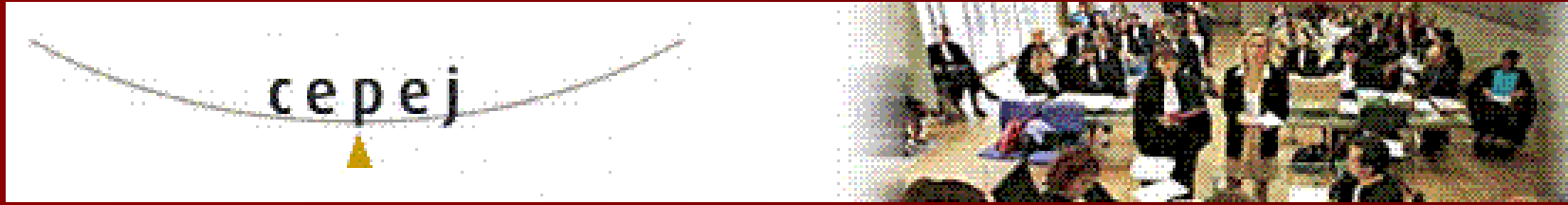


Efficiency of Justice and Trust in Justice across Europe: the CEPEJ

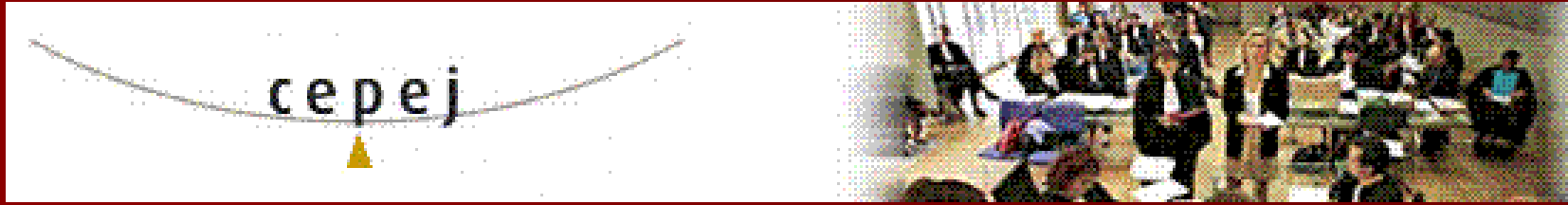
(Eurojustis, Parma, 7 May 2010)

