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STRATEGIC PLAN

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Supreme Court of Bangladesh

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List of Abbreviations

a2i	Access to Information
ABO	Assistant Bench Officer
ADR	Alternative Dispute Resolution
BCC	Bangladesh Computer Council
BJSC	Bangladesh Judicial Service Commission
BO	Bench Officer
CRVS	Civil Registration and Vital Statistics
DCM	Differentiated Case Management
DJ	District and Sessions Judge
DPP	Development Project Proforma
ERP	Enterprise Resource Planning
FIFO	First-In-First-Out
HRD	Human Resource Development
HRM	Human Resource Management
ICT	Information and Communication Technology
IT	Information Technology
JATI	Judicial Administration Training Institute
JDJ	Joint District and Sessions Judge
JSF	Justice Sector Facility
JUST	Judicial Strengthening
LAN	Local Area Network
LIFO	Last-In-First-Out
MTBF	Mid-Term Budgetary Framework
NLASO	National Legal Aid Services Organisation
OCR	Optical Code Recognition
OECD	The Organisation for Economic Co-operation and Development
ORG	Office of the Registrar General
PMO	Prime Minister's Office
PO	Personal Officer
SAJ	Senior Assistant Judge
SC	Supreme Court
TAPP	Technical Assistance Project Proforma
TPP	Technical Project Proforma
UNDP	United Nations Development Program
US	United States

Foreword

The Constitution of the People's Republic of Bangladesh envisages a society in which the rule of law, fundamental human rights, freedom, equality and justice will be secured for all. It also pledges equality before law and equal protection of law for the people. The Supreme Court of Bangladesh is mandated by the Constitution to protect the rights of the people and to interpret and defend the Constitution. The High Court Division of the Supreme Court is also entrusted with the authority to exercise superintendence and control over all courts and tribunals subordinate to it.

The democratic societies recognize the rule of law as the foundation for their wellbeing, and the state of the rule of law is considered worldwide as one of the core indicators of a favourable business climate of a country. In Bangladesh, about 3 million cases are pending with the court system against about 1700 Judges. Considering the average growth rate of the cases during the last five years at nearly 10%, it can be presumed that the number will likely be doubled within the next five years if nothing is undertaken.

The Supreme Court of Bangladesh is sensitive to this situation. Under the leadership of Honourable Chief Justice of Bangladesh Mr. Justice Surendra Kumar Sinha, the Supreme Court wants to implement its mandate seriously and perform its role in improving the wellbeing of the nation. Therefore, instead of merely relying on amendment of Rules and sporadic changes in the management system, it has opted for a more comprehensive, integrated and coordinated management approach to its efforts in the form of adopting a strategic plan, which would bring more efficiencies in the justice delivery system.

The strategic plan to be introduced is the result of a consultation process with the Honourable Judges of the Supreme Court, Judicial Officers at the Supreme Court Registry and Judges of the

subordinate courts. With the technical assistance from UNDP we have prepared this plan to set the vision and mission, define values and formulate strategies for the coming days. The Honourable Chief Justice and the Special Committee for Judicial Reforms have guided us to formulate these plans.

The strategic plan embodies the Vision ‘the people continue to place trust, confidence, and respect for the Supreme Court.’ To that end, the Supreme Court of Bangladesh considers its Mission as ‘preserving, protecting and defending the Constitution and the laws of Bangladesh, securing rule of law and serving the people through timely dispute resolution.’ While pursuing the stated Vision and Mission, the Supreme Court of Bangladesh plans to institutionalize a set of Values, which will shape its external and internal behaviour (Independence, Impartiality, Accessibility, Fairness, Responsiveness, Transparency, Technology-friendly, Propriety, and Innovation). In order to achieve the Mission and with the stated Values, the Supreme Court of Bangladesh has set Goals and respective Strategies to achieve them during the next five years. This strategic plan is a promise to bring about increased efficiency in the justice delivery system through strengthening different sections of the Supreme Court and improving their management systems along the flow of the cases while remaining committed to quality justice.

Supreme Court of Bangladesh cannot achieve its cherished goals in isolation. It needs a concerted effort of all Judges, Judicial Officers, staff members and the members of the Bar Association for this. I hope, all stakeholders will come forward and together with their support and cooperation we will be able to accomplish our mission by implementing this strategic plan.



Syed Aminul Islam
Registrar General
Supreme Court of Bangladesh

1. Introduction

The Supreme Court is the apex Court of the People's Republic of Bangladesh. Article 94(1) of the Constitution envisages that 'There shall be a Supreme Court for Bangladesh (to be known as the Supreme Court of Bangladesh) comprising the Appellate Division and High Court Division.' The mandates and functions of the Supreme Court as provided for in the Constitution include the Appellate Division's jurisdiction to hear and determine appeals from judgments, decrees, orders or sentences of the (i) High Court Division, (ii) Administrative Appellate Tribunal and (iii) International Crimes Tribunals, and the High Court Division's such original, appellate and other jurisdictions, powers and functions as are or may be conferred on it by the Constitution or any other law. While pursuing these mandates and functions, the Supreme Court has introduced Rules and Orders and occasionally amended them to govern the administration and smooth justice delivery process at all courts. With the supervisory authority over the subordinate courts and as the last resort for justice, the Supreme Court embodies the role of the guardian of the judiciary and the Constitution.

In spite of the relentless efforts of the Supreme Court to bring about improvements in the qualitative and quantitative performance of the judiciary, a backlog of 3.1 million of cases and its rising trend remain a source of concern, as it challenges the very purpose of the court system. The Supreme Court believes that multi-dimensional factors, some of which lie outside the domain of the judiciary, contributes to this situation. Still, it has embraced the backlog situation as a challenge and opted for a comprehensive response to it. In order to conceptualize the response, the Supreme Court finds itself in the process of redefining its role within its constitutional mandates and functions. The jurisdiction and the powers provided for in the Constitution have empowered it to shape its management and operations. The Supreme Court is now revisiting its systems and operations, which capture justice delivery and administration of not only the apex court but also the subordinate courts.

In order to address the issues in a deliberate, results-oriented, and time-bound manner, the Supreme Court of Bangladesh has decided to adopt strategic planning as a management instrument to steer the planning process towards a shared plan based on a sound analysis of the functioning of the Supreme Court. This document embodies the Strategic Plan of the Supreme Court for the next five years (July 2017- June 2022). This plan is based on a Situation Analysis as the basis for the identification of its Vision, Mission, Values, Goals, and Strategies in view of the mandates and functions of the Supreme Court.

2. Methodology and Process

The strategic plan, as outlined in the following, is based on the findings gathered from a series of consultations (interviews and workshops), physical verifications, and review of the relevant literature. The research process included interviews with selected Honourable Judges of the Supreme Court, Judges of the subordinate courts, Judicial Officers engaged in the Office of the Registrar General (ORG), and staff members working in all Sections of the Supreme Court and two District Courts (Dhaka and Gazipur). Physical verifications of the Sections of the Supreme Court and visits to two District Courts have enriched the information base as well. The plan is also based on the findings of various studies and reviews, and on opinions articulated in various publications and yearly reports of the Supreme Court. Some good practices and lessons learned from other jurisdictions (OECD and India) have also played an important role in the planning process. Four participatory workshops, facilitated by an external consultant, have helped analyze the information gathered during the planning process, and develop the core elements of the strategic plan.

3. Situation Analysis

When the British public official Gladstone said in the 19th century, "Justice delayed is justice denied,"¹ he touched on the central issue of the justice system needing attention. In the 20th century,

¹Bruce and Allan Zullo, eds., and Kathryn Zullo, comp., *Lawyer's Wit and Wisdom: Quotations on the Legal Profession, In Brief* (Philadelphia, Pa.: Running Press, 1995), p. 139

the US justice system was undergoing similar pains, prompting its great leaders to advocate for a “case flow management” as an instrument to attack the delay, which has been the source of displeasure for many. Ernest Friesen, a leading US academic in the area of law, advocated for considering the elimination of delay as the central theme of case management, arguing, “The study of delay is not the study of inefficiency, but is the study of the very purposes for which courts exist.... Justice is lost with the passage of time. No matter how you look at it, whether it’s a civil or a criminal matter, time destroys the purposes of the courts. We study case management because case management is the way we get rid of the waiting time, [by] which we control delay, [and by] which we enhance the purposes of the courts. Case management is what we’re about in controlling delay”.²

OECD looks at justice also from an economic perspective. It asks the question whether the justice is relevant and useful for citizens. It evaluates the judicial performance in the scale of timeliness, predictability of judicial decisions and accessibility of judicial services. In a free market, the participating agents want to see their conflicts resolved in a predictable way. The predictability generates trust in the rules and confidence in the judiciary. Shorter length of trial creates lower costs and makes accessibility to judicial service more affordable. An OECD analysis suggests that a 10% increase in trial length causes a 2% reduction in the probability to have confidence in the justice system.³

Looking at the delay and at the heart of the matter, the situation of Bangladesh deserves digging down before one can ponder on any attempt against it. In fact, the delays, expressed frequently in terms

²Ernest C. Friesen, “The Delay Problem and the Purposes of Courts,” in *National Center for State Courts, Institute for Court Management, Case flow Management Principles and Practices: How to Succeed in Justice* (Videotape, 1991)

³OECD. *Judicial performance and its determinants: a cross-country perspective*, 2013, p. 9

of congestion or backlogs, have become a core issue in the legal discourse in the 21st century Bangladesh. The judiciary, the Government, citizens and development partners share the view that the delay in delivering justice has become one of the deterrent factors in development.

3.1 Trend Analysis

In the following, the trend of the backlog situation of the cases are analyzed for the period 2008-2015 using some selected criteria for which data are available. After a brief description of selected efficiency criteria used in comparative analysis of the judiciary across the countries, the overall backlog situation in Bangladesh and that of the Appellate Division, High Court Division, and Subordinate Courts are illustrated.

