



CJEI REPORT

Newsletter of the Commonwealth Judicial Education Institute

Summer 2011

MESSAGE FROM THE EDITOR



Professor N.R. Madhava Menon

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THERE ARE LOTS of developments happening around the Commonwealth in judicial education and administration of justice. It is the object of the CJEI Report to gather the news and bring them to the notice of all stakeholders with a view to learn from experience of each other in the cause of better delivery of justice to the litigants. We depend on CJEI Fellows who are mostly judges, court administrators and judicial educators to provide us excerpts on newsworthy developments in their respective jurisdictions.

The current issue (Summer 2011) presents a select list of articles, reports and news items which we could collect from different jurisdictions since the publication of the last issue in the Winter of 2010. The next issue (Winter 2011) will appear early next year and we solicit CJEI Fellows to send us the material latest by December this year.

We plan to include a section on "Letters to the Editor" where readers can publish their comments, suggestions and views for making the Report more interesting and useful to judges and judicial educators everywhere.

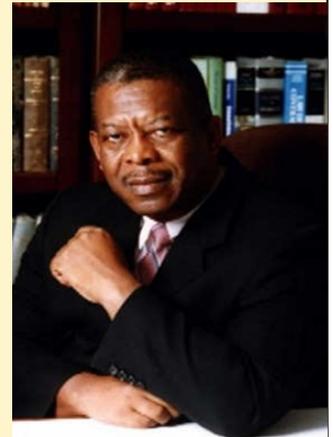
I would be failing in my duty if I fail to acknowledge the editorial assistance rendered by Ms. Lekshmi Vijayabalan from Halifax and the continued patronage and advice from the CJEI Chair, Judge Sandra E. Oxner in maintaining the standard and regularity of the CJEI Report.

Prof. N.R. Madhava Menon

M E S S A G E F R O M T H E P R E S I D E N T

THIS YEAR WITNESSED an important breakthrough in distance learning pioneered by the Delhi Judicial Academy in conjunction with CJEI under the leadership of Professor Ved Kumari, Former Chairperson of Delhi Judicial Academy and Honourable Judge (R) Sandra E. Oxner, Chairperson, CJEI. The program addressed the important topic of judicial ethics and was attended by 20 judges from New Delhi. They were able to participate in the program without leaving their homes as it utilised cutting edge information technology. The program had a faculty which comprised a mixture of Indian and international jurists. The feature saw the faculty delivering lectures, setting tests of hypothetical situations in which judicial officers could be placed which were responded to and the written responses were followed up by group discussion and decision making.

The graduation ceremony which was carried live by video conference allowed all the participant judges who were in India to interface with the faculty in Delhi, Halifax, Port of Spain and Arusha. The program was highly successful as the participating judges were very diligent and timely and produced thoughtful and learned papers. Everyone praised the process and CJEI stands ready to assist in promoting more such programs in conjunction with other judicial education bodies in the Commonwealth.



**The Right Honourable
Sir Dennis Byron**

M E S S A G E F R O M T H E C H A I R

IT IS A lovely summer day here in Halifax and as I write this I am thinking back on last month's Intensive Study Programme – our 18th. I am so very proud of all our Fellows and the outstanding positive impact you have had in Commonwealth judiciaries.

I am pleased to tell you our next Biennial Meeting will be held in the Seychelles April 24 – 27, 2012. It is an enchanting Indian Ocean location – you will recollect the young Royals chose to spend their honeymoon there. We are grateful to Chief Justice Fredrick Egonda-Ntende for his invitation to celebrate there our 17 years of working together as judicial volunteers in the service of justice in the Commonwealth. You will find more information on our webpage and the Notice of Meeting in this issue on page 24.

Our programme there will deal with the contemporary problems that plague judicial educators and seek out the experiences, remedies and solutions used by others. One of our sessions will deal with challenges facing us in our judicial academies and how we are dealing with them. I would greatly value your thoughts on this topic at your earliest convenience so we may shape the session to include them.

In the late spring I had the pleasure of visiting with Justice P. Kihara Kariuki, Chairperson of the Kenya Judicial Training Institute (JTI). He presented me with a collection of very impressive material published by JTI which I have added to our library. I believe his intention is to bring Kenya into full participation in our online judicial education library and we look forward to this important contribution as well as other interactions.

You will see (page 6) an article on our first e-course held in collaboration with the Delhi Judicial Academy. At your request, we will be happy to work with you on a similar programme. I am pleased that Chief Justice Singh of Guyana has such a course planned for January 2012.

I look forward to seeing you in the Seychelles.



**Honourable Judge (R)
Sandra E. Oxner**

Sandra
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CJEI PATRON CHIEF JUSTICES MEET IN INDIA

THE COMMONWEALTH JUDICIAL Education Institute's Patron Chief Justices' Meeting took place at the seventeenth Commonwealth Law Conference in Hyderabad, India on 5th February, 2011.

The Honourable Chief Justice S.H. Kapadia of India chaired the meeting which was attended by Chief Justices from several Commonwealth countries. After the opening speech by the Honourable Chief Justice of India, The Right Honourable Sir Dennis Byron chaired a session on CJEI's past two years' work and future plans.

The education component of the meeting on "The Impact of Developing Technologies on the Law and Court Processes" was presented by Professor Gary E. Marchant, Lincoln

Professor of Emerging Technologies, Law & Ethics, Sandra Day O'Connor College of Law, Arizona, USA with Dr. V.C. Vivekanandan, IP Chair Professor, NALSAR University of Law, Hyderabad as the commentator.

This meeting also involved a private discussion by the Chief Justices on issues of interest to Commonwealth judiciaries. Some of the areas discussed included: funding and/or staffing models for judiciaries that will support and preserve judicial independence while ensuring accountability; the management of court budgets in a climate of severe financial constraints; the recruitment, misbehavior and discipline of judges; the strategies to deal with the backlog of criminal cases; and the measures to improve the relationship between the judicial and the executive branches of government.



The meeting ended with a luncheon hosted by the Honourable Chief Justice S.H. Kapadia of India.

