

Family Courts in Crisis

Newsletter

May 2014

Global Corruption Report - Part I

by Transparency International



Countries... have systematically denied the existence of organized crime. Believing that in this way the danger will disappear, like an ostrich that hides its head under its wing when danger approaches...

Know your enemy, because if you do not know what you are up against, you will have a hard time confronting it, a hard time combating it. And, if you [try to fight them] without knowing what you are facing, they will always have the advantage, that is to say, they will always be two steps ahead of you. That is what has happened in the world... and has been this way for a very long time, even today.

*A World Without Fear,
Baltasar Garzón*

*Therein lies the lesson for those who want to break through **the cocoons of silence that keep vital truths from the collective awareness**. It is the courage to seek the truth and to speak it that can save us from the narcotic of self-deception. And each of us has access to some bit of truth that needs to be spoken.*

*It is a paradox of our time that **those with power are too comfortable to notice the pain of those who suffer, and those who suffer have no power**. To break out of this trap requires, as Elie Wiesel has put it, the courage to speak truth to power.*

*Vital Lies, Simple Truths
Daniel Goleman*

Judicial Corruption & Discrimination Against Women within the Court

by Quenby Wilcox – January 2014

Campaigns against judicial corruption usually concentrate on bribery and influence peddling, particularly in terms of “grand corruption”, while discounting the importance &/or prevalence of “petty” corruption, and the more subtle social forces at play. For this reason, combating judicial corruption normally focuses on promoting judicial independence as the solution; assuming that if ‘external’ factors are removed, giving actors a ‘free-hand’, everyone will diligently fulfill their respective roles.

Unfortunately, with judicial systems consistently demonstrating 70-90% negligence rates, this is a dangerous & erroneous assumption. And, one which assumes that corruption is only influenced by ‘exterior’ forces of which actors are consciously and cognitively aware, as well as a false assumption of competence & diligence of said actors. The biases and cognitive limitations of people at play here are explained in *Perception & Misperception of Bias in Human Judgment* by Emily Pronina:

People are not always accurate and objective at perceiving themselves, their circumstances & those around them. People's perceptions can be biased by their beliefs, expectations & context, as well as by their needs, motives & desires. Such biases have important consequences. They can compromise the quality of human judgment & decision making, & they can cause misunderstanding & conflict...

Much of human judgment & action is driven by nonconscious processes. People can form impressions of others, pursue goals, adopt attitudes & regulate their emotions – all without awareness, effort or intention. They claim freedom from racial bias & from gender bias, even in circumstances where they have shown these biases– at times even showing these biases more strongly the more objective they claim to be. When making judgments about who is ‘right’ in a conflict, people tend to side with the person who shares their ingroup identity but they again deny that bias.

And, since ‘cognitive biases’¹ & ‘selective perceptions’² produce the stereo-types in our societies (creating the most insidious & dangerous type of corruption & immorality), it is important to understand what role they play in people’s decision-making process. As Robert Kohls states in *Survival for Overseas Living*;

“Stereotypes are natural; they are one way people everywhere deal with things which are too complex to handle or about which they have inadequate information. [Nancy Adler](#) has said that due to the multiplicity of impulses that our brain is receiving as our sensory receptors are being flooded with stimuli, we have no choice but to ignore most of them in order to pay attention only to those few that we have learned to consider as most vital... another truism about stereotypes is that once formed in people’s minds, they outlive the partial truth that created them in the first place. They are also destructive in personal encounters because they are unfair and because they interfere with getting to know individuals as they really are...

To further complicate matters (in examining the responsibility of a government to protect victims of domestic violence, and how judicial corruption, might impede the fulfillment of that obligation) is that corruption in family courts is not considered ‘important’ by governments and the human rights community because they fail to appreciate the role that homemakers play in a society and socialization of our young. As stated in *When Legal Worlds Overlap Human Rights, State & Non-State Law* by International Council on Human Rights;

“family law [is seen] as ‘minor’ ... [creating] a distinction between ‘major’ & ‘minor’ human rights.”

¹ a pattern of deviation in judgment, whereby inferences about other people & situations may be drawn in an illogical fashion, leading to perceptual distortion, inaccurate judgment, illogical interpretation, or what is broadly called irrationality ²the process by which individuals perceive what they want while ignoring opposing viewpoints.

This attitude has significant implication in terms of the application of human rights law, showing to what extent the rights of women & children within the family are not recognized by societies & human rights advocates. None of the actors involved in the problems (or potential solutions) are recognizing the vital role of the homemaker in producing healthy, well-functioning, productive societies:

*“...by her life within the home, woman gives to the State a support without which the common good cannot be achieved...women and the family often serve a crucial symbolic role in constructing group solidarity vis-à-vis society at large.” ... Thus, control over family law, and by extension women’s rights, is important to the power of state and non-state actors alike....State recognition of demands for distinct family laws therefore needs to be seen...as a **conscious political strategy that has profound human rights implications.**” [With the family considered as the] “**natural primary and fundamental unit group of Society**” [and] “**a moral institution possessing inalienable and imprescriptible rights**...”*

So in recognition of the fact that the homemaker & family unit, and thereby family law, has a profound human rights implications for the society in question, it is important for human rights advocates to examine the prejudices & biases of judges, lawyers, & psico-social teams within family courts. The most common of which are the following:

- The belief that women lie and make false accusations of domestic violence in order to gain preferential treatment during divorce (an illogical premise since women who file complaints for abuse (against them or their children) receive reprisals and detrimental treatment during divorce proceedings).
- The belief that women (particularly homemakers) are hysterical, stupid, don’t understand complex concepts ‘litigation/legal principles’ etc. As stated in (Coltrane 1998) “[they are] weak, lacked strength, their brains [are] too small...”
- The belief that homemakers “don’t do anything” and live-off the hard-work of their husbands. (This is the main reason that lawyers are failing to adequately reclaim common property assets during divorce, and judges are refusing to award alimony to women commensurate with contribution to home and family. As a consequence homemakers are left destitute by courts and denied access to common property assets during the entire process, effectively hampering their ability to defend themselves within the courts.)