François Paychère

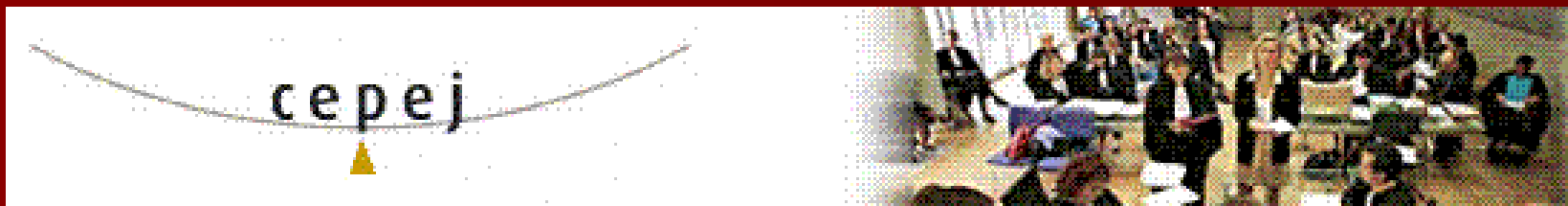
WORKING GROUP ON QUALITY OF JUSTICE



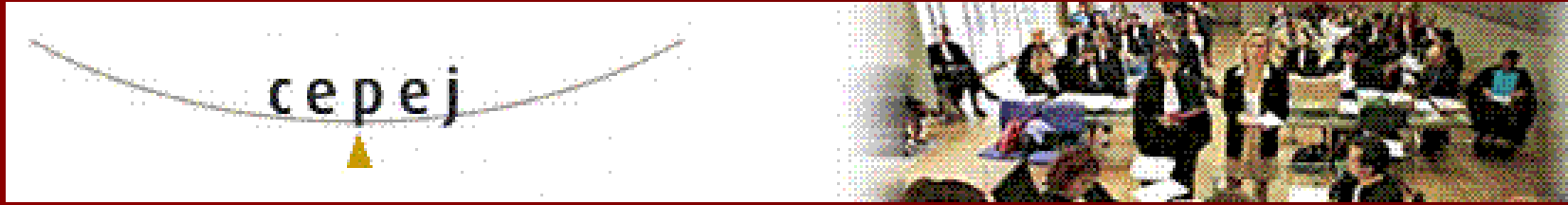
1. Short presentation of the CEPEJ
2. GT-EVAL
3. GT-QUAL



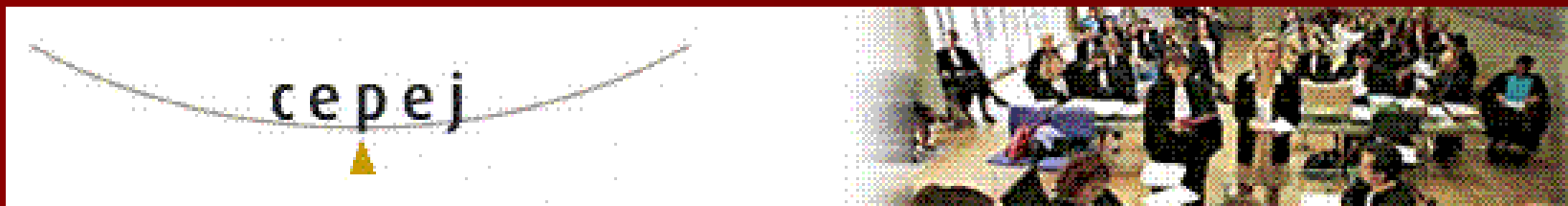
**When was the CEPEJ
established ?**



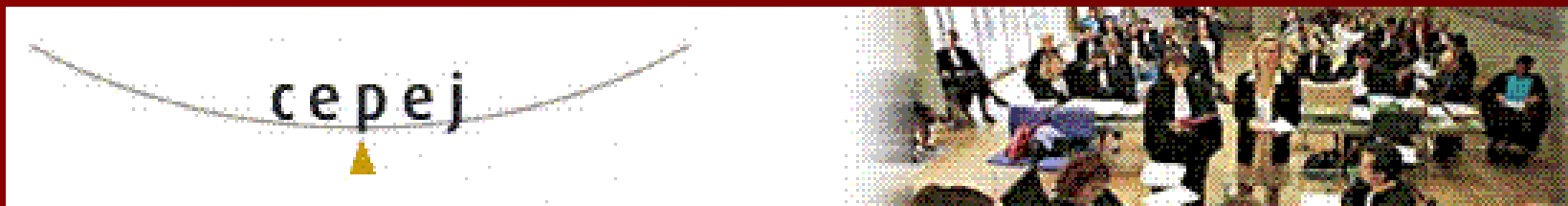
The CEPEJ was established on 18 September 2002 with Resolution Res(2002)12 of the Committee of Ministers of the Council of Europe.



What was the CEPEJ made for ?



