

CJEIF Report

Volume 10
Issue 3
September 2004

Message from the President

I had the privilege of participating in the eleventh annual ISP in Halifax in June. It was a pleasure to occupy the CJEI Fellow's apartment on Robie Street, which accommodated the Chief Justice of Lesotho and myself. We were also able to use the attractive space for one of the working sessions and for a working luncheon. Judge Oxner's generosity will certainly provide a wonderful base for any of the fellows who would wish to take advantage of the fellowship program being offered by CJEI. Although this was not intended as an advertisement, I should indicate that further information on the program could be obtained from Mrs. Sandra Laing.

Working at the 11th ISP was particularly interesting because there were two large regional groups from the opposite ends of the world. From the Caribbean sea there were representatives from Trinidad and Tobago, Barbados and the Eastern Caribbean. From another group of small islands,

this time in the South Pacific Ocean, Vanuatu, the Cook Islands and the Solomon Islands, representatives came from their judiciaries and magistracies. It was fascinating to witness the interaction of these and the representatives from other areas of the world as diverse as the Philippines and Pakistan, and participate in discussions on the techniques, objectives and targets of judicial education as each participant contributed to the development of the knowledge base of the others.



CJIE President, the Right Honourable Sir Dennis Byron

(continued on back page)

Message from the Chair



*Sandra E. Oxner, O.C.
Chair of CJEI*

We have been busy this summer tidying up ends from the 2004 Intensive Study Programme for judicial educators. As usual, it was the highlight of our year and we very much appreciate the outstanding jurists who contributed so much during their stay with us and have become our newest Fellows.

We are also at work assisting the Canadian National Judicial Institute with their preparations for the Second International Conference on the Training of the Judiciary in Ottawa to be held October 31st through November 3rd of this year. I was honoured to be invited to make a presentation on the

"Evaluation of Judicial Educative Bodies". We will also be having a CJEI booth demonstrating CJEI and its work. In addition, we are arranging a day either at the beginning or the end of the conference for CJEI Fellows to meet to design an additional Intensive Study Programme on teaching judicial educators techniques of teaching civil and criminal process reform and court administration.

I wish to note here with appreciation the outstanding efforts the Honourable Chief Justice Nazim Hussain Siddiqui of Pakistan and Director General Chaudhry Hasan Nawaz of the Pakistan Federal Judicial Academy in collaborating with us in presenting "roll-out programmes" in the four provinces of Pakistan. Because of restricted funding they have shouldered nine-tenths of the burden of the programme and we are grateful to them.

-Halifax, August 2004

In This Issue

News & Notes.....	2
Intensive Study Programme 2004.....	3
Profiles.....	5
South African Constitutional Court.....	6



Judicial Education in India.....	8
Calendar of Events.....	9
In Your Opinion.....	11
The New CJIE Gateway.....	12

News & Notes

Ethiopia

◆ The Justice Sector Professionals Training Institute began operations this summer. It is governed by a board chaired by the **Honourable Chief Justice Kemal Bedri**. Its executive director is the **Honourable Ato Menbere Tsehay Tadesse** (CJJI, 1996), the Vice President of the Federal Supreme Court. The institute will cater to both the judiciary and public prosecutors.



Jamaica

◆ **Mr. Noel B. Irving** (CJJI, 1999 and present member of the Advisory Board) has retired as Director of the Justice Training Institute.



St. Lucia

◆ On June 29, 2004 the **Honourable Chief Justice Sir Dennis Byron** (CJJI President) was appointed to Her Majesty's Most Honourable Privy Council. Sir Dennis is now the Right Honourable Sir Dennis Byron.

◆ Effective from September 1 to December 31, 2004, the **Honourable Madame Justice Suzie d' Auvergne** (CJJI, 2001) will sit as a Court of Appeal Judge of the Eastern Caribbean Supreme Court.



Tortola

◆ Last July the **Honourable Justice Stanley Moore** (CJJI, 1999) was sworn in as a Justice of the Court of Appeal of Botswana. The appointment is for two years. There are eight judges of the court of Appeal, four from South Africa, one from Scotland, one from Ghana, one from Kenya and Justice Moore, from Guyana.

Last Spring Justice Moore also conducted a lecture tour under the auspices of the Judicial College of South Africa. He lectured to Judges and Magistrates on judicial education and case flow management. While there, he also had the opportunity to attend a judicial conference to mark the official opening of the new building of the South African Constitutional Court.



Bahamas

◆ The **Honourable Justice Austin Ward** has retired as Chief Justice and is now serving on the Court of Appeal. The **Honourable Richard W. Ground OBE QC**, previously Chief Justice of the Turks & Caicos Islands, has succeeded Justice Ward as Chief Justice of Bermuda.



Ghana

◆ The **Honourable Justice SA Brobbey** (CJJI, 2000) was recently appointed Chief Justice of the Gambia. He previously sat on the Supreme Court of Ghana.



