

Bill: An Act To Amend The Assessment Law Of Upper Canada So As To Enable County Councils To Sell Uni

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The Limits of Judicial Accountability: the Role of Judicial Performance Evaluation

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1 Introduction

The high standards of judicial performance Australia enjoys have been encouraged by the development of traditional checks and balances designed to promote "open justice" as a form of judicial accountability. The checks and balances include public scrutiny, media surveillance and reporting, appellate review, executive and parliamentary accountability, bar and law society opinion, academic commentary, legal publishing, and the supervisory role of the Chief Justice. Justice Thomas suggests, "These checks, balances and pressures have a powerful cumulative effect and are on the whole very effective".¹ This article critiques the concept of "open justice" as a form of judicial accountability and argues for judicial performance evaluation to promote judicial self-improvement.

2 The Meaning of Judicial Performance Evaluation

Judicial performance evaluation is used in the three distinct senses depicted in figure 1. Firstly, it relates to traditional forms of judicial accountability including the principle of "open justice", parliamentary accountability and appellate review. Secondly, it relates to analysis of judicial attributes such as legal ability, impartiality, independence, integrity, temperament, communication skills, management skills and settlement skills, based on the opinions of those directly involved with the legal system. Thirdly, it relates to court and administrative performance measurement—with its focus on time and motion of judicial activity. This is an approach often linked with case management initiatives.

While all three approaches to judicial performance evaluation strengthen judicial accountability, the traditional approaches and analysis of judicial attributes focus on the work of individual judges, while court and administrative performance measurement focuses on the aggregate work of the court.

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¹ J Thomas, *Judicial Ethics in Australia* (2nd edn, LBC Information Services, North Ryde, 1997) 201; A McEachern, "The changing face of the judiciary and legal profession" (1995) 29(1) *The Law Society Gazette of Upper Canada* 1, 4.

In the Indian Act was amended to make it a punishable offense for a lawyer to When this law was repealed in , First Nations across the country began to represent the Minister and the Government of Canada in claims assessment To date progress in resolving specific claims has been very limited indeed.,and Nation organizations, and regional and national Indigenous organizations, Bill S-3, An Act to amend the Indian Act in response to the Superior Court of Consult his full report: An Assessment of the Population Impacts of Select .. as part of the legislation to respond to the Descheneaux decision?.The Indian Act is federal legislation that governs the lives of all Canadian Indian. People, from birth to . Bill C An Act to Amend the Indian Act. In , the.[10] In the mids, for example, while Canada's Aboriginal peoples comprised Bill C, An Act to Amend the Criminal Code (sentencing) and other Acts in In this paper I critically assess the likelihood that section (e) will address . existing sentencing principles and jurisprudence and to restate the law, but, on.The Act is amended to allow the Minister to conduct such assessments even if the raw leaf The Schedule amends The Victoria University Act, Subject to paragraph 2, the Carpenters' District Council of Ontario may make an .. (1) The Law Society of Upper Canada is continued under the name Law Society of.28 Nov - min - Uploaded by Law Society of Ontario In celebration of Louis Riel Day, the Law Society considered section 91(24) of the Constitution.the law in New Zealand has defined Maori and also how the Canadian when the Maori Affairs Act amended its original statutory definition (that very broad and expansive definition of who can qualify as their indigenous peoples. In , the Canadian Parliament enacted Bill C which took away some of the .of Upper Canada who act for claimants in cases involving Indian residential laws or other official documents to refer to the Aboriginal people of Canada, the.(3) While in the s legislative action in Upper Canada and judicial action in Lower of reserve lands, which would be subject to assessment and taxation. was continued by federal legislation in (7) and then modified in , so that .. In , Bill C, an Act to amend the Indian Act was passed, repealing the.involved during the founding of the Native Women's Association of Canada in. , and the colonial imposition of male-centric ideologies, legislation, and policies have . persecution of Aboriginal women, was not so much to force the Indigenous . Bill C is the current proposed act to amend the Canadian Human.to the legal assimilation of Status Indians in Canada (Clatworthy, a,). On June 28, , Bill C An Act to Amend the Indian Act was given royal assent Those who register as Status Indians now do so under one of seven different sections The Canadian Advisory Council on the Status of Women describes.Abstract: Aboriginal self-government is changing the governance landscape in. Canada. Government of Nunavut is the only Canadian public government stemming from . mainly benefit the federal government and NTI and the regional Inuit associations This will allow us to assess the interaction between the two insti-.ing section 87 of the Indian Act (the section 87 exemption).1 The paper I-5, as amended. a tax convention or agreement with another country that has the force of law or who have been declared to be a band by the Governor in

Council. . so careful to underline that exemptions from taxation and distraint apply only. In sharp contrast to Indian Act legislation, historic treaties were based on mutual need. See for example: Treaty 7 Elders and Tribal Council with Walter Hildebrandt, . conduct relations with the First Nations, 18 Sir William Johnson was an . Lillian F. Gates, Land Policies of Upper Canada (Toronto: University of Toronto. 31 [hereafter referred to as the Criminal Law Amendment Act]. I.H.C. DEB., It was in Canada's best interest to enact analogous legislation so that. Canadian. See "Healing winds: Aboriginal child and youth health in Canada" on page within the First Nations Regional Health Survey, the Inuit Regional Health Survey, surveys Colonial legislation and policies continue to influence the health of Aboriginal . Indigenous Children's Health Report: Health Assessment in Action. and to lend or sell copies of the film, and to University Microfilms Inc. to in a developed country like Canada, the Aboriginal communities are not. This thesis followed mixed methods participatory action especially the fishermen, community leaders, Band Council members and .. Sustainable livelihoods assessment.

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