In examining the case-study of Spain (see Nov. ‘13 & Jan. ‘14 [Family Courts in Crisis](#) newsletters) – judges award alimony in 11.4% of divorces with reported sums at €500/month (below poverty level) after an average of 15 years of matrimony with the average age of women, 42 years old. Many of these women who have not developed careers and dedicated themselves to raising children & assisting husbands in developing their careers (and elevated salary levels) are left penniless, and thrown into labor-markets where gender & age discrimination is rampant (with unemployment rates of 26.7%) condemning them to a life of extreme poverty. Basically, the courts are relegating the status of the homemaker to one of servitude with no recognition of her contribution to the family or society, & ‘workers’ rights (“safe conditions,” compensation, or pension, etc.) – in violation of Convention of Civil & Political Rights, & Intl. Covenant on Economic, Social & Cultural Rights)

Other social factors, influencing the attitudes, behavior & decisions of judicial actors are:

- Historically victims of domestic violence have been “silenced” by the community in order to protect the “honor” of the abuser (using tactics such as making victims feel “ashamed” & “responsible”, talking about abuse is not “polite” conversation, social ostracisation, restricting access to assets & funds, etc. Lawyers are (illegally) utilizing these same tactics in silencing victims (their clients); simply because this is how everyone has always handled the situation – common custom & habits. – Habits are hard to break, and nowhere is this more evident than in family courts...
- On average two-thirds of populations suffer from “abusive personality” disorders, with abusers more likely to seek jobs which put them in positions of authority and facilitate their access to victims. It

should be noted that the tactics used by lawyers, judges & court psico-social teams are those found in the [‘Power & Control’ - Duluth Wheel Model](#). **Unfortunately, these tactics have become so consolidated & integrated into court customs & procedures, they are widely accepted as ‘standard operating procedures’.** In order to ‘break the cycle of abuse’ in the courts, these procedures must be draconically challenged & eradicated. But first their existence must be recognized!

- Lawyers, judges & court psico-social professionals are in positions where they can easily & readily abuse their powers over women. – This is the reason that accountability of judicial actors by regulatory agencies is of the utmost importance in assuring transparency & accountability of family courts.
- There exists a false assumption that women lawyers, judges, etc. will automatically defend the rights of victims, when in fact these women are as likely, if not more likely, to discriminate against victims or cover-up abuse. As stated in the UN report *In-depth study on all forms of violence against women*:
“Women also commit acts of violence. While women commit a small proportion of intimate partner violence, they are involved to a greater degree in the perpetration of harmful traditional practices”
- There exists a high level of nepotism, “old-school” networks, and antiquated “code of honor” traditions amongst lawyers (and other judicial actors) which encourage (if not obligate) the covering-up for “indiscretions” (negligence, malpractice, etc.) of colleagues
- Divorce courts are a huge money-making industry, with little incentive for lawyers to develop arguments and jurisprudence advancing the rights of women within the family or marriage. Yet, jurisprudence (supreme/constitutional court decisions) in the past few decades, regarding domestic abuse and family law, has made many inroads in advancing father’s rights and ‘abusers rights’, with little opposition/argumentation from family law lawyers. (This is an area which needs serious examination, and work, from a trans-national pool of legal experts in family law, in conjunction with human, civil and women’s rights lawyers.)
- Women’s rights movements have concentrated almost exclusively on women’s rights within the workforce and reproductive rights in the past decades – but not the home or marriage. This has left a “vacuum,” and women have not gained any rights within the family in the past 100 years, simply because no one is “requesting/demanding/arguing for” those rights in the courts. – Again, a simple matter of ‘customs’ and breaking with ‘customs’ – one of the hardest thing to do in a society
 – Feminists & women’s rights activists have traditionally considered homemaker’s role (house-keeping, child-raising, supporting husband’s career, even marriage itself) as ‘shackles of oppression’, so they have little incentive or desire to promote legal rights of homemaker in the courts or elsewhere
- There is no effective over-sight on family courts, with gag orders common when victims attempt to attract media attention; providing the opportunity for corruption in family courts to develop & thrive – **And, why media attention is so vital to bringing changes!**
- **There is an extremely high correlation between abusers and criminal activity.** Organized crime & white collar criminals develop extensive networks within judicial systems, and utilize these during divorce proceedings & DV cases. Some of the tactics utilized (and typical of the problems seen in family courts) are enumerated [The Global Corruption Report: Corruption in the Judiciary \(2007\)](#), Transparency International, and are as follows:
 - *Judicial civil servants manipulate the dates of hearings in order to favor one party over another*
 - *Judge make inexact summary-decision / distort testimonies of witnesses before handing down a sentence*
 - *Judges refuse the introduction of evidence or testimonies in order to favor one party over another*
 - *Civil servants —lose a document*
 - *Prosecutors block avenue of legal reparation*
 - **[Noting that] corruption is more likely in judicial procedure where journalist do not have free access to all fact or lack of activist groups who push for reform.**

Examining the Links Between Organized Crime and Corruption by Center for The Study of Democracy, further exposes the influence white-collar criminals/abusers have at their disposition, recalling that abuse is about power & control;

“white-collar criminals exert more pressure on the judiciary, as they have easier access to social networks that facilitate corruption... organised crime uses social, professional & political networks to influence the judiciary... Certain type of companies, such as law firms are in high demand by organised crime as middlemen... Attorneys have a significant competitive advantage over all other intermediaries – they can provide services through the whole institutional chain, starting with police & going all the way to prosecutors and even judges... ‘Collusion’ is often a more appropriate way of describing professionals’ corrupt behaviour, including that of lawyers...

The factors which influence corruption in family courts, their failure to protect victims, and failure to recognize the rights of women and children involve a large range of factors, which must be examined from an intersectional approach by women’s & human rights organizations, as well as regulatory agencies when evaluating the actuation of judicial actors. Additionally, prosecutorial agencies must take a proactive role, and a hard stance, when investigating and evaluating criminal negligence, with severe sanctions & reparations to victims for monetary loss as well as personal suffering.

Unfortunately, regulatory agencies, beginning with Bar & Judge Associations are not proactively investigating cases where victims have been denied protection and/or rights violated, justifying their refusal to investigate under the erroneous contention that it violates the judicial independence of lawyers and judges. **(A full examination of judicial independence vs. accountability/transparency, & their inter-dependence rather than mutual exclusivity, will be covered in upcoming FCC newsletters.)**

In the case of Bar Associations in the USA, the sanction rate of complaints received is 2 – 2½ % (with legal malpractice & negligence rates in the USA at an est. 70-75%). And, the Bar Association of Madrid has contended, in writing, that it is the **“right of a lawyer to violation their client’s rights under the principle of judicial independence”** (see Preliminar 859/13 <http://worldpulse.com/node/80671>).

The failure of government regulatory agencies (arguing that ALL agencies which fulfill a public function or authority are ‘government agencies’) to fulfill their obligation to assure transparency and accountability of those they license, regulate, and sanction **is one of the principle and the root causes of the failure of family courts to protect & defend the rights of victims.**

Sadly, lack of ‘good governance’ of regulatory agencies is not found only in those who supervise court systems, but is rampant in all sectors of societies and industries, and in countries across the globe (as the current global economic crisis is testimony). In the USA for example, we see it in the banking/financial markets and the SEC; the environment and the EPA; health-care systems and the HHS, FDA, AMA & APA, etc.; the list goes on. But, paradoxically political campaigns, promises and rhetoric are never directed at reforming these systems, promoting ‘good governance’, or eradicating rampant abuses of power and corruption within them. – **Until and unless political leaders are willing (and able) to address these issues and problems, the world will continue on its current spiraling descent.**

A perfection of means and confusion of aims, is the underlying problem. This is the true challenge of the 21st century, and will determine if humanity survives the 22nd century.