3.1.1 Efficiency Indicators

The Supreme Court of Bangladesh has studied the anatomy of the backlogs, thereby following are a set of selected quantitative indicators to measure the efficiency (see below) of the judiciary of the country in comparison to others.⁴

Indicators:

- a. Number of cases filed per year and per judge
- b. Number of cases resolved per year and per judge
- c. Number of cases pending at the year-end and per judge
- d. Clearance rate (ratio of cases disposed of to the cases filed)
- e. Congestion rate (pending and filed over resolved)
- f. Average duration of each case
- g. Number of judges per 1,000,000 inhabitants
- h. Annual case load per judge

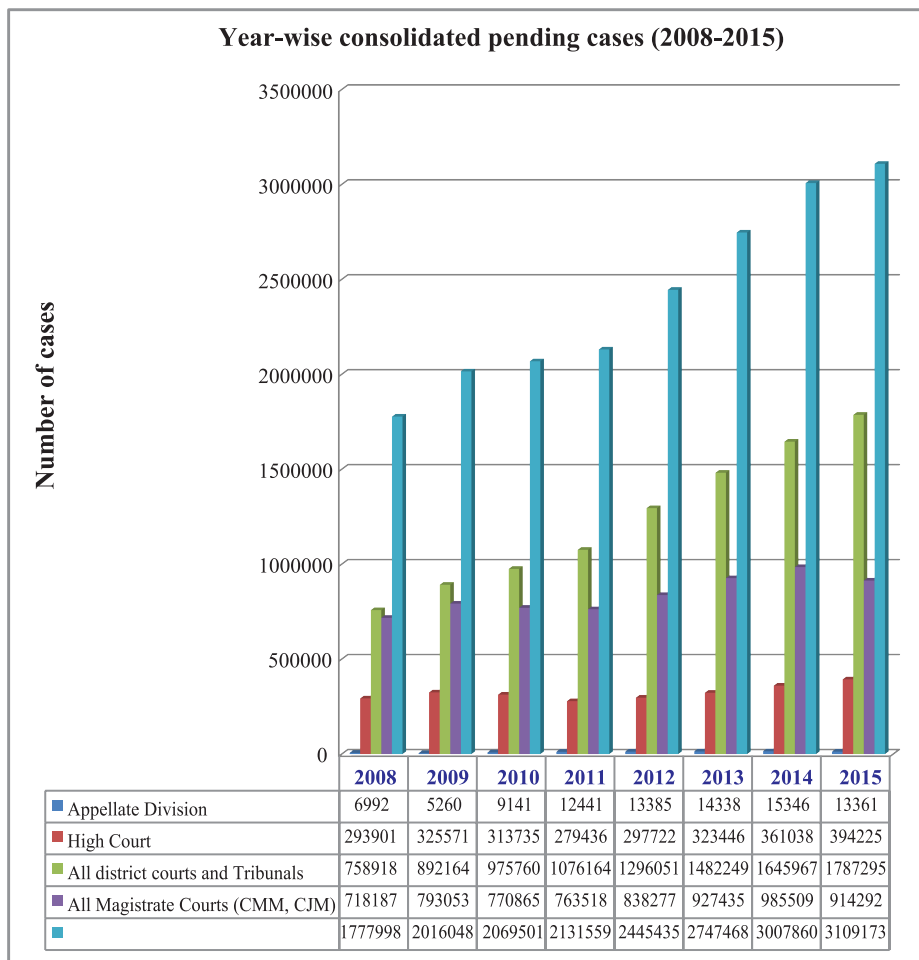
The judiciary of many countries including Bangladesh now uses the most of these indicators to report on their performance.⁵ The Exhibits from 1-12 illustrate the position of Bangladesh.

⁴Dakolias, M. *Court Performance Around the World: A Comparative Perspective*, Yale Human Rights Development Journal, Vol 2, p. 93

⁵See *Annual Report 2015 of the Supreme Court of Bangladesh*.

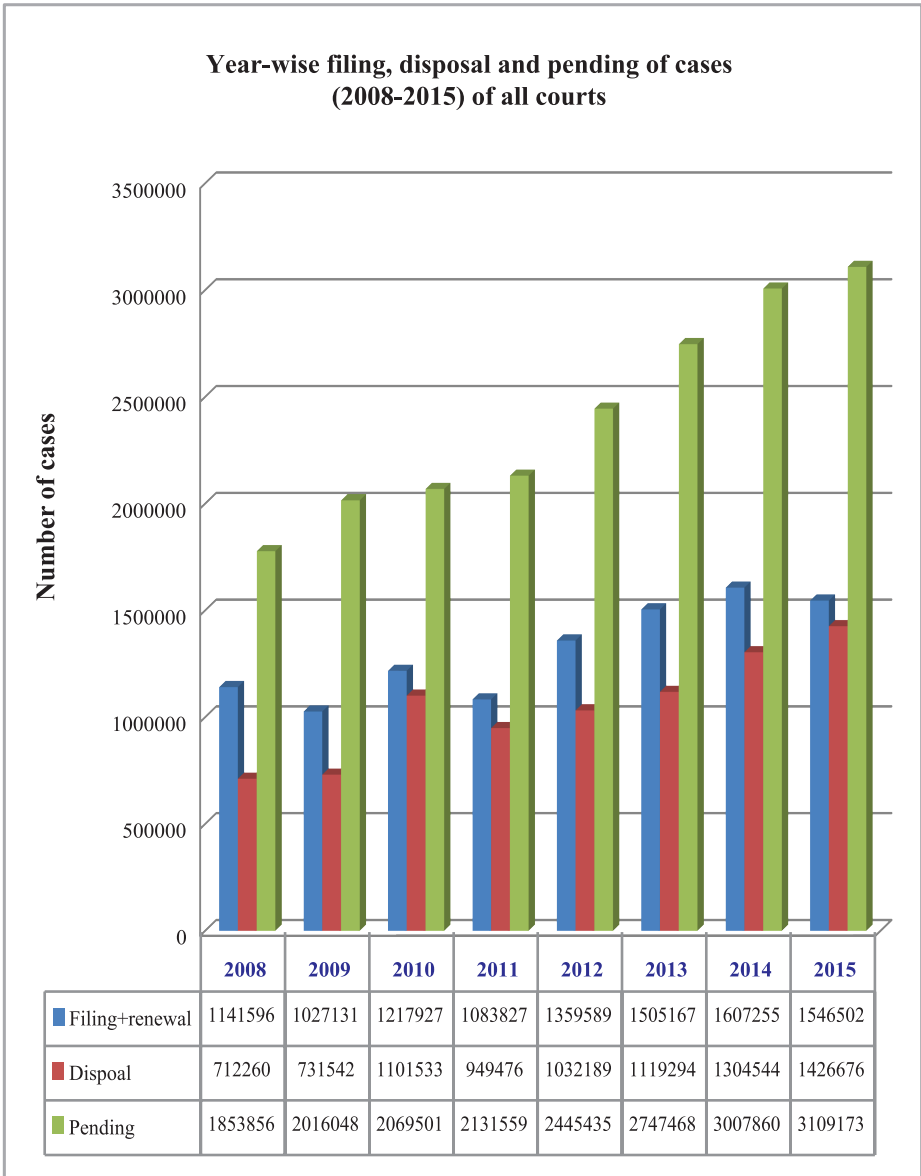
3.1.2 Overall situation of the backlog of cases

Exhibit - 1



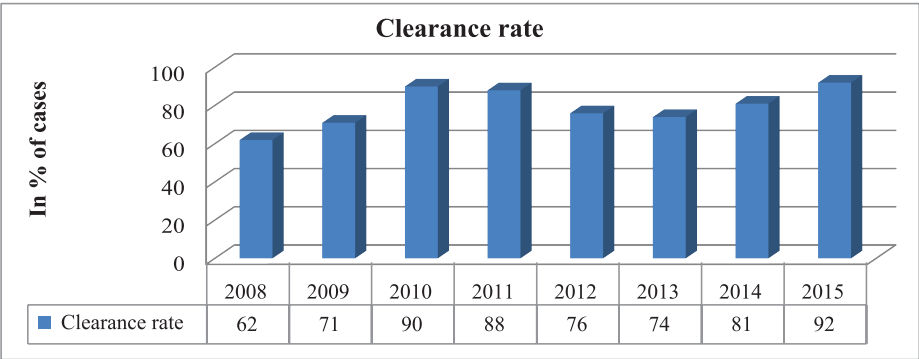
The Exhibit 1 shows that a nearly 75% increase in the number of cases from 2008 to 2015 (equivalent to roughly an average of 9.4% per year), is mainly powered by the District courts and Tribunals and High Court Division. While the Appellate Division and Magistrate Courts had the situation somewhat under control, the rising trend is explained through the increase in the pending cases with the District Courts by 135% as opposed to the average of 75%.

Exhibit - 2



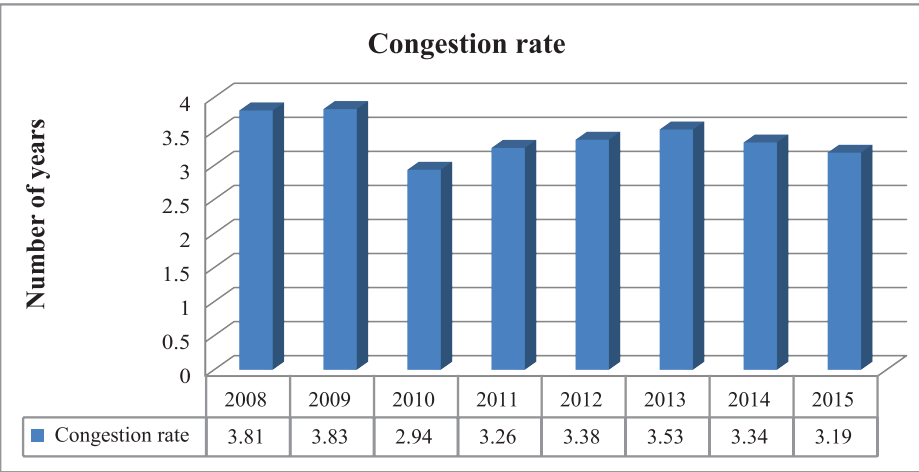
The Exhibit 2 demonstrates how the filing and disposal figures affect the trend of the backlog situation. The yearly number of disposal of cases has been always below that of filing, except in the year 2015, when the number of disposals neared the number of filing.

