

**Speech of the Hon'ble Chief Justice of Bangladesh
At the National Workshop on Addressing the Procedural Bottlenecks in
Family Courts for Timely Justice
Organised by BRAC**

Venue: BRAC Centre, Date 14 July 2025

**Hon'ble Judge of Appellate Division of the Supreme Court of
Bangladesh Madam Justice Farah Mahbub**

Executive Director of BRAC, Mr Asif Saleh

BRAC dignitaries, and officials,

Dear participants

Members of Print and Electronic media,

Ladies and gentlemen,

Good Afternoon

We gather today in the solemn aftermath of a profound national transformation. The months of July and August 2024 will remain etched in our collective memory as a time when the conscience of a generation took to the streets, not in pursuit of power, but in defence of principle. That student-led revolution, born of anguish and ignited by the longing for justice, dismantled the remnants of a compromised order and brought forth a mandate that could not be denied, a mandate for the restoration of the rule of law and the rebuilding of a judiciary grounded in integrity, independence, and public service.

Ladies and Gentlemen,

It was not by personal design but by public demand that I assumed office as the 25th Chief Justice of Bangladesh. From the very first day, I recognised that

symbolic appointments alone would not suffice. What the nation demanded was a new compact, a roadmap of reform that would move beyond rhetoric to the reconstruction of judicial ethos and structure. On 21 September 2024, I declared such a roadmap before the judiciary and the nation. It was, and remains, a framework for a judiciary that is autonomous in its administration, transparent in its appointments, efficient in its proceedings, and empathetic in its conduct.

This workshop today, focusing on procedural bottlenecks in family courts, is a direct extension of that reform mission. It is not isolated in scope. It is woven into the broader project of judicial renewal. Nowhere is the human cost of delay and dysfunction more acute than in the family courts, where every adjournment prolongs a child's uncertainty, every inefficiency compounds a woman's vulnerability, and every procedural lapse undermines the very promise of justice.

And yet, I have seen firsthand that our judiciary is responding with purpose. I have visited district Judgeships and Magistracy in all eight divisions. I have engaged directly with our District Judges, our Senior Assistant Judges, our Chief Judicial and Metropolitan Magistrates. I have witnessed with pride how the district judiciary has risen to the challenge, embracing the reform roadmap, implementing the twelve-point directive against corruption and delay, and calling their colleagues to a higher standard. This is not a top-down movement; it is being carried forward with courage and conviction from the districts upward.

And the Bar, too, has taken charge. Local Bar Associations have convened consultations, facilitated court-user dialogues, and collaborated with judges in monitoring pendency, disposing of aging cases, and institutionalising mediation. This alignment of the Bench and Bar at the district level marks a decisive break from inertia. Together, they are not only applying the law but restoring faith in it.

It is in this context that we must read the recent statistics from our family courts. As of 31 March 2025, there are 74,259 pending cases. Of these, 5,034 have been pending for more than five years, a sobering figure. But the very same system has also delivered 10,089 disposals in the first quarter of 2025 alone. This is not coincidence, it is consequence. It is the result of judges taking initiative, Bar leaders acting responsibly, and our institutional focus shifting from process to people.

Distinguished Guests,

The legal landscape of Bangladesh is undergoing a profound transformation. Recent legislative and procedural reforms have been designed not merely to modernise the justice system, but to reorient it towards efficiency, accountability, and citizen-centric service. One of the most consequential developments in this regard is the amendment to the *Legal Aid Act*, which now mandates pre-case compulsory mediation. This single change embodies a broader institutional shift from adversarial litigation to consensual dispute resolution and has been a catalyst in fostering early settlement and relieving the burden on overextended dockets.

Complementing this, the recent amendments to the *Civil Procedure Code* have introduced crucial stage reductions, integrated execution proceedings within the original case framework, and imposed stricter limits on adjournments. These changes address long-standing procedural bottlenecks that have historically enabled unnecessary delay and complexity. By inserting provision of giving testimony on affidavit, the reforms now aim to prioritise substance over form and minimize courtroom congestion through efficient documentary evidence.

Equally significant are the amendments to the *Code of Criminal Procedure* (CrPC) through the recent Ordinance. These revisions now obligate the investigating officer to submit a pre-investigation report before the initiation of proceedings, a mechanism that is expected to filter frivolous allegations, streamline prosecutorial resources, and reinforce the rights of the accused in line with constitutional safeguards.