Two main concerns:
1) European Convention on Human Rights
2) Efficiency of justice

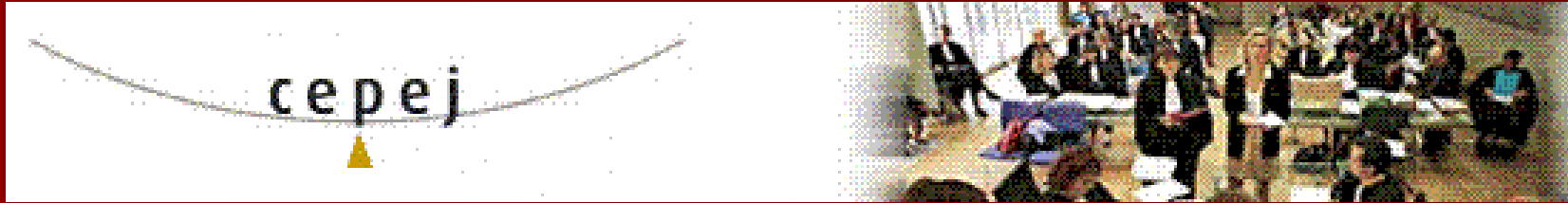


***1) Article 6 .1 – Right to
a fair trial***

***Everyone is entitled to a
fair and public hearing within***

a reasonable time

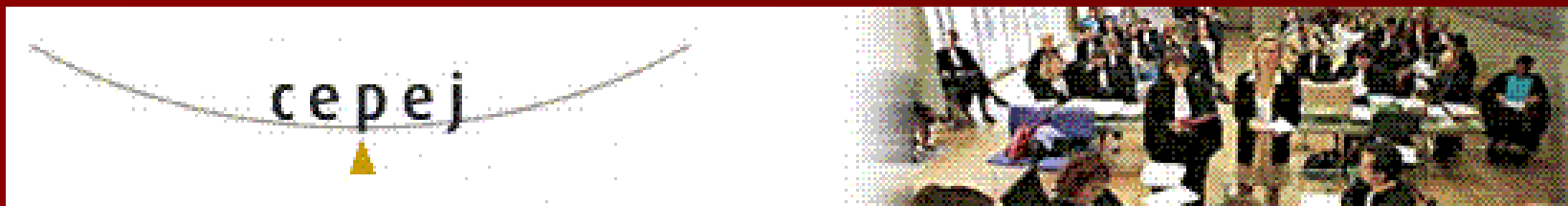
by a... tribunal...



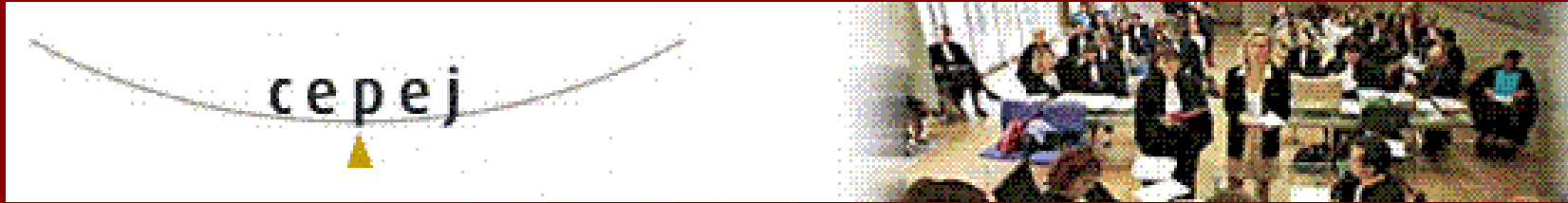
***Two kinds of legitimacy
(Tom-Jon):***

***A) Bottom => Up approach
Legitimation through the
citizens***

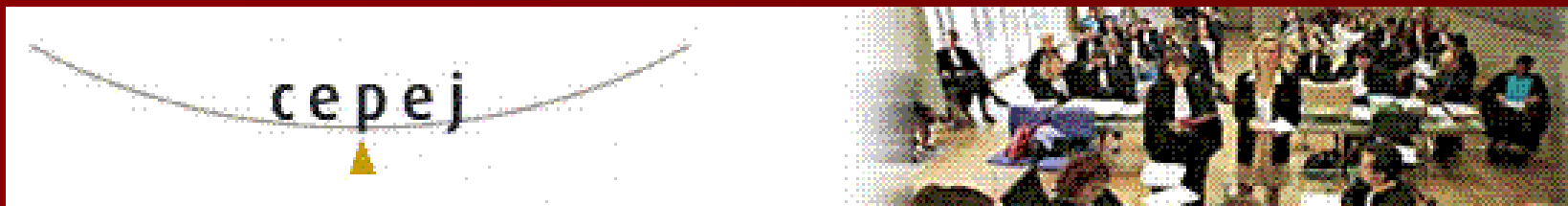
***B) Up => Bottom
through the system***