Exhibit-3



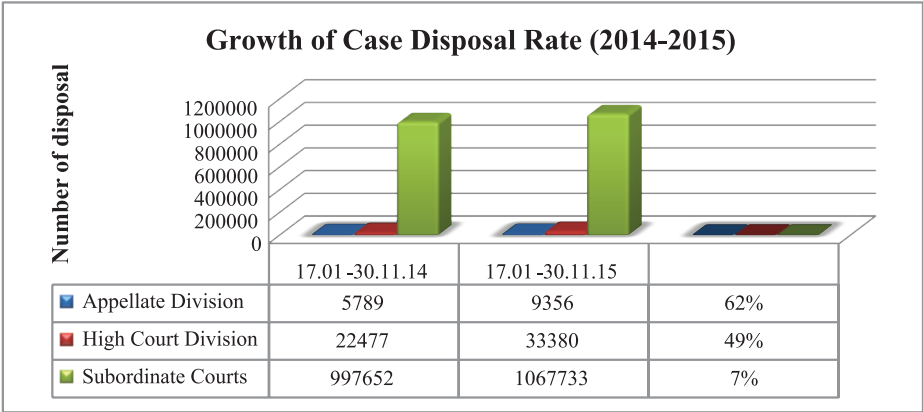
The Exhibit 3 illustrates the Clearance Rate of the Supreme Court cases. It follows the formula ‘Number of cases filed/number of cases resolved’. The clearance rate over the years is different. Since the rates are below 100%, the net addition to the pending cases makes the future more challenging than now if everything remains constant. The clearance rate has been improving from 2013 onward after a decline from 2010 (90%). However, a continuous clearance rate of below 100%, adds cases in the subsequent years.

Exhibit-4



The Exhibit 4 shows the Congestion Rate based on the formula ‘(Pending case at the beginning of the year + new cases filed)/cases resolved’. This expresses the number of years necessary to dispose of the cases, if no new case is filed in the respective year.

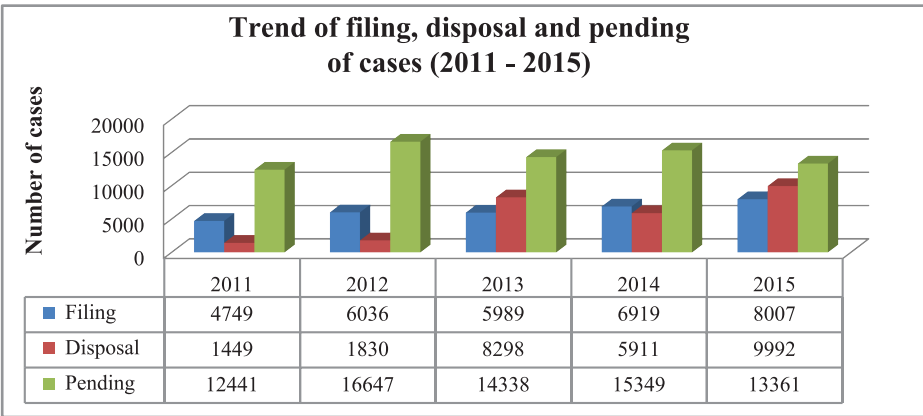
Exhibit-5



The Exhibit 5 illustrates that the case disposals have increased in 2015 compared to 2014. The Appellate Division leads with a 62% increase followed by the High Court Division (49%) and Subordinate Courts (7%).

3.1.3 Appellate Division of the Supreme Court

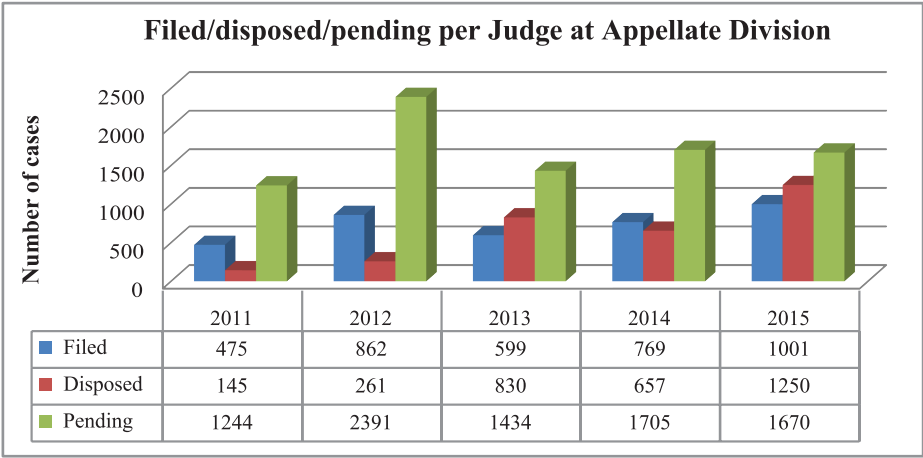
Exhibit-6



Number of Judges	10	7	10	9	8
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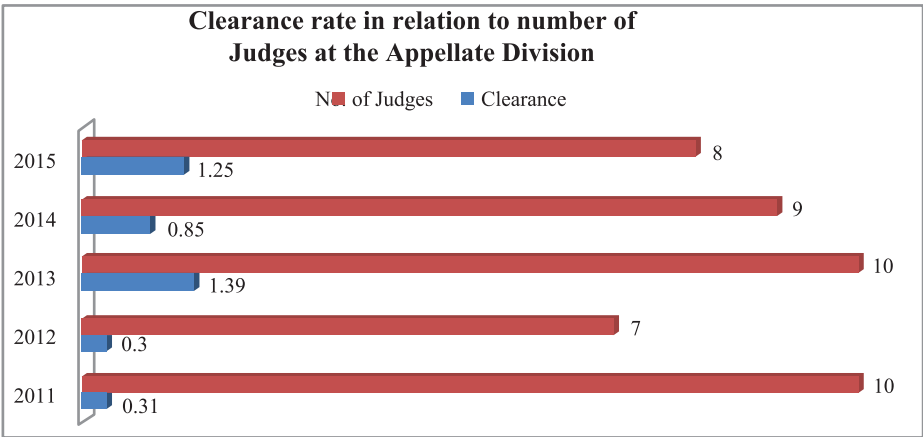
The Exhibit 6 does not demonstrate a specific pattern, except that in 2013 and 2015, during which the number of disposals outnumbered the number of filings, which led to the decrease of pending cases.

Exhibit-7



The Exhibit 7 shows that the number of cases filed per Judge have increased since 2013 after a drop from 2012 to 2013. In 2015, the number of disposals was the highest during the last five years. The number of pending cases per Judge remained high at the level of 1500 during the last three years.

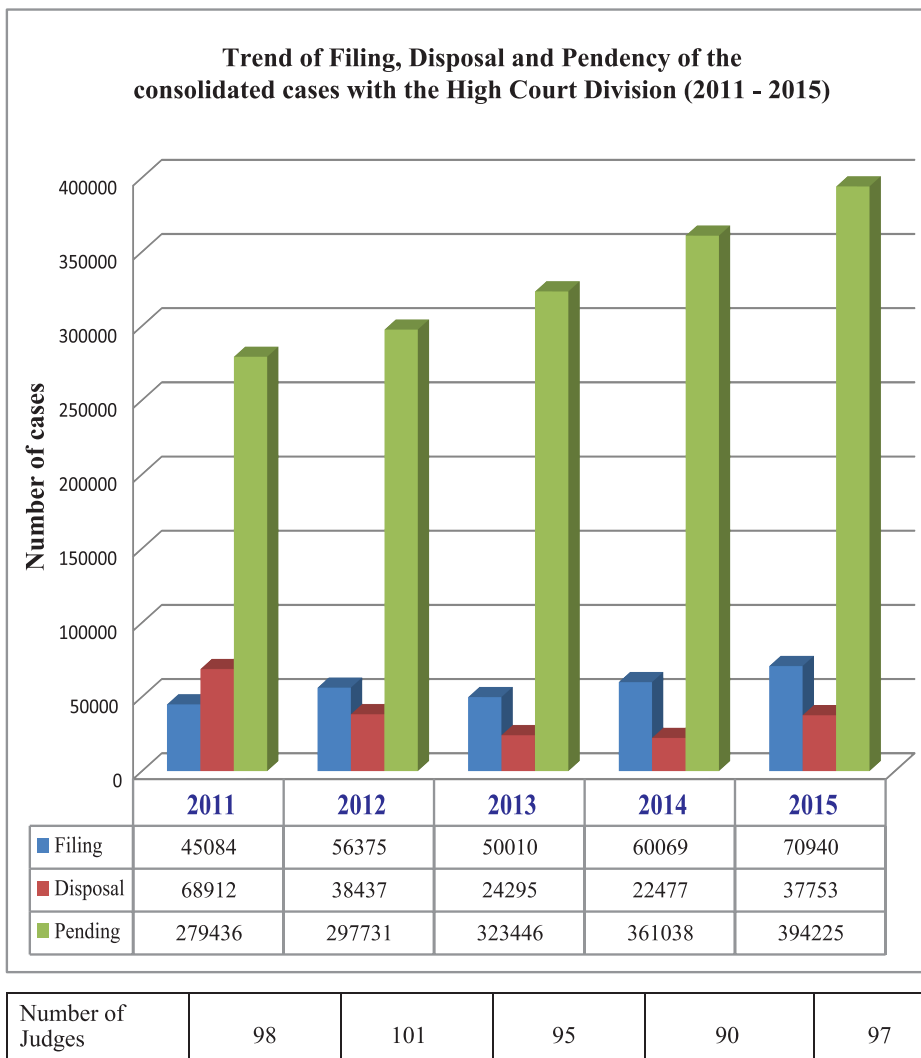
Exhibit-8



The Exhibit 8 shows a clearance rate of above one (an equivalent of 100%) in 2013 and 2015, extremely low in 2011 and 2012, even though the number of Judges was not significantly lower. In short, the clearance rate has improved since 2013, although a drop to 85% was recorded in 2014. It does not show any significant correlation between the number of Judges and number of disposals at the level of the Appellate Division.