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List of Attendees

The Right Honourable Chief Justice Beverley McLachlin, Canada
 The Right Honourable The Lord Judge, Lord Chief Justice, England and Wales
 The Honourable Chief Justice Christopher Gardner, QC, Falkland Islands
 The Honourable Chief Justice S.H. Kapadia, India
 The Right Honourable Tan Sri Arifin bin Zakaria, Chief Judge of Malaya, Malaysia
 The Honourable Keshoe Parsad Matadeen, Senior Puisne Judge, Mauritius
 The Honourable Sir Declan Morgan, Lord Chief Justice, Northern Ireland
 The Honourable Chief Justice Iftikhar Muhammad Chaudhry, Pakistan
 The Honourable Sir Salamo Injia, Kt., Chief Justice, Papua New Guinea
 The Honourable Justice Sam Rugege, Deputy Chief Justice, Rwanda
 The Honourable Chief Justice Asoka De Silva, Sri Lanka
 The Honourable Chief Justice Chan Sek Keong, Singapore
 The Honourable Chief Justice Ivor Archie, Trinidad and Tobago
 The Honourable Chief Justice Benjamin J. Odoki, Uganda
 The Honourable Chief Justice Ernest L. Sakala, Zambia
 The Right Honourable Mr. Justice Michael de la Bastide, President, Caribbean Court of Justice
 The Honourable Justice Gerard Niyungeko, President, African Court on Human and Peoples' Rights
 The Right Honourable Sir Dennis Byron, President, ICTR and President, CJEI
 The Honourable Judge (R) Sandra Oxner, Chairperson, CJEI
 Ms. Sandra J. Laing, Administrator, CJEI

CJEI Advisors and Education Component Participants

The Honourable Mr. Justice Madan B. Lokur, Chief Justice of Gauhati High Court, India
 Professor (Dr.) N.R. Madhava Menon, India
 Professor (Dr.) Ved Kumari, Chairperson, Delhi Judicial Academy, India
 Dr. Gary Marchant, Lincoln Professor of Emerging Technologies, Law & Ethics, Sandra Day O'Connor College of Law, Arizona State University
 Dr. V.C. Vivekanandan, MHRD IP Chair Professor, NALSAR University of Law, India

CJEI TEAMS UP WITH THE DELHI JUDICIAL ACADEMY TO FACILITATE E-LEARNING !!

FOR LONG, THE CJEI has been involved in judicial education programmes in developing countries. However, distance has been a significant roadblock that prevented effective co-operation. Thanks to developments in informa-

Court of Delhi via a video conference on 21st February 2011. The Honourable Justice A.K. Sikri and other companion judges of the High Court of Delhi, the Honourable Judge Sandra Oxner, Chair-

located at different places in Delhi, and they introduced the participants of the course stationed in those Courts Complexes. Twenty participant judges of the district judiciary enrolled for the course and nineteen of them completed the course and received a certificate of completion.



The Valedictory Session

tion and communication technology, the barrier of miles can be

overcome as was demonstrated through the Pilot E-Course on Judicial Ethics and Conduct conducted by the Delhi Judicial Academy (DJA), India in collaboration with the CJEI from 21st February – 20th April 2011.

The e-course was officially inaugurated by the Honourable Justice Dipak Misra, the Chief Justice of the High

Pilot E-course on Judicial Ethics and Conduct

21st February – 20th April 2011

person of the CJEI, and Professor Ved Kumari, the then Chairperson of the DJA joined the programme from different geographical locales. The video conference connected the three District Courts, the High Court of Delhi and the CJEI.

Judicial officers of the DJA anchored the programme from four court complexes

The broad objectives of this course inter alia were the following: to familiarise the partici-

pants to the different canons of judicial ethics both at the national and the international levels with special emphasis on the Bangalore Principles of Judicial Conduct, 2002; compare these principles and identify their preferred canons of ethics; analyse thirty-two case situations and determine which appropriate principle to apply; identify ten situations of Indian legal and social environment, which imposes pressure on the

judges to move away from observing ethical principles; analyse the elements that determine the quality of judicial ethics and conduct.

The e-course was facilitated by Judges from India and abroad. The facilitators from the Delhi High Court were: Honourable Mr. Justice A. K. Sikri; Honourable Mr. Justice Pradeep Nandrajog; Honourable Ms. Justice Gita Mittal; Honourable Mr. Justice S. Ravindra Bhat; Honourable Ms. Justice Reva Khetrpal; Honourable Mr. Justice Vipin Sanghi; Honourable Mr. Justice Rajiv Sahai Endlaw; Honourable Mr. Justice Rajiv Shakhder; and Honourable Ms. Justice Indermeet Kaur.

The CJEI facilitators were: The Right Honourable Sir Dennis Byron, President of the International Criminal Tribunal for Rwanda and President of the CJEI; Honourable Judge (R) Sandra E. Oxner, Chairperson, CJEI; and Honourable Justice Adrian Saunders of the Caribbean Court of Justice. The course moderator was Prof. (Dr.) Ved Kumari, the then Chairperson, DJA. Ms. Anu Malhotra, DHJS, Director, DJA, coordinated the programme with the judges of the High Court of Delhi and ensured the timely uploading of the podcasts, transcripts, and exercises on the web page.

Completing the course work required the participants to spend forty hours reading, watching podcasts, joining the chat room, participating in forum discussions, preparing and submitting assignments and feedback and reading the feedback from the facilitators. The course included podcasts on Principles of Judicial Ethics; Indian and International Canons, cases and articles on Judicial Ethics; forum discussions; chats and online submission of assignments by the participants.

This course provided the participants with an opportunity to apply the canons of judicial ethics to real-life situations. It was not designed to provide a definitive answer to each and every situation presented – indeed, in many situations, there are no definitive answers. The course was designed to help the participant judges identify problematic situations, to know and understand the appropriate canon of judicial ethics that governs them and develop the analytical skills necessary to apply the canon principles to the facts in issue to achieve an appropriate resolution of the issue at hand. Feedback was received from both the participants and the facilitators which was encouraging. These valuable suggestions will be incorporated into the programmes that the CJEI will launch in the future.

The course concluded with a video conference on 28 April 2011. The Valedictory Function was organized by the DJA at the Karkardooma Courts Complex, New Delhi. Course completion certificates were distributed to the successful participants. The Honourable Justice A.K. Sikri presided over the function joined by other companion judges of the High Court of Delhi. The Right Honourable Sir Dennis Byron, the Honourable Judge (R) Sandra E. Oxner, and the Honourable Mr. Justice Adrian Saunders participated in the deliberations linked together in the web world from Tanzania, Nairobi and Trinidad and Tobago respectively.

DO YOU KNOW YOUR COURT'S CULTURE?



By *Justice Francis H.V. Belle*
High Court of St. Lucia
(CJEI Fellow 2008)

THE ISSUE OF organisational culture is of some prominence in the discipline of organisational theory. The term organisational culture refers to the self-image, beliefs, behavioural patterns and values of a particular organisation. Organisational cultures are compared when corporate analysts and business writers assess the relative performances of businesses. It would be noted that national cultural traits may have some influence on organisational culture or business culture. All of these influences are relevant to the analysis of any organisation anywhere in the world.

