

JUDICIAL EDUCATION: USE OF ICT

Dr. Bharat Bhushan Prasoon

Abstract:- Discussing change and development in the fields of technology, communication and information and their impact in the domain and sweep of law, role of law as an instrument of social change and development has been duly depicted. Justice, justices and justicing in the new role of offering interpretations of existing and new laws in the context of social justice, warranting imparting of judicial education with suitable content and material forms the pivotal pedestal. Taking stock of present scenario, this paper has concentrated on the sub-topics, What is Judicial Education; Ambit and Scope of Judicial Education; Importance of Judicial Education; Advantages of Judicial Education; Objectives; Obstacles in Imparting Judicial Education; Judicial Education-Global Scene; Judicial Education in India; National Judicial Academy, Bhopal; Methodology; Chandigarh Judicial Academy; Judicial Education-Expanding Horizons; Judicial Education in the Justice Delivery System-Main Stake-holders; The Advocates Act, 1961 and The National Knowledge Commission. In conclusion, it has been felt that the main object and goal of the judicial education is access to justice and to use law as a means not only of social control but of social engineering, social justice and overall societal development.

Keywords:- Pivotal, Pedestal, Ambit, Methodology

Introduction

All civil societies governed by 'Rule of Law' need machinery for the enforcement of laws and for carrying out sanction for the violators of laws. According to Tom Bingham, 'Rule of Law' includes a functional judiciary, competent and effective enough to administer law. He writes in his book, 'Rule of Law' as under:

“All persons and authorities then the State, whether public or private, should be bound by and entitled to the benefit of laws publicly made, taking effect generally in the future and publicly administered in the courts.”²

Start of Blowing of winds of change

When the winds of change started blowing and in the immediate past very fast, talks of law, as a means of social control, were diversified largely to discuss about wider role of law as a means of social change as also of social re-engineering and of development. When thinking about the law as an instrument of social change and agent of overall development, started gaining ground, need to change the perception of judiciary towards this end, was also felt strongly.

The legislatures all over the world were working with speed in formulating new laws, while changing the existing ones, taking into account development in the fields of technology, communication and information. Through the globalization process, this entire universe has become a single entity. Varied social polymics, transactions and developments have substantially affected the legal framework, scope of legal agreements and their implementation mechanism. With information and communication exchange there came a discernible change in the overall scenario. Progressive strides of society in different fields also affected legal systems globally and in turn, law has also experienced convulsions of change in its hues and shades thus, experiencing almost total transformation in its operational field. In short, scope of law has increased manifold, making its operations a widely distributed structure.

Revolution of Technology, Communication & Information

Technology, communication and

Judge, Punjab and Haryana High Court, Chandigarh

मीडिया मीमांसा

Media Mimansa

April-June 2013 - Oct. - Dec. 2015

information came as a major revolution.³ It has rung death knell of distances. The world has shrunk into a dot. Cyber traffic, invisible to naked eyes is many times more in volume and size than any other surface, water or air traffic. Information communication and also technology has prominently changed the perception of everyone towards the ways:

- (i) One communicates;
- (ii) One accesses and processes information; and,
- (iii) One lives, transacts his business and conducts various chores in his daily life.

So far as content of changing laws, be it in developed or developing countries is concerned, it was for societal upliftment and serving mankind in a better way. Concomitant changes in the outlook of the execution and functioning of the judiciary, apart from the changing orientation of the legislature and the executive as organs of the State, was felt extremely necessary. So far as courts as components of administration of justice and the judiciary as an institution thereof are concerned, perceptibly it was difficult to change the temper, tenor as also its hues and shades in its operational field. Policy planners at the helms of the affairs labelled it as traditional and conservative in its approach and working, though not very boldly.

Justice, Justices & Justicing

'Justice' and 'justicing' as per 'justices' were extremely sacred. No wonder 'justicing' as an activity had been maintaining its celibacy, abhorring interference from within as also from without. Intolerance to interference had been its hallmark. Independence of justicing as an activity had been the foundation of the judiciary as an institution. As one of the three organs of the State, the other being the Legislature and the Executive, it had been preserving its exclusivity uninfluenced in its functional field by its two other co-organs of the State.