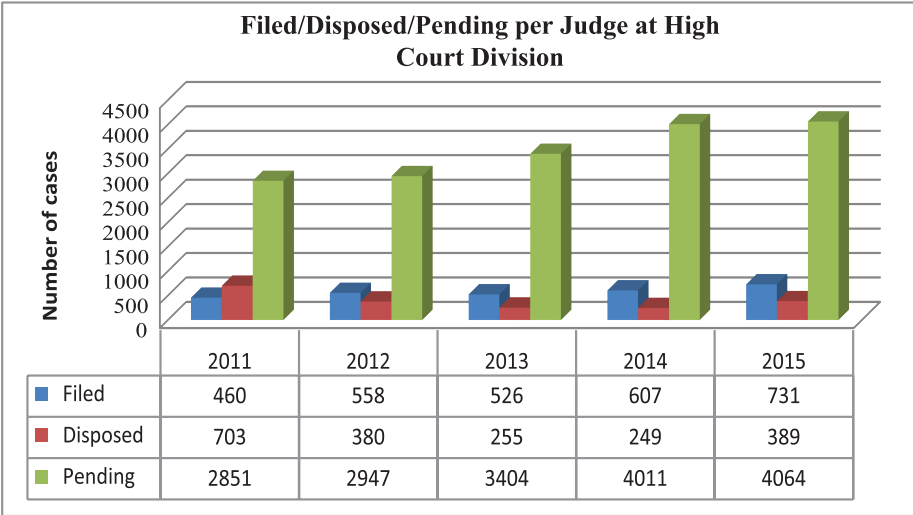
3.1.4 High Court Division of the Supreme Court

Exhibit-9



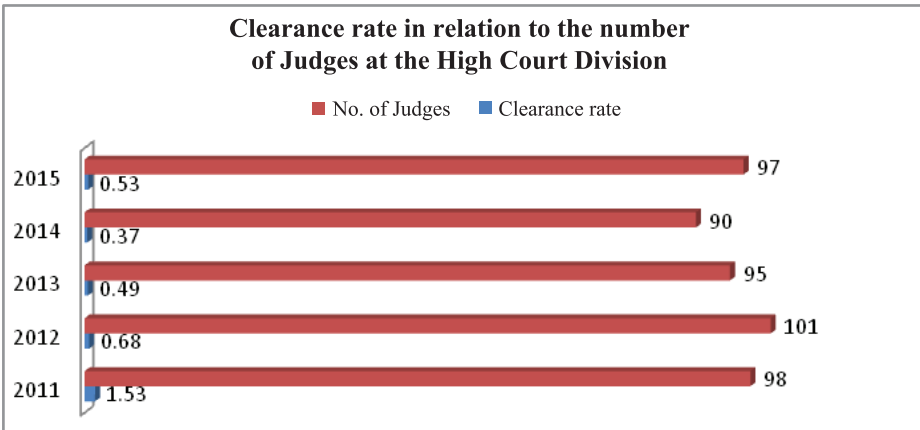
The Exhibit 9 illustrates that, except in 2011, during which the number of disposals outnumbered filings, the filing of cases rose continuously amid relatively lower disposals. This kept the number of pending cases increasing by 40% from 2011 to 2015. Unlike the Appellate Division, the figures show that the more is the number of Judges, the more disposals are possible.

Exhibit-10



The Exhibit 10 shows that the number of cases filed per Judge has increased from 460 in 2011 to 731 in 2015. The disposal as per Judge in per year shows a rising trend from 2013, but well below the number of filing/Judge. The number of pending cases per Judge shows a sharply rising trend from 2851 in 2011 to 4064 in 2015 (84%).

Exhibit-11



The Exhibit 11 illustrates that the clearance rate is on an average around 50%, except in 2011 during which disposals outnumbered the filing by a nearly 53%. Such a low clearance rate explains the continuous increase of the pending cases lying with the High Court Division.

3.1.5 Subordinate Courts

A UNDP study on the subordinate court found that the litigants visit on an average 63 times and the average duration of a civil and criminal case is 5.3 years and 3.7 years respectively.⁶ The duration and frequency of visits directly influence the litigation costs and the resultant delays make the judgment not useful enough, as it could not be used for personal decision-making.

3.1.6 Conclusion

If everything remains constant, the number of cases pending will keep increasing continuously. Given the existing number of Judges, the cases pending per Judge will increase at the High Court and subordinate Courts as well. Considering the existing rate of increase, the number of cases will most likely reach 5 million by 2020. The situation is more obvious in the case of subordinate Courts. The increase of the cases in the subordinate courts will lead to increase in cases at the High Court and Appellate Division over time.

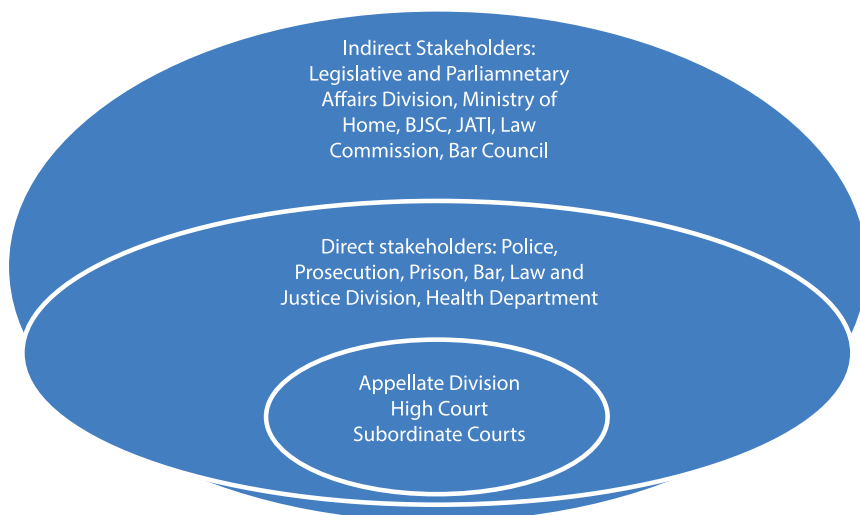
While the backlog situation illustrated earlier deserves urgent attention, the reasons behind it need to be understood before specific responses can be determined. The problem analysis described below tries to find the causes of backlog situation.

3.2 Problem Analysis

The Supreme Court believes that the backlog situation depicts an undesirable state of the justice system as a whole, but its causes do not lie in the judiciary alone. Both external and internal factors have attributed to this situation. The following model visualizes how institutions external to the judiciary influence the performance of the judiciary as a whole, and thus also the state of case filing and disposals (External Analysis). The findings from interviews, participatory workshops, physical, and document review provide insight into how external and internal factors cause and deteriorate the backlog situation. The following deliberations include the findings from an Internal Analysis followed by an External Analysis.

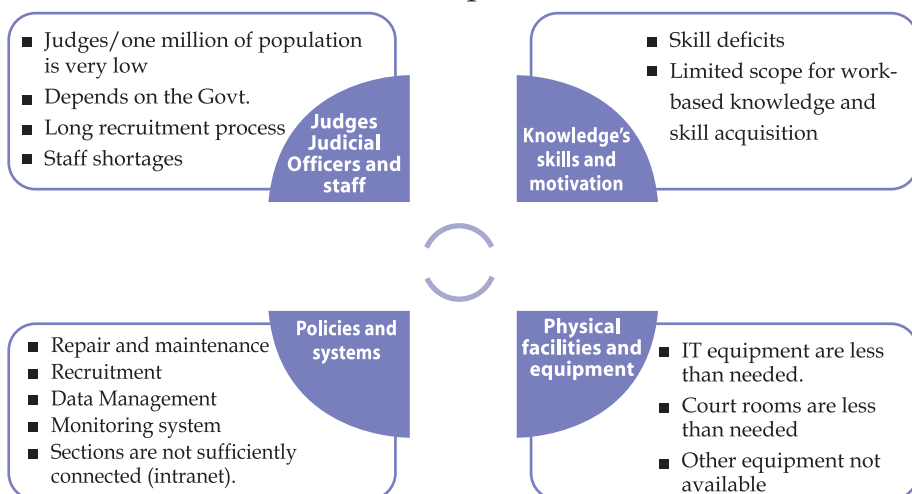
⁶The study was conducted by Price Water House Coopers for the JSF Project.

Institutions with Roles to Manage Case Backlogs



3.2.1 Internal Analysis

Selected determinants of performance in the SC



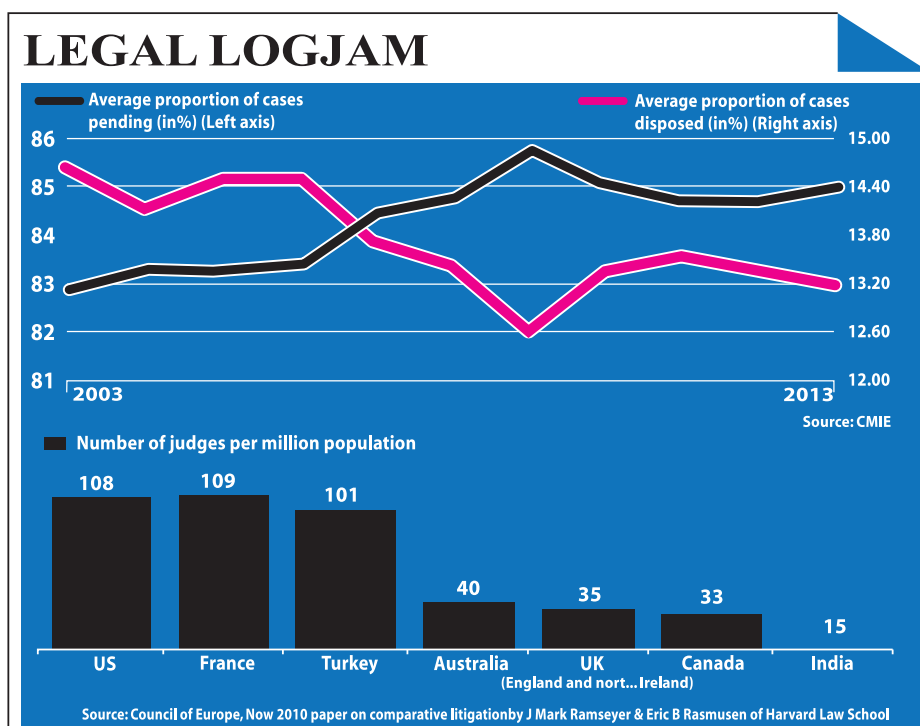
The Supreme Court has identified four major causes behind the backlog situation (see Exhibit), namely

- Insufficient human resources (Judges, staff members)
- Inadequate knowledge, skills, and motivation
- Ineffective and outdated Rules/Orders, policies, and systems
- Insufficient physical facilities

Insufficient human resources (Judges, staff members)

While the backlog of cases shows a rising trend, the ratio of judges to population is low in comparison with other countries. Roughly calculated, the ratio is 8.75 (Judges per million of the population) based on 1400 Judges available for justice delivery.⁷ It is much lower than even India (15), let alone other countries, which envisage 100 judges per million of the population as the ideal number. A workshop with participants from 34 sections of the Supreme Court and section-wide consultations suggest that there is a shortage of staff members as well.

