

OPENING REMARKS AT THE JUDICIAL WELL-BEING WORKSHOP FOR ASEAN JUDGES 2026

“Judicial Well-being: A Collective Responsibility”

Tuesday, 31 March 2026

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Fellow judges

Distinguished guests

Ladies and gentlemen

I. Introduction

1. Good morning. It is a privilege to welcome you to this inaugural workshop on judicial well-being. There was a time when the very notion of judicial wellness was neither clearly articulated nor widely embraced. Judges were, and in some quarters perhaps still are, regarded as stoic figures – expected to remain detached, inscrutable, and largely impervious to the pressures that accompany judicial office.

2. When Michael Kirby, then a Judge of the High Court of Australia, spoke and wrote on the subject of judicial stress in the mid-1990s, his views were met with considerable scepticism in some quarters. Justice Jim Thomas criticised him for portraying judges as victims in search of sympathy, for jumping onto what he termed the "stress bandwagon", and even for turning judges into "whingers".¹

3. With the benefit of time and experience, our collective understanding has evolved. We are today far more aware of the reality of judicial stress and, more importantly, of the responsibility that we bear to acknowledge it and to respond to it. Indeed, as early as 2017, the Supreme Court of Singapore invited the Judicial College of Victoria to conduct a Judicial Wellness Programme for our Judges. The programme was well-received and it prompted discussions on extending similar initiatives to judges throughout the Judiciary. Since then, the Singapore Judicial College and the Judiciary's Human Resources Department have worked closely to design and implement a range of wellness programmes.

II. The Reality of Judicial Stress

4. The appeal of such programmes should not come as a surprise. Many of us here today are judges and experts, and we understand all too well the stresses that are an inevitable part of judicial work. The data across many jurisdictions bear this out, and the evidence, I suggest, is now impossible for us to ignore.

¹ Judicial Commission of New South Wales, "Judicial Officers' Bench Book" ("Judicial Officers' Bench Book"), available at https://jirs.judcom.nsw.gov.au/public/assets/benchbooks/judicial_officers/ at pp 787 to 790.

- (a) In a comprehensive report prepared by the Corruption and Economic Crime Branch of the United Nations Office on Drugs and Crime, or the UNODC, 92% of respondents comprising more than 758 judges and members of the judiciary from 102 countries indicated that judicial work brings stress sometimes, frequently, or always. And 76% said that they did not have sufficient time to maintain optimal physical and mental well-being.²
- (b) Judicial stress frequently manifests in physical symptoms. Almost four-fifths of full-time employed judges (“employed judges”) who responded to the 2024 UK Judicial Attitude Survey (“UK Judicial Attitude Survey”) reported sleep disturbances, while more than half experienced headaches and irritability. Further, more than a quarter experienced muscle tension, lack of concentration, burnout, an increased sense of isolation, intolerance of others, and altered socialising habits.³
- (c) And in Australia, approximately three-quarters of judicial officers in one study were found to experience some level of burnout risk, and one-third reported symptoms similar to Post-Traumatic Stress Disorder. Whilst the authors of the Australian study acknowledged that their methodology could not provide clinical PTSD diagnoses,

² United Nations Office on Drugs and Crime, “Exploring Linkages between Judicial Well-being and Judicial Integrity”, Global Judicial Integrity Network (“Global Judicial Integrity Network report”), available at https://www.unodc.org/res/ji/resdb/data/2022/exploring_linkages_between_judicial_well-being_and_judicial_integrity_html/Global_Report_Judicial_Well-being.pdf at pp 4 to 6.

³ Professor Cheryl Thomas KC, “2024 UK Judicial Attitude Survey: England & Wales courts, coroners and UK tribunals” (“UK Judicial Attitude Survey”), available at https://www.judiciary.uk/wp-content/uploads/2025/02/Published_2024JAS_EnglandWales_UKTribunals.pdf at p 111.

the fact that so significant a proportion reported comparable symptoms is itself deeply disturbing.⁴

III. The Causes

5. What accounts for this state of affairs? The causes are multiple and interconnected, forming what might fairly be described as a convergence of pressures bearing upon judicial well-being.

A. Increasing judicial workloads

6. First, there is the undeniable reality that many jurisdictions are grappling with increasing caseloads. Beyond the sheer volume, the cases themselves have grown more complex. Technological advances have rendered evidence increasingly intricate and technical, often requiring expert testimony simply to establish the underlying facts. The proliferation of electronic evidence has led to an exponential increase in the volume of material that judges must review and analyse.⁵ Consequently, judges are not just hearing more cases, they are confronting cases of unprecedented complexity that demand more time, attention, and cognitive effort for each matter.

⁴ Carly Schrever, Carol Hulbert & Tania Sourdin, "The Psychological Impact of Judicial Work: Australia's First Empirical Research Measuring Judicial Stress and Wellbeing", available at https://www.researchgate.net/publication/333224562_The_Psychological_Impact_of_Judicial_Work_Australia's_First_Empirical_Research_Measuring_Judicial_Stress_and_Wellbeing at pp 163 and 164.