Need for Judicial Education

Though initially the idea of educating the Judges was taken to be an anathema by the peers

when they even go to the extent of labelling it as devastating and tremorising, justifying it by giving reasons that judges in the districts are appointed through highly competitive examinations, whereas directly in the High Courts are taken from amongst the efficient lawyers having sound and celebrated practice in different fields and thus are competent enough to discharge their functions. It was also reasoned out that by tradition, they do not succumb to external pressures or internal influences and have independence of thought as also of decision making. The Judges felt that why they should be judged in their knowledge or in competence of decision making but winds of change took over even the judiciary as an institution and sequently, the judiciary betraying the general perception of being traditional and conservative could not insulate itself from the chill and charm of globally fast blowing winds of change in every field. The initial resistance waned away.

Claimed to be in slumber by some in comparison to the other two components of the State, was proved to be a wrong claim. Rather, they found judiciary in its changed and different role, when it exhibited its inbuilt dynamic character in addition to offering laws in their interpretation in operational fields as tools and teeth of social change. This was their interpretative competence and efficiency. It would not be wrong to say that even the worst critics of functioning of judiciary were silenced by its changed incarnation coming from within it in its operational field. It thus proved to be a dynamic vehicle of social change.

As already noticed, emergence of technology as also of communication and information as tools of total change in overall planning, execution, functioning and delivery of every product be it animate or inanimate in every field of human activity, which a little later was to take over the entire world in its fold, as has been proved right now, a thinking had started at the level of policy planners in the administration of justice that judges also need fresh inputs and knowledge of changes in the society,

environment and milieu in which they work. By then, they had realised that redundancy and obsolescence so as to usher in air of fresh thought and change in perception, had become necessary to be paid good bye.

Though the enthusiasm and euphoria to bring-in overall change through changed laws and by their interpretation in implementation especially in comparatively younger generation of judges was to come a little later and which is continuing now, the wisdom and experience of elders in the field, had clearly articulated itself that there is need of judicial education as a continuum at all levels of stratified hierarchy of the judiciary as a vibrant and dynamic institution.

Present Scenario

By now, it is no more debateable, that judicial education to enhance competence, efficiency and growth of judges, wherever they are working, be it in the Muffasil or Districts or in the High Courts or even in the Supreme Court, is necessary to keep pace with the extensive growth in the field of law and related matters. It was further realised that correspondingly, such vast change was also required in articulation of new and in emerging thoughts as also in changing behavioural patterns in the judiciary as well. To add, when management as a specialised field of study entered the domain of 'justicing', even growth for quality, enhanced productivity and increased efficiency became the much sought after goals.

When judicial education started being accepted as a necessity, unfounded apprehension that litigants would start losing faith in the judiciary because they would develop a thinking that the judges who decide their cases are neither well-read nor are well-qualified nor are fully competent to decide their cases effectively, was also over. At this stage, it may be noticed that though judicial education for the Judges below the High Courts at the induction as well as inservice level as a support system has been well-accepted by now, its necessity and assimilation at the level of Judges of the High Courts or of the

Apex Court has still many conceptual barricades and mental blocks but so far as objective, content and substance of judicial education is concerned, there are no misgivings.

What is Judicial Education

Judicial Education is providing of opportunities to Judges to meet, to share their experiences, to gain knowledge and update themselves, to sensitize to the fast changing social needs, to learn the tools of judicial decision making, to develop judicial and judicious temperament, to cultivate the habit of giving fair hearing, to consider every matter soberly and to decide impartially.

In short, Judicial Education is all about making a good human being in order to be a good Judge. The process is creating judicial culture through the medium of Judicial Education.⁴

In the words of Sallmann⁵, "The increase in judicial education might well be described without exaggeration as an explosion of activity in the field in the last decade." Even, Nicholson⁶ observed that "Judicial education is now an accepted part of judicial life in many countries."

Ambit and Scope of Judicial Education

As we know that all the judicial officers are legally educated and competent to try and decide the matters within the ambit of law concerned qua the matters before them, but judicial education is that branch of education which is more applied than mere theoretical. Thus, it is distinct from legal education. Legal education is imparted by the law schools meaning thereby only the knowledge which is mentioned in the books but without practical application. However, the judicial education is imparted by the judicial academies and institutions which teach about the practical aspects as to how to decide any issue in the ambit of law which will appear before the judicial officers. It focuses on the practical aspects of application of law by the courts in the administration of justice. Judicial education makes judicial officers more professional, helping them to render justice faster.

