Language Discrimination and Lack of Clear Principles by Secretariat Supervisory Committee for Judges Norwegian Language Rulings, in response to English Language complaints in Case 12-071: Judge Nina Opsahl, 12-072: Judge Wenche Arntzen, 12-073: Judge Tore Schei.

31. december 2012

Complainant

Submitted by

Forename: Lara
Surname: Johnstone
Organisation:
Address: PO Box 5042
Postcode: 6539
Town: George East, 6539
E-mail: jmcswan@mweb.co.za
Telephone:
Fax:

Complainant

Forename:
Surname:
Address:
Postcode:
Town:

Complaint

Which public agency does your complaint refer to?
Supervisory Committee for Judges

Enter the public agency's case number or reference if known
12-071, 12-072 and 12-073

I complain about a decision made Nei

When was the decision made (date of letter)?
23 October 2012

I complain about slow case processing or failure to reply Nei

Complaints form

I complain about other issues (e.g. bad treatment) Ja

Attachments

12-12-23_PO_SSC4J_Discrimination-Ambiguity.pdf
12-11-03_Tinsynsutvalget_71-12_Nina Opsahl.pdf
12-11-03_Tinsynsutvalget_72-12_Wenche Arntzen.pdf
12-11-03_Tinsynsutvalget_73-12_Tore Schei.pdf

Grounds for complaint

Describe your complaint
On 30 May 2012 and 06 June 2012, I filed three complaints with the Secretariat of the Supervisory Committee of Judges respectively against: (1) Judge Tore Schei, (2) Judge Wenche Arntzen and (3) Judge Nina Opsahl.

After much delay and obstruction, on 03 September 2012, I was issued Case Numbers and informed that my complaints had been given the case numbers of 12-071 (Judge Nina Opsahl), 12-072 (Judge Wenche E. Arntzen) and 12-073 (Justice Tore Schei). Furthermore that ?If a party have given a statement in the case, these will be provided the complainant. The Supervisory Committee has not received statements from the other parties involved.?

I was never informed the rulings of the Judges would be in Norwegian. I was also never provided with any parties statements.

On 23 October 2012, the Supervisory Committee for Judges issues the rulings in the matter (without hearing any of the parties statements, or providing me with a response to their statements), and issued the rulings in Norwegian.

On 12 November I requested an English translation. On 14 November the Supervisory Committee for Judges refused to provide me with an English translation, stating that the ?decisions are always in Norwegian?. Furthermore that allegedly ?there has never been a tradition to write the decisions in English even if the complaint is in English?. The Supervisory Committee for Judges did not provide any evidence for this statement.

Requests on 14 November and 15 December for English translations have been ignored.

RELIEF REQUESTED:

Request for English Translation of Supervisory Committee for Judges Rulings in Complaints against (i) Judge Nina Opsahl (12-071), (2) Judge Wenche Arntzen (12-072) and (3) Justice Tore Schei (12-073).

渋味 悟り

Lara Johnstone
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31 December 2012

Parliamentary Ombudsman: Arne Fliflet
The Parliamentary Ombudsman for Public Administration
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Tel: 22 82 85 00 | Toll: 800 800 39 | Fax: 22 82 85 11
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Dear Parliamentary Ombudsman,

Language Discrimination and Lack of Clear Principles by Secretariat Supervisory Committee for Judges Norwegian Language Rulings, in response to English Language complaints in Case 12-071: Judge Nina Opsahl, 12-072: Judge Wenche Arntzen, 12-073: Judge Tore Schei.

Overview:

On 30 May 2012 and 06 June 2012, I filed three complaints with the Secretariat of the Supervisory Committee of Judges respectively against: (1) Judge Tore Schei, (2) Judge Wenche Arntzen and (3) Judge Nina Opsahl.

After much delay and obstruction, on 03 September 2012, I was issued Case Numbers and informed that my complaints had been given the case numbers of 12-071 (Judge Nina Opsahl), 12-072 (Judge Wenche E. Arntzen) and 12-073 (Justice Tore Schei). Furthermore that "If a party have given a statement in the case, these will be provided the complainant. The Supervisory Committee has not received statements from the other parties involved."

I was never informed the rulings of the Judges would be in Norwegian. I was also never provided with any parties statements.

On 23 October 2012, the Supervisory Committee for Judges issues the rulings in the matter (without hearing any of the parties statements, or providing me with a response to their statements), and issued the rulings in Norwegian.