This article focuses on culture as it relates to court organisation and performance. The matter of culture as it relates to the courts, and law practice has captured my interest for some time and inspired me to write about the culture of practice in the Eastern Caribbean since the introduction of the CPR 2000 in the Eastern Caribbean Supreme Court, (Belle 2008). However, this article focuses on a somewhat different aspect of the culture of the court. Here, we do not refer to the court's rules of practice, but to the dynamics of the relationships between the Bar, the Bench, Court Administration and the general public which is served by the Court system in question.

It is important to note that hitherto this topic, in my experience, may have been discussed by court administrators but not by the judges in many courts. However, there is no reason why judges should not be involved in such a discussion. Indeed, judges play an integral part in setting the tone of a court's culture. For example, we often hear talk about a judge being a "no-nonsense" judge. Judges may be characterised as strict, flexible or easy going. Consequently, administrators may find it possible to complement the judge's attitude, or conversely, there may be clashes of cultures, depending on the training and outlook of the

judges, administrators and the lawyers who work in a particular court.

Even court administration researchers have applied organisational theory to court systems. The research has produced a values matrix of four archetypes, which represent prominent cultures of court organisation. The categories which the researchers have formulated are referred to as Communal, Networked, Autonomous or Hierarchical.

The communal culture

In the communal culture judges and administrators emphasise the importance of getting along and acting collectively. Rather than established rules and firm lines of authority, communal courts emphasise importance of group involvement and mutually agreed-upon goals. Flexibility is a key to management. Procedures are open to interpretation, and creativity is encouraged when it seems important to "do the right thing." The court environment is best managed through teamwork and development of a humane work environment. Court customers are often viewed as partners when designing court policies and procedures.

The networked culture

Judges and administrators emphasise creativity and innovation. Efforts to build consensus on court policies and practices extend to involving other justice system partners, groups in the community, and ideas emerging in society. As innovators, these courts will be drawn to incorporate the latest thinking in specialty courts, problem-solving courts, and therapeutic justice. Court leaders speak of courts being accountable for their performance, for the outcomes they achieve, not just the ways and means they use to achieve them. The networked court seeks a very challenging and complex organisational structure that endeavours to achieve both high solidarity and high sociability in the choice and implementation of management practices.

Autonomous

Autonomous judges and administrators emphasise the importance of allowing each judge to conduct business as he or she sees fit. Many judges in this type

of court are most comfortable with the traditional adversarial model of dispute resolution. Under this traditional approach, the judge is a relatively passive party who essentially referees investigations carried out by attorneys. Centralised leadership is inhibited as individual judges exercise latitude on key procedures and policies. Limited discussion and agreement exist on court-wide performance criteria and goals. It is not surprising that “judicial activism,” or case management, has trouble catching hold in these courts.

Hierarchy

In this category, judges and administrators emphasise the importance of established rules and procedures to meet clearly stated court-wide objectives. These courts seek to achieve the advantages of order and efficiency, which are deemed essential goals in a world of limited resources and calls for increased accountability. Effective leaders are good coordinators and organisers. The approach is to create a structured decision-making environment through the creation of rules, adoption of court technology, and a monitoring system to assess compliance. Recognised routines and timely information are viewed as mechanisms for reducing uncertainty, confusion, and conflict in how judges and court staff make decisions.

How do these categories relate to the court system in which you adjudicate or manage? The researchers’ findings are of some significance in this regard. Using well known research methods such as questionnaires, and multi-dimensional scaling and measuring the answers given against a standard such as the American Bar Association’s time standards, the researchers found that:

“... substantial support exists for the hypothesis that culture matters in how expeditiously courts conduct their business of resolving cases. Cultures emphasising solidarity are more likely to resolve cases with greater expedition than those courts that do not have this emphasis. Even so, there is not a one-to-one correspondence between a court’s cultural orientation and how quickly it executes the task of resolving cases. Virginia, a Communal court, resolves a higher percentage of its cases within 365 days than any court, including the Hierarchical courts of Hennepin, (Minnesota) and Contra Costa, (California). This single counter example shows that every culture can be expeditious. However, some cultures put courts in a better position

to be expeditious and some cultures make it more difficult, although not impossible, for courts to carry out business expeditiously. Timeliness will tend to be achieved according to particular ordering of cultures, which is confirmed by the courts in our study.”

In my view, these categories lend to an improved understanding of the performance of court systems and could lead to much-needed changes. It is also true that the culture of a court may be a mixture of these categories, requiring careful assessment in any review of court performance. It would therefore be necessary to apply the theory carefully if meaningful results are to be achieved.

The research into court cultures has produced some useful results on the issue of expedition of court work. But the researchers did not limit themselves to this issue. They also looked at the relationship between the court and its stakeholders, including the representatives of interest groups in the communities which they serve. The research, therefore, produced results on issues such as the accessibility of court systems to the general public.

In some societies, the effort to respond to the community’s needs produced specialised courts, such as mental health, or drugs courts. Where the community’s needs are being met by the courts, one can expect heightened respect for the administration of justice. It may also be true that the culture which is most advantageous for expedition of cases does not provide the best results when it comes to general access to justice, or the kinds of other specialised court services, which may increase respect for the administration of justice. These are the real difficulties that arise in building a court culture. But the research remains enlightening and relevant.

Hopefully, judges and court administrators will find that the insight provided by this research, into the cultural categories discussed, is a useful guide for planning future management strategies and training programmes for judicial officers and court staff.

Reference:

Brian Ostrom et al, “*Court Cultures and their Consequences*” (2005) 20:1 *Court Manager* 14.

THE “BUSINESS” OF COURT MANAGEMENT



By Justice Roshan Dalvi
 Judge, High Court of
 Bombay, India
 (CJEI Fellow 2009)

THE PAST FEW years have seen a spate of reforms in India's judicial system. However, these reforms have not been able to make a perceptible change in the situation of mounting arrears.

For instance, the population-judge ratio has improved to an extent. But, this increase in manpower has not brought about any commensurate change in the case-disposal ratio. Similarly, court computerisation programme is well under way. This initiative has also not brought out a sea-change in judicial functioning. This state of affairs highlights the need for “Management.”

Since the time of the Industrial Revolution, the art of management has evolved into a science, reshaping all spheres of life except the justice system. It was only much later did the drivers of justice systems realise they failed to keep pace with the world around them. Consequently, significant changes were brought about in the United States and in the United Kingdom, which have considerably influenced the Indian justice system as well.

