

Judge who resigned had been witness in obstruction case

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<http://www.cbc.ca/canada/saskatchewan/story/2007/05/25/judge-hearing.html>

A Prince Albert judge who resigned earlier this month amid questions about his conduct was a witness in an obstruction of justice case last year, CBC News has learned.

Former provincial court judge Terry Bekolay testified in November 2006 in the preliminary hearing of Michael James Bomek, according to court records.

Bomek is charged with attempting to obstruct, pervert or defeat the course of justice. The offence is alleged to have happened in Prince Albert in December 2003.

Bekolay had been under suspension since last year when allegations of a possible conflict of interest were officially made against him. Earlier this month, the Saskatchewan judicial council ordered a formal inquiry be held.

Bekolay then resigned on May 18, saying he didn't want his "personal situation" or the court system to be embroiled in political controversy. The move ended the judicial inquiry.

Neither the judicial council nor Bekolay has provided details about the allegations, although Bekolay said an independent assessment has shown there was no criminal wrongdoing.

He also said in a news release that the matters under review relate to a medical condition he is being treated for.

Justice Minister Frank Quennell said Thursday that cases Bekolay had worked on were not compromised and there has been no recommendation to proceed with criminal charges.

However, the Saskatchewan Party, which has noted that Bekolay is a former president of the Saskatchewan NDP, has urged the government to say more about the case.

There is a ban on publication of evidence presented in the Bomek preliminary hearing, a ban that extends to Bekolay's testimony.

At the end of the November 2006 hearing, provincial court Judge Barry Morgan committed Bomek to stand trial on the obstruction charge. A trial date hasn't been set yet.

Bomek, a disbarred lawyer from Flin Flon, Man., who had once practised law in several communities in Saskatchewan, was sentenced on a separate set of charges earlier this year.

Following a trial last year and after Bomek was found guilty of sexual assault, possession of child pornography and other offences, Queen's Bench Justice Grant Currie sentenced him in January to 3½ years in prison.