Ladies and Gentlemen,

To deepen this reform, our institutional collaboration with BRAC has been exemplary. The five workshops convened in Barishal, Bogura, Dinajpur, Moulvibazar, and Cumilla provided empirical insights that no central policy alone could produce. Judges, lawyers, mediators, court staff, and litigants participated with honesty and urgency. They identified persistent choke points, the outdated and inefficient process of serving summons; the unregulated granting of adjournments; the absence of structured case management; the unavailability of psychological support and professional mediation; and, critically, the lack of inclusive facilities for those who spend hours waiting in our court complexes.

These workshops were more than diagnostic exercises. They were acts of civic participation, and I thank BRAC for facilitating them with such professionalism. But BRAC's support has gone beyond policy. Their installation of two fully accessible, hygienic, and gender-sensitive toilet zones within the Supreme Court premises stands as a symbol of dignity for every litigant who walks through our gates. I have also instructed to replicate this initiative across all major court facilities in metropolitan and divisional cities, with maintenance budgets to be secured through the judiciary's administrative planning.

At the national level, we are advancing reform through institutional, procedural, and legislative pathways. The proposal for a separate Supreme Court Secretariat, submitted to the Government, remains our highest priority. No justice system can manage timelines, workloads, or personnel without autonomy over its own administrative structure. That structural autonomy is indispensable for sustaining reform not only for the judiciary, but in every other reform initiatives that have been undertaken by the interim government.

On the procedural front, we have embraced digital innovation. Our efforts to digitise cause lists, track adjournments, and introduce SMS-based summons notifications have already shown positive impact in pilot districts. These digital systems will now be extended to family courts. In near future, digital summons, authenticated through the National ID system and supported by a judicial helpdesk, will ensure that service of process no longer becomes a pretext for delay.

On the legislative front, we need targeted amendments to the *Family Courts Ordinance* to match the pace of reform already underway across other domains of justice. These amendments should include fixed timelines for the disposal of cases, mandatory case management conferences, and court-annexed mediation for matters deemed appropriate. Equally important is the need to empower family court judges with the authority to issue electronic summons and to conduct hybrid hearings where the circumstances so allow. Such reforms will not only expedite proceedings but also ensure greater accessibility and responsiveness to litigants many of whom are women, children, and vulnerable members of society.

It is encouraging to note that our development partners have already begun to align with this vision. The United Nations Development Programme (UNDP), in a testament to its enduring partnership with the judiciary of Bangladesh, has now

approached us with a proposal to extend technical support for the establishment of *two paperless family court* one in Chottogram and other one in Dhaka. This initiative, if realised, would be a landmark in our journey toward a digitised justice system enabling seamless case management, reducing clerical burden, and enhancing transparency and user confidence. The digital family court, when integrated with legislative reform, has the potential to serve as a national model for inclusive, technology-driven justice delivery.

Dear Participants,

Beyond law and structure, we are investing in the human capacity of the judiciary. More than 2,000 judges and magistrates now serve across the country. Over 1,200 are between the ages of 24 and 35. Among them, 625 are women. These judges are not awaiting instruction, they are taking initiative. In 36 districts, the rate of disposal now exceeds the rate of new filing. This transformation, led by youth, grounded in merit, is one of the proudest features of our post-revolutionary reform landscape.

I must also highlight the role of legal aid and public access mechanisms. The capacity-based eligibility standard I introduced ensures that legal representation is now provided not only to the poor, but to those who cannot, for cognitive or physical reasons, conduct their own defence. Our judicial helplines operational 9-5 receive thousands of calls every month, the majority from women and rural litigants. With UNDPs support and with new funding from our development partner the embassy of Sweden, we will soon link these services directly with peripheral level, creating a holistic network of legal protection and psychosocial support.

International partnerships continue to reinforce our journey. I place on record our gratitude to the UNDP, the European Union, the Government of Sweden, UK, and the Commonwealth Secretariat. The recent study visit to South Africa deepened our understanding of how justice can serve not only law but national healing. A Memorandum of Understanding signed between Sweden and UNDP has launched a 24x7 judicial helpline to expand access and responsiveness. These partnerships are not peripheral, they are integral to our reform vision.

I conclude by returning to where we began. The revolution of 2024 was not only a repudiation of injustice, it was a mandate for institutional rebirth. That mandate now rests with us. The Judiciary stands today as the lone fully functioning constitutional organ of the State, unyielding in its independence, steadfast in its integrity, and active in its service. But none of the reform initiatives of the interim Government, however noble, can be sustained without the deep institutional reform of the Judiciary itself.

Together, let us ladies and gentlemen ensure that the judiciary is not merely preserved, but empowered, renewed, and firmly established.

Thank you all