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Australian Legal Profession Deeply Concerned about Attacks on Judicial Independence in Kiribati

The Law Council of Australia and the Australian Bar Association express deep concern about recent events in Kiribati.

On 2 September 2022, Kiribati President Taneti Maamau purported to suspend the nation's three most senior remaining judges, Justices Paul Heath, Peter Blanchard and Rodney Hansen. Those judges, who are retired senior New Zealand judges and distinguished jurists, last month quashed an administrative decision to deport High Court judge and Australian citizen Justice David Lambourne. These latest attacks on the judiciary follow the earlier suspension of Kiribati's Chief Justice William Hastings and Justice Lambourne.

As a result, there are now no sitting judges in Kiribati.

Law Council of Australia President Tass Liveris said, "The Australian legal profession calls on the Government of Kiribati to respect the independence of the judiciary and the separation of powers, and to refrain from any inappropriate or unwarranted interference with the judicial process. The decisions of Kiribati's highest court, and its judicial officers, must be respected."

Australian Bar Association President Dr Matt Collins AM QC added, "Judicial officers must have security of tenure. Respect for the rule of law demands that they be able to determine disputes between the state and the citizen according to law and, where those decisions go against the state, to do so free from recriminations and attacks on their integrity."

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About the LCA

The Law Council of Australia is the voice of the Australian legal profession in Australia and internationally. Established in 1933, it represents all 16 Australian State and Territory Law Societies and Bar Associations and Law Firms Australia. Through this representation, the Law Council effectively acts on behalf of more than 90,000 lawyers across Australia on legal and policy matters of national and international importance to uphold the rule of law, to support the administration of justice and to promote access to justice.

About the ABA

The Australian Bar Association is the peak body representing more than 6,000 barristers throughout Australia. Established in 1963, the ABA is committed to serving, promoting and representing its members, as well as advocating for fair and equal justice for all.

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