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Israel Khan: Ayers-Caesar's matter a comedy of errors

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FORMER chief magistrate Marcia Ayers-Caesar cannot recommence her part-heard cases even if she is reappointed by the Judicial and Legal Services Commission (JLSC). Her shock resignation as a judge of the Supreme Court on Thursday has reignited calls for the resignation of Chief Justice Ivor Archie over the apparent bungling. This was the view of Senior Counsel Israel Khan and several other attorneys yesterday.

"It is a comedy of errors all around," Khan said. "The entire JLSC including the Chief Justice should resign or, in the alternative, there should be a public enquiry.

The President should set up a Commission of Enquiry to investigate this fiasco." He said he has known Ayers-Caesar to be of impeccable character and the statement of the Chief Justice on behalf of the commission was "self-serving" and an attempt to destroy Ayers-Caesar's good name and character.

Khan said Archie implied that Ayers-Caesar was "dishonest" by withholding information from him about her slate of part-heard matters; was irresponsible for failing to complete all her matters and was "inept" in that she could not handle the transition from the magistrates court to the high court.

"She is the sacrificial lamb in this scenario and she should not sacrifice her good name and character to save the chief justice or the JLSC.

The chief justice has demonstrated, by his machination to offer lame excuses for his high-handedness, an irresponsible and "don't care" attitude that he will do everything to protect his image as a clean chief justice. I call upon Marcia Ayers-Caesar to protect her good name and integrity and speak out on this matter." Khan also called upon the other members of the commission to say what happened.

Sources said yesterday several senior attorneys are in the process of formulating a statement calling for Archie's resignation as head of the Judiciary and the JLSC. They say even if Ayers-Caesar was not forthcoming on the number of parheard matters before her, Archie as head of the magistracy should have known of the case load before his chief magistrate.

Some attorneys, however, are of the opinion that Ayers-Caesar can return to the bench to complete the matters she left outstanding at the time of her appointment as a judge.

Khan disagrees.

Another senior counsel Martin Daly also weighed in on the controversy.

"The JLSC was careless in the first place not to do its own due diligence into what cases the chief magistrate had pending," he said.

"The assurance the Commission gave that rigorous processes had been followed, was a hollow assurance." Daly said reappointing Ayers-Caesar to the magisterial bench will bring the administration of justice into disrepute.

"They have put themselves in an untenable position."

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