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Who makes judges?

This TED talk given by a former judge addresses the need for reform in Australia's judicial system. In a world where trust in the elite is falling apart, judges who hold enormous power are increasingly being questioned about their qualifications and suitability for their positions. The speaker uses a number of significant problems with the current system to highlight how important it is to make sure judges are genuinely worthy of the confidence that is placed in them.

The talk primarily focuses on the process of appointing judges. The speaker acknowledges that judges are chosen based on merit and asks important questions about what "merit" truly means in this context. The speaker argues that the selection process heavily relies on advice from senior judges, which makes those chosen as judges often resemble existing judges in terms of background and characteristics, resulting in a lack of diversity in the judiciary.

Additionally, the speaker draws a comparison between barristers and judges in a courtroom to anesthetists and surgeons in an operating theater. While they may share some basic skills, their roles are fundamentally different. This highlights the need of training judges in a more systematic and comprehensive approach to preparing judges for their roles, rather than assuming they are ready for such a demanding job.

The talk also calls for a change in the culture of the legal profession, which currently puts off lawyers from openly discussing their aspirations to become judges. This silence remains the status now and blocks the career path for potential judges.

To deal with these issues, the speaker provides several solutions. The government should take more responsibility for the appointment process, explaining why they choose them and implementing continuous training for judges. Moreover, the legal profession needs to actively create a judicial career path, supporting young lawyers to gain experiences that will make them great judges.

In conclusion, the TED talk highlights the need for transparency, diversity, and a more structured manner to the appointment and preparation of judges in Australia. To maintain public confidence in the judicial system, it is crucial to cope with these issues and ensure that judges truly deserve the trust they receive. Every one of us may need to rely on a judge's decision at some point, so it is critical that we have faith in the legal system and the people who have been given this authority.