Primary task of the judges is to hear and decide cases judiciously that come before the Courts. The core elements of the judicial task point to the competencies which are necessary for its proper discharge. These include the following:

1. An understanding of the nature of the judicial role in the constitutional setting in which it is to be discharged and the relationship of the judiciary to the other branches of the government;
2. Knowledge of law and the techniques for identifying legal rules and the standards;
3. The capacity to distinguish relevant from irrelevant evidence;
4. The capacity to weigh evidence and to draw inferences from evidence relevant to the factual questions to be determined;
5. Where factual issues are to be determined in matters relating to the physical or life sciences, technology, economics or other disciplines outside the law, an understanding, or the capacity to acquire an understanding, of the underlying area of knowledge sufficient to enable the requisite findings to be made reliably; and,
6. How to manage the litigious process to avoid unnecessary cost, delay and stress on the parties and on the adjudicatory machinery.⁷

Important of Judicial Education

The importance of judicial education can be understood by the fact that a Judge is to practically answer all the issues raised before him in the light of the facts, attending circumstances, evidence and the law so that the confidence reposed by the people in him to determine their rights in accordance with law is fully justified. Plurality of laws and multiplicity of problems which make the task of delivery to be arduous and complex, is made comfortable manifold through the process of judicial education. Each case has its own facts and circumstances, thus the aspects and dimensions are not only diverse but also multiple.

A unique feature of judicial education is the exposure, provided to judicial officers of the

wider world than of their own by creating opportunities for them to understand the perspectives of different stakeholders in the justice administration system like police, prosecutors, bar members, legal services authority members, non-government organisations etc. Also, to improve the quality of adjudication through the courts, judicial education encourages judicial adherence to constitutional principles of freedom, equality, dignity, equity and fairness so that legal interpretation is founded on these constitutional principles in every case.⁸

As per Judge William W Schwarzer, Director, Federal Judicial Center, judicial education should cover the following fields:

- (i) Proficiency and competence;
- (ii) Performance and conduct of duties;
- (iii) Productivity and workload;
- (iv) Imparting of knowledge;
- (v) Improving skills and techniques; and,
- (vi) Establishing values and standards and developing judges' sense of responsibility.⁹

Advantages of Judicial Education

The primary objective of the judicial education is to make the judiciary more skilled, sensitive and responsible. The judges, lawyers and all other officers, who are involved in Justice Delivery System, are oblivious of the merits, benefits and advantages of judicial education. A few salient beneficial features of judicial education are noted below:

- i) Orientation and training of new Judges, Magistrates, law officers and Court personnel;
- ii) Inservice training and education of Judges, Magistrates: law officers and Court personnel;
- iii) Holding of conferences, seminars, workshops, symposia for improvement of the judicial system and quality of judicial work; and publishing of journals, memoirs, research papers and reports;¹⁰
- iv) The training increases the confidence and authority level of judges. It also enhances rationality in judicial interpretation of laws,

which helps in rendering bold judgments, quite oblivious to political repercussions. This leads to judicial independence;

v) It enhances judicial approach, which results in the improved service in the Justice delivery system;

vi) It gives opportunity to the officers to overcome their individual biases. In judicial colloquia, seminars, work-shops etc. the officers can express their hidden prejudices which they normally do not relate to their colleagues individually;

vii) It helps removing the potential inconsistencies and conflicts in judicial decisions;

viii) Judicial education helps the judges in acquainting themselves with the changes in law;

ix) Judicial education offers the opportunity to find grey areas where the existing laws need modification and/or to interpret the laws in accordance with new international treaties and covenants; and,

x) Training helps use of science and new technology, which may increase perfection in judicial decisions.¹¹

It is difficult to prepare a complete chart of benefits of training. Only handful examples of advantages of judicial work-shops have been set-out above, which can be termed as brief points of merits of judicial training.

Objectives

Primary objective of judicial education is to increase the professional competence of judges in the particular areas of law and to assist the Judges in increasing the quality of adjudication. The course content broadly may include:

- (i) Subjects and aspects which address the administration of justice;
- (ii) Substantive and procedural laws;
- (iii) Functional aspects and impediments;
- (iv) Professional competence; and,
- (v) Ethical content and obligations.

