



SOUTHERN AFRICAN CHIEF JUSTICES FORUM

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The State of Information Technology in the Courts of the Region

Introduction

It seems that most of what can be said on the matter has already been mentioned at some point during this morning's opening addresses and also by the Hon Justice Ntende in his presentation on the subject of information technology (IT) and modernizing the courts.

This presentation is aimed at putting you in the picture of how far the courts in the region have advanced in the incorporation information technology systems to the day-to-day running of the judiciaries. This would include looking at: access to computers; computer literacy of the courts' support staff; skills development programmes; and the efficient use by judicial officers of computer training and of the acquired skills in computer based research methods.

The Good News

Technological advancements have developed to the extent that it has become possible for all of the needs of the courts in the region to be met effectively and within a reasonable period.

The Catch

Bringing the courts in line with the modern technological developments is an exercise, which will cost money and a lot of commitment from the participating courts.

The Major Shortfall

Notwithstanding the fact that some of the judiciaries in the region have already implemented the use of various instruments of information technology in some of their courts, particularly the more specialised courts, there still remains an overwhelming number of magistrates and Supreme or High courts that are yet to do the same.

The basis of this report stems from the needs assessment documents compiled by your respective judiciaries on your own courts. These documents show that there is generally a major shortfall in the process of modernising the courts by means of making use of information technology, more particularly due to the following factors:

- (1) A lack of adequately equipped libraries with access to electronic as well as printed legal literature and judgments.
- (2) A need to computerise the court systems including the court registries.
- (3) A lack of proper equipment: computer hardware and software, printers, scanners, photocopiers and recording machines.
- (4) There is a need to establish a website which will facilitate the dissemination of information in various aspects of the judicial systems.

1. Libraries

Up to date legal materials such as books, periodicals and law reports are the tools of our trade. It is imperative that an efficiently run court should have access to at least one library, which has a rich collection of law reports, books and periodicals, even those from other countries, and access to an up to date information database and website.

2. Computerised Court Systems

(including Court registries)

By computerising the court systems, the judiciaries would be able to:

- Exchange information on court operations, like case management
- Reduce delays in finalising judgments
- Improve:
 - o Case management
 - o Court administration
 - o Communication with colleagues, litigants and members of the public
 - o Productivity and the quality of work produced by the magistrates and judges

3. Lack of Equipment

The lack of proper PC's, computer hardware, software, printers, photocopiers, scanners and recorders is a major contributing factor in the delays experienced in the processing and finalising of cases in the courts.

Example: In some courts the reproduction of documents, like appeal records, is done by retyping the documents, which is a time consuming process.

4. Website development

A website would serve as a centralised information database, with numerous links to other vital legal sources. This information database shall be set up in a manner that will facilitate:

- the dissemination of information and judgments;
- the exchange of information amongst the courts and judges;
- access to electronic legal material such as law reports, textbooks, journals, periodicals, articles and other legal materials and websites.

The IT-based Solutions

The solutions to these drawbacks in the courts' IT systems seem simple. These would include:

- (1) Providing PC's, computer software, printers, and all the other necessary equipment to the courts.
- (2) Training of magistrates, judges and other judicial officers at all levels in IT based research, with the aim of improving and enriching the quality of the judgments produced by the courts.
- (3) Training of court staff in IT systems to develop a computer programme that will manage case files and alternative dispute resolution processes.

Conclusion

At this point, I think it is fair to conclude this presentation by saying that:

- IT is imperative in the capacity building of the courts in facilitating better exchange of information;
- The efficient exercise of the courts' duties will be greatly enhanced by the of IT systems;
- Modernising all systems in the justice network, including the financial, administrative, and management system, will greatly improve productivity, and expedite the processing of cases, judgments and appeal records.