The central change began primarily as by-products of court and case management. As William Schwarzer observes “indeed, the busiest Judges with the heaviest dockets are the ones most in need of sound case management practices.” In essence, case management is the court taking over the management of the case. It eliminates delay in each of the different stages of litigation. It envisages the Judges being managerial - managing their affairs and the litigation processes with improved efficiency to expedite the final adjudication by innovation and adaptation. Judges as interventionists move in to the “driving seat” as ‘case managers’ first and

‘case deciders’ afterwards. In this context, business management principles help explain which steps can be combined with others or eliminated altogether. As Chief Judge Alfred Murrah, Federal Court, USA observed, “there are no inherently protracted cases, only cases ... are protracted by inefficient procedures and management.”

India's civil justice system needs a complete overhauling. It is a large enterprise with nearly 16,000 judges. However, the wait for justice is never ending and public tolerance appears to be waning. What is required today in the business of judging is a change from within. A complete change in the mindset is needed to yield the desired result. This can be achieved only by strategically overhauling the Rules and cannot be achieved utilising the current procedural framework.

To instill confidence of the litigants in the justice delivery system, Courts are required to be scientifically managed. This involves two targets: (i) reducing the number of cases entering the system; and (ii) improving efficiency in disposal of cases that have entered the system.

Several principles of management can apply to such an undertaking. Its varied activities, in different divisions requires implementation of the five basic elements of management - planning, organising, directing, co-ordinating and controlling - to maximise its output through an efficient use of available resources. Some recommendations grounded in management principles are proposed below to overhaul the justice system. Even though these are formulated in the Indian context, they are relevant to other Commonwealth jurisdictions also.

(a) The first and the most essential management principle is that of procedural simplification. Cumbersome and complex legal procedures scare away even the most seasoned litigants. The verbose plaint/complaint is the first inefficient step in the long march to a legal outcome. The service of the plaint/petition and the like is a daunting task which can take even years to see through. The response of the recipient requires to be made again and again in different forms and formats. That endeavour is

required to be repeated for the “final hearing” of the suit/petition/appeal/revision several months/years later!

An effort in the right direction to avoid duplication of effort has been attempted through what is called “hearing at the stage of admission.” This has resulted in reducing an entire stage of hearing. The Supreme Court of India has also attempted to procedurally simplify the Rules in *Salem Advocates Bar Association, T.N. v. Union of India*, (2005) 6 SCC 344. However, the mass of rules that govern the system continue to impose roadblocks to speedier justice.

Procedural simplification of cases demands no great brilliance, intellect or industry. It, therefore, calls for the application of management principles - planning how the procedural wrangles can be weeded out, organising case-files by simplifying the procedural requirements for each case, directing from the top and coordinating with all the courts in the hierarchical setup.

A simple blueprint for this much-needed, change can be brought about by a single or a combination of the following modes: (a) amendment of the Civil Procedure Code and the Rules of the Courts; (b) High Court Practise directions for itself and the subordinate judiciary; (c) Precedents; and (d) Judicial Training and Education.

(b) An equally efficacious, business canon, is the strategy of the paradigm shift propounded by Thomas Kuhn. Procedures like “Summary Judgments” with required modifications may have to be introduced. In the U.S., a party in a civil suit may apply for disposal of a suit by a “Summary Judgment” and “motions of Demurrer” if no evidence, or further evidence, is required to be led. Such a suit is decided on a motion by either party. Even a part of the dispute can be adjudicated by a ‘partial summary judgment’ in cases where reliefs are severable. Experience shows that at least 65% of the civil suits in India on merits involve only an interpretation of documents upon certain admitted facts or a question of law emanating from the pleadings. Such suits do not need oral evidence to be recorded. The court may, suo moto, or on an application by either party, set such a suit for dis-

posal on merits by arguments. Documentary evidence alone, relied upon by a party, can decide the fate of the several law suits on merits.

It is common knowledge that a large chunk of the present day civil litigation in today’s intensely litigious society entails filing frivolous suits or raising false defenses. Similarly, the wait for trials which spans decades allows germination of false defenses. Frivolous suits keep on being filed; an equal number of false defenses keeps on being raised. The system which breeds such litigation expands the vicious circle. The business strategy in this scenario is to take up the latest cases first. In other words, there is the need to constitute a new court for taking up new cases filed in the current year, not just for hearing interim applications, but for their final disposal. Only when the litigants realise that it does not pay to file frivolous suits or raise false defenses and the cost-benefit ratio becomes adverse will this lassitude end. This will decrease the filing rate, facilitate settlements and improve the court climate.

Another area for reform relates to the jurisdiction of courts in appeal. The *Judges’ Act, 1925* gave power to the U.S. Supreme Court to not only decide appeals but also to decide, which appeals it would decide. Certiorari is issued only in 70-80 out of about 7,000 appeals filed annually. Division Benches of High Courts should be used only for determination of the final merits of the case in appeal. Use of Division Benches for “admissions” results in mal-utilisation of the most valuable resource of the judicial undertaking. Only cases which would definitely result in appeal could be set before the Division Bench at the outset.

(c) Another management principle which requires application in the justice system is the Doctrine of “non-value added items.” The Courts have neglected to envision this salutary rule. Technicalities consume a disproportionate amount of time with no commensurable results. Typical illustrations are applications for bringing heirs on record after the death of a litigant, applications for amendments of pleadings, filing of defenses, placing suits for ex-parte decree, issue of witness summons, etc.

No qualified executive in any corporate undertaking will relish performing functions, which call for so little intellectual satisfaction. But it lies in the lot of the courts to suffer such labour, which consumes at least an hour of each workday and benefits none. This constitutes 18-20% of judicial time. Such cost accounting will exhibit the economics of mal-utilisation of meager human resources. This calls for problem identification and problem-solving skills, making a cause and effect analysis of model cases with statistical time control techniques. Accordingly, only after the pleadings, with synopsis and draft issues (in a suit) are filed, need the suit come up before the court. The result is a quantity of disposal without sacrificing quality and expeditious justice without sub-standard justice.

As regards precedents, the practice prevailing in the U.S. of enunciating a well-settled principle of law so as not to refer to further case law on the subject, may be worth following. Every 10-15 years, precedents are examined in the U.S. to frame a "restatement" of the law on every subject. After the re-statement, no case can be cited of a period prior to the restatement. Once a principle of law, which would cover a number of cases is settled, all such cases must be sought out, classified, and concluded in terms thereof rather than waiting for them to reach to be disposed of in good time.