Adequate time and care is to be devoted for preparation of such course material so that it is of value to the participants in performing their

judicial duties better.

Obstacles in Imparting Judicial Education

1. Scanty or non-availability of infrastructure;
2. Deficiency in content and substance of relevant curriculum;
3. Literature and material for enhancing productivity & capacity building;
4. Non-availability of educators to teach or impart the training;
5. Judges do not like being instructed, other than by judges;
6. No uniformity in the content, material & methodology of imparting judicial education in different States;
7. Absence of systematic & schematic coherence in the strategies to be adopted for judicial education;
8. Content of judicial education & training does not match the requirement keeping in view the changes in the expanding fields of methods of justicing which includes Alternative Dispute Redressal System;
9. New technologies of communication and management being almost missing;
10. Skills, methodologies & education to be used as an art to be inculcated and introduced;
11. Social Justice: Complex pluralist democratic socialistic India calls for entirely different outlook and we can not ape the west. Transformation of the social fabric & canvass is badly required;
12. Academic studies to be rooted to social needs at functional level for radical changes in the society;
13. Different perception is required at varied levels of judges and over a period of their service career; and,
14. For relevance of judicial function in the society, multidisciplinary approaches are required.

Judicial Education - Global Scene

Formalised judicial education is

comparatively of recent origin. Forerunner in this field is France. It was in 1959 that National Centre for Judicial Studies was set up and started there which later became French National School for the Judiciary in 1972. It is a post-graduate school where French Judges and prosecutors are trained. It was also called French National School for the Judiciary. Located in Bordeaux and having its premises in Paris, it is an institute of national importance. In the European Continent including France in comparison to common law States, judicial training programmes started earlier as these civil law countries were recruiting judges directly from fresh law graduates from the universities in comparison to the practice in common law countries, where lawyers were taken as Judges by competitive examinations. Sequently, when judicial education and rigorous training was the hallmark of civil law countries in the European Continent, common law countries instead of enchantment for judicial education had a sort of disliking for the same. The judges there did not like the idea of judicial education being imposed on them as they felt that they were already trained being lawyers turned judges.

Notwithstanding such negative tone and tenor of the judges for judicial education in common law countries, in the United States, the beginning was made in 1963 when National Judicial College was set up there for imparting judicial education to the judges. United Kingdom followed the system in the year 1979 by establishing a Judicial Studies Board. Thus, by now continuing judicial education is accepted as an “integral and essential part” of the judicial system all over.¹²

However, formal training process of the judicial officers began in the year 1987 after a long debate. Rather, it is increasingly seen as a basic necessity felt by pressure of workload, the number of ever increasing courts, the complexity of modern judicial programming and the invasion of technology¹³. The formalized judicial education commenced in the United States with the establishment of the National Judicial College in 1963, and the call of Chief Justice Warren

Burger in the following year for judges at the national level to participate in continuing judicial education¹⁴.

In 1967, the Federal Judicial Centre was established to provide federal judges with a range of services including continuing education. Subsequently, the provision of judicial education evolved predominantly on state basis. At the forefront, the Californian Centre for Judicial Education and Research conducted its first orientation program for the trial judges in 1976.¹⁵ In the following year, the Michigan Judicial Institute also commenced its education programme. The Canadian Judicial Council conducted its first training session in 1972, but its Judicial Training Institute came into operation only in 1988. Australia also adopted identical scheme of Judicial training in 1975.

The National Association of States Judicial Educators in the United States published in 1993, the key principles and standards of judicial education. They defined the goal of judicial education, “to maintain and improve the professional competency of all persons performing judicial functions, thereby enhancing the performance of the judicial system as a whole.” They also outlined the objectives of judicial education, “to assist judges acquire the knowledge, skills and attitudes required to perform their judicial responsibilities fairly, correctly and efficiently; to promote judges' adherence to the highest standards of personal and official conduct; to preserve the integrity and impartiality of the judicial system through elimination of bias and prejudice, and the appearance of bias and prejudice; to promote effective court practices and procedures; to improve the administration of justice; to enhance public confidence in the judicial system.”