⁵ Sundaresh Menon CJ, "The Complexification of Disputes in the Digital Age" Goff Lecture 2021, available at https://www.judiciary.gov.sg/docs/default-source/news-docs/goff-lecture-2021.pdf?sfvrsn=b62f9b82_2.

7. It should therefore not come as a surprise that in the UNODC report, heavy workload and the sub-optimal availability of resources were found to be the most common contributing factors to stress, sadness, and anxiety.⁶ And in the UK Judicial Attitude Survey, lack of personal time due to judicial workload and difficulties in maintaining a reasonable work-life balance were among the most frequently cited stressors.⁷

B. Vicarious trauma

8. Second, many judges suffer vicarious trauma. The nature of our work inevitably requires us to confront distressing evidence, often in exhaustive detail. As fact-finders, we scrutinise, analyse, and absorb traumatic material involving serious criminal offences and family violence with a level of attention that few other roles require. Not surprisingly, in the UK Judicial Attitude Survey, one-third of employed judges cited the nature of the evidence they were required to deal with as a factor that contributed significantly to stress.⁸

9. Advances in technology have actually compounded this exposure. Judges are now confronted with trauma in unprecedented clarity and volume. Violence and depraved acts are increasingly captured on smartphones and CCTV footage, presented in vivid, unfiltered detail that leaves little to the imagination. One stark example is child sexual abuse material, to which judges hearing such cases are inevitably exposed. The horrors confronted by judges in the course of their work

⁶ Global Judicial Integrity Network report at p 13.

⁷ UK Judicial Attitude Survey at p 112.

⁸ UK Judicial Attitude Survey at p 112.

were poignantly described by the Chief Magistrate of the New South Wales Local Court, who wrote of seeing "the pale death of innocence and trust in the eyes of many children".⁹ These are images and experiences that no human being should have to confront, yet some judges must do so repeatedly, and in meticulous detail, as part of their work.

C. Heightened scrutiny

10. Third, there is the matter of heightened public scrutiny – not only by appellate courts, but increasingly through academic commentary, media reporting, and even discourse on social media. Let me be clear: public scrutiny is not inherently objectionable. Indeed, it is essential that justice be administered openly and transparently. What is troubling, however, is the growing tendency to sensationalise legal proceedings through half-truths and, at times, outright falsehoods – distortions that are then amplified by tabloid media and, with increasing frequency, by social media platforms.

11. The consequences are not trivial. Judges have been subjected to unfair vilification over decisions that are misreported, misrepresented or misunderstood. In the United Kingdom, judges were notoriously branded "Enemies of the People" by a tabloid newspaper following a ruling that concerned Brexit.¹⁰ And in Singapore, my colleague Justice See Kee Oon received threats on social media from a user who wrote about torturing judges and having them "pay the ultimate

⁹ *Police v Power* [2007] NSWLC 1 at [36].

¹⁰ BBC, "Attacks on judges undermine law - Supreme Court president" available at <https://www.bbc.com/news/uk-38986228>.

price," following his dismissal of a constitutional challenge.¹¹ Such rhetoric not only places individual judges under intense and personal attack; it also creates an atmosphere of intimidation that may extend beyond the courtroom. This pressure is compounded by the convention that judges do not respond publicly to defend themselves, and this leaves them largely unable to correct distortions that are directed at them.

D. Long careers

12. And finally, all of these factors that I have described must be seen against the fact that judges, particularly in systems where tenure is the norm, often serve for decades. The psychological toll of the experience may therefore accumulate over the course of long professional careers.

IV. The Consequences: Why This Matters

A. Personal toll

13. These pressures carry consequences – both personal and systemic – that render judicial well-being a matter of legitimate, and I daresay urgent, public interest. Let me begin with the personal dimension. The preamble to the Nauru Declaration on Judicial Well-Being¹² rightly recognises "that the judiciary is made

¹¹ The Straits Times, "Jail for man who threatened judge after challenges against Section 377A were dismissed" (22 April 2021), available at <https://www.straitstimes.com/singapore/courts-crime/jail-for-man-who-threatened-judge-after-challenges-against-section-377a-were>.

¹² Available at <https://judicialwellbeing.info/wp-content/uploads/2024/07/Nauru-Declaration-on-Judicial-Well-being.pdf>.

of human beings – individual and independent persons appointed to judicial office; therefore, the judiciary is fundamentally a human system, dependent upon the collective human capacities and faculties of individual judges". That statement from the Nauru Declaration is a clear reminder that we must resist seeing statistics on judicial wellness as mere abstractions. Behind each data point is a judge – a human being.

14. We are reminded of this humanity through personal accounts. In 2019, Justice Clément Gascon of the Supreme Court of Canada publicly acknowledged that he had lived with depression and anxiety for more than two decades. Justice Michelle Hollins of the Alberta Court of King's Bench recounted her own mental health crisis in a chapter aptly titled "What is Happening to Me".¹³ In the most tragic cases, judges have even taken their own lives. The Chief Magistrate of the Magistrates' Court of Victoria acknowledged the need to focus on judicial well-being after two Magistrates took their lives within the span of a few months.¹⁴ These accounts reveal the profound human cost of judicial stress and compel us to recognise that safeguarding judicial well-being is a fundamental responsibility we owe to those who dedicate their lives to upholding justice.

