

## THE QUESTIONNAIRE BRIEF ANALYSIS

### Part 1: Preliminary: Use of technology

Question Answer	BRU	CAM	INA	PHI	SIN	MAS	THA	MYA	VIE
1. is helpful	YES	YES	YES	YES	YES	YES	YES	YES	YES
2. diminishes or impeding procedural proceedings of fair trial	NO	NO	NO	NO	NO	NO	NO	NO	NO
3. has any impact in the independence and impartiality of a judge or judicial officer	NO	NO	NO	NO	NO	NO	NO	NO	NO
4. will compromise the privacy and confidentiality	NO	NO	NO	NO	NO	NO	NO	NO	YES if the internet security system is not working well
5. the preferred equipment	Customized equipment to suit the local needs	Any available equipment in the market at lower cost	Any available equipment in the market at lower cost	Any available equipment in the market at lower cost	Customized equipment to suit the local needs	Customized equipment to suit the local needs	Customized equipment to suit the local needs	Customized equipment to suit the local needs	Customized equipment to suit the local needs

Question Answer	BRU	CAM	INA	PHI	SIN	MAS	THA	MYA	VIE
6.Apprehensions in the use of technology	<ul style="list-style-type: none"> <li>- Info leakage</li> <li>- technical breakdown</li> <li>-price hike</li> <li>--Limited mobility and access to the system in remote parts of the country</li> </ul>	Technical breakdown at the worst possible time	-Limited mobility and access to the system in remote parts of the country	<ul style="list-style-type: none"> <li>-Info leakage</li> <li>-Limited mobility and access to the system in remote parts of the country</li> </ul>	Technical breakdown at the worst possible time	Limited mobility and access to the system in remote parts of	Technical breakdown at the worst possible time	<ul style="list-style-type: none"> <li>- Info leakage</li> <li>-Technical breakdown at the worst possible time</li> <li>- Limited mobility and access to the system in remote parts of the country</li> </ul>	None of the above

**Part B: Basic information on Internet and existing technology**

<b>Question</b>	<b>BRU</b>	<b>CAM</b>	<b>INA</b>	<b>PHI</b>	<b>SIN</b>	<b>MAS</b>	<b>THA</b>	<b>MYA</b>	<b>VIE</b>
<b>Answer</b>									
1 a. Population access to the internet (%)	60.3	NO INFO	34.9 (January 2014)	38	88	Around 40	An average of 50%	Around 22%	52%
1b. number of ISP	1	NO INFO	More than 23	17	5	Around 17	Around 16	4	38%
1c. available Network Bandwidth capacity	56K, 512K, 128K 256K, 768K, T1, DS1, T3, DS3, OC3, ISDN, xDSL, TCarrier & Optical Carrier	NO INFO	Almost all listed	T1, T3, xDSL	Optical Carrier	128K (min), xDSL, 100Mbps -1Gbps	OC 12 (Optical Carrier)	56K, 512K, 128K, xDSL, 256K, Optical Carrier	ISDN, xDSL, T Carrier, Optical Carrier
2. technology in use in the judiciary	YES	YES	YES	YES	YES	YES	YES	YES	YES
a. start date	23.02.2015	7 years ago (around year 2008)	The 1 <sup>st</sup> was in 2007 (subsequently in 2013)	CMS-1995, 2009-2013 Others between 1995 - 1998	New system launched in year 2103 (Previous system – year 2000)	year 2007 (East Msia) CMS in year 2011 (West Msia)	Year 1995		From 2014

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Answer									
b. software name	Web-based program that uses internet software e.g Google, Mozilla & Firefox	Sense	Supreme Court: Custom made Open Source Based Application/PH B Based  Judgement database  Cases information system	Oracle, MySQL, Visual Foxpro, Java PHP	The system software is proprietary (generally Windows & Internet Explorer)	Integrated Court System,  e-filing.kehakinman.gov.my  cms.kehakinman.gov.my	Information system for Judicial Service	Electronic Document Management System (2007), Website (2013), Case Information System (2015)-only in the Union Supreme Court	Case Management Software, Digitalizing Case File Software, Personnel Management Software, Public Property Management Software
c. hardware use	PC, laptop, scanner, printer server, web based camera, audio recording devices	PC	Server, PC & laptop	Blade servers, enterprise-grade UPS & precision ACU, network attached storage, security appliances, PC, printer, scanner	The system hardware is proprietary (PC)	Web & application server, database server, PC, laptop, scanner, printer, video & audio conferencing system.	PC server	Dell server	Main Server, LAN System, Network, Virtualization of Main Server
d. number of courts using it	All tiers of courts (5)	Supreme Court	824	Supreme Court,	All courts	All tiers of courts	269 courts nationwide	15	All courts

