Lord Chief Justice intervenes in judge's race discrimination claim against MoJ

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Lord Chief Justice intervenes in judge's race discrimination claim against MoJ

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The Lord Chief Justice has personally intervened in the case of the judge who has brought a race discrimination claim against the Ministry of Justice.

The judiciary's governing body has recommended that Peter Herbert be handed a written warning for remarks he made at a "Defend Democracy" rally in April 2015 relating to the presence of racism in the judiciary. The remarks were said to breach a rule of judicial conduct which requires judges to "refrain from any activity, political or otherwise, which could conflict with their judicial office or be seen to compromise their impartiality".

Herbert, who is a human rights barrister, sits as a judge in employment and immigration tribunals and chairs the Society of Black Lawyers, claims that the recommendation is discriminatory on grounds of his race and amounts to victimisation.

For the written warning to be given, the Justice Secretary, Michael Gove, and the Lord Chief Justice, Lord Thomas, must agree. Rather than rubber-stamping the recommendation, Lord Thomas has stated his concern that some of the points Herbert raised have not fully been considered and recommended that a disciplinary panel be appointed to investigate.

Read press coverage here.

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