There are those who believe destiny rests at the feet of the gods, but the truth is that it confronts the conscious of man with a burning challenge. – Eduardo Hughes Galeano

UN Handbook on Practical Anti-Corruption Measures for Prosecutors and Investigators

Corruption defined - “*misuse of a public or private position for direct or indirect personal gain*” United Nations Convention against Corruption (UNCAC) - repeated examples of what is covered by the expression appear throughout the text, and are as follows:

“Grand” and “petty” corruption

“Grand corruption” is an expression used to describe corruption that pervades the highest levels of government, engendering major abuses of power. A broad erosion of the rule of law, economic stability and confidence in good governance quickly follow.

“Petty corruption”, sometimes described as “administrative corruption”, involves the exchange of very small amounts of money and the granting of small favours.

The essential difference between grand corruption (“State capture”) and petty corruption (day-to-day administrative corruption) is that the former involves the distortion of central functions of government by senior public officials; the latter develops within the context of functioning governance and social frameworks.

Corruption is said to be “systemic” where it has become ingrained in an administrative system. It is no longer characterized by actions of isolated rogue elements within a public service... When patterns of petty corruption are uncovered, investigators should consider whether it is possible for them to track the way in which the proceeds are dispersed.

“Active” and “passive” corruption

Bribery is the act of conferring a benefit in order improperly to influence an action or decision... **“active bribery”** & **“passive bribery”** often occur. “Active bribery” usually refers to the act of offering or paying a bribe, while “passive bribery” refers to the requesting or receiving of a bribe... some seek to limit criminalization to situations where the recipient is a public official or where the public interest is affected... UN Convention against Corruption does provide that States parties shall consider criminalizing forms of bribery in the private sector...

Bribery to avoid criminal liability. Law enforcement officers, prosecutors, judges or other officials may be bribed to ensure that criminal activities are not properly investigated or prosecuted or, if they are prosecuted, to ensure a favourable outcome; **Influence peddling.** Public officials or political or govt. insiders sell illicitly the access they have to decision makers.

Embezzlement, theft and fraud

In the context of corruption, embezzlement, theft and fraud all involve stealing by an individual exploiting his or her position of employment. In the case of embezzlement, property is taken by someone to whom it has been entrusted... Fraud involves the use of false or misleading information to induce the owner of property to part with it voluntarily.

Extortion

Extortion relies on coercion to induce cooperation, such as threats of violence or the exposure of sensitive information...if the payment is not made, the services to which the citizen is entitled will be withheld. Here the system itself is systemically corrupt. The position is further complicated where a society has long-standing traditions...

Abuse of discretion

The performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advantage for himself or herself or for another person or entity.

Favouritism and nepotism

favouritism, nepotism and clientelism all involve abuses of discretion... Such abuses usually involve not a direct personal benefit to an official but promote the interests of those linked to the official, be it through family, political party, tribe or religious group... The unlawful favouring of—or discrimination against—individuals can be based on a wide range of group characteristics: race, religion, geographical factors, political or other affiliation, and personal or organizational relationships, such as friendship or shared membership of clubs or assoc.

Creating or exploiting conflicting interests

Most forms of corruption involve the creation or exploitation of some conflict between the professional responsibilities of an individual and his or her private interests... In both the public and private sector, employees and officials are routinely confronted with circumstances in which their personal interests conflict with those of their responsibility to act in the best interests of the State or their employer. Wellrun organizations have systems to manage these situations, usually based on clear codes of conduct.

GLOBAL CORRUPTION REPORT 2007

Corruption in the Judicial System

Transparency International

Where judicial corruption occurs, the damage can be pervasive and extremely difficult to reverse. Judicial corruption undermines citizens' morale, violates their human rights, harms their job prospects and national development and depletes the quality of governance....corruption in the judiciary ensures that corruption remains beyond the law in every other field of government and economic activity in which it may have taken root...

The justice system is also embedded within society: the reality is that general levels of corruption in society correlate closely with levels of judicial corruption. This appears to support the contention that a clean judiciary is central to the anti-corruption fight; but might also suggest that the quality of the judiciary and the propensity of its members to use their office for private gain reflect attitudes to corruption in society more broadly.

We also hope this book will find its way into the hands of many people who might never visit a law library: the journalists, human rights activists and development NGOs, whose concerns overlap with ours; and the long-suffering court users, whose demands for clean judicial systems resound throughout this volume.

Huguette Labelle, Chair of Transparency International

Executive summary: key judicial corruption problems

It is difficult to overstate the negative impact of a corrupt judiciary: it erodes the ability of the international community to tackle transnational crime and terrorism; it diminishes trade, economic growth and human development; and, most importantly, it denies citizens impartial settlement of disputes with neighbours or the authorities...

Defining judicial corruption TI defines corruption as ‘the abuse of entrusted power for private gain’. This means both financial or material gain and non-material gain... Judicial corruption includes any inappropriate influence on the impartiality of the judicial process by any actor within the court system.

For example, a judge may allow or exclude evidence with the aim of justifying the acquittal of a guilty defendant of high political or social status. Judges or court staff may manipulate court dates to favour one party or another. In countries where there are no verbatim transcripts, judges may inaccurately summarise court proceedings or distort witness testimony before delivering a verdict that has been purchased by one of the parties in the case. Junior court personnel may ‘lose’ a file – for a price.

Other parts of the justice system may influence judicial corruption. Criminal cases can be corrupted before they reach the courts if police tamper with evidence that supports a criminal indictment, or prosecutors fail to apply uniform criteria to evidence generated by the police. In countries where the prosecution has a monopoly on bringing prosecutions before the courts, a corrupt prosecutor can effectively block off any avenue for legal redress.

The appeals process, ostensibly an important avenue for redress in cases of faulty verdicts, presents further opportunities for judicial corruption.... Appeals tend to favour the party with the deepest pockets, meaning that a party with limited resources, but a legitimate complaint, may not be able to pursue their case beyond the first instance.

The Scope of Judicial Corruption

Indicators of judicial corruption map neatly onto broader measures of corruption: judiciaries that suffer from systemic corruption are generally found in societies where corruption is rampant across the public sector. There is also a correlation between levels of judicial corruption and levels of economic growth since the expectation that contracts will be honoured and disputes resolved fairly is vital to investors, and underpins sound business development and growth. An independent and impartial judiciary has important consequences for trade, investment and financial markets.

