

Foreword

What is the role of the judge and how can judges perform that role well? *The Role of the Judge* attempts to answer these two questions and to provide some guidance for newly-appointed judges in their transition to the bench.

While the authors in this collection address different aspects of these two questions, some common themes do emerge. A judge's role is to administer justice according to law. In so doing, judges must bear in mind a number of fundamental principles such as judicial independence, impartiality, fairness and competence.

Upholding judicial independence is a central aspect of judicial performance. The obverse of judicial independence is the accountability of the judiciary to the public for the manner in which it administers justice.

Some practical guidance is offered about how to undertake the core functions of presiding over the court, decision-making and judgment-writing. Many of the authors highlight that the transition to a judge can be a difficult one. Of necessity, changes in conduct follow from becoming a judge and some may find it difficult to accept the restraints of judicial life. The loneliness of judicial office can lead others to succumb to judicial stress. Some practical observations are offered about appropriate judicial conduct as well as how to guard against judicial stress.

Finally, the role of the judge is discussed within a wider context, both of the changes and challenges confronting the Australian judiciary and the place of the judiciary in society. Judges are not isolated from the changes in society and must respond to those changes without compromising the judicial function.

With the exception of the paper by Chief Justice Gleeson on judicial accountability, this collection of papers on performing the role of the judge derives from the National Judicial Orientation Programme. This programme aims to assist newly appointed judicial officers with their transition to judicial office. Jointly developed by the Judicial Commission of New South Wales and the Australian Institute of Judicial Administration, since its inception in 1994 the National Judicial Orientation Programme has been recognised for its excellence in judicial education. The National Judicial College of Australia assumed responsibility for the programme in 2004.

Our thanks go to the authors for generously sharing the knowledge and experience they have gained from their years on the bench. And we are hopeful that this publication will be a useful educational resource for newly appointed judicial officers.

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