



## ANAO MINUTES

Mid-year Meeting - Sunday, May 5, 2024

7 A.M. EST

### I. INTRODUCTION

ANAO President Allyson Duncan opened the meeting and welcomed everyone. In attendance were the following:

- Australia  
Justice Daniel O'Connor, Vice President  
Justice Chrissa Loukas-Karlsson  
Justice Caroline Kirton KC  
(Michael Walton sent apologies)
- Bermuda  
His Worshipful Juan P. Wolffe
- Canada  
Justice Denis Jacques  
Justice Clayton Conlan  
Justice Louise Mailhot  
Justice Michele Monast  
Justice William Goodridge  
Justice Mona Lynch
- Lebanon  
Judge Faysal Makki
- Philippines  
Eileen Joy T. Pakino-Bonghanoy  
Bernadeth R. Bisoc  
Judge Jeland Pormentilla
- Republic of China (Taiwan)  
Yin-Lun (Grace) Lin  
(Allison) Chia-Chien Wen
- USA  
Judge J. Michelle Childs  
Judge Karen Schreier  
Judge Leo M. Gordon  
Judge Joanna Seybert

Raffaele Gargiulo and Alessandra Decina participated on behalf of the Executive Secretary.

## **II. APPROVAL OF MINUTES OF ANNUAL MEETING**

Chrissa Loukas-Karlsson moved, and Leo M. Gordon seconded a motion that the minutes of the October 3, 2023, Annual Meeting be approved as circulated. This was passed unanimously.

## **III. DISCUSSION MATTERS REGARDING IAJ**

### **A. Future Meeting venues for IAJ**

Australia will not be able to host the 2025 IAJ meeting but is receptive to hosting in the future. Juan Wolffe will investigate the possibility of Bermuda serving as the host for a future IAJ meeting. The Chair will arrange for him to speak with Giacomo Oberto about the possibility.

### **B. Dues Increase**

The proposal for a dues increase was discussed and tabled at the 2023 Annual Meeting in Taipei. Materials explaining the increase were circulated prior to the mid-year meeting. Raffaele Gargiulo also explained the background of the proposed increase. The increase is in line with inflation and is necessary to cover ongoing expenses in the operation of the IAJ. There was no opposition to the proposed fee increase. Several countries, including Australia and the United States, asked that such increases be incremental in the future to assist with budget planning for member associations which also rely entirely on dues for their revenues.

### **C. IAJ Assistance Fund for Judges**

A proposal is under consideration to create an Assistance Fund for Judges and prosecutors who are suspended, detained, or otherwise face state sanctions solely because of the proper exercise of their functions. It would be entirely voluntary, and a special committee shall be established to administer it.

It was the unanimous view of the ANAO membership that the proposal to include prosecutors was problematic. Most common law countries do not align judges and prosecutors. In those countries, it might be a matter of concern to include prosecutors but not the defense bar. Therefore, the members would only support the adoption of such a fund if it were limited to judges.

#### **IV GENERAL DISCUSSION**

A. Initiative to have the United Nations set January 11 as “International Day of Judicial Independence”.

Although there is widespread support for such an initiative, there has not been a great deal of forward movement. Because of the success of the International Association of Women Judges in having a day named in honour of International Women Judges, the President is going to reach out to Justice Mona Lynch, who is active in the IAWJ, and a few others, to develop a strategy for furthering this initiative.

B. Report on the Lebanese Judiciary.

Faysal Makki reported on significant erosion of judicial independence in Lebanon following the 2020 collapse of the country’s economy. Judicial salaries have been slashed to the point that it is impossible for a judge to survive financially without a supplemental income source. Many judges have accepted teaching positions in universities. The Lebanon Association of Judges is in decline as its member judges are thinking more about financial survival, and less about judicial independence. There is little support from the Ministry of Justice for judges or for the Lebanon Association of Judges. The Association would welcome support from the IAJ; however, Mr. Makki acknowledges that it is doubtful that the support would have any big impact on the Ministry of Justice.

C. Taiwanese Citizen Judge System.

Allison Chia-Chien Wen reviewed details of this new Taiwanese initiative, using the report previously circulated. The Citizen Judge System is a new

initiative in Taiwan and allows criminal matters that involve potential sentences of 10 years or more to be heard by a panel of 9, comprising three professional judges and six ordinary citizens. The sentencing process can be complicated since it must be approved by at least 5 votes (except for the death penalty which requires 6 votes).

Because of time constraints, questions will be discussed in Cape Town.

## **V. ASSOCIATION REPORTS**

Australia - Daniel O'Connor reported that the Indigenous Referendum, addressing a settlement with indigenous people based on creation of separate indigenous legal and political institutions, was decisively rejected. He also reported that there is no independent association in Australia, excepting the Judicial Officers Association, that speaks out for judicial independence.

Bermuda - Juan P. Wolffe reported that there are recent difficulties in Bermuda empaneling juries for criminal trials due to the high level of out-migration and the ease in obtaining exemptions. The country is considering allowing judge to hear criminal cases without juries to address the problem. He also reported that the country is developing legislation to allow no fault divorces.

Canada - Mona Lynch reported on results from a recent survey of Canadian judges and noted that there is a general level of unhappiness among judges arising from increasing job demands, and erosion of administrative support. Many judges are opting for early retirement.

Philippines - Bernadeth Bisoc reported on a pilot project using regional court managers for all superior courts.

Taiwan (Republic of China) - Yin-Lun (Grace) Lin reported that increasing job demands have resulted in an extreme situation at present, with a dangerously overburdened judiciary. Steps are being taken to address this problem.

USA - Michelle Childs, reported on improvements for judicial security and risk reduction for judges. Two examples she noted were the scrubbing of information about individual judges from the internet and reimbursing costs incurred by judges installing and maintaining home security systems.

## **VI OTHER BUSINESS**

Allyson Duncan requested that the role of ANAO within the IAJ be placed on the agenda for discussion during the Cape Town meeting. The member states of ANAO are so geographically diverse that efficient functioning has been a challenge. There are other issues as well that would benefit from an in-depth consideration.

There being no further business, the meeting adjourned as scheduled at 9:00 A.M. EST.

William H. Goodridge  
May 5, 2024