Comparative Analysis of Judicial Corruption

Introducing the Problem

Corruption within the Judiciary: Causes and Remedies

Mary Noel Pepys

Corruption in a justice system distorts the proper role of the judge, which is to protect the civil liberties and rights of the citizen, and to ensure a fair trial by a competent and impartial court. It enables public officials and special interest groups engaged in corrupt practice to function with the confidence that their illicit acts will go unpunished, if exposed. In broad terms, corruption is the misuse of entrusted power for private gain. In the context of judicial corruption, it relates to acts or omissions that constitute the use of public authority for the private benefit of court personnel, and results in the improper and unfair delivery of judicial decisions. Such acts and omissions include bribery, extortion, intimidation, influence peddling and the abuse of court procedures for personal gain.

In corrupt judiciaries, citizens are not afforded their democratic right of equal access to the courts, nor are they treated equally by the courts. The merits of the case and applicable law are not paramount in corrupt judiciaries, but rather the status of the parties and the benefit judges and court personnel derive from their decisions. A citizen's economic level, political status and social background play a decisive role in the judicial decision-making process. In corrupt judiciaries, rich and well-connected citizens triumph over ordinary citizens, and governmental entities and business enterprises prevail over citizens...

The different causes of corruption must be carefully diagnosed and identified, otherwise the remedies employed to eliminate corruption will be misdirected and will fail... factors that contribute to judicial corruption and that can be remedied regardless of the type of legal system that exists....

Social tolerance of corruption

In many countries social interactions are governed less by law than customary or familial codes of conduct... The strength of personal relationships is so great in some countries that all judicial decisions are suspected of being a product of influence....

Low judicial and court staff salaries

Judicial salaries that are too low to attract qualified legal personnel or retain them... raised judicial salaries in recent years in a bid to reduce the incentives for corruption. It is difficult to prove that an increase in salary is a causal factor in reducing corruption. Even where incidents of illicit payments to judges have clearly been reduced, the public continues to believe that corruption persists at the same level....

Poor training and lack of rewards for ethical behavior

Ethical behaviour is punished, rather than rewarded....

Collusion among judges

In countries where judicial corruption is rife, judges conspire to support judicial decisions from which they will personally benefit....

Inadequately monitored administrative court procedures

Where procedural codes are ambiguous, perplexing or frequently amended, as in transitional countries, judges and court staff can exploit the confusion. Without modern office systems and computerised case processing, detection of the inappropriate use of case documents and files is difficult. Poorly trained and low paid court staff are enticed to use their discretionary powers to engage in administrative corruption since there is little accountability for their decisions.

Remedies to Corruption in the Judiciary

It is possible to mitigate the factors that contribute to judicial corruption, but solutions must be tailored to national, or even sub-national, realities, and are successful when part of an integrated reform plan. Increasing judicial salaries will not, in isolation, stop judges and court staff from taking bribes, though coupled with additional accountability mechanisms it may lead to improvements. Also important to note is that while judges have an important role as the decision maker in a judicial process, they are but one part of a long chain of people with influence over a law suit; anti-corruption efforts need to encompass lawyers, police, prosecutors and the agencies responsible for enforcing judicial decisions.

Enhancing the independence of the judiciary

A related remedy is to ensure that disciplinary procedures for judges are rigorous, but fair and transparent. Judges cannot be removed from office for anything other than misconduct or incapacity to carry out their functions, including removal and prosecution for corrupt acts.

...the best defences against improper influence is full knowledge of applicable law. Judges are often in no position to counter arguments presented by individuals seeking improperly to influence the outcome because, in many countries, they do not have ready access to current laws and their amendments. If they do, they may not fully understand them,.. Training programmes for new judges and continuing education for sitting judges are essential to ensure that they understand their laws and applicable international treaties so that their rulings are legally unassailable.

Judges must be legally accountable by providing reasoned decisions and judgements that are open to appeal. The judiciary must also be accountable for the way it is run: structures and standards should be regularly evaluated and improved, and the judiciary should comply with codes of ethics and professional standards. Cutting across accountability mechanisms is the need for transparency: judges need to be impartial, independent and beyond reproach.

Many judges believe that *a code of conduct* is unnecessary, not because they are trying to shield themselves from prosecution but because they believe judges are sufficiently well versed in ethical conduct... Unless judges begin to prosecute their own for disregarding the laws they are expected to enforce, citizens will continue to view the courts with skepticism...

publication of judicial decisions can expose corrupt judges who are unable to justify their rulings by reasoned opinions,... verbatim transcripts of a trial assist the public and civil society to verify the accuracy of a decision.

An effective means in reducing corruption is the *publication of judicial decisions*... It is not only individual judges that need to be accountable, but also the administration of the judiciary... *court procedures must be simplified* and made comprehensible to the court user. They must be precise in order to minimize court staff discretion, and must clearly delineate responsibilities to enhance the accountability of each staff member... reduced the ability of court staff to engage in the mishandling of case files.... *Computerised case-management systems* with tamper-proof software allow attorneys and litigants to track cases, trace files and monitor the time requirements.

Enhancing competency of external controls

...continuously monitoring judicial performance and uncovering incidents of corruption; and by providing judges with a platform to air concerns.... *Bar associations*, made up of lawyers, can also be catalysts for change... Bar associations are also supposed to enhance the ethics of their members. They should impose sanctions on members who engage in corruption and bring the profession into disrepute... *Journalists* also have a role to play.... To assist in more accurate reporting of cases of public interest, courts should provide briefings to the media... In many jurisdictions the problem is not sensationalist reporting by journalists, but rather the obstacles that make it difficult for the media to report allegations of corruption.... *Civil society organisations* can play a role in enhancing public awareness of legal rights and court procedures By monitoring the judicial process, civil society organisations can expose unethical judges and create pressure on the government for judicial reform.

Independence, Political Interference and Corruption

Judicial independence and corruption

By Susan Rose-Ackerman

Law enforcement cannot be an effective anti-corruption tool unless the judiciary is independent both of the rest of the state and the private sector.... Independence is necessary but not sufficient. **An independent judiciary might itself be irresponsible or corrupt. If judges operate with inadequate outside checks, they may become slothful, arbitrary or venal. Thus, the state must insulate judicial institutions from improper influence at the same time as it maintains checks for competence and honesty.** Judges must be impartial as well as independent. On the one hand, an independent judiciary can be a check both on the state and on irresponsible or fraudulent private actors – whether these are the close associates of political rulers or profit-seeking businesses acting outside the law. On the other hand, independent courts may themselves engage in active rent seeking....

Aspects of judicial independence

Judicial independence, championed by the UN and the International Commission of Jurists, is associated with positive outcomes in scholarly work, but the term has no precise definition... Furthermore, it is not enough to get the formal rules right; independence must also operate in practice and independent judges must carry out their duties responsibly. Of course, **no set of institutional rules can overcome the handicap of a judiciary that has no personal integrity or respect for legal argument. Judges must operate with impartiality, integrity and propriety.**

Conditions related to the independence of the judiciary from the rest of government

Judges:

- Qualifications and method of selection of individual judges, including the role of political bodies and judicial councils
- Judicial tenure and career path
- Determination of budget levels and allocations, including pay scales
- Impeachment criteria and criminal statutes governing corruption of the judiciary and their enforcement; existence of immunity for judges
- Level of protection from threats and intimidation.