Bangladesh

◆ The **Honourable Mr. Justice Md. Badruzzaman** (CJJI, 1998 and present member of the Advisory Board) has retired from his position as Director General of the Judicial Administration Training Institute (JATI) in Bangladesh. The new Director General is Mr. Justice Md. Hamidul Haque.



Please send us news for our next edition of "News and Notes"

See contact information on the last page

CJEI Hosts Eleventh Annual Intensive Study Programme

The Intensive Study Programme (ISP) has long been a source of life and growth for judicial education—both for veterans and to those who have never before put their minds to adult education. The Programme has evolved and matured over the ten years since its inception. In that time, nearly two hundred participants from around the Commonwealth have gathered in Halifax, Nova Scotia to discuss judicial education and, most importantly, to learn from one another.

This year was no different. Some participants, like the Honourable Justice John Ajakaiye of Nigeria, came with the goal of learning how to better guide the faculty of the National Judicial Institute where he is Administrator, while many of the other thirteen participants were exposed to judicial education material for the first time.

Participants came to the Programme with a diverse range of interests. For example, the Honourable Justice Elneth O. Kentish, from Barbados, said that she participated in the ISP because she wanted to develop a formal education programme of at least six months in length for new justices. She hopes that such a programme will alleviate the stress and self-doubt felt by many newly-appointed justices.

Coming from a completely different intellectual vista, the Honourable Justice Peter Jamadar from Trinidad and Tobago came to Halifax to continue exploring his interest in judicial impartiality and the unconscious bias that judges inevitably carry as a result of their humanity.

With the goals and interests of all in mind, participants embarked on a two-week journey of lecture, discussion and assignments, that all agreed lived up to its name — “Intensive”. Sessions covered a variety of topics, so that by the Programme’s conclusion, the specific interests of each participant had been addressed.

Participants especially enjoyed the judgment writing session, where many commented that they learned a new and simplified method of writing judgments. The facilitator, Dr. James C. Raymond, specifically tailors his sessions for his audience; before ISP began, participants were asked to submit a sample judgment.

Dr. Raymond’s method of judgment writing departs from the traditional format, where information is loosely categorized according to general titles like introduction,



Intensive Study Programme Participants 2004

FRONT ROW (left to right): Justice Hugh A. Rawlins (OECS), Mr. Rex Faulkona (Solomon Islands), Chief Justice M.L. Lehohla (Lesotho), Judge Sandra E. Oxner (CJEI Chair), Honourable Myra A. Freeman (Lieutenant Governor of Nova Scotia)

SECOND ROW: Justice Frank O. Kabui (Solomon Islands), Justice Oliver A. Saksak (Vanuatu), Mr. Robin N. Mohammed (Trinidad & Tobago), Justice John A. Ajakaiye (Nigeria)

THIRD ROW: Justice Lucas P. Bersamin (Philippines), Justice Ghulam Rabbani (Pakistan), Magistrate John Alilee (Vanuatu)

FOURTH ROW: Ms. Sandra Laing (CJEI Administrator), Ms. Heather Franklyn (OECS), Magistrate Marva F. Clarke (Barbados), Professor John Yogis (CJEI Board Member), Dr. James C. Raymond (ISP Lecturer), Justice Elneth O. Kentish (Barbados)

FIFTH ROW: Justice Peter Jamadar (Trinidad & Tobago), Professor Michael Deturbide (CJEI Board Member)

issues, evidence, fact findings, the law, the application of the law to the facts, decision and conclusion. “[A]lternatively, the judgment can be organised so that each issue is identified, and dealt with comprehensively, one at a time where the facts, the law and the application of the law to the facts and the decision (on that issue) is done before moving onto the next issue. I like this alter-

native as only the relevant facts and evidence and law are discussed. It’s more economical in effort and time,” said Magistrate John Obed Alilee from Vanuatu.

Another popular session was “Communication in the Courtroom”, presented by Dr. Gordon I. Zimmerman. “He is an expert on one of the most basic of human attributes—communication—that is often *(next page)*



TOP LEFT: The Honourable Justice Ghulam Rabbani (Pakistan), the Honourable Justice John A. Ajakaiye (Nigeria) and Mr. Robin N. Mohammed (Trinidad & Tobago) with their certificates of completion.

TOP RIGHT: The Honourable Chief Justice of Lesotho, M.L. Lehohla, and the Honourable Chief Justice of Nova Scotia, Constance R. Glube, at the closing dinner at the Halifax Club.

BOTTOM LEFT: The Honourable Justice Oliver A. Saksak (Vanuatu) and the Honourable Justice Hugh A. Rawlins (OECS) both played the role of barrister in one of the judicial education videos created by ISP participants.



taken for granted. Yet if and when communication is analysed scientifically, the art speaks volumes about the nature of humanity and the effectiveness of 'good' communication or lack thereof," said Magistrate Alilee.

Several of the participants commented that the most important concept they will take home with them was that every session in a judicial education programme must have a well-articulated objective that can be measured and evaluated by the audience after it is presented.