On 12 November I requested an English translation. On 14 November the Supervisory Committee for Judges refused to provide me with an English translation, stating that the 'decisions are always in Norwegian'. Furthermore that allegedly "there has never been a tradition to write the decisions in English even if the complaint is in English". The Supervisory Committee for Judges did not provide any evidence for this statement.

Requests on 14 November and 15 December for English translations have been ignored.

CHRONOLOGY OF EVENTS:

On 06 June 2012 I noted that I had not yet received any information detailing the process and procedure for my complaints, and additionally provided the completed signed "Skjema for klage på dommere til Tilsynsutvalget for dommere (TU)" forms for my complaints in English.

On 04 July, I submitted to Parliamentary Ombudsman: Slow Case Processing or Failure to Provide Case Processing by Secretariat of the Supervisory Committee of Judges: RE: Violation of Ethical Principles for Norwegian Judges Complaints in Norway v. Breivik matter against (i) Chief Justice Tore Schei, (2) Judge Wenche Arntzen & (3) Judge Nina Opsahl. (PDF)

On 11 July, Parliamentary Ombudsman: Head of Division: Berit Sollie: Case Ref: 2012-1943: **Lack of Response from the Supervisory Committee for Judges**, responded that I had to submit an additional "written request to Tilsynsutvalget for dommere, where you call for answers to your applications. If you do not receive a response to this request within a reasonable time, you can contact the Ombudsman, with an enclosed copy of the last request to Tilsynsutvalget for dommere."

On 20 July I again submitted a request to Secretariat of the Supervisory Committee for Judges: National Courts Administration: RE: 30 May 2012 Violation of Ethical Principles for Norwegian Judges complaints against Complaint against Chief Justice Tore Schei; Judge Wenche Arntzen and Judge Nina Opsahl.

> I am still waiting for the Secretariat of the Supervisory Committee for Judges, to provide me with a Case and/or Reference Number for my complaint/s, including details about processing of my complaint/s in Norway v. Breivik matter against respectively: (1) Judge Nina Opsahl, (2) Judge Wenche Arntzen & (3) Chief Justice Tore Schei.
>
> Please Note: In case of Absence of Response from Secretariat of the Supervisory Committee for Judges, providing a case number and details of processing of my complaint (or alternatively a final date by when such information shall be provided to me by the Committee), by 27 July 2012; the complaint shall be submitted to: Parliamentary Ombudsman.

On 20 July 2012 I responded to Parliamentary Ombudsman: Case 2012-1943, that I was still waiting for a response to my Complaint to Secretariat for Supv. Committee of Judges: Against Justice Tore Schei | Judge Wenche Arntzen | Judge Nina Opsahl

On 31 July 2012, I received a response from Supv. Comm. for Judges:

> Response from Secretariat Supervisory Committee for Judges: Court Administration: Senior Advisor: Ms Espen Eiken: Re: Tilsynsutvalget for dommere - Klage: Justice Tore Schei, Judge Wenche Arntzen, Judge Nina

Opsahl: "We refer to your three complaints to the Supervisory Committee for Judges (Tilsynsutvalget for dommere). Your complaints will be handled according to our standard procedure. According to our standard procedure we don't send a confirmation letter to inform that we have received a complaint. Each complaint will be given a case number. The average handling time for the Supervisory Committee has lately been up to six months."

On 01 August 2012, I responded to Supv. Comm. for Judges:

Can you please clarify; so that I am crystal clear about the Committee's process, and can continue these proceedings with confidence in the Committee's impartial objectivity and professionalism: 1. It will take six months for me to be issued a case number? 2. Or, it will take six months to complete the complaint enquiry?

21 August 2012: Correspondence to Supv. Comm. for Judges:

I have still received No Response from Supv. Comm. for Judges to my questions (01 August 2012) in response to your correspondence (31 July 2012).

31 August: Correspondent to Supervisory Comm. for Judges:

I am still awaiting a response to the questions in my correspondence of 01 August 2012, and 21 August, in response to your correspondence of 31 July 2012.

Awaiting clarification on (1) Committee does not Acknowledge Receipt of Complaints; (2) Standard Procedure:

Can you please clarify; so that I am crystal clear about the Committee's process, and can continue these proceedings with confidence in the Committee's impartial objectivity and professionalism: (1) It will take six months for me to be issued a case number?; (2) Or, it will take six months to complete the complaint enquiry?

