

Thursday, 7th October 2010

Mr Justice Philip Sciberras retires with words of advice

Kurt Bugeja Coster



Photo: Darrin Zammit Lupi

Mr Justice Philip Sciberras retired from the Bench yesterday advising those who assembled to bid him farewell not to remember his defects to the extent that they forgot their own.

The parting shot was borrowed from French Renaissance writer Francois Rabelais.

Mr Justice Sciberras took the opportunity to deal with retirement and the fact that the judiciary were allowed to go too early, a question raised repeatedly in the past few months.

“As an aside, I would like to join those who voiced their opinion about the judiciary’s retirement age in the past months,” he said. “I firmly recommend that the Executive reconsiders the inflexible decision it adopts and concedes that members of the judiciary continue after reaching the statutory retirement age,” he added.

Mr Justice Sciberras said he had no doubt the members of the judiciary themselves would realise when it was time to step down.

His stand echoed similar opinions recently voiced by outgoing Chief Justice Vincent De Gaetano and retired judges Joseph Galea Debono and Carmel Agius.

A government spokesman had said there was no intention to raise the retirement age of judges.

Mr Justice Sciberras also touched on delays in handing down judgments and warned that such problems contributed to a loss of confidence in the judiciary.

He dealt with the subject on the same day he cleared his pending caseload before packing up by handing down 67 judgments, bringing the total meted out throughout his eight-year tenure to 2,529.

“Every aspiring member of the judiciary should understand that trust is not only lost through acts of corruption or favouritism, which are crimes in themselves, but also as a result of laziness, negligence and insensibility,” he said.

“Despite the legislative amendments to speed up procedure and overcome the exaggerated delay, which is scandalous in itself, aspiring members of the judiciary should appreciate that... they pertain to religious orders where those who procrastinate and are not of good example could lose their holy credentials,” Mr Justice Sciberras continued.

He then rose from his chair to a loud and lengthy round of applause by serving and retired judiciary members, lawyers, family and friends before collecting his hat from the Bench and retiring to his chambers, waving once on the way.