Of course, the ISP wasn't restricted to hard work. Participants spent their free time exploring the Halifax harbour "waterfront" and seeking out diverse cuisine. A local Turkish restaurant became a favourite haunt. Several group members were also able to meet immigrants from their home countries and eat familiar food at the Halifax Multicultural Festival, which serendipitously coincided with the ISP.

As the days passed into weeks, the group moved from a disparate conglomeration of strangers to a cadre of friends, who

plan to keep in touch in the years to come. "We had a lot more in common than different; it was a pity that I only recognized these commonalities later into the program rather than earlier," commented Magistrate Alilee. One of the biggest benefits of the Programme was the opportunity it provided for participants to create a web of judicial education contacts throughout the Commonwealth.

"CJEI has facilitated a formidable network that would allow us to tap into the available resources of other countries and to broaden our approach to judicial education. I recognise now the importance that should be given to judicial education and the important role that education has in enhancing public confidence in the judiciary and the judicial system in my jurisdiction," said Deputy Chief Registrar Heather Franklyn of OECS.

Aside from informal fraternizing, the group also enjoyed several planned social events. Early in the Programme, the group gathered at the Honourable Judge Sandra E. Oxner's home, Chair of CJEI, to feast on locally-caught lobster and celebrate CJEI President Sir Dennis Byron's appointment as a Permanent Judge of the International Criminal Tribunal for Rwanda. The following week the group was invited for tea at Government House and was pleased to be inducted into the "Order of Good Times" by the Lieutenant Governor of Nova Scotia, the Honourable Myra A. Freeman. The Halifax portion of the Programme closed

on a Friday evening at the Halifax Club, one of the oldest dinner clubs in Canada. Diplomas of completion were presented by the Honourable Chief Justice of Nova Scotia, Constance R. Glube.

As always, after the group spent two weeks of long days in the classroom and long nights feverishly preparing assignments, they packed up and headed to Toronto and Ottawa for a week-long study tour. This year participants' happened to be in the nation's capital the day of the federal elections on June 28th.

While in Ottawa the group visited the Senate of Canada, the National Judicial Institute, the Ontario Court of Justice and the Supreme Court of Canada, where they met with the Honourable Mr. Justice Michel Bastarache. In Toronto the participants gained some exposure to specialized courts and those who serve in them, such as the Honourable Justice Paul Bentley of the Drug Treatment Court and the Honourable Justice James Farley of the Commercial Court (see profiles next page). After much visiting and discussing, the group spent Canada Day, July 1st, relaxing at Niagara Falls.

"I never expected to enjoy Halifax and the Programme so much," said Deputy Chief Registrar Heather Franklyn. "I could easily live here. I will never forget the new friends that I have made. I felt a certain sadness, that I can't really explain, when it was time to leave Canada. I think we all bonded very well." ■

"CJEI has facilitated a formidable network that would allow us to tap into the available resources of other countries and to broaden our approach to judicial education."

~Deputy Chief Registrar Heather Franklyn

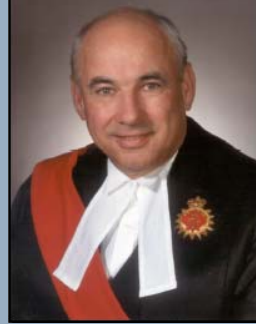
Intensive Study Programme Participants Experience Toronto & Ottawa



The Honourable Associate Chief Justice David Wake has been meeting with ISP participants every year since 1999 to outline the administrative structure and resources available to his court. "I am pleased to give time to the CJEI in this way because I am proud of the administrative structure of our Court. The central feature of that structure is a Memorandum of Understanding with

the Attorney General which greatly assists in ensuring a measure of independence for the Court and which may inspire judges in other countries. At the conclusion of the last session organized by the CJEI in which I made a presentation, one of the international jurists remarked, 'what you have spoken about is music to my ears.' It gives me great satisfaction that our Court and its administrative structure should be viewed as a standard to be achieved in other jurisdictions."

The Honourable **Associate Chief Justice David Wake** was appointed Judge of the Ontario Court (Provincial Division) in 1994. He was then sworn in as Associate Chief Justice in 1999. In 1992 he was appointed to the Queen's Counsel by the Attorney General of Canada. Prior to becoming a judge, Associate Chief Justice Wake practiced law for twenty years as a partner at three Ottawa law firms. In 1989 he was appointed Standing Agent of the Attorney General of Canada to assist the Criminal Prosecutions Section of the Ottawa Regional Office. He received his Bachelor of Arts from McGill University and his LL.B. from Queen's University. In addition to being a founding member of the Ottawa Defence Counsel Association, he is the Founding Director of the Thomas More Lawyers' Guild of Ottawa and a member of the Ontario Judges' Association.



For many years the Honourable Justice James M. Farley has been meeting with Intensive Study Programme participants to talk about the workings of the Commercial List in Toronto and to sometimes have delegations shadow him for the week. He has also gone to Tanzania and Jamaica to "advise, instruct, talk and learn".