02 Sept: Complaint to Parl. Ombudsman: Slow Case Processing:

Complaint (PDF) submitted to the Parliamentary Ombudsman: Slow Case Processing or Failure to Provide Case Processing by Secretariat of the Supervisory Committee of Judges: RE: Violation of Ethical Principles for Norwegian Judges Complaints in Norway v. Breivik matter against (i) Chief Justice Tore Schei, (2) Judge Wenche Arntzen & (3) Judge Nina Opsahl.

Slow Case Processing: Supv. Comm. for Judges/ Tilsynsutvalget for dommere have obstructed my requests for a Case number since 06 June 2012, and for information about the level of transparency of their 'standard procedure' since 31 July 2012.

Failure to Provide Case Processing: Supv. Comm. for Judges/ Tilsynsutvalget for dommere appear to be attempting to refuse to provide me with a Case Number, in their attempts to obstruct my complaint from the public record.

[Withdrawn on 04 Sept: PO: 02.09 Supv. Comm. for Judges Complaint resolved on 03.09]

03 Sept: Response from Supv. Comm. for Judges: Issuance of Case Number:

"Your complaints have been given the case numbers 12-071 (Judge Nina Opsahl), 12-072 (Judge Wenche E. Arntzen) and 12-073 (Justice Tore Schei). The complete handling time can be close to six months.

If a party have given a statement in the case, these will be provided the complainant. The Supervisory Committee has not received statements from the other parties involved."

03 Sept 2012: Response to Supv. Comm. for Judges:

"Thank you for the information. I am now clear of what is expected of me. I shall wait to receive the parties statements; and acknowledge that I am aware that the complete handling time can be upto six months. I have no objections thereto.

Until I receive any parties statement, I do not expect you to be hearing from me, until I respond thereto.

I filed a subsequent complaint of slow case handling to the Parliamentary Ombudsman, on 02 September. I shall notify them, that it is no longer necessary, and withdraw the complaint to the Parliamentary Ombudsman. I shall provide you a copy of my withdrawal of the complaint for your records. I hope to do so later today." [Withdrawn on 04 Sept: PO: 02.09 Supv. Comm. for Judges Complaint resolved on 03.09]

23 Oct: Supv. Comm. for Judges Ruling: 'Obviously Unfounded'

[Received 02 November] On 23 October, the Supervisory Committee for Judges changed their minds and decided they were not going to process the complaints.

Previously they had said that the complaints would be processed, whereby all the Judges would be required to submit a statement about their reasons, in accordance to the issues raised in the complaints.

However the Supervisory Committee for Judges now decided that all the Judges do not have to submit their affidavits, and the complaints will be ruled as 'obviously unfounded' (Google translation).

The decisions by the Committee are in Norwegian.

12 Nov: Correspondence to Supv. Comm. For Judges: Req for Info & English Translation of Ruling:

I have received the rulings. Thank you.

1. Could you clarify why they are in Norwegian?

2. Could you clarify who the person was who made the decision that the rulings should be made in Norwegian

3. Could you provide an English translation?

4. If not, could you provide me with the name of the person who refuses to provide an English translation.

5. Finally: Could you also confirm whether the Supervisory Committee received any verbal or written statements from the parties; and if so, why such statements were not provided to me.

Espen Eiken: 03 Sep: "If a party have given a statement in the case, these will be provided the complainant. The Supervisory Committee has not received statements from the other parties involved."

14 Nov: Correspondence from Ms. Eiken: Req for Info Re: Language Policy:

The decisions of the Supervisory Committee for Judges are always written in Norwegian. There has never been a tradition to write the decisions in English even if the complaint is in English. There was no individual person who decided that the decisions should be made in Norwegian. The Committee has no arrangement for translating its decisions. It is therefore assumed that the complainants provides necessary translations. The Supervisory Committee have not received any statements from the parties.

14 Nov: Response to Supervisory Committee for Judges:

So, are you saying that the Supervisory Committee for Judges who dealt with my complaints cannot speak or write English? Who translated my complaint for them, or did they just ignore it, cause they do not speak English, and refuse all complaints that are not in Norwegian?

Surely if a court accepts a complaint written in a particular language, then they should provide the speaker of such language with the response in their language, or they should inform the complainant to fuck off, because they refuse to accept complaints in any language except Norwegian?

How did the Justices know what the complaint was about, if they cannot speak English? Does the Supervisory Committee for Judges accept complaints in English? If so, how can they justify providing a ruling that is not in the language of the complaint?

