South Zone Regional Judicial Conference on

Enhancing Timely Justice: Strengthening Criminal Justice Administration

27th – 29th November 2009

Take Home Messages
• (1) Need for "Differentiated Accountability" for the effective operation of the criminal justice administration
  - Need for introspection by executive, legislature and judiciary on their respective responsibilities and accountabilities in the effective operation of the system
• (2) Three areas for which judiciary may be held accountable:
  
  – (1) *Protection of Constitutional Values and Rights*, upholding legality
  
  – (2) *Safeguarding Quality of Judicial Decision Making*
  
  – (3) *Planning and Managing Criminal Adjudication within existing constraints*
2. **PROTECTING CONSTITUTIONAL VALUES IN CRIMINAL JUSTICE ADMINISTRATION**

- Central Role of courts is as a guardian of Constitutional and Legislative rights of all stakeholders.
- Take proactive measures to respond to the failure of investigation and prosecution, using powers available under the law.

**CHALLENGE: ENHANCE JUDICIAL MASTERY OVER CONSTITUTIONAL VALUES & RIGHTS AND LEGISLATIVE RIGHTS; BROADEN SENSE OF RESPONSIBILITY OF JUDGES FOR ADVANCING CONSTITUTIONAL VISION OF JUSTICE AND ENHANCE PROACTIVE ROLE OF COURTS**

2. **ENHANCING EXCELLENCE IN JUDICIAL DECISION MAKING:**

- Strengthen consistency and objectivity in appreciating law and evidence as well as sentencing:
- Conceptualize and develop "judicial method"; develop common understanding of standards of law.

**CHALLENGE: NEED TO DEVELOP COMMON UNDERSTANDING OF "QUALITY" OF JUDICIAL DECISION MAKING AND METHODS OF IMPLEMENTING ENHANCED QUALITY; STRENGTHEN COMMON UNDERSTANDING OF STANDARDS OF LAW THROUGH BETTER LEGAL AND JUDICIAL EDUCATION**
3. PLANNING AND MANAGEMENT OF CRIMINAL ADJUDICATION

- Plan to optimize use of limited resources to meet priority challenges;
- Set, manage and enforce standards for timeliness; use timetables.

CHALLENGE: MANAGING INPUTS OF THE BAR AND POLICE; OVERCOMING "PLAY SAFE" MENTALITY