

It is my great honour and privilege to welcome you this evening to the official launching of the Judicial Studies Committee. It is also with great pleasure that I welcome again among us His Honour Judge William Rose. I say "welcome again", because this is the second time in four months that Judge Rose is visiting us with the specific aim of helping us set up on a sound footing the Judicial Studies Committee. Judge William Rose is a Senior Circuit Judge and is the Director of Studies of the Judicial Studies Board of England and Wales; and my colleagues and I are extremely grateful to him for the time and effort he has put into preparing a comprehensive report which I am sure will help us make of the JSC a viable instrument and a useful tool for promoting judicial skills, judicial competence and, ultimately, judicial integrity and independence.

As I had occasion to point out in my address at the ceremony marking the opening of the forensic year a couple of weeks ago, it is my firm belief that continuing professional education is indispensable if we want to ensure an efficient system of administration of justice. And it is precisely for providing this continuing professional education for members of the judiciary that the Judicial Studies Committee has been set up.

Structured judicial education has, up to a few months ago, been totally lacking in Malta. The idea up till very recently has been that a judge or magistrate brought with him all the basic and essential judicial skills to last him for the duration of his appointment on the bench, and any brushing up that needed to be done was left up to that individual judge or magistrate. This may, perhaps, have been sufficient when judges and magistrates were appointed from members of the bar who were in their mid or late fifties, and who were therefore expected to sit on the bench for an average of just ten years or less, and at a time when changes in the law, both procedural and substantive, were the exception rather than the rule. The same was very much true also of court personnel – the registrar, deputy registrars, marshals, registry clerks – once that they had received their initial training on the job and received their appointment, it was assumed that they would somehow remain attuned to the needs of their job until they reached retiring age. All this is, of course, at variance with the modern notion of continuing professional education.

A member of the judiciary who in recent years became very familiar with the concept and importance of judicial training in the modern environment in which we work is my senior judge Joseph David Camilleri. As the representative of the Maltese Judiciary on the Consultative Council of European Judges of the Council of Europe, Mr Justice Camilleri had the opportunity to work on draft opinions for the

Committee of Ministers of the Council of Europe on general questions concerning the independence, impartiality and competence of judges; and it became apparent to him that if the Maltese Judiciary wanted to keep abreast of other judiciaries on the European platform, something had to be done to organise on a more permanent footing judicial training in Malta.

Meanwhile the need for training of court personnel was addressed by the setting up early last year of a Training Academy for Court Staff, whose remit originally included the training of the Judiciary. When I became Chief Justice in August of last year, and after discussions I had with Mr Justice Camilleri and other judges, I decided that the said Training Academy for Court Staff was not the appropriate body for judicial training, mainly because it could impinge, or at least be perceived to impinge, upon the independence of the judiciary. We had to go our own way on this score. Then, during a study tour of courts in London last December – a study tour which, I must point out, was partly financed by the British High Commission – Mr Justice Camilleri and Mr Justice Tonio Mallia met Judge William Rose, who expressed the willingness of the Judicial Studies Board of England and Wales to provide the Maltese Judiciary with advice and other assistance in its efforts to establish a structured and coherent system of judicial training. After discussions with the then Minister of Justice, Dr. Austin Gatt, it was decided to set up a Judicial Studies Committee. A statute was drafted and eventually approved by myself and by the Minister, who was now Dr. Tonio Borg.

The Committee is composed of four members: two members of the Judiciary appointed by the Chief Justice (and I appointed Mr. Justice Camilleri as Chairman and Magistrate Dr. Silvio Meli as Deputy Chairman) and two members appointed by the Minister of Justice (the present incumbents being Dr. Kevin Aquilina, who most of us remember as Principal Assistant Registrar, and Mr. Alfred Theuma, until recently Director of the Office of Review of the Ministry of Justice, and now a consultant with the same Ministry).

The overall control and direction of judicial studies is in the hands of the judiciary: the statute not only provides that the Judicial Studies Committee "shall act under the general direction of the Chief Justice", but the Chairman of the JSC has both an original and a casting vote. Needless to say, the Ministry of Justice is expected to provide the necessary assistance, financial and otherwise. Without these necessary resources the JSC would be unable to continue functioning and produce results for the

benefit of the judiciary and, ultimately, for the benefit of the administration of justice in Malta.

The JSC has a various objectives, focusing mainly on the training and continuing education of the judiciary. It aims at identifying the training needs of members of the judiciary, organising induction courses for newly appointed members of the judiciary, and organising lectures, seminars and courses. Other objectives of the Committee are to inform members of the judiciary of recent legal development through the use of information technology, to issue updated papers on aspects of judicial work and to promote international co-operation in matters relating to judicial training.

In the short time that the JSC has been in existence, I note with satisfaction that a number of activities have been organised: these were a two-day seminar on case-management (also partly sponsored by the British High Commission), a seminar on Judicial Stress, and more recently a joint seminar organised with the Chamber of Advocates on recent amendment to the Code of Organisation and Civil Procedure. These activities were very well attended and the feedback was very encouraging.

Judge William Rose's visits to Malta have also been made possible through the good offices His Excellency the British High Commissioner, Mr. Vincent Fean, who I understand, has also managed to secure some financial assistance from abroad for the JSC for the purpose of implementing Judge Rose's proposed action plan, and in connection with judicial training in E.U. legislation. Moreover Mr. Justice Camilleri informs me that the JSC has established fruitful contacts with various foreign training institutions besides the Judicial Studies Board of England and Wales.

I am sure that with the participation and co-operation of everybody this Committee will be successful in filling up a void in our judicial system.

I now invite the Chairman of the Judicial Studies Committee, Mr. Justice Joseph David Camilleri, to address you.

Thank you.