Either they should only accept complaints in Norwegian, or if they accept complaints in other languages, then they should provide a ruling in that particular language?

15 Dec: Reminder Request to Supv. Committee for Judges: Ms. Eiken:

I am still awaiting a response to my email of 14 November: I repeat:

Are you saying that the Supervisory Committee for Judges who dealt with my complaints cannot speak or write English? Who translated my complaint for them, or did they just ignore it, cause they do not speak English, and refuse all complaints that are not in Norwegian?

Surely if a court accepts a complaint written in a particular language, then they should provide the speaker of such language with the response in their language, or they should inform the complainant to fuck off, because they refuse to accept complaints in any language except Norwegian?

How did the Justices know what the complaint was about, if they cannot speak English? Does the Supervisory Committee for Judges accept complaints in English? If so, how can they justify providing a ruling that is not in the language of the complaint?

Either they should only accept complaints in Norwegian, or if they accept complaints in other languages, then they should provide a ruling in that particular language?

There has been no response from the Supervisory Committee of Judges or Ms. Eiken.

ARGUMENT:

[1] Secretariat Supervisory Committee for Judges Norwegian Language Rulings to complaints filed in English are in violation of Article 14: Prohibition of Discrimination[1] and Article 13: Right to an Effective Remedy[2], read in conjunction with Article 6 (3)(a): Right to a Fair Hearing in a language which you understand[3].

The Secretariat Supervisory Committee for Judges accepted my complaint filed in English.

If an organisation, government body or court accepts a complaint written in a particular language, then they should provide the speaker of such language with the response in that particular language.

If an organisation, government body or court does not accept complaints in any particular language, then they should inform the complainant that they do not accept

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[1] ARTICLE 14: Prohibition of discrimination: The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

[2] ARTICLE 13: Right to an effective remedy: Everyone whose rights and freedoms as set forth in this Convention
are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.

[3] ARTICLE 6: Right to a fair trial: 3. Everyone charged with a criminal offence has the following minimum rights: (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him

complaints in such particular language, and reasons therefore, when the complainant files their complaint.

The Secretariat Supervisory Committee for Judges did not notify me of any 'standard procedures', that I would not be provided with a ruling in the language in which I filed the complaint.

[2] Secretariat Supervisory Committee for Judges failure to clearly inform me of their intention to provide Rulings in Norwegian, in response to my complaints filed in English, are in violation of ECHR ruling in Lithgow & Others v. United Kingdom[4], where it held that the rule of law requires provisions of legislation to be adequately accessible and sufficiently precise to enable people to regulate their affairs in accord with the law.

> "As regards the phrase "subject to the conditions provided for by law", it requires in the first place the existence of and compliance with adequately accessible and sufficiently precise domestic legal provisions (see, amongst other authorities, the alone judgment of 2 August 1984, Series A no. 82, pp. 31-33, paras. 66-68)."

RELIEF REQUESTED:

Request for English Translation of Supervisory Committee for Judges Rulings in Complaints against (i) Judge Nina Opsahl (12-071), (2) Judge Wenche Arntzen (12-072) and (3) Justice Tore Schei (12-073).

Respectfully Submitted,

Lara Johnstone

Encl: Norwegian Language Rulings, in response to English Language complaints in Case 12-071: Judge Nina Opsahl, 12-072: Judge Wenche Arntzen, 12-073: Judge Tore Schei.

[4] http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-57526

TILSYNSUTVALGET
FOR DOMMERE

Likelydende brev til:

Ms Lara Johnstone
Amicus Curiae
16 Taaibos Ave
Heatherpark
George 6529
South Africa
jmcswan@mweb.co.za
og
Tingrettsdommer Nina Opsahl
Oslo tingrett
Pb. 8023 Dep.
0030 OSLO

Deres ref:	Vår ref:	Dato:
	201200622-6/228-TU	23.10.2012
	Juridisk saksbehandler: Espen Eiken	

SAK 71/12: KLAGE PÅ TINGRETTSDOMMER NINA OPSAHL VED OSLO TINGRETT. UNDERRETNING OM VEDTAK.

Vedlagt oversendes vedtak i sak 71/12 fattet av Tilsynsutvalget for dommere den 23. oktober 2012.

Tilsynsutvalgets vedtak kan ikke påklages etter forvaltningslovens regler. Partene i saken kan bringe utvalgets vedtak inn for domstolen ved søksmål. Søksmålsfristen er to måneder etter at partene ble underrettet om vedtaket. Det vises nærmere til domstolloven § 239.

