



Judicial Conference of Australia

AUSTRALIAN JUDGES' ASSOCIATION CONDEMN POLISH GOVERNMENT'S LACK OF RESPECT FOR ITS JUDICIARY

**Media release by the President
of the Judicial Conference of Australia
18th October 2016**

The Judicial Conference of Australia is very concerned about the continuing actions of the Polish Government that are calculated to undermine the independence of that country's judiciary, Justice Robert Beech-Jones, President of the JCA said today. He referred to the Polish Government's refusal to accept rulings of the Constitutional Tribunal, Poland's highest court.

Justice Beech-Jones said that the JCA saw as a threat to the rule of law in Poland, its Government's attempts to appoint three judges to positions on the 15 member Constitutional Tribunal despite those positions having been filled by judges appointed by the previous Polish Parliament.

Justice Beech-Jones said that the Polish Government had to respect and apply decisions of that nation's judiciary, especially those of the Constitutional Tribunal, including where the Court found that a law or government decision was unconstitutional.

The JCA expresses its strong support for the maintenance of the independence of the judiciary in Poland. Justice Beech-Jones called for the Polish Government to recognise that it is an essential feature of a constitutional democracy that governments respect the rule of law and the institutional integrity, impartiality and independence of the judiciary.

The JCA believes that any interference with those bulwarks of freedom under law threatens to undermine the human right reflected in Article 8 of the 1948 United Nations *Universal Declaration of Human Rights* that "everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law".

The Judicial Conference of Australia is the professional association of judges and magistrates in Australia. For further information, contact Christopher Roper, the Secretary of the Judicial Conference of Australia:
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