(d) The management principle of core competence is also useful. Once the trivial auxiliary work is discarded, the courts should be utilised only for the aspects they are best equipped to handle. This is in terms of the basic economic theory of comparative advantage. In this regard, the seminal managerial action of an interventionist court is to sift the suit that comes up before it. This may demand the usage of salutary, but little-used provisions of the Civil Procedure Code (CPC) like in Order 7 Rule 11, Order 10 Rule 1, Order 11 Rule 5, Order 12 Rule 6, Order 14 Rule 2, Order 15 Rule 1.

Non-payment of ad-valorem court fee in each

merited case is a consistent breach. Filing suits ostensibly for reliefs other than what in substance the action prays for is also endemic. Rejection of such plaint is necessitated. Framing and answering preliminary issues resulting in disposal of the suit which will otherwise consume needless judicial time and to bring out the same result after years is a matter of managing the case as much as following a binding precedent. Statements made by defendants about certain facts in issue will result in disposal of several suits at the first hearing itself. A slight lapse on this score entails avoidable judicial time in the future. Thus when the cause of action does not survive, the suit/petition/appeal has been infructuous. The procedural mandate is to immediately dispose it off. Recording of admissions culled out from the pleadings, or examining parties at the first hearing on important aspects may narrow down the issues in dispute. "An activist Judge is the answer to irresponsible law suits." Passing judgments on admission may bring about a judgment on a part or full of the claim in the suit. Requiring parties to produce original documents in Court may occasion giving inspection in Court and obviate the need for future correspondence. Each of procedural niceties is not ornamental; they must and do result in weeding out the wanton, unmerited cases.

(e) Close on heels is the tenet of time management, which needs to be applied in today's justice system. This involves a study of how to manage a given activity to its completion within a prescribed time and defining outcome and physical actions within such time frame. With so much work and so little time, even for the most pivotal function of hearing the cases on merits, the need for choosing the most opportune case arises. Time consumed by an unmerited, ill-conceived case adversely affects all the cases waiting in the queue.

(f) Yet another facet of efficient business governance is its accounting arm. Cost accountancy is an indispensable part of every business activity. The most significant capital asset of courts is its time. Time accountancy will be the most notable aspect of a court's balance sheet. The double entry

book-keeping will command the dual aspect of setting down the time frame for each step of the litigation, the most distinctive being the stage of arguments, and awarding costs, "heavy," if not, "actual," for any abuse of the legal process.

(g) Though to a lesser extent, a further business dictum is that of decentralisation. The service of notices, summons, proceedings can be best effected, by each of the litigants/ lawyers desiring to serve in place of the Courts. Service would be by each one for oneself and the Court for none, but the most exceptional. The making of the "paper book" in appeal must go the same way.

(h) The other side of the managerial coin is specialisation. Why should a Judge not specialise in an area of law in which s/he can give his/her best? An argument on the other side is that s/he is trained to be an all-rounder. Is this necessary in the present judicial scenario where s/he is neck-deep in work which will not abate at least till his/her retirement? The desire to "get value for money" has caused the British judiciary to have judges preside over the bench in the realm of law to which they have been accustomed and in which they have experience. Judge preference is an aspect specially considered for assignment of judicial work.

(i) Corporate social responsibility is at the core of modern management, and this principle has a relevance for the judiciary. The judiciary has left an indelible mark on public life. In substantive laws and their interpretation through precedents, India is a fore-runner and is looked upon for inspiration by other judiciaries. It, therefore, falls upon it to take the public, the litigants, in its stride, much like worker participation in management. Efforts have been made in the area of legal-aid and allied legal services for a more fruitful access to justice. This concept can well be enhanced as a partnership of "Judicial Social Responsibility" and "Legal Social Responsibility" with both the lawyers and the judges putting in their best for the litigants they serve.

(j) No business or profession can survive the

vicissitudes of the present times without continuing education. Judicial education has come to stay, especially in areas of racial and gender discrimination, human rights, procedural reforms, judicial ethics, ADR, environmental issues. The client-centered approach to learning, showing and disseminating knowledge and information is best suited for training and educating both the wings of the justice system – the bench and the bar along with various related services like police, prosecutors, journalists, jurists, NGOs academicians, students that form its complex organisation chart. A profound program in that direction will sharpen and polish the blunt edges in a profession whose most vital capital asset is learning. It will ensure the benefit of the ultimate beneficiaries of the system – the litigants.

(k) Another principle of management is Performance-related Payments and Performance-related Promotions (PRP). This underlines the need for a "quota for merit" a system of "picking up the best man first" and concerns promotions in the judicial hierarchy at every stage. In a profession in which entry of the best talent is as much craved, as it is eluded, this principle assumes immense significance.

(l) And the final product to roll out in the judicial conveyor belt is the epitome of management culture - TEAM effort. "*Together Everyone Achieves More*" is the ultimate leadership concept. Leadership initiative is at the forefront in all management schools. In the Justice System, this calls for "Bench-Bar vision, mission and passion."

Conclusion

Litigants prefer a 'prompt decision to a perfect but belated one'. To give citizens this basic public service, it is imperative that there be a change in the justice delivery processes and for this there has to be a fine blend and implementation of the above management precepts. Not heeding the call for management change can only beget disaster in a system with an already eroding image.

The author can be reached at roshandalvi@hotmail.com. This article is a condensed version of a much larger essay entitled *The "Business" of Court Management* authored by Justice Roshan Dalvi available in the Law Review, Bench Edition, vol. 7 (2007).

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**JUDICIAL APPOINTMENT NEWS
FROM UGANDA**

ON 12TH MARCH, a new Deputy Chief Justice Lady Justice Alice Mpagi Bahigaine, a new Principal



Left to right: Flavia Anglin (CJEI Fellow 2006), Justice Yorokamu Bamwine (CJEI Fellow 1995), Chief Justice Benjamin Odoki, His Excellency the President, Lady Justice Alice Mpagi Bahigaine, Justice Seth Manyindo and Justice Remmy Kasule

Judge Justice Yorokamu Bamwine, a new justice of the Court of Appeal Justice Remmy Kasule and one new judge of the High Court Lady Justice Flavia Senoga Anglin were sworn in before His Excellency, the President of Uganda. The ceremony took place at State House Entebbe. In attendance was the Hon. Chief Justice Benjamin J. Odoki, the Chairperson of the Judicial Service Commission Justice Seth Manyindo, the former Minister of Justice and Attorney General Mr. Khiddu Makubuya. The Chief Registrar Henry Adonyo, the secretary to the judiciary Mrs. Dorcas Okalany, the Secretary to Cabinet Mr. Mitala, family members of these new judges, and other prominent citizens were also present

on the occasion.