Vedtaket er offentlig, jf. offentleglova § 3.

Kopi av dette vedtak sendes domstolleder ved Oslo tingrett til orientering.

Med hilsen
Sekretariatet for Tilsynsutvalget for dommere

Wenche Venås
(Sign.)
Dette brevet er godkjent elektronisk i Domstoladministrasjonens saksbehandlingssystem og har derfor ingen signatur.

Sekretariatet for Tilsynsutvalget for dommere	Postadresse	Besøksadresse	Telefon	Telefaks	E-post
	Domstoladministrasjonen Postboks 5678 Sluppen 7485 Trondheim	Dronningensgt. 2	73 56 70 00	73 56 70 01	tilsynsutvalget@domstol.no

TILSYNSUTVALGET
FOR DOMMERE

Tilsynsutvalget for dommere har den 23. oktober 2012 truffet vedtak i

Sak nr:	71/12 (arkivnr: 201200622-5)
Saken gjelder:	Klage fra Lara Johnstone på tingrettsdommer Nina Opsahl ved Oslo tingrett
Utvalgsmedlem:	Bjørn Hübert Senum (vara), etter fullmakt
Offentlighet:	Vedtaket er offentlig, jf. offentleglova § 3.
Vedtak:	Det er ikke grunnlag for disiplinærtiltak mot tingrettsdommer Nina Opsahl. Klagen er åpenbart ubegrunnet.

Sekretariatet for Tilsynsutvalget for dommere	Postadresse	Besøksadresse	Telefon	Telefaks	E-post
	Domstoladministrasjonen Postboks 5678 Sluppen 7485 Trondheim	Dronningensgt. 2	73 56 70 00	73 56 70 01	tilsynsutvalget@domstol.no

Innledning:

Lara Johnstone har den 6. juni 2012 inngitt klage på tingrettsdommer Nina Opsahl ved Oslo tingrett. Klager er bosatt i Sør-Afrika, og klagen er skrevet på engelsk.

Tilsynsutvalget for dommere har i medhold av domstolloven § 238 sjette ledd delegert til utvalgets leder, nestleder og advokatmedlem å avgjøre klager som er åpenbart ubegrunnet. Klagen behandles etter dette av utvalgets vara-advokatmedlem i henhold til nevnte fullmakt.

Tilsynsutvalget for dommere ser slik på saken:

Tilsynsutvalget for dommere kan treffe vedtak om disiplinærtiltak dersom en dommer forsettlig eller uaktsomt overtrer de plikter som stillingen medfører, eller for øvrig opptrer i strid med god dommerskikk, jf. domstolloven § 236 første ledd.

Klagen er omfangsrik og knytter seg til 22. juli-saken, som ble avviklet ved Oslo tingrett våren og sommeren 2012. Klager har for øvrig ikke vært en aktør i rettssaken eller på annen måte vært direkte involvert i saken. Det er derfor tvilsomt om klager overhodet har klagerett. Etter utvalgets mening gir klagen først og fremst uttrykk for klagers generelle synspunkter på det norske rettssystemet og det norske politiske systemet. Det fremgår av klagedokumentene at Johnstone representerer en politisk-kulturell bevegelse (Radical Honoursty EcoFeminist). Det er ingen holdepunkter i klagen for å si at tingrettsdommer Nina Opsahl har opptrådt i strid med god dommerskikk.

Klagen fremstår etter dette som åpenbart ubegrunnet.

Det fattes følgende

vedtak:

Det er ikke grunnlag for disiplinærtiltak mot tingrettsdommer Nina Opsahl. Klagen er åpenbart ubegrunnet.

Bjørn Hübert Senum

TILSYNSUTVALGET
FOR DOMMERE

Likelydende brev til:

Ms Lara Johnstone
Amicus Curiae
16 Taaibos Ave
Heatherpark
George 6529
South Africa
jmcswan@mweb.co.za

Tingrettsdommer Wenche Elisabeth Arntzen
Oslo tingrett
Postboks 8023 Dep.
0030 OSLO

Deres ref:	Vår ref:	Dato:
	201200623-6/228-TU	23.10.2012
	Juridisk saksbehandler: Espen Eiken	

SAK 72/12: KLAGE PÅ TINGRETTSDOMMER WENCHE ELISABETH ARNTZEN VED OSLO TINGRETT. UNDERRETNING OM VEDTAK.

