to the issues in writing, because writing and publishing is part and parcel of EITD Research activities. The mention of requiring the state officials to reply to the RJJR Programme in writing did not appear to sit the State Counsel well.

Then Mme. Tiku Mariana, one of the officials in question, came in to see the State Counsel for other matters of service. The State Counsel asked her if she has received a letter from the RJJR Programme. She said she had, and was waiting for the State Counsel to finish dealing with the complaint from the Judge (her boss) before lodging hers. She then left in anger, saying that some people think their learning is to be writing rubbish to others! The State Counsel leaned forward with both arms raised and addressed all present saying "You see, you see, this type of thing can make you mad"! That such behaviour of subordinates should not be allowed to drag the name of a good Judge in mud. He asked that we take a date to meet again, and said by then he would have completed his investigations. Thursday, 08/10/09, was agreed.

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.rjrr.eitdr.org.