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Democratic Governance Cluster

Annual Results Reporting 2014

Judicial Strengthening Project

31 December 2014

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Context and Major Development Changes

The project commenced on 1 May 2012 and is designed to improve access to the formal justice system under the leadership of the Bangladesh Supreme Court. Bangladesh's justice system remains relatively inaccessible for the vast majority of the people. Vulnerable groups, including the poor, women, children, indigenous peoples, and people with disabilities face particular exclusion. Throughout the formal justice system, there is a significant lack of capacity - within the judiciary, relevant ministries and statutory bodies. One of the key symptoms of the constraints facing the judiciary is the large backlog of cases. The backlog is symptomatic of a number of issues including: complex procedures, lack of effective case management as well as limited judicial resources and facilities.

In this environment, UNDP and the Supreme Court agreed to implement a one year initiation plan with a view to designing a longer term development programme to support judicial reforms and improve access to justice. The project has four outputs 1) improved case management in the Supreme Court 2) three selected District Courts deliver improved services for court users 3) improved strategic planning and administrative capacity of the Supreme Court; and 4) strengthened training capacity on case management. By supporting practical improvements in the administration of justice

the project contributes to more efficient and effective processing of cases, greater trust and improved community perceptions of the judiciary. A reduction in the number of cases in the backlog will not resolve all of the critical issues within the formal justice sector; however, it will provide a solid foundation on which to base long term improvements in the administration of fair, equitable and affordable access to justice.

In 2014 in terms of ordinary courts progress is evident and there is an increase in case disposal rates reflecting increasing impacts of reform measures. A total of 1,298,260 cases were concluded in 2014 representing an annual national increase over the 2013 total of 1,119,294 or 16 percent. This has meant 31,093 cases have been reduced from the case backlog in 2014 that includes 2.8 million outstanding cases. Public confidence in the district courts is high with 73 percent of survey respondents having some trust in them. Furthermore, of those able to respond to the question has the quality of justice improved in these courts 46 percent replied it had improved with only 10 percent noting a decline.

Indicator Progress

Outcome	Project outcome indicator	Target (Year-2014) Planned result	Progress towards targets	Evidence and means of verification
Output 1	Project indicators	Target (Year-2014) Planned result	Progress towards targets	Evidence and means of verification
Improved case flow management in the Supreme Court.	# of case management steering committee established in the Supreme Court and pilot district courts.	2 case management committee established in the pilot district courts.	66 case management committees established in 61 district courts and 5 metropolitan session courts of Bangladesh.	Practical direction from the Supreme Court.
	# Progress made to review the rules and procedure of court and base line established for time taken to dispose cases.	Case management guidelines for the Supreme Court and district courts adopted.	2 case management guidelines for the Supreme Court and district courts developed and oversight mechanism established to monitor performance of individual courts by the committees.	Printed copy of case management guidelines
	# Number of pending cases in the Supreme Court reduced by 5%.	Business process mapping report finalized.	Business process mapping report finalized and approved by the Supreme Court. Baseline survey report consulted, published and disseminated.	Final report of the business process report.
		Baseline survey		Printed version of

		report consulted, published and disseminated. Mid-term Evaluation of JUST project conducted. # Number of pending cases in the Supreme Court reduced by 5%.	Mid-term evaluation of JUST project conducted. A total of 27,479 (8%) pending cases reduced in the Supreme Court in 2014.	the Baseline survey report. Mid-term Evaluation report. Annual statement on the case statistics, High Court Division.
Output 2	Project indicators	Target (Year-2014) Planned result	Progress towards targets	Evidence and means of verification
Improved strategic planning and administrative capacity of the Supreme Court.	# Progress made on need assessment for establishment of Judicial Secretariat. # Progress towards establishment of judicial secretariat.	Report on the assessment of the Registrar's Office to be consulted, finalized and approved by the SC. Support to strengthen Judicial Secretariat and Registrar Office.	Assessment report of the Registrar's Office is finalized and approved by the SC. Supreme Court's full court meeting endorsed to establish judicial secretariat. JUST has developed management system including Standard Operating Procedure (SOP), Key Performance Indicators (KPI), JD, Human Resource and other policies for the Judicial Secretariat.	Final report on the Assessment of the Registrar's Office. Supreme Court's decision. Knowledge products.
Output 3	Project indicators	Target (Year-2014) Planned result	Progress towards targets	Evidence and means of verification
Three District Courts deliver improved services for court users.	# Disposition rate/clearance rate increased. # Perceptions of court users on key indicators such as trust, service delivery, efficiency, corruption etc. # Baseline established for time taken for case disposal by type of cases.	5% increase in case disposition rate in the pilot district courts Conduct Court users' feedback survey Conduct case diagnostics exercise in 10 family courts and 10 Artho Rin courts.	Case disposal rate increased (from 87% to 96%) by 9% in the pilot district courts. Court users' feedback survey on the key indicators such as service delivery, efficiency, cost and delay conducted. Case diagnostics exercise conducted in JUST pilot district courts identifying time delays in case management.	Statement on the case disposition, Pilot district courts. Court users' feedback survey report 2014. Case diagnostic exercise report.