Vedlagt oversendes vedtak i sak 72/12 fattet i Tilsynsutvalgets møte den 23. oktober 2012.

Tilsynsutvalgets vedtak kan ikke påklages etter forvaltningslovens regler. Partene i saken kan bringe utvalgets vedtak inn for domstolen ved søksmål. Søksmålsfristen er to måneder etter at partene ble underrettet om vedtaket. Det vises nærmere til domstolloven § 239.

Vedtaket er offentlig, jf. offentleglova § 3.

Kopi av dette vedtak sendes domstolleder ved Oslo tingrett til orientering.

Med hilsen
Sekretariatet for Tilsynsutvalget for dommere

Wenche Venås
(Sign.)
Dette brevet er godkjent elektronisk i Domstoladministrasjonens saksbehandlingssystem og har derfor ingen signatur.

Sekretariatet for Tilsynsutvalget for dommere	Postadresse	Besøksadresse	Telefon	Telefaks	E-post
	Domstoladministrasjonen Postboks 5678 Sluppen 7485 Trondheim	Dronningensgt. 2	73 56 70 00	73 56 70 01	tilsynsutvalget@domstol.no

TILSYNSUTVALGET

FOR DOMMERE

Tilsynsutvalget for dommere har den 23. oktober 2012 truffet vedtak i

Sak nr:	72/12 (arkivnr: 201200623-5)
Saken gjelder:	Klage fra Lara Johnstone på tingrettsdommer Wenche Elisabeth Arntzen ved Oslo tingrett
Utvalgsmedlem:	Bjørn Hübert Senum (vara), etter fullmakt
Offentlighet:	Vedtaket er offentlig, jf. offentleglova § 3.
Vedtak:	Det er ikke grunnlag for disiplinærtiltak mot tingrettsdommer Wenche Elisabeth Arntzen. Klagen er åpenbart ubegrunnet.

Sekretariatet for Tilsynsutvalget for dommere	Postadresse Domstoladministrasjonen Postboks 5678 Sluppen 7485 Trondheim	Besøksadresse Dronningensgt. 2	Telefon 73 56 70 00	Telefaks 73 56 70 01	E-post tilsynsutvalget@domstol.no

Innledning:

Lara Johnstone har den 6. juni 2012 inngitt klage på tingrettsdommer Wenche Elisabeth Arntzen ved Oslo tingrett. Klager er bosatt i Sør-Afrika, og klagen er skrevet på engelsk.

Tilsynsutvalget for dommere har i medhold av domstolloven § 238 sjette ledd delegert til utvalgets leder, nestleder og advokatmedlem å avgjøre klager som er åpenbart ubegrunnet. Klagen behandles etter dette av utvalgets vara-advokatmedlem i henhold til nevnte fullmakt.

Tilsynsutvalget for dommere ser slik på saken:

Tilsynsutvalget for dommere kan treffe vedtak om disiplinærtiltak dersom en dommer forsettlig eller uaktsomt overtrer de plikter som stillingen medfører, eller for øvrig opptrer i strid med god dommerskikk, jf. domstolloven § 236 første ledd.

Klagen er omfangsrik og knytter seg til 22. juli-saken, som ble avviklet ved Oslo tingrett våren og sommeren 2012. Klager har for øvrig ikke vært en aktør i rettssaken eller på annen måte vært direkte involvert i saken. Det er derfor tvilsomt om klager overhodet har klagerett. Etter utvalgets mening gir klagen først og fremst uttrykk for klagers generelle synspunkter på det norske rettssystemet og det norske politiske systemet. Det fremgår av klagedokumentene at Johnstone representerer en politisk-kulturell bevegelse (Radical Honoursty EcoFeminist). Det er ingen holdepunkter i klagen for å si at tingrettsdommer Wenche Elisabeth Arntzen har opptrådt i strid med god dommerskikk.

Klagen fremstår etter dette som åpenbart ubegrunnet.

Det fattes følgende

vedtak:

Det er ikke grunnlag for disiplinærtiltak mot tingrettsdommer Wenche Elisabeth Arntzen. Klagen er åpenbart ubegrunnet.