Judicial Education in India

Nearer home, when we take into account the position and extent of judicial education and training in India, it becomes clear that an independent and efficient judicial system is one of the components of basic structure of our

Constitution. As with change of the times, demands of the society have also changed, to address the said changing environment as also the needs of the society, changes in the legal system and its functioning also became necessary. Laws to ensure the varied needs of the society also continued being legislated. These were being enforced by the State through the Courts. Judicial education improves the performance of courts and sharpens the skills in the administration of justice. In INDIA, the Law Commission in its 117th Report, had felt the need to establish judicial academies or educational institutes for intensive training for the Judicial Officers. The joint conference of Chief Justices of the States and of the Chief Ministers and of the Law Ministers of the different States in the year 1985, had also resolved to have an academy set up by the Central Government with Chief Justice of India as its Chairman for the training of the judges.

Hon'ble Supreme Court had also directed to set up a National Level Judicial Academy/ Institution of Training for Judicial Officers. In the Judgment of *"All India Judges' Association V/s. Union of India"*¹⁶, it was mentioned as under:

"One of the claims advanced before us was for provision of inservice training for judicial officers. This we consider as a must. In fact, the Law Commission in one of its recent reports has advised that inservice institutes should be immediately set up. . . We are of the view that inservice institutes are indispensable for the upkeep of the efficiency of judicial service.

We direct that an All India Institute of inservice Training for higher officers of the judiciary including the District Judges and a State level institute for training of the other members of the subordinate judiciary within each of the States and Union Territories or one common institute for more than one State or Union Territory should be set up within one year from now and at any rate not later than December 31, 1992. This has to be organized by respective High Courts."

National Judicial Academy, Bhopal

In 1993, the government announced its

decision to establish the National Judicial Academy. The court observed thus, "subsequent to the hearing of the main petition, the Union Government has announced the establishment of a National Judicial Academy- for comprehensive training of judicial personnel. Committee under the chairmanship of the Chief Justice of India has been constituted. The National Judicial Academy- when constituted, we hope, will take over in a comprehensive way all aspects of the training of judicial officers of all the States. In this view of the matter, we delete the directions issued to the States for the establishment of Training institutes and make it optional for the States to have such training institutes either independently or jointly with other States, if they find it necessary."

In India, the national level centre for Judicial Training and education named as National Judicial Academy (NJA), presently located at Bhopal, Madhya Pradesh was established in 1993. As it was not possible to train all judges and other judicial personnel at the NJA, the state governments on recommendation of their respective High Courts established training institutes for judges in their states. Now all the states in our country except Tripura and Meghalaya have judicial academies, established to train their subordinate judicial officers. All State Judicial Academies (SJAs) are actively functioning except the recently established one in Manipur.¹⁷

The National Judicial Academy is fully funded by the government of India. Its general body and governing council are both chaired by the Chief Justice of India. The programmes of the said institution are designed in such a way that the judges are brought together under one roof and share their views and experiences among themselves and learn how to dispose of the cases speedily and fairly in the administration of justice by identifying the problems.

Methodology

Following methodology is generally applied for imparting judicial education:

1. Lectures by appropriate academic having

- practical skills, special education, training or experience;
2. Workshops;
 3. Presentations;
 4. Symposiums;
 5. Conferences;
 6. Role plays;
 7. Assignments and case exercises;
 8. Preparation of projects;
 9. Distribution of written material;
 10. Programs and course for particular studies;
 11. Video conferencing, during all the programmes. In addition to the video-conferencing, there must be an opportunity to ask questions to the course faculty. Qualified educators to answer directly or in writing or by e-mail;
 12. Judicial Colloqueams; and,
 13. Seminars.

Activities of National Judicial Academy using some of these methodologies are as under:

1. **Seminars:** Seminars are held on priority areas in the administration of law and justice. These specialized programmes are mainly on topics identified by High Courts to cater to special needs through the judicial education to make them more efficient. Judicial education has an important role to play in assisting institutional accountability, by equipping judges to serve their courts in ways which enhance the quality of the administration of justice.

2. **Debates:** Organization of debates on any current topics or any change in the laws for betterment of the society are organised to clear the concepts for the judicial officers.

3. **Conferences:** Conferences of High Court justices are held in which the Justices may assess the current status of law in various areas and reflect together on the need for future development of law to respond to the needs of the country and in the interest of justice.

4. **Interactions with the retired or senior judges:** The interaction with the senior or retired judges to share their judicial experiences are also organised.