¹³ Thomas G W Telfer, "Judicial Well-being and Mindfulness", available at <https://judicature.duke.edu/articles/judicial-well-being-and-mindfulness/> at p 41.

¹⁴ Annual Report 2017-2018 of the Magistrates Court of Victoria, available at https://www.mcv.vic.gov.au/sites/default/files/2019-10/Annual_Report_17-18.pdf at p 6.

B. Impact on quality of judicial decision-making

15. But the consequences extend beyond individual suffering. The quality of justice itself is at stake. The UNODC report found that 68% of respondents believed that a lack of well-being compromised the quality of their judicial decisions. The most frequently cited concern was that excessive workloads, combined with insufficient opportunities for rest, impaired the ability of judges to process information and evidence efficiently.¹⁵ The report also highlights that when judgments are delayed or insufficiently reasoned, litigants are disadvantaged because justice is deferred, and the institutional credibility of the courts is compromised.¹⁶

C. Impact on judicial conduct

16. Judicial stress can also impact the conduct of judges on the bench. The UNODC report observed that sub-optimal well-being can result in diminished empathy and indifference to the rights of parties appearing before them.¹⁷ The Judicial Bullying Guideline of the Judicial Commission of Victoria similarly recognises that work pressure and the stress of the court environment may contribute to judicial bullying.¹⁸

¹⁵ Global Judicial Integrity Network report at pp 28 to 30.

¹⁶ Ibid at p 30.

¹⁷ Ibid at p 29.

¹⁸ Judicial Commission of Victoria, "Judicial Bullying Guideline", available at <https://www.judicialcommission.vic.gov.au/guidelines/judicial-bullying-guideline/> at para 5.3.

17. Judicial bullying and discourtesy have serious implications for public confidence. Much of our work is conducted in open court, observed by litigants, lawyers, journalists, and members of the public. The sight of a judge behaving discourteously sits uneasily with the public expectation that judges should be objective, impartial, and measured. Over time, such conduct can undermine the moral authority of the institution itself.

D. Impact on judicial retention

18. And finally, there is the challenge of retention. The UK Judicial Attitude Survey found that 39% of employed judges were considering leaving the judiciary before compulsory retirement within the next five years. This is up from 31% in 2014.¹⁹ And the factor most likely to prompt early retirement was increased workload, cited by 70% of respondents, followed by additional out-of-office demands and stressful working conditions.²⁰

19. This presents a serious challenge for the administration of justice. A reduction in headcount increases delays and diminishes the capacity of the institution to discharge its role in the administration of justice. It also results in the loss of accumulated experience and wisdom, thereby affecting the overall quality of justice. And an inevitable consequence is that at least for a time, the remaining judges end up having to shoulder heavier burdens, which in turn perpetuates a

¹⁹ UK Judicial Attitude Survey at p 82.

²⁰ UK Judicial Attitude Survey at p 85.

vicious cycle of stress and attrition. Over time, this may also deter prospective applicants from seeking judicial appointment, further compounding the problem.

20. The consequences of inaction are therefore clear, and I suggest, profound, both individually for the judges affected as well as systemically for the broader administration of justice.

V. Moving Forward Together

21. Today, we take an important step forward simply by recognising this challenge together, and acknowledging that it requires our collective action. Judicial well-being is not a reflection of individual frailty; it is a collective responsibility that we share as members of the judiciary and as leaders of our judicial institutions.

22. Gatherings such as this therefore matter profoundly – not only as opportunities for professional development, but also as occasions for mutual support and solidarity. As Dr Carly Schrever has observed, the number and quality of trusting relationships a judge has with colleagues is the strongest predictor of well-being.²¹ Creating the space for judges to speak openly with one another about the challenges that we each face helps to mitigate that stress, by reminding each of us that we do not carry these burdens alone.

²¹ Wimalasena, Rangajeeva, Lynne C. Leitch, Carly Schrever, and Jeremy Fogel, "The Nauru Declaration: A Milestone for Judicial Wellness.", available at <https://judicature.duke.edu/articles/the-nauru-declaration-a-milestone-for-judicial-wellness/>.

23. I hope that over the next two days, we will learn from one another's experiences, share best practices from our respective jurisdictions, and begin to chart a path forward as to how we will address this challenge. The well-being of judges is not a luxury or an afterthought. It is essential to the proper administration of justice and to the sustainability of our justice systems.

24. Before I end, let me thank our Indonesian colleagues, as well as the UNODC and all those involved in planning this programme, and in conceiving and organising it. The achievement is all the more impressive when one recalls that the idea of a judicial wellness programme for ASEAN judges was raised only a few months ago, at the 12th Meeting of the Council of ASEAN Chief Justices, which was held in Singapore in November. That we are gathered here today, scarcely four months later, is a testament to the energy, efficiency and steadfast commitment of all those involved.

25. And let me also close by expressing our deepest gratitude to our hosts from Indonesia and from Bali. Thank you very much.