Exhibit 12: Judges to Population Ratio in other countries



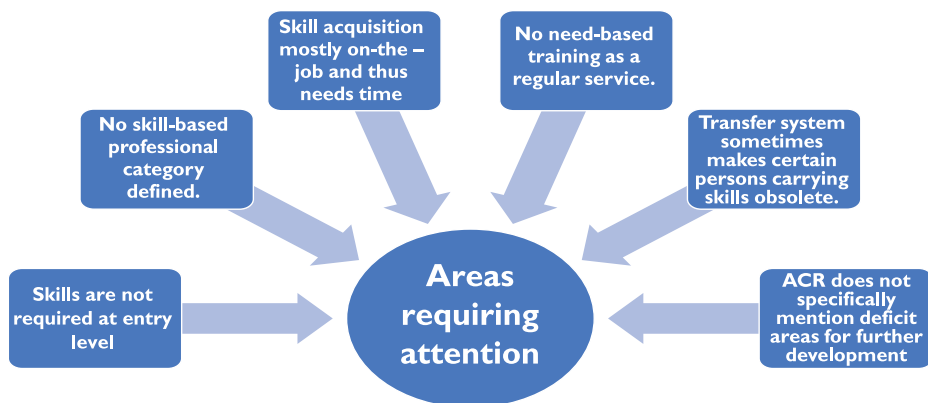
Inadequate knowledge, skills, and motivation of the staff members

Findings from interviews with Judges of the Supreme Court,

⁷The Research Unit of the Supreme Court estimates that about 300 of the 1700 Judges either are performing administrative functions or are on leave.

judicial officers, and superintendents of various sections from participatory workshops suggest that the staff members are not sufficiently skilled for the existing tasks and not ready for new technologies. The following six causes explain this situation (see Exhibit):

Causes of knowledge and skill deficits



First, the Supreme Court generally recruits its employees at entry level and does not require the possession of some pre-defined skill sets.

Second, instead of developing towards specific skill-based professional categories, they remain as general employees that hinders them from becoming specialists.

Third, the employees to be recruited can only contribute after they have learned the skills. Many sections share the view that the minimum academic background required to apply for a job at the Supreme Court is too low to understand the forthcoming tasks and become trainable.

Fourth, at present, the Supreme Court does not have any Human Resource Development policy or unit, which may offer section-sensitive programs to prepare the employees for new tasks and responsibilities. On-the-job learning remains the only option for the employees, except that in some cases, training is offered sporadically without prior needs assessments.

Fifth, the existing transfer practice does not consider the requirement of skillsets of the position transferred to. Consequently, the respective employee needs a long learning curve before becoming relevant.

Finally, motivational issues play an important role. In the absence of any human resource unit, there is no systematic process of how to address the general skill deficits and other inadequacies possibly mentioned in the Annual Confidential Report (ACR). A dominant link between past performance and future capacity building initiatives is missing.

Ineffective Rules/Orders, policies, and systems

The Supreme Court takes pride in introducing the publication of online Cause List, communicating Bail Orders online, and automating the library system. However, most of the Sections report on inadequacies in the systems and procedures to govern the operations of the Sections, which need urgent attention, should their performance be further improved.

Insufficient physical facilities, equipment, and software

Most of the Sections report that they have less IT equipment than needed. The IT Section said that they do not have enough support system and budget for continuous repair and maintenance of the IT facilities. Many Sections do not possess the application software, which is quite common in Sections like Accounting, Store Keeping, Purchasing, etc. The Sections also represent the view that they lack the physical space for work and record keeping. The existing space is also not sufficiently maintained against rainwater and insecticides/pests. The physical link between the main building and administrative buildings is missing as well, with the consequence that transport of case documents to the courts is unsafe during the rainy season. This situation is further aggravated due to the absence of an elevator in the administrative building. Finally, some Sections, such as the Record Rooms, lack suitable equipment (e.g. Ladder) and furniture (e.g. Shelves) to have safe access to the documents and easy handling of the shelves.

3.2.2 External Analysis

As the model of Justice System introduced earlier illustrates, many external institutions directly or indirectly influence the backlog situation. These institutions include Ministry of Law,

Justice and Parliamentary Affairs (Law and Justice Division, and Legislative and Parliamentary Affairs Division), Office of the Attorney General, Bar Council, Bangladesh Judicial Service Commission, Bangladesh Judicial Administration Training Institute (JATI) and other agencies (Police, Prison Authority, National Legal Aid Services Organisation etc.).

The Bangladesh Judicial Service Commission (BJSC) selects suitable law graduates for recruitment as Assistant Judges, the entry post in the Bangladesh Judicial Service, through competitive examinations and recommends for appointment by the Government on the instruction of the President of the People's Republic of Bangladesh. The intellectual and moral profile of the selected candidates will significantly determine the qualitative and quantitative performance of the judiciary in the future. Therefore, immense responsibilities lie with the BJSC in view of the examination system, which is expected to test the academic, intellectual, and moral standing of the candidates in a manner that the process of selection is accessible to all candidates, and also that the system and procedures are trustworthy and transparent.

Once recruited, the Assistant Judges during their probation period must participate in a foundation training offered by the Judicial Administration Training Institute (JATI). Senior judicial officers also receive training in the form of continuing education here. As the only training institution in the justice sector, JATI has the mandate to train judicial officers, court clerks and even public prosecutors and government pleaders. The “training needs assessment study” of JATI, its subsequent training programmes, and impact study can address the required skill sets of the judicial officers, court clerks, and prosecutors to improve their performance in court administration and justice delivery process.

The Law and Justice Division provides various supports to the subordinate courts and justice sector institutions. It decides on the number of judicial officers and staff members (to be recruited), physical facilities (to be created), and equipment (to be procured) and logistics support (to be extended). It provides the overall

planning and budgeting support to each institution. It also initiates posting, transfer, and promotion processes of the judicial officers in the justice sector for concurrence of the Supreme Court. Through the Solicitors Office, the Law & Justice division facilitates the selection and appointment of the Attorney General and public prosecutors, who play significant roles in the justice delivery process. It also provides legal assistance to the Government in those cases, where Government is a party, and provides support to the Office of the Attorney General for cases pending with the Supreme Court. In addition, the Division plays a significant role in the appointment of the Judges of the Supreme Court. Finally, the Secretary of the Law and Justice Division is an ex-officio member of many Boards and Committees of the Justice Sector Institutions. Thus, the Division has some influence over the decision-making of concerned agencies. In summary, the decision-making power of the Division has a significant impact on the performance of the Judges, public prosecutors, and the Office of the Attorney General.

The Legislative and Parliamentary Affairs Division, which provides the drafting support to the Parliament, plays a significant role in the ways laws are examined in view of ambiguity and applicability. It also provides technical services in the process of amendment of laws, rules, and regulations. Since ambiguity in the laws leads to unpredictability in the judgment and as such generates possible dissatisfaction of one of the parties, appeals are more likely. This lengthens case duration burdening the justice system as a whole.

The Law Commission undertakes legal research, and proposes new laws or amendment of the existing ones. Legal reforms based on sound research are expected to formulate laws that are more transparent with the consequence that judgments becomes more predictable for the parties. This will not only reduce case duration, but also lessen the probability of appeals.

The National Legal Aid Services Organisation (NLASO) not only provides legal aid to the poor, but also makes people aware of legal rights and ADR. The District Legal Aid Office is expected to

offer ADR support as well. If it performs these functions properly, the poor will not only access justice services, many cases may be resolved through ADR and will not enter into the formal justice system. In addition, increased awareness of the poor about the legal process will help them become active in demanding justice.

The Police play a major role in the justice delivery system by performing the role of investigator, professional witness during the court hearing, serving summons to the parties and producing the accused under detention to the court. Research shows that the investigations sometimes take longer than the statutory time frame, investigation officers are not reachable, and the summons are not effectively followed up leading to adjournments and delay in the legal process. The same is true with medical officers and officials of the narcotics department because their absence or non-traceability leads to adjournments as well.

The Bangladesh Bar Council offers examination to the law graduates, who plan to pursue a legal profession. It is mandated to offer training to lawyers and follow up their performance in view of professional ethics. Since the practicing lawyers are the sources of public prosecutors, government pleaders and ultimately the Judges of the High Court, compliance of the lawyers with ethical values are crucial, so that only lawyers with outstanding professional and ethical standing participate in the legal process. The Supreme Court Bar Association is also a partner of the Supreme Court, as it has a strong role to play in shaping a favourable relationship between the Bar and the Bench and in guiding its members towards achieving justice for all.

Office of the Attorney General represents the Government in legal proceedings of the Supreme Court when the Government is a party. Since Government is a party in a significant number of the pending cases, effective representation and participation in the legal process will contribute to fewer adjournments and the shortening of the case duration.

Finally, the civil society and the media play an important role in demanding fair, fast, and quality justice. While they consciously

follow and report on the process, they exercise vigilance over the activities of the participating agencies. This lessens the possibility of causing ill-motivated delay by any agency.

Conclusion: The external analysis shows that all justice sector institutions directly or indirectly influence the context within which delivery of justice occurs. All share the responsibility for making the justice delivery unpredictable, time-consuming, costly, and sometimes irrelevant to the people. This creates mistrust in the justice system. Therefore, the Supreme Court advocates for addressing the issue of the backlog of cases as a shared agenda for all justice sector agencies, and proposes the following plan for the future.

4. Vision, Mission and Values

4.1 Vision Statement

As one of the three organs of the State, the Supreme Court is primarily accountable to the people of Bangladesh. Its **Vision** is:

The people continue to place trust, confidence, and respect for the Supreme Court.

4.2 Mission Statement

Guided by its constitutional mandates and the stated Vision, the Supreme Court of Bangladesh considers its **Mission** as

Preserving, protecting and defending the Constitution and the laws of Bangladesh, securing rule of law and serving the people through timely dispute resolution.

4.3 Values

While pursuing the stated Vision and Mission, the Supreme Court of Bangladesh plans to institutionalize a set of Values, which will shape its external and internal behaviour.⁸

⁸The Values are based on Code of Conduct for Judges of the Supreme Court (2017), the Bangalore Principles of Judicial Conduct 2002, Articles from the Annual Report of the Supreme Court 2013 and Code of Conduct from other jurisdictions.

a) In relation to other organs of the State

- **Independence:** With the honourable Judges, the Supreme Court will remain free from any interference from anywhere while exercising its constitutional duties.

b) In relation to conflicting parties and citizens

- **Impartiality:** The honourable Judges and the staff will not favour any party in conflict and respect them equally in the justice delivery process.
- **Accessibility:** The parties will have equal access within the decorum of the law and the court system.
- **Fairness:** The Judges and the staff members will explore a balanced view in the process of delivering justice.
- **Responsiveness:** The honourable Judges will be articulate and dutiful enough to address revealed societal pains as far as the application of laws and justice are concerned.
- **Transparency:** Judicial process must be transparent, consistent, and predictable and the proceedings occur in open courts, where all concerned shall have unhindered access.

c) In relation to the SC itself

- **Technology-friendly:** The SC will embrace modern technologies in its operations to achieve the highest level of efficiency of the honourable Judges, judicial officers, and staff members. The preference for newer technology will substitute technology angst.
- **Propriety:** Irrespective of position and strata, everyone will strictly follow the Rules and Procedures.
- **Innovation:** The Supreme Court will encourage a working environment that fosters creativity and generation of new ideas to improve the court environment and the quality of justice.