5. **Journals:** The publication of quarterly newsletter called *Judicial Education*, a series of occasional papers on topics of judicial interest and an annual journal of professional interest, are undertaken. The Academy has produced a CD-Rom on one of its programmes- Intellectual Property Adjudication and proposes to enlarge its electronic publication facilities.¹⁸

6. **Publication of articles:** It is also the mode of sharing the judicial views regarding some issue which helps the judges to clear their views for the same and helps to prevent the ambiguity, if any.

7. **Discussions:** These help to solve the query or ambiguity or doubt regarding any concept of law conflict with the changed social needs and also helps to make the law, if necessary, regarding changing circumstances and fresh needs.

8. **Latest Judgments of the Supreme or superior courts:**

The judgment passed by the superior courts make a precedent and ethically and statutorily the inferior courts are bound to follow the judgments. Such judgments of topical interest for the judges are discussed and debated.

Chandigarh Judicial Academy

On May 23, 2009 at State Level Judicial Institution, the new campus of The Chandigarh Judicial Academy, Sector-43, Chandigarh was inaugurated by the Hon'ble Chief Justice of India.¹⁹ It also programmed for the judicial education for all the judicial officers of the state of Punjab and Haryana to enhance the professional skills in the administration of justice.

Judicial Education - Expanding horizons

Judicial education brings together judges from across the country to provide them a forum to jointly identify the major obstacles facing the administration of justice and develop appropriate solutions for overcoming these obstacles. Judges will then be able to implement these solutions as appropriate, resulting in the strengthening of the administration of justice.

That independence of the judiciary depends critically upon public confidence. Public confidence depends upon judges doing these jobs

well and efficiently. It also depends upon judicial officers being sensitive to the needs of the communities which we serve and upon our ability to effectively communicate to those communities, what we do and why. It depends upon us being sensitive to the social context in which we perform our duties and it requires us to perform them in a way which is relevant to the communities which we serve. If we do all that, we will enhance the public confidence of the community in the judiciary and that is ultimately the vital protection of our independence.

And, of course, the purpose of judicial independence is not to provide a benefit to the judiciary, but to enable the judicial system to function fairly with integrity and impartiality. Solutions may involve, for example, generation and use of new and additional knowledge of law; increased application of technology and modern management methods; deployment of appropriate approaches, methods and attitudes to judging; appropriate changes to management of relationships with other stakeholders in the justice system such as lawyers; government officials; ministerial staff and litigants; development and use of new techniques and tools; and change.²⁰

Judicial Education in the Justice delivery system - Main Stake Holders

Justice delivery system²¹ mainly consists of the following stake-holders:

1. Courts.
2. Lawyers i.e. Private or Government.
3. Police or Investigation authorities.
4. Executive officers of other wings.

In other words, the judicial systems and the administrative systems of justice involve almost all the organs of the government machinery. It is the team work of all these persons which ultimately contribute towards resolutions of disputes between the parties. It is said that justice should not only be done but it must also be seen to have been done. Such a standard of perfection can be achieved only if all the organs involved in Justice Delivery System are well

equipped with infrastructures, tools and legal as also scientific literature.

In this regard, it would be necessary to bear in mind that such tools of performance, including the literature, undergo changes and even become outdated with the passage of time and need refinement, updating and replacement from time to time. As a consequence persons operating these tools and manning the different offices connected with Justice Delivery System also need regular updating of their knowledge to keep pace with new emerging laws, changes in society, innovations in science and technologies and so on. Hence, the need for a continued legal education for the different functionaries concerned with administration of justice.

The Advocates Act 1961

The Advocates Act, 1961 was amended in the year 1974 with progressive mind-set inserting the following provisions in Sections 6 and 7, which deal with functions of Councils-

“to conduct seminars and organize talks on legal topics by eminent jurists and publish journals and papers of legal interest;”

The National Knowledge Commission

The National Knowledge Commission has also taken cognizance of the importance of legal education. In its Report dated 15.07.2008 the Commission, while recommending establishment of a Regulatory body under the name and style of “*Regulatory Authority for Higher Education (IRAHE)*” covering the field of legal teaching, has made the following observations:

“The vision of legal education is to provide justice-oriented education essential to the realization of values enshrined in the Constitution of India. In keeping with this vision, legal education must aim at preparing legal professionals who will play decisive leadership roles, not only as advocates practicing in courts, but also as academics, legislators, judges, policy makers, public officials, civil society activists as well as legal counsel in the private sector, maintaining the highest standards of professional

ethics and a spirit of public service.