The **Honourable Justice James M. Farley** was appointed to the Superior Court in 1989. He has been the supervising judge of the Commercial List in Toronto since its inception in 1991. The Commercial List deals with complex corporate / commercial litigation in addition to its insolvency foundation. He will also take a periodic rotation in the Criminal List. Justice Farley is a graduate of the University of Western Ontario (B.A. 1962), University of Oxford (Rhodes Scholar, B.A. 1964; M.A. 1968) and the University of Toronto (LL.B. 1966).

He was called to the Ontario bar in 1968 and practised as a corporate / commercial solicitor. He is a member of the International Insolvency Institute, Insolvency Institute of Canada, Insol International, American Law Institute, American College of Bankruptcy, American Bankruptcy Institute, International Bar Association and International Law Association. He has participated in the American Law Institute NAFTA transnational insolvency project, the INSOL / UNCITRAL judicial colloquia, the World Bank insolvency practices project. As well he has delivered papers on various topics including insolvency, corporate law, commercial courts, ADR, WTO and law practice management in Canada, the USA, England, China, Nigeria, and Tanzania.

These individuals introduced the participants to the courts of Toronto and Ottawa and how they function.



"I am very interested in promoting human rights and the rule of law. Judicial education allows me the scope to integrate these concepts into judicial education and promote them during my travels abroad where I conduct training on therapeutic jurisprudence, and problems solving courts."

The **Honourable Justice Paul Bentley** has been a justice of the Ontario Court of Justice since June of 1992 and the presiding judge of the Toronto Drug Treatment Court since its inception on December 1st, 1998. In 1999, the United Nations invited him to take part in an "Expert Working Group" to design court-based treatment programmes in both common and civil law jurisdictions. Justice Bentley has travelled twice to Jamaica as a guest of that government and at the request of the United Nations to assist government authorities in the establishment of drug courts. In addition to traveling twice to Scotland to assist in the development of a drug court model, in June of 2002 he was asked by the Chief Justice of the Cayman Islands to travel to the island and prepare a three-day educational session for judicial and non-judicial staff on the mechanics of establishing a drug court.

Justice Bentley is a founding member and Chair of the International Association of Drug Treatment Courts. He is currently working with the National Judicial Institute to develop educational programmes on Therapeutic Jurisprudence and Problem Solving Courts for Canadian judges.

Articles that he has written concerning the Toronto Drug Treatment Court have recently been published in Criminal Reports, and Canadian Family Physician.

South Africa's New Constitutional Court Building Integrates Past and Future



On March 21, 2004 South African President Thabo Mbeki inaugurated the new Constitutional Court building. The premises were formerly a 100-year-old prison fort where many political prisoners, including Nelson Mandela and Mahatma Gandhi, spent time during their efforts to free the nation from apartheid.

The new Constitutional Court building is the physical embodiment of the opening lines of the Preamble to the Constitution: "We, the people of South Africa, recognise the injustices of our past; honour those who suffered for justice and freedom in our land ... and adopt this Constitution as the supreme law so as to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights."

"It is right that the Constitutional Court occupies this building, which represents the conversion of the negative into a positive hopeful energy for the present and future," said President Mbeki at the inauguration.

"This is a place of pain but also a place of courage," said Constitutional Court Justice Albie Sachs, a former anti-apartheid lawyer who lost an arm to a car bomb planted by government security agents in the 1980s.

The newly dubbed Constitution Hill, where the Court is located, is intended to be a place for the people of South Africa. Visitors are welcome to explore the old prison cells, where exhibits are on display, or sit in the large and airy steel and concrete court, where the rights enshrined in the Constitution come to life. There is a "youth and students' experience" at the Old Fort, and a programme of performances, discussions and debates scheduled throughout the year. These efforts demonstrate that the eleven judges of the Constitutional Court have tried to create a sense of participation by citizens in the life of the Constitution. Each of the judges was given an element of the Court to create, such as the computer system, art collection or judges' robes.

Designing the court required the input of many. More than two hundred artworks were acquired to adorn the court, each of which tells an important story. "I don't know of any other project that has garnered contributions from such a range of people from diverse cultural and training backgrounds. The intention is that people from all over can come to the building and find something that they can identify with," says

Janina Masojada, a partner of the architectural firm that won an international contest to design the court.

But, says Tshepo Nkosi, communications director at the Johannesburg Development Agency: "Constitution Hill will never be complete, because we will always be adding our experiences to it. It is designed to be a place that we all build ourselves, by contributing our impressions of what human rights mean in South Africa today."

The Constitutional Court of South Africa enjoys wide powers to check the government, Parliament and the head of state in order to prevent the kind of human rights abuses that occurred in the past. The determination "never again" is the pact over which the court presides.

The breadth of the court's carefully considered, and often controversial, judgments has ranged from insisting that the authorities change their housing policy to include the most rudimentary shelter for the destitute and homeless, to declarations on the rights of gay people and of immigrants and refugees.

In the words of Dorah Molefe, a curator and guide on Constitution Hill whose father was previously imprisoned at the Old Fort prison: "It's like watching the past and the future at the same time. When I stand up here I understand how we, in the present day, can make the future happen only if we understand our past." ■

The new Constitutional Court is intended to be a place for all the people of South Africa.