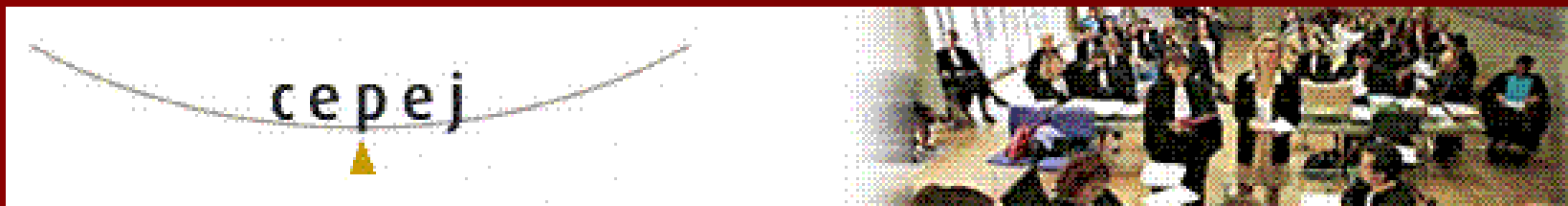
***The legitimation aimed by
the CoE is a B-approach:
How to meet with the
requirements of the
European Convention of
Human Rights?***



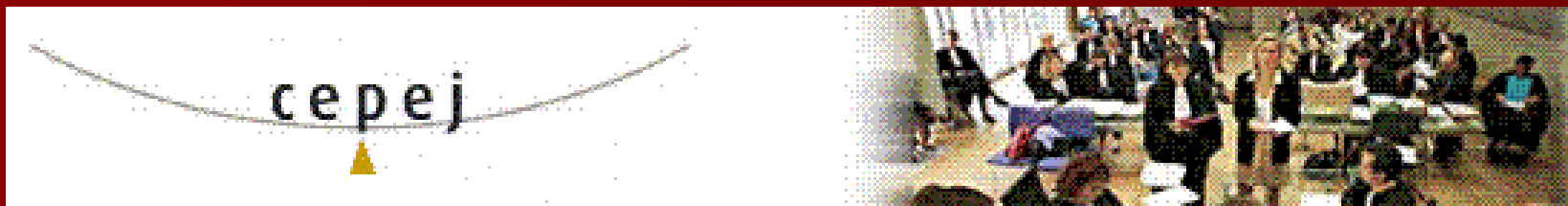
2) Search for efficiency: a quantitative or a qualitative approach ?



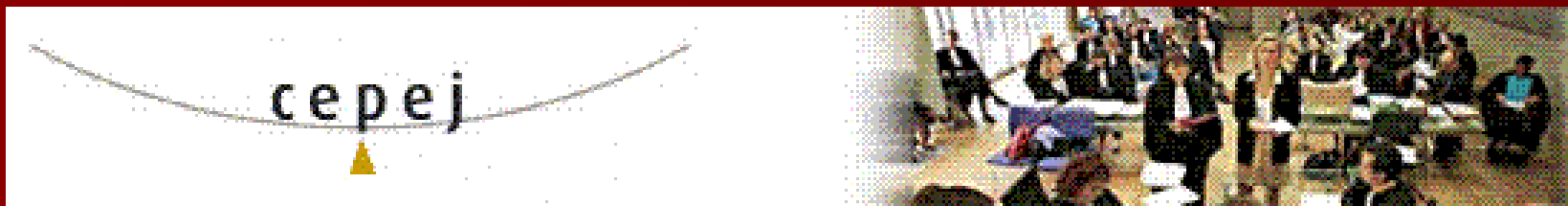
***The first concerns of the
CEPEJ were related with
timeliness:
How to deliver justice at a
appropriate time?***



