



Asia Pacific Judicial Reform Forum

Newsletter

Edition 1, May 2006



From the Chair

Welcome to the first edition of the *Asia Pacific Judicial Reform Forum Newsletter*.

I was privileged to have been Australia's representative at the International Conference and Showcase on Judicial Reforms held in Manila in November 2005. It was agreed at that Conference

that Australia would host the first Asia Pacific Judicial Reform Forum Working Party Meeting. That meeting took place in Sydney on 16 and 17 March 2006. Eight countries were represented: China, India, Indonesia, Malaysia, Philippines, Russia, Thailand and Australia. Representatives of the World Bank, United Nations Development Programme (UNDP) and AusAID attended the meeting. The outcomes of the meeting are the subject of this inaugural newsletter.

The Working Party agreed that a Secretariat would be established and Australia was asked by the meeting participants to host the Secretariat. I was honoured to be asked to chair the Secretariat and agreed to do so. The Philippines was asked to host a future Branch Office in Manila. This was agreed to by the Philippines.

Following the meeting, on 20 April 2006 the Chief Justice of Australia, the Hon Murray Gleeson AC, wrote individually to 49 Chief Justices in the Asia Pacific region about the outcomes of the Working Party Meeting and indicated to the Chief Justices that the Forum's work would be greatly assisted if each jurisdiction was able to participate in the work of the Forum. I, too, encourage all jurisdictions to actively participate in this Forum. The task of judicial reform can be difficult for us individually. However, the task will be made less difficult if we are each able to draw on the experience and knowledge of our neighbours and friends in other jurisdictions.

I look forward to collaborating with the many jurisdictions in the Asia Pacific region and am confident that, if we assist each other, the work of the Forum will be a great success.

Justice Kenneth Hayne AC
High Court of Australia

5 May 2006

Working Party Meeting

Sydney

16–17 March 2006



Delegates were welcomed to the meeting at a reception at Government House. From left: Justice Adolfo Azcuna, Supreme Court of the Philippines; Ms Polina Kryuchkova, Supreme Court of the Russian Federation; and Justice Antonio Carpio, Attorney Jennifer Manalili, Justice Angelina Sandoval-Gutierrez and Ms Evelyn Toledo Dumdung from the Supreme Court of the Philippines.

The APJRF Working Party Meeting resulted in a number of initiatives aimed at advancing judicial reform in the Asia Pacific Region.

In particular, the Working Party agreed on four regional priorities for the APJRF:

1. Access to justice
2. Expedition of cases
3. Education
4. Independence

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Delegates from eight countries were represented at the Working Party Meeting in Sydney in March 2006.

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Projects in development

The Working Party developed a list of projects to help achieve the four regional priorities. The immediate priorities are:

- **Judicial Reform Handbook**

This project aims to provide a reference document for the judiciary and executive in each member country defining best practice in particular areas of judicial procedure and suggested ways to achieve best practice. Proposed topics for the handbook include:

- physical requirements
- case flow management
- means of providing access to the courts
- effective codes of conduct
- effective financial management
- use of technology
- administration
- training of judges and administrators
- the use of alternative dispute resolution
- access to justice.

- **Backlog reduction model**

This project aims to develop a model for eliminating case backlogs by identifying what a backlog is, identifying applicable case management principles and mechanisms to improve current processes, and developing a model for implementation by member countries

- **Web based information sharing**

The aim of this project is to provide a website from which members can access judicial decisions of Supreme Courts and other documents (such as papers, speeches, etc) dealing with matters of interest to judges.

- **Improving access to justice by marginalised groups**

This project aims to develop a model for increasing access to justice and increasing awareness of marginalised groups of their rights.

- **Identifying and defining judicial independence**

This project aims to identify the shared objectives which comprise judicial independence in each jurisdiction, and identify the means of achieving judicial independence and any impediments.

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The Way Forward

In order to ensure that these projects reflect the needs of each member country, each jurisdiction is invited to make submissions on each project, in particular:

1. Backlog reduction model

What your jurisdiction sees as appropriate methods of:

- a) identifying backlogs
- b) dealing with backlogs with existing resources
- c) dealing with backlogs through the adoption of new resources/techniques (including alternative dispute resolution).

Submissions due: 31 July 2006

2. Web-based information sharing

What your jurisdiction considers to be an appropriate means of using the JRN21 website to share and receive information.

Submissions due: 30 September 2006

3. Increasing access to justice

Any suggestions as to how to refine the wealth of literature on the subject and any methods employed in your jurisdiction which have assisted in improving access to justice.

Submissions due: 30 November 2006

4. Identifying and defining judicial independence

What judicial independence means in your jurisdiction.

Submissions due: 28 February 2007

Please send your submissions to the Secretariat by the dates specified above

See page 4 of this newsletter for Secretariat contact details.



During the Working Party Meeting delegates split into two groups to discuss each of the four themes and identify key projects.



Asia Pacific Judicial Reform Forum

Secretariat

Steering Committee

- **The Honourable Justice Kenneth Hayne AC**
High Court of Australia (Chair)
- **The Honourable Justice Susan Kenny**
Federal Court of Australia
- **The Honourable Justice Peter McClellan**
Chief Judge at Common Law
Supreme Court of NSW

Management Group

- **Mr Chris Doogan**
Chief Executive and Principal Registrar
High Court of Australia
- **Mr Warwick Soden**
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Federal Court of Australia
- **Ms Megan Greenwood**
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- **Mr Ernest Schmatt PSM**
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Next Meeting

The next Working Party meeting will be held in the second half of 2006 and the general meeting of APJRF delegates will be in 2007. Further details about location and dates will be circulated to member countries when finalised.

Call for Articles

This newsletter is intended to be a source of information on the activities of the APJRF and on the topic of judicial reform. APJRF Members are invited to submit **short** articles (maximum 600 words) on judicial reform for publication in future newsletters, subject to space considerations.

JRN-21 Website

The Judicial Reform Network in the 21st Century's website contains papers and other information about judicial reform — go to <http://jrn21.supremecourt.gov.ph/>