

JUDICIAL EDUCATION AND SKILL DEVELOPMENT FOR JUDGES & COURT STAFF

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Cambodia - Reform experience

- Khmer Rouge (1975 – 1979) - Cambodia faces a post-conflict situation – Estimated at 6 jurists survived
- Establishment of Professional Schools
 - School of Public Administration and Law – appointment of first batch of judges in 1982
- Progress of Judicial Reform
 - Adoption of Democratic Constitution in 1993
 - Establishment of Council for Legal & Judicial Reform in 2001 (“**CLJR**”)
 - Establishment of Royal School for Judges and Prosecutors in 2002 (“**RSJP**”)
 - Adoption of a comprehensive action plan for the legal and judicial reform in 2003

Challenges Encountered

- Rebuilding of the competence of the judiciary and the capacity of training institutions from scratch
- Inadequate experience in judicial education of management and staff of RSJP
- Lack of experienced local trainers
- International experts from different legal and judicial cultures
- Existing local trainers are busy with their principal jobs at courts
- Inadequate access or tools to conduct research and improvement of training materials
- Lack of know-how, human resources and financial resources
- Dependence on donors' support, technically and financially
- Inadequate coordination with relevant judicial institutions

Actions Taken

- Strict recruitment procedure
- Development of curriculum for initial education program
- Development of continuing legal education program
- Training of trainers
- Development of training materials and resources
- Coordination of development partners' support for training
- Coordination with relevant government agencies for training

Outcomes Achieved by the Reform

- Improvement of curriculum
- Improvement of training materials and facilities
- Upgrading training techniques and methodologies
- Increase in number of judges as of December 2008, total judges (188) and prosecutors (91)

Success in Implementation

- Concerted efforts of RGC and development partners
- Strict recruitment process in order to select the best
- Effective support and coordination by the management and staff
- Commitment and contribution by trainers
- More consciousness on reform of justice by extrajudicial officers and new graduates from RSJP

Constraints to Implementation

- Insufficient government funding for effective operation of RSJP
- Frequent change of experts and staff of funding agencies
- Difficult integration of new judges with elder, senior or superior judges
- Need of a concrete and effective plan and mechanism to evaluate and monitor the trainers, school staff, and practicing judges
- Effective performance of other judicial officers
- Lack of interest and commitment on the part of key reform actors
- Lack of effective communication and implementation mechanism to operationalise the reform policy throughout the court system

Key Messages

- Shortage of resources created challenges for judicial education institution
- In post-conflict situation, it is hard to identify sound judicial culture and professionalism
- Another feature is “Dependence on the assistance of development partners” – Its good coordination is a MUST!
- Good coordination and collaboration with other justice institutions and courts is also a MUST!
- FINALLY, commitment from policy leaders determine the success of reform