(continued on pages 20 & 21)

**THE CARIBBEAN COURT OF JUSTICE
BIDS FAREWELL TO ITS FIRST PRESIDENT
THE RIGHT HONOURABLE MR. JUSTICE
MICHAEL DE LA BASTIDE T.C.**

“CCJ, Port of Spain. The Rt. Hon. Mr. Justice Michael de la Bastide T.C., the first President of the Caribbean Court of Justice (CCJ), received good wishes and said farewell from office on July 15 last, as local and regional representatives gathered for a special sitting of the Court in his honour.”

THE RIGHT HONOURABLE Mr. Justice Michael de la Bastide T.C. served as President of the CCJ from the formative years of the CCJ’s existence in August 2004, and has guided the regional organization through the six years since its inauguration. He also served ex officio as Chairman of the Regional Judicial and Legal Services Commission (RJLSC), for the last seven years. President de la Bastide is a former Chief Justice of Trinidad and Tobago, former President of the Law Association of Trinidad and Tobago (T&T) and a Privy Councillor.

At the special sitting of the Court, which was presided

over by Mr. Justice Rolston Nelson, repeated reference was made to President de la Bastide’s gifts of character: his legendary incorruptible integrity, his intellectual rigour, and his exceptional perseverance and tenacity. Speakers recognised Mr. de la Bastide’s invaluable contribution to jurisprudence, not only of importance to the Caribbean region, but of equally great significance to the wider world of jurisprudence.

Contributions were made by The Hon. Mr. Justice Ivor Archie, Chief Justice of T&T (and a CJEI Fellow 2003), The Hon. Prakash Ramadhar, the Acting Attorney-General of T&T, Dr. Lloyd Barnett representing the RJLSC, Her Excellency Lolita Applewhaite, Acting Secretary-General of CARICOM, Ms. Jacqueline Samuels-Brown, Chairperson of the Council of Legal Education, and Mr. Wilfred Abrahams of the Organization of Commonwealth Caribbean Bar Associations, Master Christie-Anne Morris-Alleyne, Court Executive Administrator, and the Ms. Paula Pierre, the Court

Registrar.

Also in attendance were the Chief Justice of the Eastern Caribbean Supreme Court, The Hon. Mr. Justice Hugh Rawlins (also a CJEI Fellow 2004) and other judicial officers and dignitaries.

President de la Bastide, who also celebrates 50 years as a lawyer this year, took the occasion to highlight the importance of maintaining the present governance structure of the Court and Commission in relation to its funding and its budget.

President de la Bastide will be succeeded by The Right Honourable Sir Charles Michael Dennis Byron, former Chief Justice of the Eastern Caribbean Supreme Court and latterly President of the International Criminal Tribunal for Rwanda (another CJEI Fellow 1997).

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By *Justice Adrian Saunders*
Judge, Caribbean Court of
Justice
(CJEI Fellow 1998)

**THE INAUGURATION OF THE RIGHT
HONOURABLE SIR CHARLES MICHAEL
DENNIS BYRON AS PRESIDENT OF THE
CARIBBEAN COURT OF JUSTICE**

THE RIGHT HONOURABLE Sir Charles Michael Dennis Byron will be sworn in as the next President of the Caribbean Court of Justice (CCJ) on September 1st 2011 at Government House, Basseterre, Saint Kitts and Nevis.

The Right Honourable Sir Dennis Byron will take the oath of office as President of the Caribbean Court of Justice in his home country before His Excellency Sir Cuthbert Sebastian, Governor-General of Saint Kitts and Nevis.

Sir Dennis Byron's inauguration comes further to his appointment by the Conference of Heads of Government upon the retirement of The Right Honourable Mr. Justice Michael de

la Bastide TC, former President of the CCJ.

The ceremony will be attended by key office holders from the Caribbean region, as well as guests from the International Criminal Tribunals for Rwanda and the United Nations, among others.

Source: Caribbean Court of Justice, Media Release, No. 10:2011, 19 August 2011.

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By Justice Adrian Saunders
Judge, Caribbean Court of Justice
(CJEI Fellow 1998)

**IN A FIRST, CHIEF JUSTICE TAKES OATH,
BUT NOT AT GOVERNOR HOUSE**



Sindh Governor Ishratul Ebad administers oath to Justice Mushir Alam
as the Sindh High Court Chief Justice

IN FRONT OF the Sindh High Court's six ionic columns, Justice Mushir Alam, 55, was sworn in as the new and youngest chief justice of the Sindh High Court on 15 February 2011. Chief Justice Alam is the youngest chief justice at 55 years.

The ceremony was groundbreaking as it was held for the first time at the SHC premises. All previous oath-taking ceremonies had taken place at Governor House. Another first was that the chief justice's own son, Hafiz Muhammad Ibrahim Alam, performed the recitation from the Holy Quran.

Chief Minister Qaim Ali Shah, judges, Deputy Speaker Shehla Raza, ministers and advisers attended. Former judges were special invitees, including delegations from all district bar associations of Sindh.

New face of judiciary

The new chief justice promised a new face of the judiciary with vigour and commitment to dispense justice to all. In an informal talk with the media after the ceremony, he said that bar associations across the province will be asked to recommend names of advocates, who are known to be the best, to appoint as judges in both the lower and superior courts. "We will take judges from the whole of Sindh and I hope that good judges will be sitting in the benches in future," he said.

The procedure to remove a judge is lengthy and so it is better to see his work before he is confirmed as a permanent judge, he explained. He hinted at establishing fast-track courts who would give priority to senior-citizen litigants and the poor who are incarcerated for years without trial. "I will ensure that the court for minor offences, which are idle at the moment, work fully. I would also ensure that alternative methods including Arbitration and Alternate Dispute Resolution are employed to reduce the number of new cases.

The CJ urged the government and private organisations to have a system of in-house justice. The Sindh Judicial Academy would help, he offered. "If the organisations carry out their functions according to the law, the courts will be relieved of unnecessary litigations."

A little about the new CJ

Born on August 18, 1956, Chief Justice Alam is the third generation of lawyers in his family. He did his LLB from SM Law College and joined the Karachi Bar in 1981. He was elevated to the SHC bench on April 20, 1999.

