

1 the active judges, but remember they are only receiving  
2 a pension, and they are not subject to political  
3 influence in their decisions because they are no longer  
4 on the Bench.

5 MR. MARTINEAU: They may be because they  
6 can be recalled.

7 THE CHAIRMAN: Let her finish.

8 MRS. BOTHE: We have a provision in the  
9 Constitution which makes them potentially recallable  
10 only in the discretion of the Chief Judge of the  
11 Court of Appeals, who might refrain from recalling a judge  
12 who is actively engaged in political activity and I,  
13 without wanting to make a very extensive provision in  
14 the Constitution for pensioned judges, because I don't  
15 think really it is worthy of this, I am aware that the  
16 Commission voted at the last meeting to continue pro-  
17 hibitions on the judges receiving pensions, I would still  
18 feel that the Committee should curtail these restrictions.  
19 I certainly don't think they are of constitutional  
20 significance when a man is receiving a pension who is  
21 no longer occupying judicial office and what he does with