

Judge Malcolm Simmons Supports Justice and Rule of Law in the Maldives

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[Judge Malcolm Simmons](#) was appointed resident judge and Her Majesty's Coroner of the Falkland Islands, South Georgia, the South Sandwich Islands and the British Antarctic Territory. He is also Acting Supreme Court Judge. In addition to his judicial role, he sits as Chair of the Criminal Justice Committee and Sentencing Guidelines Committee. His is, perhaps, the largest geographical judicial jurisdiction in the world.



Judge Malcolm Simmons sworn in as acting Supreme Court Judge

Since 2017 Judge Malcolm Simmons has been advising the senior judiciary in the Maldives. Most recently, he has completed an assessment of the provision of legal training for the judiciary and developed a new judicial training curriculum and continuing training program for judges.

In November the Maldives Judicial Service Commission met for the inauguration of the Judicial Performance Evaluation Pilot Project. The meeting was attended by the Chair of the Judicial Service Commission, Hisaan Hussain, UNDP Resident Representative Mr. Enrico Gaveglia, members of the Judicial Service Commission and Judge Malcolm Simmons. [Judge Simmons](#) has been advising the Maldives Judicial Service Commission on the rollout of the judicial performance evaluation pilot project.

During the inaugural meeting, Judge Simmons explained that as part of a pilot project, judges of the Senior Courts would be evaluated. Evaluators will review the performance of each judge during the preceding two years with particular emphasis on matters such as integrity, freedom from impropriety and from the appearance of impropriety, knowledge and understanding of the law, fairness, preparedness and punctuality, diligence, communication skills, managerial skills, and public and professional service. The evaluation will also assist evaluators in assessing judicial independence and impartiality.

Judicial performance evaluation programmes have most commonly been used to provide useful feedback to judges and the public, to increase transparency, consistency and accountability of the judicial system, to improve case and court management, and to promote greater public understanding of the courts.

The first draft of the judicial performance evaluation policy was written by the American Bar Association and subsequently developed by Judge Simmons. During the inception phase of the project, Judge Simmons trained evaluators and met with the judges who will be evaluated. Judge Malcolm Simmons will continue to support and guide the evaluators throughout the evaluation process.

Judge Simmons stated “It is expected that the roll out of the judicial performance evaluation policy in Maldives will promote accountability and instil public confidence in the judicial system in many ways. The assessments made as part of the evaluation process will inform citizens about the quality of the work of a judge, their knowledge of law, and their ability to apply the law objectively. Evaluation programmes also ensure that judges are accountable to the judiciary as an institution. Through this process it is expected that the quality, efficiency and effectiveness of the justice system in Maldives will improve thereby further enhancing public confidence in the administration of justice.”

Judge Malcolm Simmons served as an international judge from 2004 to 2017 hearing war crime and serious and organised crime cases. He presided in some of the most complex war crime and serious organised crime cases in Bosnia & Herzegovina and Kosovo during their troubled post-war periods. He served as President of EU International Judges from 2014 to 2017. He is particularly well-known for his judicial reform work and has more than 20 years of experience training judges, prosecutors and lawyers. He has worked in judicial reform projects in Bosnia & Herzegovina, Kosovo, Serbia, Pakistan and Maldives.

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