In order to achieve the Mission and establish the Values, the Supreme Court of Bangladesh has set Goals, and respective Strategies to realize them during the next five years. The next chapter lists the Goals and elaborates the corresponding Strategies.

5. Goals, Strategies and Activities

The Goals of the Supreme Court of Bangladesh are embedded in five areas as listed below:

- Judicial Administration of the Supreme Court
- Justice Delivery at the Supreme Court
- Monitoring of Subordinate Courts
- Justice sector as a whole
- e-Judiciary

The Goals and Strategies defined against Judicial Administration of the Supreme Court relate to all Sections of the Office of Register General, which extend services to the honourable Judges, so that they can exercise their judicial duties with satisfaction. The Goals and Strategies regarding Justice Delivery address the capacity of the honourable Judges to perform their duties with the required quality and speed. The Goals and Strategies related to the Subordinate Courts are designed to fulfill the obligations of the Supreme Court to monitor the functioning of the Subordinate Courts according to the set standards. Additionally, the Supreme Court has also defined Goals and Strategies to influence the behaviours of other justice sector institutions in line with the Mission, Values, and priorities of the Supreme Court. Finally, the Goal, Strategies and Activities outlined in the following address the need for operational efficiency of the recurring processes using IT-services, thereby taking advantage of the government support for digitization of the judiciary.

The Activities as listed in the following are realistic in Year 1⁹ (see Annex) given the mandates, capacities, and resources of the Supreme Court. The Activities (Action Plan) for the years 2, 3, and 4 will be developed after the completion of the respective previous year. The Activities are listed under the Action Plan for Year 1 for each Goal.

⁹ Activities listed under Year 1 can be implemented without any funding support from external agencies.

5.1 Judicial Administration of the Supreme Court

Goal 1: The Office of the Registrar General (ORG) is to be restructured and rejuvenated to meet the emerging needs.

This Goal is based on the argument that the existing composition and profile of the Sections do not fully address the needs and therefore, the Sections should be classified, some new Sections should be added and some others to be restructured. Three Strategies are recommended for this purpose.

Strategy 1: Classify the existing Sections into four clusters of services in the ORG as follows:

- a) Court/Case related: Bench Office, Judicial Records, Paper Book, Certified Copy, Filing, Stamp Reporter, and Dispatch related to the courts
- b) General Administration and Logistics: HRM for Judicial Officers, HRM for SC & Subordinate Staff, Dispatch, Keeping, Security & Store
- c) Technical: Budgeting, Accounting, Procurement, Store, Transport and Medical Centre
- d) Overarching/Crosscutting: Planning, Monitoring, Research and Reporting, IT and Training

Rationale: The proposed classification into four clusters will allow some degree of specialization of the staff members. The placement, transfer, and promotions of the staff can be more rationalized, as different sections demand different skill sets. For example, a) and d) demand proficiency in the language (Bangla and English) and IT. Over the years, the Supreme Court will have a specialized set of staff members of the mentioned clusters.

Strategy 2: Rejuvenate the sections with selected work/activities

Rationale: In view of the proposed classification of the Sections, the Appointment Section for the judicial officers may be renamed as Human Resource Management (HRM) section to capture all the

functions to perform in the future. They need to manage all areas of human resource management, which include functions like appointment, placement, transfer, promotion, annual performance review, dismissal/termination, incentives, deputation, and pension. The same should be true for the General Administration Section.

Strategy 3: Establishment of new Sections, with specific mandate, as follows:

- a) Planning, Monitoring, Research and Reporting Section
- b) Human Resource Development (Training) Section
- c) Monitoring Support Section (to follow up the activities of the Subordinate Courts)
- d) Public Relations Section
- e) International Judicial Relations and Collaboration

Rationale: This Strategy is based on the assumption that the Supreme Court will implement a strategic plan and execute various development projects, the progress of which needs to be periodically monitored using facts, and reported to the honourable Chief Justice with information for decision-making. The Strategy also supports the decision of the Government to establish a planning and budgeting section within the Supreme Court. In addition, the proposed Human Resource Development Section is expected to overcome the identified skill gaps on a regular basis through need-based training, workshops, and exposures to external experiences. Finally, a separate Monitoring Support Section for the Subordinate Courts is expected to introduce a communication and a decision support system, which will provide an objective basis for the honourable Judges of the Supreme Court, who are entrusted with the monitoring of the Subordinate Courts. This should enrich the existing practice, which merely takes into account the performance of the individual judges. The Supreme Court does not have a specialized unit/section, which can provide information to the

external agents like media and citizens. Such an organisational unit may improve the Supreme Court's visibility, and generate transparency about the affairs going on at the apex court. Finally, the Supreme Court is increasingly in relationship with similar institutions in other countries. In the absence of a unit focused on international judicial relations and collaborations, handling of the international affairs becomes an additional task of somebody, with the consequence of potential inadequate handling.

Provided that the Sections/Units are approved, they will be integrated into the organogram of the Supreme Court. The ORG will define the functions and determine the staff size of the new Sections/Units along with the designations and skill sets before the Government is approached for endorsements.

Goal 2: All Sections/Units/Cells of the Office of the Registrar General are effectively practicing relevant and more advanced modern office management system and procedures.

This Goal requires that the Sections/Units/Cells practice modern management systems to achieve more efficiency within each organisational unit. The Strategies proposed in the following will demand that each organisational unit to a certain extent modifies the work process while remaining within the purview of the HC Rules.

Strategy 1: Introduce more technology based office management systems and procedures for the effective coordination and quality management among and within the Sections.

Activities

- Forms and Stationaries: Inventory Management System as practiced in business houses
- Purchasing Section: Template based requisition issuing, processing and approval system
- Transport Section: Basic Repair and Maintenance Policy versus outsourcing policy in major cases

- Court Keeping Section: Requisition and follow up/tracking system for all services, and inter-building accessibility, effective space management policy (interior design analysis)
- Human Resource Management 1: Human Resource Management Policy (Filing system, Posting, Transfer, Appraisal, Promotion, Leave, Sickness, Dismissal, Pension Policy) for all Judicial Officers. The policy will build in the aspect of compliance with the Values in the ACR system.
- Human Resource Management 2: Human Resource Management Policy (Filing system, Recruitment based on required skill sets, Posting, Transfer, Appraisal, Promotion, Leave, Sickness, Dismissal, Pension Policy, gender policy) for the staff members
- Paper Book: Introduction of OCR (optical character recognition) software
- Records Section: Space-effective filing and safe storage system, and effective pest management, formatting policy (use of font, both sided)
- Budgeting System: Real-time Budget Control System
- Accounting Section: Modern Accounting System (use of basic accounting software for bookkeeping and reporting)
- Library: Auto-generated borrowing status and issuance of clearance and access to e-library
- The Secretariat of the ORG: Modern Coordination System (Tracking system for internal and external coordination, auto-generated reporting system)
- Subordinate Courts Section: Online reporting system
- Bench Office: Effective communication with the Subordinate Courts and Records Section
- HRD 1: Needs assessment, workshop design, delivery of training/outsourcing of training/self-learning for the Honourable

Judges and judicial officers, training impact evaluation).

- HRD 2: Needs assessment, training design, and delivery/outsourcing/self learning for staff members, training impact evaluation.
- Cause List: Daily publication of cause lists and results
- *Nojir* (Precedent) : Modern store keeping (space management, storage and filing)
- Stamp Reporter: Modern payment system
- ICT: Repair, Maintenance and Replacement Policy; Audience-sensitive staff development policy; LAN management policy
- Research: Connectivity with relevant Sections for auto-generated reporting on selected indicators, interpretation practices and recommendations for changes

Rationale: This Strategy aims at introducing modern coordination and management systems in almost all Sections to improve their operational efficiency, transparency, and accountability. In many cases, the Strategy enriches or/and enlarges the role of the Section when coupled with IT solutions (see Goal 3). The proposed coordination and management system will not only bring efficiency, it will efficiently use the human resources and thereby qualifying them for their respective roles.

Strategy 2: Equip the Sections with necessary skills, materials, and equipment.

Rationale: This Strategy is expected to provide necessary inputs (skills, materials, equipment) for all the Sections, which plan to introduce the new coordination and management system. The Strategy will ensure that the new system is attached to each Section and functions according to the expectation.

5.2 Justice Delivery Through Effective Case Management

The strategic plan envisages that the Supreme Court and the Subordinate Courts are equipped with sufficient number of Judges and maintain a high level of efficiency. The efficiency reserves of the Judges need to be made use of through broad-based support (staff, rules, and procedures, materials and equipment) for the courts. The plan also foresees that the professional and the patriotic zeal of the Judges is fully utilized for the declared Mission of the Supreme Court.

Goal 3: The Supreme Court and the Subordinate Courts gradually possess the number of Judges at internationally recognized ‘Citizens to Judges’ ratio.

This Goal aims at achieving an improved “Citizens to Judges Ratio” of Bangladesh gradually to reach the European average to reduce the backlogs of cases gradually.

Strategy 1: Approach the Government to recruit more Judges of the Supreme Court, particularly for the High Court Division, based on performance, practical experience, and skills the Judges have demonstrated in the Subordinate Courts.¹⁰

Rationale: This Strategy demands that the recruitment of the new Judges not only relates to the vacancy, but also to the number and trend of the cases. ‘Cases per Judge’ may provide an objective criterion to decide over the number of Judges to be recruited.

Strategy 2: Approach the Government to recruit new judicial officers based on the mix criteria of demands (quantitative and subject-specific) and disposal rate (cases per Judge).

Rationale: This Strategy will significantly improve the cases per judge situation leading to the reduction of backlogs. The engagement of judicial officers in the public administration, Office of the Registrar General, other justice sector institutions

¹⁰ The selection of the Judges from outside the judiciary is outside the scope of this strategy.

(Ministry of Law, Justice and Parliamentary Affairs, Law Commission, JATI, BJSC, Bar Council, Office of the Attorney General) and District Legal Aid Office (one judicial officer per District) makes about 200-300 of judicial officers not available for justice delivery services.

Strategy 3: Introduce internships with the HC Benches for the recent law graduate and newly appointed judges with good academic and research records.

