

SOUTH CHINA MORNING POST
20 JAN 1970

Against stifling practice

I NOTE with interest the report headlined, "Claim over judges' hours rejected" (*South China Morning Post*, January 27) conveying the response of the Registrar of the Supreme Court to my colleague Mr James Allan's article on the work of High Court judges (*Post*, January 26).

The essence of the Registrar's response is that Mr Allan's finding that judges sat for an average of three hours 16 minutes is wrong and he puts forward an alternative figure of three hours 53 minutes. Leaving aside the question of the acceptability of this figure, the Registrar arrives at this figure on the basis of "judiciary statistics" which he refuses to make publicly available. Mr Allan carried out his research, which obviously is a timely intervention in an issue of real concern, precisely because the Registrar would not reveal these statistics, or, indeed, hitherto acknowledge their existence.

I am not alleging any sort of direct malpractice by the Registrar when I say that government information of this sort must be made public and used to inform debate rather than, as the Registrar now intends, be used to stifle such debate. One

cannot be asked to take this sort of statement on trust if government departments are to be held publicly accountable in any meaningful way.

One is obliged to press this as one can see, even from the brief item you carry, how public debate can be impaired by this sort of stifling practice. The Registrar's account of the Robinson report is misleading. Mr Robinson advised that five hours a day be set as an ideal, but did so in the obvious recognition that, of course, one never fully realises one's ideals. In this sense, no doubt, "it would be bad to average five hours a day", but the Registrar conveys this information as if five hours a day would be a bad *ideal*, and I am unaware of any part of Mr Robinson's report or of Mr Allan's article which stated this.

I am sure that the Registrar would agree that public discussion of this issue in full possession of the available facts would prevent inaccuracies of this sort arising.

Dr DAVID
CAMPBELL
Reader in Law
City Polytechnic of
Hongkong