Court organisation and staffing:

- Presence or absence of juries or lay judges
- Position of prosecutors in the structure of government
- Organisation of the judicial system – existence of a separate constitutional court, specialised courts and courts at several government levels.

Conditions related to control of corruption for given level of political independence

Judges:

- Caseloads (overall and per judge) and associated delays
- Judges sit in panels or decide alone; composition of panels (i.e. all judges or also include lay assessors)
- Pay and working conditions, especially *vis à vis* private lawyers
- Conflict-of-interest and asset disclosure rules
- Rules on *ex parte* communication with judges in particular cases.

Court organisation and staffing:

- Case-management systems, including assignment of cases to judges
- Role of clerks and other court staff, and checks on their behaviour
- Openness of court proceedings to public and press
- Prevalence of written opinions and dissents.

Legal framework:

- Rules for getting into court, for joining similar cases, dealing with frivolous cases, etc.
- Rules of civil and criminal procedure
- Role of precedent, law codes, constitution, statutes and agency rules
- Rules for the payment of legal fees.

Legal profession:

- Respect for, and competence of, the legal profession
- The nature of legal education, and its relevance to modern legal disputes.

Conclusion

A fundamental paradox exists. If courts are independent, judges may be biased toward those who make payoffs. If they are not independent, they may be biased in favour of politicians who have power over them. Both are troubling outcomes, and suggest that favourable institutional design is necessary, but not sufficient. Some of the inter-state variation in corruption depends upon the honesty and competence of sitting judges and their norms of behaviour. The task for reformers is to locate their system's particular vulnerabilities and to design a programme that deals with the multiple facets of independence in a way that limits corrupt incentives & provides prompt & impartial justice.

Accountability and Competence of Judges

*The judiciary needs to be independent of outside influence, particularly from political and economic powers. But **judicial independence does not mean that judges and court officials should have free rein to behave as they please**. Indeed, judicial independence is founded on public trust, and to maintain it, judges must uphold the highest standards of integrity. This chapter focuses on the **accountability mechanisms that safeguard judicial integrity**...*

Judicial integrity: the accountability gap and the Bangalore Principles

by Greg Mayne

Several international standards concentrate on securing judicial independence by insulating judicial processes from external influence. But how do they deal with **situations where judicial independence is undermined not because of external influence, but because of internal weakness**? At the inter-governmental level, there has been a notable failure to deal with the latter issue in any systemic way, until recently.

A reason for this failure is that the majority of international standards on judicial independence were developed in the context of a significant divergence between support for the principle of judicial independence at the international level, and the reality of its non-observance. The undermining of judicial independence by the state, particularly in undemocratic countries, was commonplace and had obvious ramifications for the respect for the rule of law and the upholding of human rights. Safeguarding the independence of the judiciary *vis à vis* the state was considered more of a priority than judicial accountability, given its catalytic role in ensuring the protection of individual rights, upholding the rule of law and combating corruption.

...In everyday terms **accountability is simply the ability to hold an individual or institution responsible for its actions**. The question for the judiciary is accountability to whom and for what? Broadly speaking the **judiciary, like other branches of government, must be accountable directly or indirectly to the general public it serves**....

While the focus on safeguarding the institutional independence of the judiciary was appropriate, it neglected the need to foster a culture of independence, impartiality and **accountability among judges**. This is a vital step towards ensuring the overall integrity of the judiciary. It is particularly the case in countries where there is a lack of accountability in other branches of government... Despite this initial failure, a progression in more recently promulgated international standards of judicial independence has been a greater focus on issues of judicial accountability...

The Bangalore Principles

The Bangalore Principles were developed by the Judicial Group on Strengthening Judicial Integrity... [and] are primarily directed at judiciaries for implementation and enforcement, rather than the state. The Bangalore Principles set out six core values that should **guide the exercise of judicial office, namely: independence, impartiality, integrity, equality, propriety, and competence and diligence**....

The chief weakness of the Bangalore Principles lies in their enforcement. There are two facets to the enforcement problem. First, the Bangalore Principles of Judicial Conduct, like other judicial independence standards, are not contained in a binding document under international law. States are not bound to comply with their provisions in the same manner that they are with regard to international treaties....

Second, the Bangalore Principles appear to offer guidance to members of the judiciary, rather than to set out directly enforceable standards of behaviour, and therefore may not have a direct impact on improving judicial conduct.

The standards contained are not expressed in a manner that enables their direct application or incorporation into domestic law as enforceable rules of conduct. Nor do they specify the standard or burden of proof, or the types and scale of penalties that can be imposed for an infraction....

The promulgation of the principles outside the traditional UN or inter-governmental processes indicates a growing awareness among judges that **efforts to strengthen judicial independence need also to strengthen judicial accountability and that judges themselves must play an active role in upholding high standards of conduct in order to contribute to the strengthening and institutionalisation of judicial independence.**

The Broader Justice System

Judicial Corruption and the Broader Justice System

by Edgardo Buscaglia

Judges and courts are part of a complex web of interdependent institutions, including the police and prosecution, which make up the justice system. **Constructive reforms must therefore consider the complexities of the entire justice system and benefit the vast majority in a society, not just the elites.** The mix of deregulation, the liberalisation of international trade and the privatisation of state enterprises in an increasingly globalized world has rendered more urgent the need for legal and judicial frameworks to address ever more sophisticated types of crimes affecting courts worldwide. Within criminal jurisdictions, the combination of increasing cross-border porosity and the use of advanced technologies by criminals has generated a bonanza for those engaging in public sector corruption...

First, ***internal court corruption occurs when court officials (judges and support personnel) engage in procedural, substantive and/or administrative behavioural patterns for private benefit...*** In civil, administrative and commercial law cases, the large economic interests frequently involved in litigation – particularly in privatisations – present an opportunity for court staff and judges to abuse their administrative or procedural discretion when, for example, issuing notifications to parties in dispute, calling witnesses, issuing injunctions or allowing procedural delays based on frivolous motions.... The second main type of corrupt practices involves ***justice-sector corruption where the interaction between the courts and other justice-sector institutions (i.e. higher courts, police, prosecutors or prison domains) explains the occurrence of corruption...***

Prosecutors usually act in concert with the police in these cases. When the case gets to court, judges are either pressured to stay silent and thus avoid the application of rules of evidence, or may collude with prosecutors for personal gain. In this context any kind of pressure by prosecutors on judges or court personnel (e.g. with the connivance of political actors, members of parliament or the tends to translate into abuses of substantive or procedural discretion in handling a case....

