

Foreword

This manual has arisen as part of a mandate set by the Commonwealth Law Ministers Meeting (CLMM) in Edinburgh in 2008, and by the meeting of Law Ministers of Small Commonwealth Jurisdictions (LMSCJ), which took place in London in 2007. The mandate resulted in the Commonwealth Secretariat looking for new ways to further its overall objective to improve the non-judicial aspects of court administration, case flow management and court room administration in final/appellate, regional and international courts and tribunals (hereafter referred to as the ‘courts and tribunals’). Meanwhile, a key recommendation made in 2007/08 by the Commonwealth Meeting of Justices and Registrars of Final/Appellate Courts and Regional Courts in Port of Spain, Trinidad, highlighted the importance of convening a meeting: ‘To discuss issues and exchange information about best practice in registries’. As a direct consequence, the Secretariat decided that the best way to proceed was to invite a broad cross-section of registrars and administrators to prepare detailed written papers which could then form the basis for a conference and workshop session. The outcomes of the conference would in turn be synthesised and compiled to form a user-friendly, practical manual: the *Handbook of Best Practice for Registrars of Final/Regional Appellate Courts and International Tribunals* (hereafter the *Handbook*).

Registrars and administrators from various regions across the Commonwealth were invited to submit papers and attend a meeting convened in Ottawa and hosted by the Supreme Court of Canada, between 13 and 16 April 2010 (the ‘Ottawa meeting’). The workshop discussions were wide-ranging and productive, with each the subject of plenary exchanges by the delegates. The overall consensus of the discussions is broadly reflected in the contents of this *Handbook*. Reference is sometimes made in this book to the full conference papers wherever amplification and detail is required in connection with individual courts and tribunals. In addition, some extracts from these papers are included as boxed examples/case studies for illustrative purposes.

The full texts of the papers prepared for the meeting can be found published in the *Commonwealth Law Bulletin*, Volume 36, No. 3 (September 2010). Readers may also find it useful to refer to the Commonwealth Secretariat publication *Bringing Justice Home* written by Cheryl Thompson-Barrow (2008) – especially the part on Recommended Best Practices – as a useful complement to this *Handbook* and to the papers in September 2010’s *Law Bulletin*. Further additional and more substantive information and case studies can also be found in Robin Vincent’s *An Administrative Practices Manual for Internationally Assisted Criminal Justice Institutions* (2007).

This *Handbook* was originally prepared and compiled by Sir George Newman, with additional text, examples and input from the late Robin Vincent and Roger Bilodeau,

Registrar of the Supreme Court of Canada. I am most grateful for their help, time and valuable contributions.

I should also like to pay tribute to the knowledge and experience of the Ottawa meeting delegates themselves, who engendered real and progressive debate and input throughout the conference. Additionally, I would like to acknowledge the contribution made by Dr Aldo Zammit Borda, former editor of the *Commonwealth Law Bulletin*, in taking this project forward.

Finally it should be emphasised that the *Handbook* constitutes the compilers' perception of the consensus reflected by the views and opinions expressed by the delegates. The opinions should not be attributed to any individual delegates, courts or tribunals or to the Commonwealth Secretariat.

This *Handbook* is not intended to be prescriptive or didactic, and each court and tribunal will need to have regard to its own purposes and jurisdiction when weighing the guidance that is offered.¹ Moreover, while the meeting comprised the substantial participation of a cross-section of registrars from across the Commonwealth, resource and other constraints impeded Commonwealth-wide representation. The views expressed in this *Handbook* are therefore only intended as an aid, and are not representative of, nor attributable to, any particular Commonwealth member country, the Commonwealth Secretariat or any court or tribunal.

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