The Blue Dress

South African Judith Mason's triptych *The Blue Dress* consists of two large paintings and a pretty, summery dress made by the artist from bits of blue plastic. Each painting shows the dress floating free through a dark and threatening landscape. Scavenging hyenas lurk, waiting for death, but the dress dances out of their reach and we know its invisible wearer is safe from harm. The work was inspired by the story of a young woman activist detained under apartheid.

The police stripped her and put her in a cell. To preserve her dignity, she managed to fashion a pair of panties from a blue plastic supermarket bag. "She was brave this one, hell, she was brave. She simply would not talk," one of her captors told the Truth and Reconciliation Commission years later when he applied for amnesty. She was shot and buried secretly. When her grave was excavated by the Commission, all that remained was her skeleton and the tattered blue panties.



Photos Courtesy of Wikimedia Commons



The new Constitutional Court building is built from the old prison complex.

The interior of the new court is modern in style, relying primarily on steel, glass and concrete. Natural light brightens the atmosphere.



A Conversation with Honourable Judge Johann Christiaan Kriegler



Honourable Judge Johann Christiaan Kriegler is a retired Constitutional Court Judge. As a part-time lecturer and consultant at the Justice College and as Judge/Dean of the future judicial training faculty,

he is now dedicated full-time to judicial education in South Africa. The new judicial training faculty is the planned conversion of the Justice College into a fully fledged tertiary education institution with a faculty controlled by the judiciary and dedicated to judicial education. To commemorate the opening of the new South African Constitutional Court, CJEI elicited the following Q&A.

◆ **Why is there a need for judicial education in South Africa?**

First and foremost, judicial education is necessary to facilitate and expedite the transformation of the South African judiciary from a largely white, middle-aged male "old order" institution into a competent and legitimate judiciary, representative of the diversity of our people and capable of fulfilling the heavy responsibility entrusted to the judiciary under the Constitution.

◆ **In which areas do justices and/or judicial officers most need training**

and education? Why?

At present I am more particularly concerned with the planning and setting up of a permanent institution for the training of superior court judicial officers, whom we call judges as distinct from magistrates, who preside in the lower courts. At the same time I retain an active interest in the upgrading of the judicial skills of magistrates and polishing the forensic know-how of prosecutors. For judges there are basically three types of education: (a) rapid, high-pressure training for aspirant judicial officers, especially those from previously disadvantaged backgrounds who did not have the benefit of years of practice as advocates; (b) orientation for new judges, concentrating on short courses in commercial law and practice, criminal procedure, judgment writing and judicial ethics; and (c) continuing education for all in new and/or rapidly developing areas of the law, such as environmental law, orders for the confiscation of the proceeds / instrumentality of organised crime, the need for and techniques of case-flow management, ADR and the like.

◆ **What is the biggest obstacle to judicial education in South Africa?**

There are many obstacles and selecting one is not so easy. Lack of funding is however the most pressing right now. Judicial conservatism, political turf-battles and historical suspicions can be overcome, given proper planning and sound professional advice.

◆ **What is the most promising sign of progress you have noted in the recent past with respect to judicial education?**

Undoubtedly the most promising sign was a meeting last July with the incoming Minister of Justice where she expressed her personal support for the proposed conversion of Justice College and gave the go-ahead for formal submission of the scheme to Cabinet.

The Honourable Judge Kriegler was born in Pretoria and educated in Pretoria and Johannesburg. After acting as an advocate for twenty-five years, he served as a judge in the Provincial, Appellate and Constitutional Courts for eighteen years. He organized South Africa's first democratic elections in 1994. He has lectured in Angola, Belgium, Canada, Namibia, Netherlands, Palestine, Sudan, US, West Indies and South Africa. He has made electoral missions on behalf of the UN in East Timor, Afghanistan, Liberia and Iraq as well as a variety of other missions for other organizations throughout the world. He is the author of a criminal procedure textbook and a South Africa judicial code of conduct. In addition to being the founding chair for Lawyers for Human Rights in 1981, he was the founding trustee of the Legal Resources Centre in 1987. He is also involved with Project Literacy, the Nelson Mandela Children's Fund, the Constitutional Court Trust and the University of Pretoria Centre for Human Rights. ■

National Judicial Academy of India settles into outstanding new facilities

The **National Judicial Academy (NJA)** was created by the Government of India by resolution in December 1992. Until the new facilities in Bhopal were completed, the NJA was housed in Delhi. Today the 62-acre Bhopal campus can host over two hundred and has begun offering programs to high court and district judges. In addition to the Training Centre and 144-room hostel, the campus has a library and research centre, a recreation centre and an auditorium that can seat three hundred.

Under the direction of the distinguished legal scholar Dr. N.R. Menon (CJEI Advisory Board), it is presently engaged in developing curricula and engaging faculty. In developing curricula, NJA has demonstrated a balanced approach with an emphasis on behavioural change programming and delay reduction training. To monitor its success, NJA uses post-program evalua-

tion of participants and by participants. In many sessions they also make use of session objectives. These session objectives are essential as they give direction to the instructors in planning their teaching material; they allow in-session evaluation of achievement of objective and post-session evaluation.