Diagnosing justice-sector corruption

Due to their secretive nature, corrupt practices are difficult to measure through objective indicators, but quantitative data on corruption levels, coupled with detailed research of case files to identify abuse of procedural discretion by prosecutors and judges, allow us to draw conclusions about the phenomenon. A UN study published in 2003 looked at the extent and frequency with which justice-sector institutions (e.g. police and prosecutors), legal organisations (e.g. lobbies) and illegal groups (e.g. organised crime) penetrate the judiciary and manipulate the court system to bias decisions and favour their interests. To measure high-level judicial corruption, a composite index was constructed that takes into account:

- Court users' perceptions of corrupt practices arising from organised legal & illegal groups
- Court users' perceptions of independence of court decisions from legal and illegal pressure groups
- Likelihood of biased judicial rulings
- Perceptions of the percentage of the amount at stake paid in bribes
- Prevalence of state capture
- Objective measurement of the frequency of abuses of substantive and procedural discretion in rulings through sampling of case files.

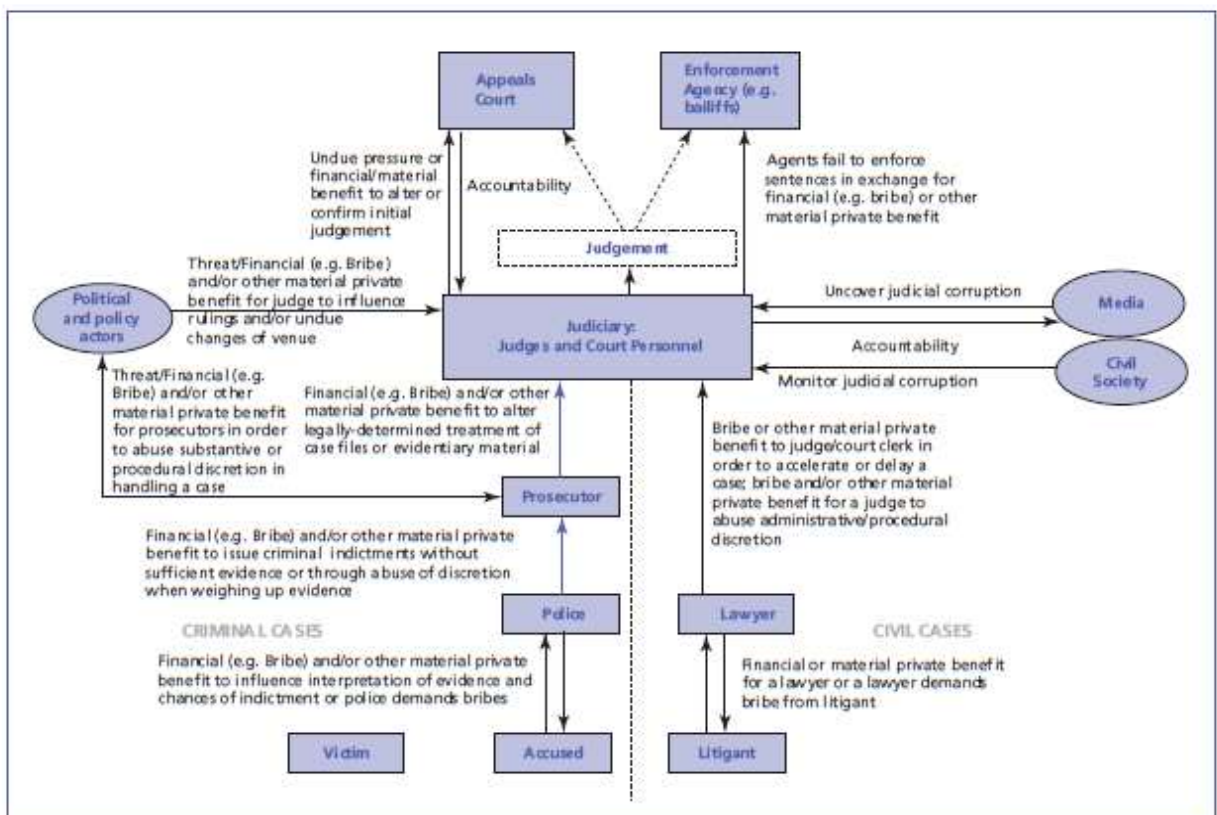


Figure 1: Key Actors in the Judicial System

Best international practices in countering justice-sector corruption

Corruption in the justice sector often occurs at the interfaces among the institutions that investigate, accuse and judge a case brought to the justice sector. Reforms should take all three elements into account, though certain branches of the justice system might be more resistant than others... Experiences in the 67 sampled countries referred to show that 'soft' measures alone, such as integrity-awareness campaigns, do not have much effect and can even reinforce public cynicism. Instead, justice-sector corruption should be tackled through a two-pronged approach: through social control mechanisms on the one hand; and through more effective punitive actions based on joint prosecution-judicial units....

Transparency and adversarial systems

When proceedings are conducted before legally mandated public audiences, the positive multiplier effect on lowering corruption is noteworthy. Judges, prosecutors and defence attorneys have to actively avoid the perception and the actual occurrence of abuses of discretion when they know that they will all be required to publicly provide reasons for their pre-trial and trial decisions. When legal testimonies are offered in public, the benefits of an adversarial approach tend to neutralise any prior corrupt practices based on informal meetings or communications among prosecutors, defence lawyers and judges. Moreover, adversarial proceedings ensure the required immediacy between the judge and the evidence generated through the prosecutor/police or defence attorney. In this scenario, public adversarial proceedings allow for the 'ventilation' of evidence that needs to be weighed by all parties, based on clear and narrow criteria provided by the rules of evidence. These procedural characteristics tend to bypass the obscure and discretionary role of untrained administrative personnel that are so often found to be involved in extracting bribes from court users within inquisitorial legal systems. Within this context, the quality of justice-sector resolutions will tend to increase....

A second important target for reform throughout the broader justice system is the control system in place. Improved consistency and coherence of decisions are ensured by effective control systems within prosecutors' offices and enhanced judicial review mechanisms applied to rulings by either judicial councils or appellate court systems. The police will be less willing or able to generate false or tainted evidence when prosecutors perform their quality control of evidentiary material based on uniform criteria (i.e. procedural code or jurisprudential-related criteria)...

Case management and training

In terms of case management, countries with the best legal implementation strategies have developed inter-institutional, computerised, joint case-management processes for police, prosecutors and judges. Multi-agency task force systems with joint management (for investigations, prosecution and court handlings), coupled with computerised court administrative tools that are accessible to defence lawyers in particular, and court users in general, reduce the likelihood of internal court or prosecutorial corruption. Intra-institutional checks and balances are introduced when police, prosecutors and judges handle shared case files. In this connection, law-makers must contribute to empowering the judicial system to take on new and innovative programmes by allowing the introduction of electronic frameworks for handling complex evidence linking many case files; by enacting subsidiary

legislation for better case management; and by upgrading judges' salaries based on clear and narrowly defined indicators of their courts' performance.