Excerpted from a news item published in The Express Tribune, February 15th, 2011)

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By Justice Mushir Alam
Chief Justice, High Court of
Sindh Karachi
(CJEI Fellow 2007)

JUDICIAL EDUCATION NEWS FROM TANZANIA

The present state of judicial education

THE PRIORITY IS to train judges, resident magistrates and registrars and in 2011, they attended three courses on election and corruption. A program on human trafficking is planned for late August or early September. The program is funded by the United States.

Only few judicial training programs are conducted due to lack of funds. Nevertheless, at this point in time, the principal of the Institute of Judicial Administration is holding discussions with the training officer of the high court to ensure that the programs begin.

Backlog of Cases: Reduction Strategies

In order to reduce the backlog of cases, the following approach has been proposed.

- Individual calendar: A case is assigned to one judge who deals with it right from the beginning to its disposal.
- Rules – judges are required to observe rules that after a certain period of time, cases which are pending in court without any reasonable cause must be withdrawn.
- Conducting programs on backlog reduction.
- Tracking of cases from when it is registered
- Additional responsibilities to registrars, e.g., meeting with advocate, counselors, prosecutors, etc.
- Checking/examining the weekly development of cases.
- Bar-Bench meetings.
- Case flow management-the judge meets with the prosecution to discuss reasons for delays and also comes up with solutions.
- Use of technology in the justice delivery system
- Use of stenographers and recording machines.
- Cause list displayed on screen

Status of ADR implementation

Many judges have attended ADR courses, and others are supposed to go in for the same late August. In our jurisdiction not all cases go for ADR. For those that do go through the process, out of 100 percent only 25 percent succeed, and the rest 75 percent go to trial.

Initiatives in realizing access to justice to the disadvantaged

Distribution of courts

Many courts have been built in all districts and in rural areas. There are also high court registries in different zones. In fact, there are thirteen high court registries distributed according to the geographical position of the area. This helps people to access justice without needing to travel long distances.

Furthermore, the number of judges and magistrates that are employed have also been increased so that people get service where ever they are.

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By Margaret J. Bankika
Resident/Regional Magistrate , Tanzania
(CJEI Fellow 2011)

(continued from page 15) *Prof. Gilbert Balibaseka Bukenya v. The Attorney General* (Constitutional Petition No. 30 of 2011 decided on 10th August 2011) is a landmark judgment delivered by the Constitutional Court of Uganda at Kampala. This case involved the dismissal of a petition by the former Vice President, Professor Gilbert Balibaseka Bukenya in which he challenged his trial by the Inspector General of Government before the Anti-corruption court for his alleged role in the 2007 CHOGM car deal scandal. The major issues considered by the Court was (i) whether the petitioner was entitled to any immunity under the Constitution of Uganda for acts arising from his chairing the Cabinet Sub-Committee meetings for CHOGM.; and (ii) whether the prosecution of the petitioner is in contravention of Article 21 (1) of the Constitution.

A five-member bench headed by the Deputy Chief Justice, Alice Mpagi Bahigaine, ruled that the Vice President has no presidential immunity and therefore, must stand trial over the CHOGM vehicle's procurement process. Only the President enjoys immunity from prosecution and such immunity did not apply to his appointees, which included the Vice President. The Constitutional Court also rejected submissions by Professor Bukenya that he was being selectively prosecuted. The bench held that the IGG has full statutory powers to investigate and make decisions on who to prosecute.

Training calendar for the Judicial Studies Institute, Uganda (page 21) for the current year demonstrates the range of judicial education programmes offered to the judicial officers of Uganda.



JUDICIAL STUDIES INSTITUTE (JSI) TRAINING CALENDAR FOR JAN - DEC 2011



2011

This Space can be used for any thing or summary of important dates

JANUARY							FEBRUARY							MARCH							APRIL							MAY							JUNE						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
3	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6	1	2	3	4	5	6					
10	11	12	13	14	15	16	7	8	9	10	11	12	7	8	9	10	11	12	4	5	6	7	8	9	2	3	4	5	6	7	6	7	8	9	10	11					
17	18	19	20	21	22	23	14	15	16	17	18	19	14	15	16	17	18	19	11	12	13	14	15	16	8	9	10	11	12	13	13	14	15	16	17	18					
24	25	26	27	28	29	30	21	22	23	24	25	26	21	22	23	24	25	26	18	19	20	21	22	23	15	16	17	18	19	20	20	21	22	23	24	25					
31							28	29	30	31			28	29	30	31			25	26	27	28	29	30	23	24	25	26	27	28	27	28	29	30							

PROGRAM	DATES	VENUES
Annual Judges Conference 2010 and Judges Meeting	January 2011	Mtibozi Resort Beach Hotel
New Law Year 2010	28 th January 2011	High Court Building
ICT Training for all staff	28 th Feb - 1 st Mar 2011	Area High Court Circuit
Case Backlog Strategy Review Workshop for 200 JUDS Members	7 th March 2011	Imperial Royale Hotel, K'ya
Case Management Courses of Chief Magistrates	14 th - 15 th Mar 2011	Sunset Hotel, Jinja
Annual Review Workshop for Chief Magistrates	16 th - 17 th March 2011	-
Training of Trainers' Workshop for the Curriculum Task Force Members	27 th March 2011	Rider Hotel Seta
JTC Retreat to consider various Consultancy Reports that have been undertaken at JSI under the JSI IMPACT project since 2003	6 th April 2011	Mtibozi Resort Hotel
JTC Management Training on Effective Management of a Judicial College	7 th - 8 th April 2011	Mtibozi Resort Hotel
Election Petition Workshop	13 th - 14 th April 2011	Hotel Africana, Kampala
East African Community Workshop on Principles of Case Flow Management	18 th - 20 th April 2011	Nairobi
Internal Training Evaluation (Behavioral) Exercise	21 st - 25 th April 2011	-
ICT & CCAS	2 - 7 May	Serrill ICT & CRM Staff
Continuation Seminar for court Clerks in Central Region at JSI	3 rd - 5 th May 2011	Tropical Inn Hotel, Masaka
Management and Procurement Workshop for Judiciary Administrators and Contracts Committee Members	10 th - 13 th May 2011	-
Annual Magistrates Conference	26 th - 28 th May 2011	-
Training of Court of Appeal and Supreme Court Justices	27 th - 28 th May 2011	Presea Hotel, Kampala
Retreat for Justices of Court of Appeal and Supreme Court and their Registrars	7 th - 10 th May 2011	Chobe Lodge
Workshop on Development of Assignments for Curriculum Development Task Force Members	31 st May 2011	Botanical Hotel Beach, Entebbe
ICT & CCAS	13 - 17 June	Kenn & Burdies
Annual Review Workshop/ Land Justice Courses for Magistrates Grade One from Eastern Uganda	14 th - 17 th June 2011	-
Annual Review Workshop/ Land Justice Training for Magistrates Grade One from Northern Uganda	21 st - 24 th June 2011	-

BRIDGING THE GAP BETWEEN LAW AND JUSTICE

By Justice Flavia Anglin
Judge, High Court of Uganda
(CJEI Fellow 2006)

CJEI 18TH ANNUAL INTENSIVE STUDY PROGRAMME FOR JUDICIAL EDUCATORS



ISP Participants with The Honourable Ross Landry, Minister of Justice

THE CJEI ORGANISED ITS EIGHTEENTH ANNUAL INTENSIVE STUDY PROGRAMME for Judicial Educators (ISP) from 5 June 2011 to 24 June 2011. The ISP is specifically designed to strengthen exchange of ideas, resources and materials on judicial education.