Output 4	Project indicators	Target (Year-2014) Planned result	Progress towards targets	Evidence and means of verification
Training capacity on case management strengthened	# of new curriculum or amendments to current curriculum in case management, gender and human rights. # of trainers trained in new curriculum.	MoU signed with national training institutes. Training courses on Case management, ICT and Legal English for District Courts are developed and conducted.	Supreme Court signed MoU with Bangladesh Institute of Management (BIM), Judicial Administrative Training Institute (JATI) and A2I program in 2014. 520 officials from judiciary are trained by BIM and 20 by JATI.	Signed MoU, Training report, Participant list
		Institute Judicial Leadership Programme at the Supreme Court of Bangladesh.	132 senior judges from the Supreme Court received training under Judicial Leadership Programme.	Training report, Participant list
		Develop a training manual on mediation tools and techniques and conduct training on mediation.	Training manual on mediation techniques developed by JATI.	Training module

Key Achievements

- Both at national level and in pilot district courts pending and backlog cases are reduced. In the pilot districts out of a total of 347,261 cases submitted 333,371 cases have been disposed of in 2014 representing a 96 percent disposal rate. Of these 37,922 were civil cases, 295,449 were criminal including 288,365 related to non-gender based violence and there were 7,084 gender based violence cases. In the Supreme Court, however, 27,479 cases were disposed of from 60,807 received representing a regression to 45 percent in 2014 down from 52 percent in 2013. In 2014 in the civil courts a total number of 208,571 people have had better access to justice as a result of the increase in rates of case disposal due to cases on average being comprised of 5.5 parties according to surveys.
- On an individual experience level there have been cost savings and satisfaction ratings have improved. In 2014 there were cost savings including legal fees and travel and time savings of court users that amounted to BDT 15,120 (USD 195) per case according to the court users' satisfaction survey in 2014. Court user satisfaction monitoring shows that 45 percent litigants are now satisfied with the experience on the day of interview, an increase from 21 percent in 2013, recorded in the baseline survey.

- A total of 1,420 cases resolved by mediation in 2014, an increase of 6 percent over 2013. This increase is nearly 49 percent over baseline data (956 in 2012). In 2014, JUST has organised a series of awareness raising workshops and training of trainers sessions, involving 280 (780 since 2012) judges and lawyers increasing knowledge and expertise in mediating disputes.
- The Supreme Court Special Committee for Judicial Reforms, the highest oversight body for judicial reforms issued a practice directions to 61 district courts and five metropolitan courts of the country on September 4, 2014 to adopt UNDPs case management model nationwide in order to bring a qualitative change in the justice delivery system. Funding and assigned coordination points have been established to accommodate these committees at district level scaling up these platforms nationwide.
- A Judicial Leadership Programme (JLP) has been instituted at the Supreme Court of Bangladesh to augment judicial reform through strengthening capacity of senior justices. This leadership programme, the first of its kind in Bangladesh, focuses on leadership development, change management, code of conduct, disciplinary procedures and strategic planning. Two seminars and one workshop conducted for the 132 senior justices of the Supreme Court were conducted in 2014.
- Improving access to basic services and transparency in the courts a cause list for clients available on a web-based and SMS platform has been introduced. Training for 105 judges and bench officials has improved the accessibility of case related data available via online and mobile phones. A data centre with mobile telephony technology functions has also been established in the Supreme Court to ensure greater accessibility and transparency. Clients and representatives can track information on cases remotely and it has encouraged better data and performance data collection assisting improve the quality of oversight of courts. This service has received 250,000 hits in 2014 since its launch. Based on the pilot initiatives UNDP assisted the Supreme Court to develop “*E@sy Justice 2021*” *ICT Strategy* and to expand this system to all districts of Bangladesh by signing an MOU with government’s A2I programme.
- A Memorandum of Understanding has been signed with the Bangladesh Institute of Management BIM providing management training and services support to the judiciary to instil modern management systems and procedures at the Supreme Court and district courts. The management training will link case management issues to enhance overall management capacity of the judges. A total of 519 judicial officers have been trained in 2014. A similar agreement with JATI has also been signed to incorporate case management courses and mediation course in the JATI curriculum.
- Case Diagnostic Exercise (CDE) revealed patterns and causes of poor court management through quantitative data analysis on the duration of cases, drivers of delay, types of cases etc. The CDE was conducted jointly with the UNDP Activating Village Court project to also understand the patterns of case referral and appeals between village courts and district courts and suggest timely interventions for the benefit of village population. This unique exercise also

helped to break the gap and enhanced partnership between informal and formal justice systems for the benefit of justice seekers.