Investment in training prosecutors and judges in procedural law and case-management techniques, when coupled with performance-based indicators used for appointments and promotions, generates an institutional environment that discourages the application of random informal rules, contributing to fewer incidences of corruption linked to the handling of evidentiary material. The existence of excessive procedural complexities within the legal domain is also correlated with high frequencies of abuses of courts' and prosecutorial discretion, as a precursor of corrupt practices within the courts

Involving civil society

The countries that fight justice-sector corruption most effectively usually rely on the willingness of citizens to help state law enforcement and judicial efforts to bring a case to its final resolution. Public confidence and procedural transparency are required for this citizen–state interaction to be effective. Where hearings are public, specialised NGOs that can technically assess the quality of judicial proceedings can foster social pressure for improvements within the justice sector, by using the media or writing reports aimed at legislatures and the public in general...

Effects of judicial independence and accountability on justice-sector corruption

As noted elsewhere in this volume, a balance between judicial accountability and judicial independence is a necessary condition for achieving success in enforcing laws against justice-sector corruption. Judicial independence means that the decision-making autonomy of an individual judge or prosecutor can be ensured by introducing mechanisms that block the influence of undue pressures from inside or outside the justice system during the generation of justice sector resolutions. Granting judges independence, while subjecting them to effective accountability mechanisms, will deter prosecutorial and police corruption...

Yet lessons from international experience show that the balance between accountability (instilled by meritocracy in judicial appointments, promotions and dismissals, coupled with proper training and monitoring of judicial conduct) and institutional independence often requires a prior pact among the mainstream political forces in the legislative and executive domains...

A framework to guide policy makers during legal and judicial reform must first identify the main areas within which corrupt practices are most likely to hamper courts' abilities to adjudicate cases...

Conclusions

Justice-sector corruption is determined by the quality of governance prevailing within each of the justice-sector institutions and by the nature of the interaction among them, and not just by factors internal to the courts. In this context, institutional policies that foster improvements in the fight against justice-sector corruption within the courts, prosecutorial, police and prison domains are interdependent and need to be coordinated...

Judicial Corruption from the Prosecution's Perspective

by Nicholas Cowdery AM QC

The prospect of corruption in the criminal jurisdiction of the courts is a matter of special concern to prosecutors. A necessarily close professional relationship exists between prosecutors and judges, and they keep a close eye on each other: partly because prosecutors carry out a quasi-judicial role in some respects; partly because prosecutors, like judges, represent the community at large and the general public interest; and partly because prosecutors, acting professionally, need the judiciary to respond to their cases in a professional manner on a level playing field.

There are many ways in which a prosecutor can engage in corruption in a criminal case. A prosecutor may select a charge that reflects less than the degree of criminality in the conduct of the defendant. Evidence may be withheld. A putative defence may not be challenged to an appropriate extent, in an effective way or at all. Arguments in favour of conviction or penalty may be weakened. Prosecution corruption usually comes about in favour of a defendant because a guilty defendant has a strong personal interest in evading justice. It can, however, also favour the prosecution, through improper influence, reward or threat; through partiality on the part of a prosecutor; or through improper personal association with an investigator, witness or judicial officer.

Prosecution models and limits on independence

The prosecution of crime is an essential function of the executive government. To work at their best, prosecution agencies should be independent of other branches of government – the legislature (which makes the laws), executive agencies (which administer the laws and manage the business of government) and the judiciary (which resolves disputes and applies the law). In some jurisdictions such independence may be qualified in certain respects.

The prosecutor's career

Prosecutors are essentially lawyers doing one kind of work (prosecuting criminal offences and related proceedings) for one client (the state or an arm of the state, such as customs, an environmental protection agency or other regulatory authority). They are generally legal practitioners, qualified at the tertiary level, of continuing good character, engaging in continuing professional legal education or development, and subject to codes and standards of conduct and practice prescribed by professional associations.

Most agencies employ prosecutors of varying experience, from recently qualified lawyers learning the prosecutorial skills under the supervision of managers, to highly experienced professionals making important decisions with minimal supervision. Some may have come from private practice or may go into private practice after a period of prosecuting...

Prosecutors may have security of tenure, they may be on term contracts, they may be employed *ad hoc* or they may be popularly elected. All such systems are practised, sometimes together in a single country (e.g. the United States). All have their faults. Prosecutors with tenure may grow lazy or become perverse, knowing they will not be dismissed. If their conditions of employment are not adequate, they may become corrupt. Prosecutors on fixed

or short-term contracts are at the mercy of the employer and so may improperly or corruptly seek to please their superiors to ensure continuing employment.

Prosecutors who are elected must make campaign promises and seek re-election on the basis of performance. To take one example, in parts of Texas elected judges also assign lawyers to legal aid or public defence briefs. It is an easy matter for a judge to corruptly appoint incompetent and/or ineffective counsel to the defence in order to increase the number of convictions before that judge and thereby enhance his or her prospects for re-election....

Prosecutors as watchdogs on judicial corruption

Prosecution agencies are usually midstream: they receive their work from elsewhere, usually the police or other investigators, and see how the courts subsequently handle it. They are therefore in an excellent position to assess whether or not its collection has been corrupted, or its final processing – the judicial treatment – is corrupted.

Although it is by no means a universal arrangement, many argue that there is value in separating functions into silos of investigation, prosecution and adjudication, provided the silos connect at various levels. Each silo is vulnerable to attack and corruption. If one silo supervises and directs another, then only that silo needs to be targeted to corrupt both. If an investigator is corrupted, for example, there is a good chance of a prosecutor perceiving it before the judiciary becomes involved, or of dealing with it in conjunction with the judiciary (aided by the defence). But if the investigation is subordinate to a corrupt prosecution, the product of the investigation may be corrupted and carried forward to the judicial process in that form.

One way in which these silos connect – and it is a mechanism that provides some protection against corrupt practice – is by disclosure from one to another. Investigators should be required, on pain of disciplinary or criminal penalty, to certify that all relevant information (in proof of charges or of possible defences) has been disclosed to the prosecution. The prosecution, in turn, must disclose all relevant information to the defence in a timely manner.

Corruption by investigators (who are also in the executive branch of government) may be difficult to detect from just the human and material evidence presented for prosecution. If evidence has not been gathered or has been distorted or removed from a brief, its absence may only be discernible from inconsistencies or anomalies in the remaining evidence. Otherwise the prosecution may only become aware of corrupt handling by the investigation from statements made by others involved in the matter, or by an attack made by the defence during a judicial hearing. An additional safeguard is provided where prosecutors confer with witnesses before hearings. Suppressed or inconsistent evidence may be identified in that process. If it is, the prosecutor's remedies include further investigation, further disclosure to the defence or reassessment of the conduct of the prosecution.