Bjørn Hübert Senum

TILSYNSUTVALGET
FOR DOMMERE

Likelydende brev til:

Ms Lara Johnstone
Amicus Curiae
16 Taaibos Ave
Heatherpark
George 6529
South Africa
og
Høyesterettsjustitiarius Tore Schei
Norges Høyesterett
Pb 8016 Dep.
0030 OSLO

Deres ref:	Vår ref:	Dato:
	201200624-7/228-TU	23.10.2012
	Juridisk saksbehandler: Espen Eiken	

SAK 73/12: KLAGE PÅ HØYESTERETTSJUSTITIARIUS TORE SCHEI VED HØYESTERETT. UNDERRETNING OM VEDTAK.

Vedlagt oversendes vedtak i sak 73/12 fattet av Tilsynsutvalget for dommere den 23. oktober 2012.

Tilsynsutvalgets vedtak kan ikke påklages etter forvaltningslovens regler. Partene i saken kan bringe utvalgets vedtak inn for domstolen ved søksmål. Søksmålsfristen er to måneder etter at partene ble underrettet om vedtaket. Det vises nærmere til domstolloven § 239.

Vedtaket er offentlig, jf. offentleglova § 3.

Med hilsen
Sekretariatet for Tilsynsutvalget for dommere

Wenche Venås
(Sign.)
Dette brevet er godkjent elektronisk i Domstoladministrasjonens saksbehandlingssystem og har derfor ingen signatur.

Sekretariatet for Tilsynsutvalget for dommere	Postadresse	Besøksadresse	Telefon	Telefaks	E-post
	Domstoladministrasjonen Postboks 5678 Sluppen 7485 Trondheim	Dronningensgt. 2	73 56 70 00	73 56 70 01	tilsynsutvalget@domstol.no

TILSYNSUTVALGET
FOR DOMMERE

Tilsynsutvalget for dommere har den 23. oktober 2012 truffet vedtak i

Sak nr:	73/12 (arkivnr: 201200624-6)
Saken gjelder:	Klage fra Lara Johnstone på høyesterettsjustitiarius Tore Schei
Utvalgsmedlem:	Bjørn Hübert Senum (vara), etter fullmakt
Offentlighet:	Vedtaket er offentlig, jf. offentleglova § 3.
Vedtak:	Det er ikke grunnlag for disiplinærtiltak mot høyesterettsjustitiarius Tore Schei. Klagen er åpenbart ubegrunnet.

Sekretariatet for Tilsynsutvalget for dommere	Postadresse	Besøksadresse	Telefon	Telefaks	E-post
	Domstoladministrasjonen Postboks 5678 Sluppen 7485 Trondheim	Dronningensgt. 2	73 56 70 00	73 56 70 01	tilsynsutvalget@domstol.no

Innledning:

Lara Johnstone har den 6. juni 2012 inngitt klage på høyesterettsjustitiarius Tore Schei. Klager er bosatt i Sør-Afrika, og klagen er skrevet på engelsk.

Tilsynsutvalget for dommere har i medhold av domstolloven § 238 sjette ledd delegert til utvalgets leder, nestleder og advokatmedlem å avgjøre klager som er åpenbart ubegrunnet. Klagen behandles etter dette av utvalgets vara-advokatmedlem i henhold til nevnte fullmakt.

Tilsynsutvalget for dommere ser slik på saken:

Tilsynsutvalget for dommere kan treffe vedtak om disiplinærtiltak dersom en dommer forsettlig eller uaktsomt overtrer de plikter som stillingen medfører, eller for øvrig opptrer i strid med god dommerskikk, jf. domstolloven § 236 første ledd.

Klagen er omfangsrik og knytter seg til 22. juli-saken, som ble avviklet ved Oslo tingrett våren og sommeren 2012. Klager har for øvrig ikke vært en aktør i rettssaken eller på annen måte vært direkte involvert i saken. Det er derfor tvilsomt om klager overhodet har klagerett. Etter utvalgets mening gir klagen først og fremst uttrykk for klagers generelle synspunkter på det norske rettssystemet og det norske politiske systemet. Det fremgår av klagedokumentene at Johnstone representerer en politisk-kulturell bevegelse (Radical Honoursty EcoFeminist). Det er ingen holdepunkter i klagen for å si at høyesterettsjustitiarius Tore Schei har opptrådt i strid med god dommerskikk.

Klagen fremstår etter dette som åpenbart ubegrunnet.

Det fattes følgende

vedtak:

Det er ikke grunnlag for disiplinærtiltak mot høyesterettsjustitiarius Tore Schei. Klagen er åpenbart ubegrunnet.

Bjørn Hübert Senum