Even at this early stage of development NJA is using some interactive teaching techniques such as panel discussions and discussion periods. Some small group work is being done. Visual aids are incorporated in many presentations. Continued emphasis on interactive teaching is essential for effective behavioural change programming in delay reduction programming.

NJA has also initiated an excellent publication program including a journal and monographs on issues under contemporary debate. The academy initiated the first

meeting of the Indian national, state and territory judicial educators to discuss the onward development of Indian judicial education and to determine objective focuses and division of work.

In addition to its primary function of providing training to judicial officers of the state/union territories, the aims and objectives of the NJA include: studying the court management and administration of justice in the states/union territories and suggesting improvements to the system; undertaking, organizing and facilitating study courses, conferences seminars and lectures and research in matters relating to court management and administration of justice; and conducting or sponsoring training programs for judicial officers and court administrators dealing with aspects of court and case flow management and court technology (computers).

Eighteen other state judicial academies exist throughout India. The establishment of these judicial academies reflects a global experience that such academies are the foundation of judicial and legal reform and necessary to maintain a judicial process that attracts the trust and confidence of the public. ■



Dr. N.R. Menon (CJEI Advisory Board), Director of the National Judicial Academy

NATIONAL STATE JUDICIAL ACADEMIES

Judicial Academy	Director	Location	High Court
Judicial Training & Research Institute	Allah Raham,	Lucknow	Allahabad
A.P. Judicial Academy	Mr. R. Kantha Rao, (Distt. & Sessions Judge)	Hyderabad	Andhra Pradesh
Judicial Officers Training Institute	Mr.G.S. Kaswa	Nagpur	Bombay
		West Bengal	Calcutta
Delhi Judicial Academy	Dr. Sudhir Kumar Jain, Addl. Director	New Delhi	Delhi
North Eastern Judicial Officers' Training Institute	Mr. S.M. Deka,	Assam	Guwahati
Gujarat State Judicial Academy	Mrs. Jyotsnaben, Deputy Director,	Ahmedabad	Gujarat
State Judicial Academy	Mr. Dhruv Narayan Upadhyay	Jharkhand	Jharkhand
Karnataka Judicial Academy	Mr. V. Jagannathan	Bangalore	Karnataka
Judicial Training Committee	Mr. K. Abraham Mathew	Kandathil	Kerala
Tamil Nadu State Judicial Academy	Mr. S.S.P. Darwesh	Chennai	Madras
Judicial Officers' Training & Research Institute	Mr. Ved Prakash Sharma, Addl. Director	Jabalpur	Madhya Pradesh
Orissa Judicial Academy	Mr. M.P. Mishra	Orissa	Orissa
Judicial Officers' Training Institute	Mr. Vikas Kumar Sharma	Gulzarbagh	Patna
		Chandigarh	Punjab & Haryana
Rajasthan State Judicial Academy	Shri D.N. Thanvi, RHJS	Jodhpur	Rajasthan
	Mr. Tashi Wangdi Bhutia, District Judge (Special Divn.)	Gangtok	Sikkim
		Nainital	Uttanchal



TOP: The National Judicial Academy (NJA) campus

BELOW: The NJA courtyard

CALENDAR OF EVENTS

September

CONFERENCE	WHERE & WHEN	CONTACT
Court Interpretation: Introduction to the Issues, Challenges and Best Practices	September 9, 2004 Webinar	National Center for State Courts Website: www.ncsc.dni.us/icm Tel: (800) 616 6206 Email: icmregistrations@ncsc.dni.us
Legislative Drafting in Perspective	September 9—10, 2004 Ottawa, Ontario, Canada	Canadian Institute for the Administration of Justice Website: www.ciaj-icaj.ca Tel: (514) 343 6157 Fax: (514) 343 6296
Aspects of Mental Health	September 10, 2004 Melbourne, Victoria, Australia	Judicial College of Victoria Website: www.judicialcollege.vic.edu.au Tel: (03) 9603 9200 Email: info@judicialcollege.vic.edu.au
22nd Australian Institute of Judicial Administration Annual Conference—"Proportionality: Cost-Effective Justice"	September 17—19, 2004 Sydney, Australia	Australian Institute of Judicial Administration Tel: (+61 3) 9372 7182 Fax: (+61 3) 9372 7184 Email: aija@ammp.com.au
Forum on Self Represented Litigants	September 17, 2004 Sydney, Australia	AIJA Secretariat Tel: (03) 9600 1311; Fax: (03) 9606 0366 Email: Kathy.Jarrett@law.monash.edu.au
Justice at the Grass Roots—Local Courts and the Delivery of Justice	September 20—23, 2004 St. Helier, Jersey, Channel Islands	Judiciary of Jersey / CMJA Website: jersey@cmja.org
Refresher Course on "Environmental Law and Adjudication"	September 20—25, 2004 Bhopal, India	National Judicial Academy of India Website: www.nja.nic.in Tel: 91 0755 269 6669/5230479 Fax: 91 0755 269 6904 Email: njabhopal@mp.nic.in