The first part of this three week educational programme was held at the Schulich School of Law, Dalhousie University in Halifax. The final week involved a study tour to Ottawa and Toronto to learn more about the Canadian legal system and the role of Canada in promoting judicial education across the Commonwealth.

The themes selected for this year's programme were diverse and innovative with special emphasis on the use of information technology in judicial education. Instruction was provided to the participants using a range of modern technologies. In addition, the programme emphasized on understanding the targets of judicial education; classification of judicial education resources, use of bibliography in programme session design; possible structures of judicial education bodies (legal and organisational structures); discussion of national standards and objectives; balancing national security with human rights; curricula development; judicial communication; long range judicial education planning; judicial discipline; etc.

At Ottawa, the participants spent their time visiting the Office of the Commissioner for Federal Judicial Affairs, Canadian Judicial Council, National Judicial Institute, Superior Court of Justice, Supreme Court of Canada, and in Toronto they visited the courts at Old City Hall (Drug Treatment Court, Mental Health Court, Aboriginal Persons Court), Ontario Court of Justice and were exposed to the Ontario Justice Education Network.

In addition to the rigorous academic sessions, there were social events such as the reception hosted by The Honourable Mayann E. Francis, O.N.S., Lieutenant Governor of Nova Scotia at Government House, lobster dinner, reception hosted by The Honourable Ross Landry, Minister of Justice at Province House and so on.

The programme evaluation by the participants was positive and encouraging. The fourteen participants who attended the course from the different Commonwealth countries were all confident and enthusiastic that they will be able to initiate judicial education reforms in their home countries.

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ISP 2011 PARTICIPANTS

The Honourable Justice Angeline Rutazana, High Court, Rwanda

The Honourable Mrs. Justice Chandra Ekanayake, Supreme Court, Sri Lanka

Mrs. Cheryl Mathurin, Master, Eastern Caribbean Supreme Court, Antigua

The Honourable Mr. Justice Gulzar Ahmed, High Court of Sindh, Pakistan

The Honourable Mr. Justice Jawwad S. Khawaja, Supreme Court, Pakistan

The Honourable Justice Jean-Luc Kibuka, Commercial High Court, Rwanda

Mrs. Johanna S. Prinsloo, Principal Magistrate, Namibia

The Honourable Madam Justice Margaret A. Reifer, Barbados

Ms. Margaret J. Bankika, Resident/Regional Magistrate, Tanzania

The Honourable Justice Nicholas Kirriwom, Papua New Guinea

The Honourable Justice Regina Sagu, Papua New Guinea

The Honourable Mr. Justice Shah Jehan Khan Yousafzai, Peshawar High Court, Pakistan

Dr. Shalini S. Phansalkar-Joshi, Joint Director, Maharashtra Judicial Academy, India

The Honourable Justice Vivian M. Solomon, Court of Appeal, Sierra Leone

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UPCOMING EVENTS

2011

5th International IOJT Conference on the Training of the Judiciary	October 31 - November 3, 2011 Bordeaux, France	This conference will bring together a variety of experts from around the world to share innovative approaches in judicial education, to learn from one another and to strengthen connections among judicial training institutes. http://iojt-bordeaux2011.org/en.html
Judicial Conference of Australia Colloquium 2011	October 14-16, 2011 Alice Springs, Australia	A series of lectures, and interactive sessions are outlined. Special themes include innovation in court procedures, indigenous issues and so on. http://www.jca.asn.au/colloquium/
The 2nd Biennial Conference of the Caribbean Association of Judicial Officers	October 6-8, 2011 Nassau, Bahamas	This Conference with the seminal theme "Bringing the law closer to the people" will deliberate on important issues pertaining to disaster preparedness and the role of courts, issues relating to judicial ethics, sentencing, access to justice, etc. http://www.thecajo.org/

2012

Commonwealth Judicial Education Institute (CJ E I) Biennial Meeting of Commonwealth Judicial Educators	April 24 - 27, 2012, Seychelles
International Association of Women Judges (IAWJ), 11th Biennial Conference	May 2 -5, 2012, London, United Kingdom
Commonwealth Magistrates' and Judges' Association (CMJA) Triennial Conference	September 10 - 14, 2012, Uganda

THE CJEI
REPORT



The Commonwealth Judicial Education Institute

**Biennial Meeting of Commonwealth Judicial Educators
April 24 – 27, 2012
Le Meridien Barbarons
Mahe, Seychelles**

*Theme: Designing and Delivering Judicial Education Programmes
to respond to Contemporary Needs*

Topics include: *New Developments in Teaching Judicial Skills; Developing Education Programmes in Management Skills for Chief Justices and Administrative Judges; Judicial Techniques in Protecting Minority Rights – Constitutional Charter of Rights versus Statutes and Common Law – Definition of Rights; Judicial Remedies in Protecting Minority Rights in a Democracy; Recent Developments in Electronic and other Teaching Tools; Problems and Solutions in establishing and running Commonwealth Judicial Education Bodies; Measuring your Impact – Evaluation of Judicial Education Programming; New Developments in Experiential Learning; Teaching diverse Judicial Skills for Conflict Resolution; Successful Case Flow Management for Small Jurisdictions; and Developing Programming on Urgent Social Issues, i.e. Environment, Human Trafficking.*



Le Meridien Barbarons

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Send us Your News and Views:

We are eager to share in the CJIE Report news on judicial education developments, judicial reforms, elevations, honours, or obituaries and other news related to the judiciary such as new innovations to tackle arrears and delays, strategies to improve access to justice, landmark judgments, or recent judicial education initiatives in your country.