Legal education should also prepare professionals equipped to meet the new challenges and dimensions of internationalization, where the nature and organization of law and legal practice are undergoing a paradigm shift. Further, there is need for original and path breaking legal research to create new legal knowledge and ideas that will help meet these challenges in a manner responsive to the needs of the country and the ideals and goals of our Constitution.”²²

In recent times, significant public debate on the subject of access to justice has been seen. It is a concept which has many facets, including the extent to which the justice system is comprehensible to the community.

Judicial education has the capacity to encourage judges to adopt techniques which will

enhance the comprehensibility of the court process. To that extent, judicial education has the capacity to enhance the public perception of the relevance of the justice system to the community, and through that means, to enhance public confidence.²³

Conclusion

The main object and goal of the judicial education is access to justice. As we know that the sphere of law is like a flow of water which continues flowing, but if it becomes static than it creates the problem for the society and the intention and soul of our constitution and the law becomes atrophied. Judicial education helps the society to get the justice as it make judges more professional by developing their skills and ability to deal with the problems whatever and whenever, those may arise while deciding any issue before them.

Reference-

1. E-mail. parkashsom86@gmail.com
2. Tom Bingham, *The Rule of Law*, London: Penguin, 2011.
3. Max Boot, “Don’t Miss the Revolution”, *The Tribune*, November 01, 2006. p.12.
4. Dr. Balram K. Gupta, Director National Judicial Academy, INDIA Newsletter, July, 2013.
5. Sallmann PA, *Comparative Judicial Education in a Nutshell*, Journal of Judicial Administration, 1993.
6. Nicholson RD, *Judicial Independence and Accountability: Can They Co-exist?* Australian Law Journal, 1993.
7. The Fourth International Conference on the Training of the Judiciary: “Judicial Education – A Global Phenomenon”-Chief Justice Robert French, 26 October 2009, Sydney.
8. Director, Maharashtra Judicial Academy. <http://mja.gov.in/Site/Home/Index.aspx>.
9. Evolution and Rationale of Judicial Education by Dr. Faqir Hussain, Registrar, Supreme Court of Pakistan
10. Challenges Faced By Judicial Academies in Strengthening Judicial Education by Parvaiz Ali Chawla, Director-General, Federal Judicial Academy, Islamabad. [Paper read at the Sindh Judicial Academy, Karachi on 25.6.2011 in first Pakistan Judicial Academies Summit]
11. Judicial education in justice delivery system by Justice B.D. Agarwal, (Guwahati High Court).
12. Riches A.L., “Judicial Education – A Look at the Overseas Experience,” *The Australian Law Journal*, 1990.
13. Hudzik J.K., “The Continuing Education of Judges and Court Personnel,” *Judicial Education Network*, 1989, 5
14. Burger W.E., *School for Judges*, *Federal Rules Decisions*, 1964, 33, 139-150; see also, Li P, “How Our Judicial Schools Compare to the Rest of the World,” *The Judges Journal*, Winter 1995, 17-51.
15. McCabe H.H., “California’s Approach to Judicial Education,” *Judicature*, 1967, 51, 58-63.
16. AIR 1992 SC (165) and AIR 1993 SC (2493).
17. <http://www.epw.in/web-exclusives/training-our-judges-better.html>
18. Justice R.C. Lohati, 2005(2) Supreme Court Cases, J-1, Speech on Law Day
19. www.cja.gov.in/

20. Supreme and Federal Court Judges' Conference 2011 Wellington, New Zealand: Future *Directions in Judicial Education*: Address by The Hon Wayne Martin, Chief Justice of Western Australia and Chair - National Judicial College of Australia.
21. Judicial education in justice delivery system by JUSTICE B. D. AGARWAL, (Guwahati High Court) (2012) 6 Supreme Court Cases J-1.
22. Judicial education in justice delivery system by JUSTICE B. D. AGARWAL, (Guwahati High Court) (2012) 6 Supreme Court Cases J-1.
23. Supreme and Federal Court Judges' Conference 2011 Wellington, New Zealand: Future *Directions in Judicial Education*: Address by The Hon Wayne Martin, Chief Justice of Western Australia and Chair - National Judicial College of Australia.