Lessons Learnt

- The Supreme Court can act as a key catalyst for judicial reforms in Bangladesh. By scaling up UNDP developed case management model nationwide, Supreme Court reaffirmed its commitment to the reforms and its partnership with UNDP.
- Case management committees can easily tackle the backlog of cases, but problems of access to efficient and affordable quality justice will remain due to discrimination and abuse of poor and marginalised by lawyers and judges. Therefore, activities that will benefit poor communities (e.g. engagement with SCOs, youth etc.) should be prioritised.
- While in 2014 district courts showed continuous improvement in case disposal, the Supreme Court experienced a decrease. The committees at the district level met monthly, whereas the Supreme Court’s ones met only two times in a year. Thus more regular meetings and interaction at this level should be planned to maintain the momentum to improve case disposal.

Risk and Mitigation

Risk	Mitigation measures
<p>End date of the project was not clear that affects planning.</p> <p>Chief Justice is in outgoing mood - slowdown of activities is seen.</p> <p>Lack of cooperation between Supreme Court and Ministry of Law Justice and Parliament Affairs (MLJPA) on legislative reforms.</p>	<p>Project Steering Committee changed the date as per technical assistance project Proposal.</p> <p>Direct engagement with the Supreme Court Committee for Judicial Reforms (SCJR) members for policy advocacy. Roll out new important activities (Judicial Leadership programme, strategic planning) in 2015.</p> <p>More coordination with JSF/A2J (focal points, regular meetings etc.).</p>

The Way Forward

The project will support the Registrar Office to coordinate case management committees’ activities in all districts and establish oversight and quality assurance mechanisms. Awareness raising, bench and bar dialogue on expanding mediation application and prioritizing women issues will be also in the focus of the project

activities. Beside, strategic planning process will be embedded in the Supreme Court by developing and adopting the first strategic plan.

Resource Utilisation

The total budget for 2014 was US\$1,112,590 of which US\$1,038,531 was spent as of 31 December 2014, a delivery rate of 83 percent.¹

Chart 1: Activities related to spending

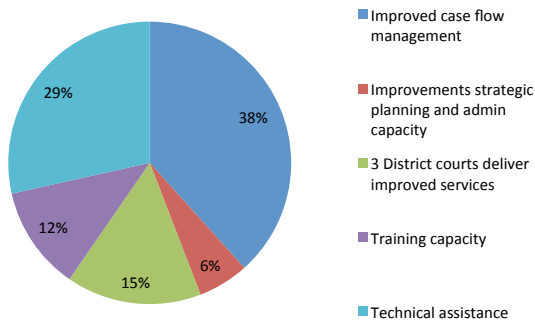
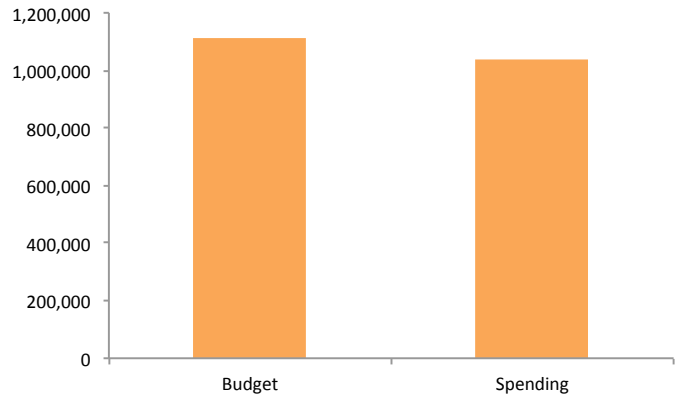


Chart 2: Spending against budget US\$



Evidence and Surveys in 2014

In 2014, Case Diagnostic Exercise was conducted. In addition, Court Users’ Feedback Survey was conducted. Besides, Mid term Evaluation as well as UNDP Strategic Planning Indicators baseline and target review completed in 2014.

¹ All financial and delivery figures are for provisional information purposes only and are not a full reflection of spending over a 12 month period in 2014. End of year financial reports will be delivered in April 2014 with a complete combined delivery report in Atlas.