

**South Zone Regional Judicial Conference**

on

***Enhancing Timely Justice :***

***Strengthening Criminal Justice Administration***

**27<sup>th</sup> – 29<sup>th</sup> 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**