

JUDGE GEOFFREY WILLIAM MARTIN OBE (G46-54)

Born : 9 November 1935. Married, 2 daughters, 2 step daughters

Education : Framlingham College, Suffolk 1946 – 1954
St John's College, Cambridge 1956 – 1959
(2.1 in history)
Qualified solicitor 1966



Military service : National Service, mainly at RAF Cranwell 1954 – 1956

Employment : HMOCS (district officer and magistrate, Tanganyika) 1959 – 1962
Solicitor's articled clerk 1963 – 1966
Private practice (litigation) 1966 – 1977
County Court Registrar (UK) 1977 – 1986
Puisne Judge, later Chief Justice, Tonga 1986 – 1991
District Judge (UK) 1992 – 2003

Occasional employment : Judge, Vanuatu Court of Appeal 1988 – 1995
Judge, Western Samoa Court of Appeal 1990
Judge, Tonga Court of Appeal 1994
Chief Justice, St Helena 1992 to 2006
Judge, Falkland Islands 1996
Locum Chief Justice, Turks & Caicos Islands Sept 2004 – January 2005
Acting judge, Turks & Caicos Islands 2006 to date
Commercial arbitrator, Turks & Caicos Islands 2005 to date
Deputy district judge (UK) 2003 to date

Other activities : Occasional writing and lecturing on legal issues and appraising deputy district judges.

Honours : OBE 1992

Member of : Law Society
Commonwealth Magistrates' and Judges' Association
Royal Over-Seas League

See below for an interesting article in the St Helena Independent dated 12 May 2006. The picture about was also taken from the paper and shows Geoff and his wife in the garden of Judge's Lodge on St Helena. In the top corner you can just see the ship that had arrived to take them away.

ARTICLE IN THE ST HELENA INDEPENDENT DATED 12 MAY 2006

Yesterday saw the Chief Justice, Judge Geoffrey Martin, leave the Island for, maybe, the last time. Judge Martin has been the main pillar of the justice system of St Helena for the last 14 years. St Helena is a complex society with enormous amount of power in the hands of the Governor and the administration of the Island. The balancing factor, which is there as a safety valve when the powers go wrong, is the judiciary - the Chief Justice in particular.

The *Independent* visited Judge's Lodge, where Geoffrey, and his wife Marie, has been staying on their visits to the Island, yesterday to make a short summing up of their long connection with the Island.

Judge Martin arrived here for the first time after five years in Tonga and on his first visit he took videos from the Island as he was not sure that he would ever come back. When asked which have been the most obvious changes to how the legal system works in St Helena he said that the introduction of an Appeal Court coming to the Island and actually doing their work here has made a great impact and also the introduction of a Public Solicitor, which he emphasised, is a very important job on the Island. The Public Solicitor is here all the time and can, even in the absence of a Judge keep certain checks and balances. Before the introduction of a Public Solicitor, the Attorney General was the only qualified lawyer on the Island and he was the adviser to the Government and most of the time unable to assist the general public.

The Island has been fortunate to have received the services two able and energetic Public Solicitors this far, first Jonathan Hardiker and thereafter Colin Forbes. Hopefully, the new Solicitor, Jane Hamilton-White, who is arriving in July, will also prove herself to be a great asset to the Island and its community. Judge Martin also reflects on the changes in application of English law in St Helena. First, the famous Slater vs. Serco case on Ascension, which established that some English employment legislation applied to St Helena and Ascension, and later, the rulings giving effect to the English Human Rights Act, which has meant that the people of the Islands have more protection against unfair treatment from employers and governments. He says that "it would be desirable to introduce more local legislation instead of leaning on English law but it would be very difficult, if not impossible, for a small community as St Helena to have the resources to draft and maintain a full set of laws of its own". Judge Martin points out that St Helena has hardly any criminal law of its own and English law has to be used. He emphasises that a local criminal law ordinance would be desirable as English acts sometimes are difficult to apply.

I asked which had been his most difficult case in his 14 years as Chief Justice. "The murder case last year", he said, without hesitation. "It was a difficult case, but maybe not the most complicated, the Judicial Reviews, especially the Slater vs. Serco case in the late 90's, were more complex than the cases against Jeremy Thomas and Colin Phillips."

Judge Martin has over his years been a guarantor of justice in St Helena through his manifest independence from government and outside pressures. He is semi-retired in UK and it is time to withdraw from working life. As a Judge, he said, "you must be up to date with changes and you have to maintain your experience. It would be impossible to be retired in UK and come out here as Chief Justice to do a few cases per year. It would be like a surgeon that has not operated for a few years. You will have lost the touch."

He has still some unfinished business in Turks & Caicos Islands in the Caribbean but in general Judge Martin will withdraw to retirement, enjoy family and do a lot travelling together with his wife Marie. "After my years in many jurisdictions overseas I have gained friends all over the world that we now have the opportunity to visit", he said. "Hopefully, we will also be able to come back here to St Helena on our travels".

I took the opportunity to ask if the job as Chief Justice was well paid. "You don't do this job for the money", he said, "I receive a retainer of £1,300 per year and £118 per day and free lodging whilst I am on the Island working." This is far less than most consultants and DfID appointees working on St Helena. "Being a Judge in UK is a very well paid job and you can afford this kind of appointments in between", he continued.

Judge Martin is still Chief Justice for the Island until a new Judge has been appointed. The Foreign and Commonwealth Office is in the process of advertising the post at this very moment and it is unlikely that he will be back on the Island again in this capacity. Next time it will be as a tourist.