October

CONFERENCE	WHERE & WHEN	CONTACT
Refresher Course on "Juvenile Justice and Child Care Services"	October 6—10, 2004 Bhopal, India	National Judicial Academy of India Website: www.nja.nic.in Tel: 91 0755 269 6669/5230479 Fax: 91 0755 269 6904 Email: njabhopal@mp.nic.in
Fundamental Issues of Case Flow Management	October 13—15, 2004 Jacksonville, Florida, USA	National Center for State Courts Website: www.ncsc.dni.us/icm Tel: (800) 616-6206 Email: icmregistrations@ncsc.dni.us
Annual CIAJ Conference: Governance of Professions, Corporations, Tribunals and Courts: Ethics, Responsibility and Independence	October 14—16, 2004 Charlevoix, Quebec, Canada	Canadian Institute for the Administration of Justice Website: www.ciaj-icaj.ca Tel: (514) 343-6157 Fax: (514) 343-6296
Aboriginal Cultural Awareness	October 22—24, 2004 Melbourne, Victoria, Australia	Judicial College of Victoria Website: www.judicialcollege.vic.edu.au Tel: (03) 9603 9200 Email: info@judicialcollege.vic.edu.au

October (cont...)

CONFERENCE	WHERE & WHEN	CONTACT
Criminal Jury Trials Seminar	October 27—29, 2004 Toronto, Ontario, Canada	Canadian National Judicial Institute Website: www.nji.ca Tel: (613) 237 1118 Fax: (613) 237 6155 Email: nji@judicom.gc.ca
Pre-Service Training Course for Civil Judges-cum-Judicial Magistrates from the Jurisdiction of the Peshawar High Court	October 1—December 31, 2004 Islamabad, Pakistan	Federal Judicial Academy Website: www.fja.gov.pk Tel: 051 9257 168 or 169 Fax: 051 9257 167 Email: dg@fja.gov.pk

November

CONFERENCE	WHERE & WHEN	CONTACT
The 2nd International Conference on the Training of the Judiciary: "Judicial Education in a World of Challenge and Change"	October 31—November 3, 2004 Ottawa, Ontario, Canada	Canadian National Judicial Institute Website: www.nji.ca/internationalforum Email: Mary Ahearn
Symposium: "Social Context Education for Judges: International Experiences"	November 4—5, 2004 Ottawa, Ontario, Canada	Canadian National Judicial Institute (See above)
Introduction to Caseflow (2-part course)	November 4, 2004 Webinar	National Center for State Courts Website: www.ncsc.dni.us/icm Tel: (800) 616 6206 Email: icmregistrations@ncsc.dni.us
Court Library Management	November 5, 2004 Williamsburg, Virginia, USA	National Center for State Courts (See above)
Jury Management	November 8, 2004 Williamsburg, Virginia, USA	National Center for State Courts (See above)
Making Child Rights Work: An International Conference	November 18—20, 2004 Montréal, Quebec, Canada	Canadian National Judicial Institute (See above)
Additional Dispute Resolution Strategies	November 19, 2004 Melbourne, Victoria, Australia	Judicial College of Victoria (See above)
3 rd Annual Australasian Jury Research Conference	November 19, 2004 University of Melbourne, Australia	Australian Institute of Judicial Administration Contact Dr David Tait Email: David.Tait@canberra.edu.au
Workshop on "Cyber Laws, Cyber Forensics and E-Governance in Judiciary"	November 17—21, 2004 Bhopal, India	National Judicial Academy of India (See next page)

Building a Library?

The Honourable Judge Robert Stroud, a retired Nova Scotia Provincial Court Judge, has generously offered to donate his personal library, valued at over \$12,000CDN, to any institution that can make good use of it. Please contact CJEl if your organization is interested in acquiring the following volumes:

CANADIAN ABRIDGEMENT: 1st. & 2nd. Series

HALSBURY'S LAWS OF ENGLAND: 1st. & 2nd. Editions

LAW SOCIETY OF UPPER CANADA LECTURES: 1950 - 1985



DOMINION LAW REPORTS:

1912 - 1927, inclusive (70 Volumes)
1923 - 1955, inclusive
Second Series, complete
Third Series, Vol. 1 - 150, inclusive

ALL ENGLAND REPORTS:

1936 - 1959, inclusive (61 volumes)

DOMINION TAX CASES:

1965, vol. 19 to 1983, vol. 37

In Your Opinion...

Should judicial education programs be held during weekends and vacations or during the juridical work week?



Join the discussion! We will present your opinions in the December edition of our newsletter, either under your name or anonymously, according to your direction. See contact information at the bottom of the last page of this newsletter.