Once the investigation work is complete, the prosecutor brings to the court the material that he or she has been given by those whose task it is to gather the evidence (a task shared by prosecutors in many places). In court, a judge might fail to act in accordance with the law or the process applied to that material and other evidence that may be put before the court. The judge's conduct may be deliberate or unwitting, but in either case it corrupts the delivery of justice.

How might the prosecution identify conduct of that sort at that level? One way is if the judge fails to correctly apply legal rules, for example by disallowing proper questions, excluding evidence that should be admitted or admitting strictly inadmissible material. This may give rise to an appeal in many jurisdictions (although a clever corrupt judge may be able to interfere in such a manner without rendering his or her decisions liable to appeal, depending on the particular rules in place). If there is a sufficiently strong suggestion of corruption it should be referred to an appropriate agency, such as a judicial conduct commission or a similar oversight body.

Another way in which a dishonest judge might influence the outcome of a case in a jury trial is by directing the jury so as to favour one side. This may come about by deliberate perversion of the process or, more commonly, it may arise from the judge's own perception of events and views about the way in which the trial should proceed or conclude. The remedies against such conduct are vigilance by the participants in the proceedings at the time and an effective right of appeal to the aggrieved party.

A judge may take a bribe or be threatened and still act according to law, acquitting or convicting on the evidence lawfully considered. That form of corruption may be impossible to detect – although a threat is probably more likely to be reported. Corruption of the process by improper benefits, provided the benefit is hidden, is usually only detectable by examination of the process against the outcome it has produced. If all appears regular on the surface, it will be much harder to identify corruption beneath.

Complicating matters in many jurisdictions are rules barring the prosecution from appealing against an acquittal so the judicial misconduct, deliberate or unwitting, may go uncorrected. At the very least, where judges have a power to direct an acquittal before jury verdict, that direction must be made subject to appeal....

Safeguards

None of these risks of perversion of the course of justice is new or unanticipated and many safeguards are available to meet them.

The primary protection against corruption in the prosecution and adjudication processes is their independence, but it differs among jurisdictions. Prosecutors need independence to make decisions about which charges to press, what evidence to include, when to discontinue prosecution and so on. Such decisions must be based only on the admissible evidence available, the applicable law and any guidelines in place. Decision making must be free from influence by political considerations (except in the broadest sense of importing general community standards in the general public interest), media comment or representations from individuals or groups in the community with particular agendas that are not part of the prosecution process itself (for example, victims of crime); nor should it be influenced unduly by the views or desires of investigators who may have made large commitments to a particular outcome. In many jurisdictions politicians have considerable influence and control over prosecution decisions and where this occurs the relationships should be transparent, and able to be examined and assessed.

The other side of independence, of course, is accountability. Proper mechanisms must be in place to ensure that prosecution decisions are transparent (i.e. examinable) to an appropriate extent and in appropriate ways. This may need to be balanced against the privacy of individuals and the need for confidentiality about methods of investigation and the like. There also need to be processes by which decision makers can be held accountable for their decisions so that any flaws in the system generally can be identified and corrected in a timely manner. Important safeguards include:

- Appropriate oversight of the conduct of the prosecution, statutorily based
- Regular reporting by the prosecution on the exercise of its functions
- Publicly accessible prosecution guidelines to direct and assist decision makers during the conduct of prosecutions
- Codes of conduct for prosecutors and the judiciary
- Where private prosecutions may be instituted, a power should be vested in the public prosecutor to take over such matters and either continue or terminate them, but only on the application of principles that are well defined and publicly known
- Performance measures that target conduct and not merely results
- Conduct of judicial proceedings in public (with limited exceptions, for example concerning children) and the publication of reasons for decisions.

For all that, there is no way of guaranteeing a corruption-proof system of justice that employs humans. We can, however, make it very difficult to act corruptly, we can improve ways of uncovering it and we can punish it. We can also increase awareness of the risk and educate people in ways of avoiding it.

Family Courts in Crisis Newsletters are prepared by **Quenby Wilcox**, Founder of Global Expats (www.global-xpats.com), and [Safe Child International](http://www.safechildinternational.org).

Quenby Wilcox, is a career Expat Mom and activist whose work focuses on domestic violence as a human rights violation, the advancement of women/homemaker's rights, and promoting the interests of expatriated citizens around the world. Her research, and lobbying efforts on Capitol Hill and with the US Department of State, as well as her analysis of the issues and challenges involved in cases of international divorce and custody battles are posted on www.worldpulse.com/user/2759/journal.

Her Huffington Post blogs are posted on <http://www.huffingtonpost.com/quenby-wilcox/> and *Memoirs of a Trailing Spouse* blogs are posted on www.globalxpatsblog.wordpress.com.

Free, downloadable copies of *Family in Crisis* (May–present) Newsletters are posted on <http://worldpulse.com/node/71182> and are as follows:

- March's newsletter featured the Intl. Council on Human Rights & Transparency International's *Corruption and Human Rights: Making the Connection & Integrating Human Rights in the Anti-Corruption Agenda*
- February's newsletter featured the Intl. Human Rights Council's report *The Relationship between Human Rights & Corruption* & the Center for the Study of Democracy's report *Examining the Links between Organised Crime & Corruption*
- January's newsletter featured Amnesty International's report *What Specialized Justice?*
- December's newsletter featured the United Nations Secretary General's report *Advancement of Women: In-depth Study on All Forms of Violence Against Women*
- November's newsletter featured Save the Children report - *The Spanish Justice System Confronted with Sexual Abuse Within the Family*
- October's newsletter featured *The Emperor's New Clothes* – Domestic Violence, International Divorce, and a State's Obligation to Protect under International Law
- September's newsletter [Hague Convention Domestic Violence Project](http://www.worldpulse.com/node/71182)
- August's Newsletter featured important works by Barry Goldstein, Dr. Mo Hannah and Elizabeth Liu
- July's Newsletter featured the documentary *Now Way Out But One* by Garland Waller & Barry Nolan
- June's Newsletter featured [Safe Kids International](http://www.safechildinternational.org) & [Damon's List](http://www.damonlist.com)
- May's Newsletter covering the *Battered Mother's Custody Conference* (BMCC), *Mothers of Lost Children* (MOLC) White House Demonstration, and *National Safe Child Coalition* (NSCC) lobbying efforts on Capitol Hill.

If you should have any questions about these issues or my on-going lobbying work (all posted on my [World Pulse Journal](http://www.worldpulse.com/user/2759/journal)). I can be reached at quenby@global-xpats.com, 00.1.202-213-4911, or skype: quenby.wilcox2.

Kind Regards,
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