



Press Release

COMMONWEALTH LAWYERS ASSOCIATION
9th February 2017

The Commonwealth Lawyers Association is respectful of the sovereignty of Governments and their democratically elected governments around the world.

The CLA has been mindful of President Trump's Immigration Executive Order limiting entrance into the United States and the challenge to its constitutional validity by Washington State. An interim ruling at first instance by a Federal Judge blocking key parts of the Executive Order has been made. This ruling is now subject to appeal which is an appropriate response for a dissatisfied party. The ruling also gave rise to *ad hominem* criticism of the judge which is not appropriate.

It is the role of the Government of any country to ensure that the rule of law and the independence of the Judiciary is upheld. Key fundamentals of the rule of law ARE confidence in and independence of the judiciary and the judicial system. Governments can be critical of judgments that go against them, and all jurisdictions should have an appeal process to deal with such cases. If a Government official makes *ad hominem* attacks an individual judge, this serves only to undermine the public confidence in judges and thus the integrity of the judicial system. Individuals challenging Government law must have faith that the judicial officers hearing those cases will be independent and not intimidated.

The CLA never suggests that there should not be fair comment on decisions made by judicial officers which from time to time might surprise. But undermining faith in the judicial process of a country is a dangerous step.

Notes to the Editor

The CLA is a pan-Commonwealth organisation which seeks to uphold the rule of law by encouraging exchange of ideas between legal professionals, academics and students, through projects and by driving improvements in legal education. Comments herein can be attributed to the President Mr Alexander Ward