Rationale: This Strategy aims at supporting the honourable Judges of the Supreme Court with professional help to improve the efficiency of the courts through the provision of research support, drafting of the orders and judgement. Indirectly, it is also an investment in the young judicial officers, who may receive early exposure to the judicial practices at the highest level of the judiciary. This also complements the support of the Bench Officers, who, sometimes, do not meet the expectations.

Strategy 4: Introduce portfolios of areas for the Benches to specialize in certain areas of law and capitalize on the background and experience of the honourable Judges.

Rationale: This Strategy provides analytical support to the Chief Justice in his decision to (re-) constitute Benches following certain portfolios. The classification of the cases into portfolios and distribution of honourable Judges among the Benches according to their background, and experience, will bring more efficiency in the case management, as specializations of the honourable Judges will demand less time for the case management.

Strategy 5: Expand the quantitative capacity of the justice delivery at the Supreme Court through an increase in vacation benches and shortening of the vacation.

Rationale: Given the size of the cases pending with the High Court Division and their trend, an increase in the number of Judges of the Supreme Court coupled with capacity building may

not suffice. In addition, appointment of new Judges for the High Court Division is generally time-consuming. Therefore, an increase of the vacation bench and shortening of the vacation is a short-term response to overcome the backlogs.

Goal 4: The courts progressively shifts to an effective Case Flow Management practice.

This Goal is based on the assumption that the Courts/Benches have efficiency reserves, because the honourable Judges of the Supreme Court could deliver more than they are doing, provided they receive effective supports in the form of human resources, logistics, equipment, and new case management system. The following Strategies describe how the capacities of the honourable Judges can be improved to deal with the backlog of cases.

Strategy 1: Allocate staff members (BO, ABO, PO) with required skill sets

Rationale: This Strategy is based on the recommendations of the honourable Judges of the Supreme Court to assign capable staff as Bench Officers. The Bench Officers with appropriate skill sets (proficiency in the language and court management) will improve the efficiency of the courts significantly, as the publication of the judgments will take less time because the written judgments need less correction than needed at present.

Strategy 2: Introduce DCM approach for new cases

Rationale: This Strategy hints at deviating from the preferred principle of FIFO (First-In-First-Out) and opting for DCM (Differentiated Case Management). This addresses the situation that the long duration of cases ultimately dilutes the importance of the judgments because citizens cannot rely on the pattern of judgments and therefore cannot internalize possible judgements in their decisions. On the contrary, a DCM based approach may

allow separate handling of new and old cases, with the scope that from a certain point of time, the citizens will start having trust in the effectiveness of the justice system, because they would see that the new cases, depending on the merit, are handled within an acceptable period.

Activities

- 1) Undertake classification of the old cases for Differentiated Case Management (DCM), which may include a Last-In-First-Out approach, and suo motu initiatives by the honourable Judges in lieu of the First-In-First-Out principle as an instrument for case flow management for old cases (classification of cases).
- 2) Introduce a key logistics package for the offices of Judges (materials, equipment, IT & internet package) for internal and external communication (Subordinate Courts, the Police, respective lawyers) aiming at a faster serving of notices/summons and tracking of the progress.

Goal 5: The Judges of the Supreme Court gain access to reference materials, knowledge banks and capacity enhancing initiatives.

This Goal takes into account that the honourable Judges do not have immediate access to case-sensitive reference materials from the library or other sources, which may delay the justice delivery process. In addition, some honourable Judges of the Supreme Court maintained that more acquisition of knowledge and skills on technical matters from credible sources will enhance their capabilities resulting in improved efficiency in the case flow management.

Strategy 1: Finalize the automation of the existing borrowing services.

Rationale: This Strategy is just an inclusion of an existing strategy to bring the borrowing service under automation. This system improves the transparency and accountability of the borrowing and return system from both borrowers and library perspective. This will also enhance efficiency, as the catalog of the existing

literature and delivery services can be driven by an online request for materials.

Strategy 2: Establish e-library for common access (both demand and supply-driven) to legal literature from internal and external sources.

Rationale: This Strategy aims at establishing access to the external literature available online. The honourable Judges of the Supreme Court and the judicial officers can directly access online or be guided by the library for new literature, provided they have expressed their interest in a specific area of law. Given a wide choice of literature, the honourable Judges, and judicial officers can use it not only in the case related matters but also for continuous self-learning.

Strategy 3: Periodically arrange interactive workshops with experts on selected and emerging areas of laws and justice sector management (at home or abroad)

Rationale: This Strategy is based on the assumption the honourable Judges of the Supreme Court may benefit from interactive workshops (online or off-line) with noted experts from home and abroad on certain contemporary and emerging areas of laws and justice sector management. This will help manage the case flow in a more efficient manner. The participants of such workshops can contribute to the reform discussions as well.

5.3 Supervision of the Subordinate Courts

Goal 6: All Subordinate Courts function according to the standards set by the Supreme Court.

Strategy 1: Establish a dedicated office under the District and Sessions Judge to function as a bridge to the Supreme Court for effective communication (notices/summons, records) between Courts of the Supreme Court and those of the Subordinate Courts.

Activities

1. Appoint a JDJ/SAJ for the Liaison Office (to be established) JDJ/SAJ as Designated Officer and provide with adequate staff support (at least 4 staff) and other logistical supports, with provisions on how to forward statements to the Supreme Court and monitor communications, and on backup support in case of a temporary vacancy.

Rationale: This Strategy, if supported by an online system, will enable direct communication between the Benches and the Subordinate Courts, which receive notices for sending documents and summons for delivery. A dedicated office or person can properly interpret the notices and ensure sending appropriate documents to the Supreme Court. Such a mechanism will reduce the time normally needed now for communication between the Benches of the Supreme Court and Subordinate Courts. Such a system will also feed the Monitoring Support Section (if established with the ORG).

Strategy 2: Introduce an effective case-flow management policy for criminal and civil cases

Rationale: As was obvious in the situation analysis, the backlog of cases is more prevalent in the subordinate courts. IT-supported case flow management has benefited many countries and is being implemented in India and Pakistan. Bangladesh may adopt it as well using the lessons learned.

Activity 1: Develop a case flow management policy. A recent workshop has proposed a classification of cases for better management. Additional consultations and workshops may pave the way for further detailing of the process from filing to disposition.

Activity 2: Provide capacity building to the Judges to implement the policy through training at JATI and national level workshops.

Strategy 3: Introduce a uniform, IT-driven and on/off-site monitoring system for the Subordinate Courts using electronic communication between the subordinate courts and the SC. The District and Sessions Judge/CJM/CMM will monitor the progress and collect information on the challenges faced by his or her associate officers on a monthly basis. The proposed office mentioned earlier will perform the functions mentioned in this strategy.

Rationale: This Strategy will change the monitoring practice towards a more standardized one in terms of content and frequency, irrespective of who monitors which Subordinate Court. The system proposed here will auto-generate reports based on inputs from the dedicated offices of the Subordinate Courts. A carefully developed checklist to be used by these courts may provide early signals for decisions or visits by the assigned honourable Judges.

Strategy 4: Review the experience of JSF/JUST project and seek introduction of the core recommendations for ICT.

Rationale: The mentioned projects have made 17 recommendations to introduce the increased use of IT in the case flow management. The review may end up with a priority list for immediate introduction in line with the spirit of the e-Judiciary project. If the criteria to be chosen are such that they significantly influence case duration and affect the costs of the parties, the implementation of the recommendations will produce a significant impact on the backlog situation.

The following Activities may be implemented under this strategy:

Activities

1. Establish an IT office in each District Court
2. Organize a national level consultation to discuss the progress of implementations of the recommendations, and develop a time-bound agenda for the implementation of E-communication between justice sector agencies, such as the courts, police, prison etc.

3. Organize IT training for the judges and staff members.

Strategy 5: Advocate with the Government to further develop the subordinate courts with an adequate number of judges, staff, and physical facilities and to support work processes with suitable amendments in laws, rules, and orders.

Rationale: The development of the Supreme Court alone will only partially address the backlog of cases. Since the backlog of cases is more prevalent and acute in the subordinate courts, and many of these cases end up as appeals, addressing the problems of the subordinate courts will not only bring efficiency to the subordinate courts, but also ease up future case burden of the Supreme Court. The laws, which are ambiguous, tend to motivate parties to seek appeals. The laws sometimes allow filing multiple cases, adding burden to the court system. The Supreme Court as a monitoring authority can better raise these issues more effectively than other organisations.

Activities

- a) Seek an increase of the number of courts in each district with judges, staff members, courtrooms, and logistical supports depending on the history of the situation of cases the District Courts have to deal with and considering the standard judges to population ratio the justice sector has to achieve in the long-run. A flexible approach is suggested as not all districts have the same case burden, and a fair distribution of the workload is advisable.
- b) Seek amendment of laws in cooperation with the Law Commission and the Ministry of Law, Justice and Parliamentary Affairs to avoid that the same victim files a case with multiple courts – e.g. Family court, in the magistrate court (dowry case) and in the special tribunal (Nari-O-Shishu Nirjatan Daman Tribunal). Another example is that banks may file cases in the Money Loan court and simultaneously they can file cases under the Negotiable Instruments Act for the same money. Sometimes they also file cases under sections 406 and 420 of the Penal Code.

c) Introduce a differentiated distribution of time a District Judge should commit to administrative and judicial function as opposed to other judges, as the DJ has more administrative responsibilities than others.

5.4 Justice Sector

Goal 7: All other justice sector institutions work together with the Supreme Court for the implementation of the strategies as well as for the overall development of the justice sector.

This Goal is based on the premise that the Supreme Court of Bangladesh does not intend to function and develop in isolation. Rather, it seeks a reciprocal relationship with all concerned to share and implement its Mission, Values, and Strategies.

Strategy 1: Organize workshops/seminars/internships/ trainings ensuring participation of key players from other justice sector agencies and other relevant institutions.

Rationale: This Strategy aims at sharing the Mission, Values, Goals and Strategies of the Supreme Court to achieve its Vision.

Strategy 2: Seek effective representation of the Supreme court in any initiative (projects, programmes) relating to the overall coordination and management within the Justice Sector.

Rationale: The Supreme Court desires that its Mission, Values and Priorities are amply reflected in all projects and programmes related to the justice sector.

Strategy 3: Establish effective communication with other justice sector institutions (e.g. BJSC, Bangladesh Bar Council, Supreme Court Bar Association, JATI, Law Commission, NLASO, Ministry of Law, Justice and Parliamentary Affairs, Office of Attorney General) for sharing of information of common interest and online access to resources (e.g. Library facilities, archives).