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			Supreme Court & Lower Courts	Tertiary Court, 1 <sup>st</sup> & 2 <sup>nd</sup> Level Courts.		(location based – 8 districts in West Msia : Putrajaya, KL, Shah Alam, Ipoh, Johor Bahru, Kota Bharu & Kuala Terengganu)  88 courts in East Msia.			
4. benefiting the court users	YES	YES	YES	YES	YES	YES	YES	YES	YES

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<b>Answer</b>									
5. technology in use in the judiciary									
Existing features	YES	YES	YES	YES	YES	YES	YES	YES	YES
i. <b>Court website</b> containing general information about your jurisdiction									
ii. Online <b>database of court decision</b>	YES	YES	YES	YES	YES	YES	YES	YES	YES
iii. Online access to the <b>court related forms</b>	YES	NO	YES	YES	YES	YES	YES		YES
iv. <b>e-filing</b>	YES	NO	YES (filing of appeals to Supreme Court only)	NO	YES	YES	NO		NO
v. <b>virtual case files</b>	YES	NO	YES	NO	YES	YES	NO		NO
vi. <b>video @ audio conference case hearings</b>	YES	NO	YES	NO	YES	YES	YES		NO

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<b>Answer</b> <b>vii. others</b>	Queue management, video recording	NO	Public access to cases information status, performance of judges and court staff (albeit internal)	NO	NO	Court recording & transcription, stenographic machines & e-monitoring, exhibit presentation system	NO		Courts's Activities New  - Articles Concerning Legal Idea Exchange  - Legal Question And Answer
6. financial allocation	NO	NO	YES	YES	YES	YES	YES	YES	YES
7. legislative impediment	YES	NO	YES	NO	NO	NO	YES	NO	NO

**Part C - Organizational Characteristics**

The scale of 1-5, where 1 = Strongly Disagree, 2 = Somewhat Disagree, 3 = Neutral, 4 = Somewhat Agree, 5 = Strongly Agree and N/A = Not Applicable

Question  Answer	BRU	CAM	INA	PHI	SIN	MAS	THA	MYA	VIE
The top management's commitment	4	5	5	5	5	5	5	4	5
The top management has defined the goals on computerization of the courts.	3	5	5	5	5	5	3	4	5
Communication on the computerization strategy from the top management to the staff.	3	4	5	5	5	5	4	4	5
The organizational structure changes or is likely to change after court computerization.	4	4	4	3	4	5	5	4	4



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There is technical support from ICT Department.	4	4	5	5	5	5	5	3	5
Availability of the training necessary for court computerization.	4	3	5	5	5	5	4	3	5
Any previous participation of the court computerization or the proposed court computerization.	N/A	4	2	5	5	5	4	N/A	4

**Part D – Computer Skills among the judges, judicial officers, legal practitioners and court supporting staff**

*(NOTE: there is difficulty in putting the Member States into category because some of the Member States have not rated the skills they have.)*

**Judges:**

- 1: Basic:
- 2: Intermediate: Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand
- 3: Advanced:
- 4: Expert:

**Judicial Officers:**

- 1: Basic:
- 2: Intermediate: Brunei, Indonesia, Malaysia and Philippines
- 3: Advanced: Thailand
- 4: Expert: Singapore

**Legal practitioners:**

- 1: Basic:
- 2: Intermediate: Brunei, Indonesia, Malaysia, Philippines and Thailand
- 3: Advanced: Singapore
- 4: Expert:

**Court Supporting Staff**

- 1: Basic:
- 2: Intermediate: Brunei, Indonesia, Malaysia and Philippines
- 3: Advanced: Thailand
- 4: Expert: Singapore