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Concern judge may remain in post for months even if convicted



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Judge Gregory Geason at Hobart Magistrates Court

EXCLUSIVE

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Tasmania faces the “embarrassment” of potentially having a convicted judge on its Supreme Court for many months, prompting concern in legal and political circles about confidence in the state’s judicial system.

Judge Gregory Geason, 63, is awaiting a magistrate’s verdict after his trial on one count of common assault and one of emotional abuse or intimidation, both relating to his former fiancée.

The judge, who pleaded not guilty, agreed during the trial that he had breached a Police Family Violence Order preventing communication with the woman, whose name is suppressed.

Some within the legal fraternity believe this admission alone may warrant removal from the bench, of which he remains a member on voluntary leave.

There is also concern in legal and political circles that should he be found guilty but decide to appeal, he may not resign, pending the appeal outcome, which could take many months.

Justice Geason on Friday declined to comment on whether he

would resign if found guilty or instead seek to remain in his \$560,000-plus role pending an appeal outcome. “My client has no comment to make,” his lawyer, Fabiano Cangelosi, said.

The Tasmanian Liberal government in December 2023 aborted an attempt to suspend Justice Geason via parliamentary motion after the judge’s lawyers threatened High Court action.

While the government has since developed draft legislation to set up a new judicial complaints and removal process, it only closed consultation on the bill on Friday.

MPs believe it will not be passed before November and its

mechanism may take months to set up. Some in the legal profession and parliament are concerned that in the event of a guilty verdict, this may leave Justice Geason in his position for many months, unless he voluntarily resigned.

“Would the Tasmanian people, legal fraternity and members of parliament accept further extended delays in resolving the removal of a justice who had been convicted of these offences?” independent upper house MP Meg Webb told The Weekend Australian. “That’s a question that we may find ourselves having to answer in the near future.”

Ms Webb said after the Decem-

ber “debacle” of the withdrawn motion to suspend Justice Geason, the government “simply has not moved fast enough to resolve this situation and avoid likely further embarrassment”.

“It is intensely uncomfortable for Tasmania and its parliament to have a judicial officer in the midst of a criminal court case – facing possible conviction for disturbing alleged family violence offences – yet still holding his office and only informally stood down,” she said.

“We have yet to clarify the powers of the parliament to suspend or remove a judicial officer. We have yet to establish a mechanism similar to that in other

states for managing these situations in a clear and accountable way.

“As an outcome of the court case may be imminent, the Attorney-General should promptly confirm his intended course of action. Does he plan to wait until a judicial commission process is legislated, established and able to advise – likely months from now – before parliament considers possible removal?”

Attorney-General Guy Barnett declined to comment. “It would be inappropriate to comment on a matter currently before the courts,” a spokeswoman said.

The government said it re-

mained committed to the creation of a new judicial commission, but would not say when it hoped to introduce the legislation.

The Hobart Magistrates Court has heard evidence from Justice Geason’s former fiancée that on October 31, 2023, he flew into a “rage” after a male work colleague texted her a “silly” selfie.

She said Justice Geason “grabbed” her by the arms “really, really tightly”, shook her, punched her in the chest area up to eight times, and pushed her, causing her to hit her head on a mantelpiece.

Justice Geason rejected the account, saying there were “no punches” and no pushing.