December

CONFERENCE	WHERE & WHEN	CONTACT
Managing Successful Settlement Conferences, Level 1	December 1—3, 2004 Toronto, Ontario, Canada	Canadian National Judicial Institute Website: www.nji.ca Tel: (613) 237 1118 Fax: (613) 237 6155 Email: nji@judicom.gc.ca
E-Court 2004 Conference	December 13, 2004 Las Vegas, Nevada, USA	National Center for State Courts Website: www.ncsc.dni.us/icm Tel: (800) 616 6206 Email: icmregistrations@ncsc.dni.us
Court Management, Judicial Planning and Judicial Administration	December 18—31, 2004 Bhopal, India	National Judicial Academy of India (See below)
Teaching Judicial Educators to Teach Delay Reduction	December 2004 Location TBA	Commonwealth Judicial Education Institute Website: www.cjei.org

2005

CONFERENCE	WHERE & WHEN	CONTACT
Judicial Colloquium on Science, Law and Ethics	January 27—29, 2004 Bhopal, India	National Judicial Academy of India Website: www.nja.nic.in Tel: 91 0755 269 6669/5230479 Fax: 91 0755 269 6904 Email: njabhopal@mp.nic.in
Workshop on “Designing Training Plans, Developing Study Materials, Innovative Training Methodologies and Standardising Evaluation Techniques”	February 9—13, 2004 Bhopal, India	National Judicial Academy of India (See above)
Refresher Course on “Court – Media Relations in Advancing the Cause of Justice”	February 25—27, 2004 Bhopal, India	National Judicial Academy of India (See above)
Second Conference of the Canadian Chapter of IAWJ	April 2005 Victoria, British Columbia, Canada	International Association of Women Judges Website: www.iawj.org/calendar.asp Email: phennessy@judicom.gc.ca

President's Message continued...

On a personal note, I was particularly appreciative of a dinner in honour of my appointment as a judge of the ICTR organized at Judge Oxner's country home where we were treated to a sumptuous meal. It proved to be a wonderful send off for me.

I am looking forward to the Second International Conference on the Training of

the Judiciary to be held in Ottawa at the end of October this year. This promises to be an important and useful conference which will be of great interest and benefit to every institution involved in Judicial Education.

After this conference CJEI will hold a one-day meeting on the themes of delay reduction and process reform. Needs analysis have repeatedly highlighted these as areas

for attention. These important tools for judicial effectiveness will assist in the discharge of collective judicial responsibility to influence improvements and enable the judiciary to effect necessary process reforms in non-political ways.

I hope that these sessions will be well attended.

-Tanzania, August 2004

Introducing the new CJEI Gateway

The CJEI Gateway serves as a centralized access point to relevant judicial training material and web sites of judicial education bodies in the Commonwealth member countries. The project is a joint initiative of CJEI and the World Bank Legal and Judicial Reform Practice Group. Its objective is to encourage judicial education bodies to join an Internet-based networked community in order to share knowledge and practices. The project was carried out by LexUM

The Gateway presently has links to sites in the following countries: Australia, Canada, Dominica, Grenada, India, Philippines, St. Kitts and Nevis, St. Lucia, Trinidad and Tobago, United Kingdom, Malaysia and St Vincent and Grenadines. More Commonwealth country links will be added soon.

Find Judicial Education Materials by theme:

Judicial Education – General

Impartiality, Independence & Accountability

- Impartiality
- Independence
- Appointment and Promotion Process
- Discipline and Review Process
- Ethics and Codes of Ethics
- Accountability



- The Judicial Exercise of Discretion
- Inherent Jurisdiction
- Judicial Skills – Competency
- Court Management Skills

Efficiency

- Delay Reduction
- Alternative Dispute Resolution
- Mediation
- Case Flow Management
- Time Management

Competency – Professional Skills Updating – Continuing Legal Education

- Substantive Law
- Procedural Law
- Evidence

Effectiveness

- Judicial Skills
- Judicial Reform

Explore the CJEI Gateway at www.cjei.org



Maria Dakolias

Ms. Dakolias played a central role in conceptualizing and implementing the new CJEI Gateway.

As a Chief Counsel (Acting) in the World Bank's Legal and Judicial Reform Practice Group in the Legal Department, Maria Dakolias is committed to promoting discussion of legal and judicial reform issues. Since joining the Bank in 1992, her work advising and managing legal and judicial reform projects has spanned Latin America, the former Soviet Union, the Middle East, and Asia. While access to justice issues are her primary area of interest, her work in legal and judicial reform has been much broader, including such operational activities as piloting improved court management systems in model courts in Argentina, supporting the development of new commercial litigation in Sri Lanka, and launching legal services for women in Ecuador. Her work also involves outreach activities including numerous publications and the organization of global conferences to encourage further discussion among the many voices in legal and judicial reform.

Ms. Dakolias is a graduate of the University of Amsterdam ((LL.M.), European Union International Trade Law), George Mason University School of Law (J.D.), and Haverford College (B.A., Philosophy). ■



Editor, CJEI Report
 Room 306, 6061 University Ave
 Halifax, NS CANADA
 Tel: +1 (902) 494-1002

Fax: +1 (902) 494-1031
 E-mail: cjei@dal.ca
 Website: <http://www.cjei.org>