Rationale: Even though the Supreme Court is represented through either honourable Judges or judicial officers in various justice sector institutions, the need for communication on matters of common interest exists. This Strategy will provide the scope for the Supreme Court to communicate its expectations, observations, and opinions to other justice sector institutions. For example, such communication may help to share what kind of academic profile the future judges should have (BJSC), what kind of skills and values the recruited Assistant Judges should bring in (JATI), what kind of syllabuses could be taught and what would be the assessment process for enrollment (Bar Council, Law Schools), how the lawyers may help achieve quality justice through policy changes (Suprem Court Bar Association), where do the problems concerning the clarity of laws lie, and where necessary reformation is needed (Law Commission), how the Judges are to be recruited (Ministry of Law, Justice and Parliamentary Affairs), and how does the prosecution improve in the future (Office of the Attorney General).

Strategy 4: Seek pro-active engagement of the Bar Council in supporting efforts related to effective case management (increasing use of ADR, positive response to the activism of the Judges).

Strategy 5: Establish effective communication with selected institutions (NHRC, Parliament Secretariat, Ministry of Finance, Office of Accountant's General etc.) for sharing information and the development of the justice sector.

5.5 Institutionalization of e-Judiciary

Goal 8: The Office of the Registrar General progressively uses IT-systems in all of the operations of the Supreme Court and seeks the same from the Subordinate Courts, other judicial and affiliated institutions.

This Goal is because only through the adoption of IT-driven technologies more efficiency can be brought to the operations of the organisational units. The findings of several research activities,

although undertaken for the Subordinate Courts, and consultations with the representative from various Sections suggest that many opportunities exist for IT-driven solutions for efficient case flow management and court administration. The Government also endorses the idea for comprehensive IT-solutions within the scope of e-Judiciary with the technical assistance from the a2i (Access to Information) of the Prime Minister's Office (PMO) and Bangladesh Computer Council (BCC).

Strategy 1 (Short-term): The short-term strategies are based on the assumption that a comprehensive e-judiciary concept and its endorsement would evolve over time and certain preliminary steps can be initiated.

- a) Develop, test and introduce sub-system-based IT-solutions for operational efficiency, transparency and accountability of the Sections by replacing manual workflow system into automation, e.g. ERP (Enterprise Resource Planning) solution for the management of Human Resources, Accounting, Store Keeping, Procurement, all types of inventory, disbursement and noting of file through e-filing.
- b) Undertake infrastructure development, including the capacity enhancement for IT Section of the Supreme Court and Training of Administrators and Supervisors and other office assistants.

Strategy 2 (Long-term):

- a) Develop, test, and introduce unified IT-driven systems for connectivity among related Sections, with the Subordinate Courts, other judicial and affiliated institutions. Capitalizing the benefits of and in line with e-Judiciary initiatives. (e.g. Integration with Civil Registration and Vital Statistics (CRVS), Electronic Case Filing, Tracking and Monitoring through the Dashboard from a top management position, e-Court Room, Introducing various e-Services for Judges, Lawyers, witnesses and Litigants and introducing ERP solution for the whole judiciary).

b) Undertake infrastructure development, including building nationwide connectivity with the Supreme Court, capacity enhancement for IT Section of the Supreme Court by categorizing the responsibilities of IT personnel and training of Administrators and Supervisors and other office assistants.

c) Undertake large-scale procurement of hardware and accessories depending on periodic evaluation.

6. Implementation

The Supreme Court needs to undergo a series of steps before it can start with the implementation of the plan. The following process may apply:

First, the strategic plan elaborated earlier needs endorsement from the competent authorities within the Supreme Court.

Second, the Supreme Court should seek support from the Government and development partners, which have a strong interest in investing in the justice sector. To that end, the Supreme Court will incorporate the Vision, Mission, Strategies, and Activities in the Mid-Term-Budgetary Framework, which the Supreme Court periodically develops for submission to the Ministry of Finance in accessing public resources.

Third, subject to the commitment of the Government and development partners, the Supreme Court will entrust its Planning and Budgeting Unit (yet to be constituted), to develop a time-bound Costed Work Plan (see Annex 1), which will provide a detailed list of Activities with a corresponding timeline, responsibilities, and resource requirement.

Fourth, based on the Strategic Plan and Costed Work Plan, the Supreme Court will also develop additional planning documents as required from the Government (DPP/TPP) and development partners (TPP).

Fifth, subject to a commitment of resources, the Supreme Court will entrust the Office of Registrar General with the implementation of the plan. It will also form a

Monitoring Cell under the Supervision of the Honourable Chief Justice to follow up the progress of implementation and progress related to disposal of cases and quality of judgments. A Results-Based Monitoring System (see Annex 2) may help the Cell perform the tasks of both monitoring and reporting.

Sixth, the Planning and Budgeting Unit, under the guidance of the Honourable Chief Justice and the Registrar General, will hold a series of Change Management Workshops to communicate the objectives of the plan and seek cooperation from the honourable Judges, staff members, and other stakeholders.

Even though the aforementioned steps are necessary to implement the strategies under the listed Goals, the Supreme Court may start implementing a set of Activities now. The Activities belonging to this category are listed earlier after discussion of the Strategies under Sections 5.1-5.5.

7. Monitoring, Review and Change

The strategic plan as outlined earlier is subject to monitoring by the forthcoming Planning Section. This Section will report on the progress of implementation of the Activities and report quarterly to the Honorable Chief Justice through the Registrar General. The Activities may be changed depending on the changes in the availability of resources. The Section will develop an Action Plan after the completion of each year. The Planning Section will develop multi-year plans or Technical Project Proposal for funding by the Government or/and development partners.

Annex: Goal-wise Action Plan for Year 1

Goal 1: The Office of the Registrar General (ORG) to meet the emerging needs is restructured and rejuvenated.

1	Activities	Time Frame													Responsibilities
		1	2	3	4	5	6	7	8	9	10	11	12		
	Restructure the existing sections into four clusters (see Strategy 1) and rejuvenate/transform the Appointment Section into a Human Resource Management Section														
2	Establish a Planning Section in consultation with the Ministry of Finance and Planning to develop programme development capacity within the SC (as agreed by the Government).														
3	Review the recruitment policy for the staff members with the provision of defining the required skill sets against positions to be filled.														
4	Negotiate with the Ministry of Finance and Public Administration to restructure the organogram and include new Sections (Human Resource Development, Public Relation, International Collaboration, Monitoring Section for the Subordinate Courts)														

Goal 2: All Sections/Units/Cells of the Office of the Registrar General are effectively practicing relevant and more advanced modern office management systems and procedures.

	Activities	Time Frame												
		1	2	3	4	5	6	7	8	9	10	11	12	
1	Develop Terms of Reference for the technical assistance needed to improve the operational efficiency of all Sections of the Office of the Registrar General (see list under Strategy 1)													
2	Incorporate the financing of the technical assistance in the MTBF/Annual Development Budget or externally funded project.													

Goal 3: The Supreme Court and the Subordinate Courts gradually possess the number of Judges at internationally recognized ‘Citizens to Judges’ ratio.

	Activities	Time Frame												
		1	2	3	4	5	6	7	8	9	10	11	12	
1	Introduce internships (with the HC Benches) for the recent law graduate and newly appointed judges with good academic and research records to overcome capacity deficits of the Bench Offices and increase professional hours of the honourable Judges.													
2	Introduce portfolios of Benches to utilize existing capacities and allow specialization of the honourable Judges of the HC.													
3	Seek dialogue with the Government to increase the quantitative and qualitative capacity of the judiciary at recruitment.													

Goal 4: The courts progressively shifts to an effective Case Flow Management practice

	Activities	Time Frame												
		1	2	3	4	5	6	7	8	9	10	11	12	
1	Introduce a training programme based on the skill sets required for BO/ABO/PO													
2	Assign BO, ABO and PO with required skill sets													
3	Classify cases following a set of criteria (merit: degree of public importance, complexity: multiple parties)													
4	Screen out cases not contested by a one party or requirement not satisfied by a party.													
5	Adopt a Differentiated Case Management approach with pro-active role of the Honourable Judges of the SC in scheduling and event management													

Goal 5: The Judges of the Supreme Court gain access to reference materials, knowledge banks and capacity enhancing initiatives.

	Activities	Time Frame												
		1	2	3	4	5	6	7	8	9	10	11	12	
1	Finalize automated borrowing service including issuance of borrowing status report.													
2	Seek technical assistance from existing donors to access external database (e-library)													
3	Seek support from external donors to organize interactive workshops on a) Handling of emerging areas of law with case studies (e.g. cybercrime, money laundering, cross-border legal issues) and b) Effective monitoring of the performance of the subordinate courtsbased on standard indicators.													

Goal 6: All Subordinate Courts function according to the standards set by the Supreme Court.

	Activities	Time Frame												
		1	2	3	4	5	6	7	8	9	10	11	12	
1	Develop a judicial policy for case management in the Subordinate Courts													
2	Seek a dedicated position (under the supervision of the District and Session Judge) in the Subordinate Courts to function as a link between the District Court and Supreme Court for all communications													
3	Develop a communication system (off- or online data transfer) between the dedicated position of the Subordinate Courts and the similar dedicated position at the Supreme Court to collect information for the listed performance indicators.													

Goal 7: All other justice sector institutions work together with the Supreme Court for the implementation of the strategies as well as for the overall development of the justice sector.

	Activities	Time Frame											
		1	2	3	4	5	6	7	8	9	10	11	12
1	Hold workshops or use recurrent communications with the justice sector institutions to share the goals and strategies of the SC and seek cooperation.												
2	Organize workshop to share the judicial policy for case management (in the Subordinate Court) with Bar Council and the Law and Justice Division and seek cooperation.												
3	(Continue to) Participate in public sector committee/forums/events designed to influence the justice sector as a whole and instill the perspectives of the SC.												

Goal 8: The Office of the Registrar General progressively uses IT-systems in all of the operations of the Supreme Court and seeks the same from the Subordinate Courts, other judicial and affiliated institutions.

	Activities	Time Frame											
		1	2	3	4	5	6	7	8	9	10	11	12
1	Establish IT driven connection with the office of the District and Session Judge/CJM/CMM by the SC												
2	Develop an App to facilitate data exchange between the SC and subordinate courts in view of data needs to monitor performance.												
3	Offer IT training to at least two persons in each Section and demonstrate the use of standard software (procurement, accounting, inventory, human resource management, transport)												
4	Include e-Judiciary-based strategies and activities in the Midterm Budgetary Framework of the SC												