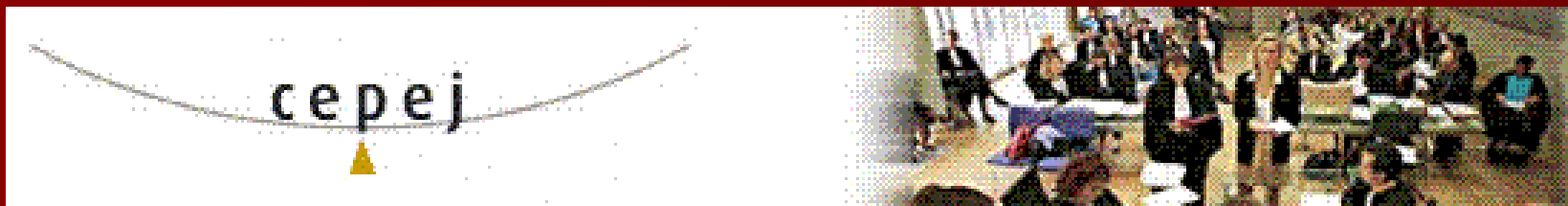
Time management checklist
***(Checklist of indicators for
the analysis of lengths of
proceedings in the justice
system; 2005)***



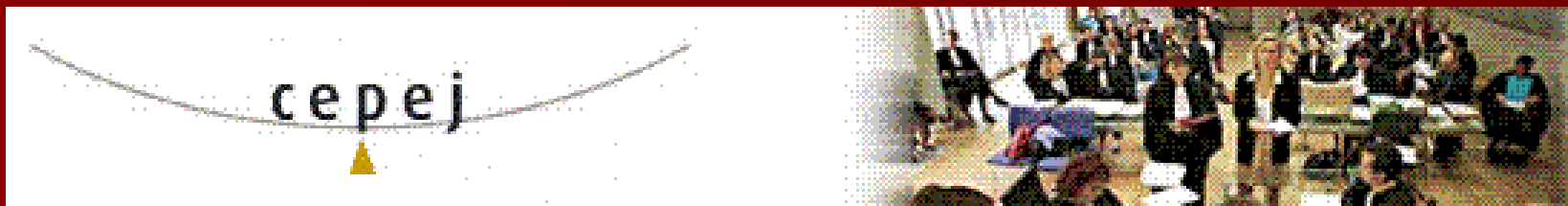
Time management of justice systems: a Northern Europe study (2006)



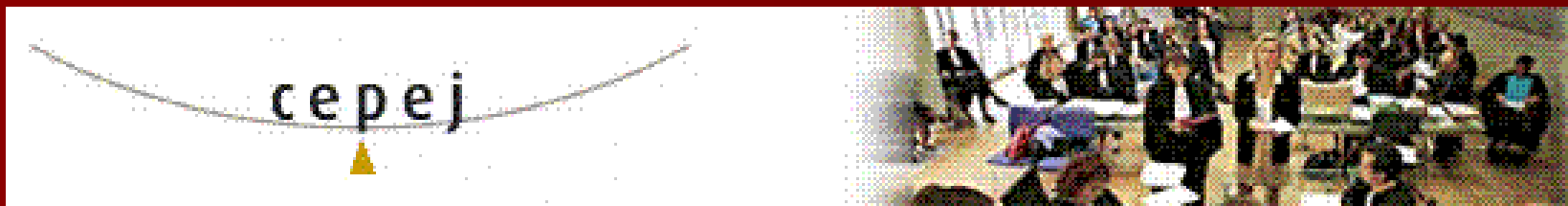
***Length of court proceedings*
in the member states of the
Council of Europe based on
the case-law of the European
Court of Human Rights
*(2006)***



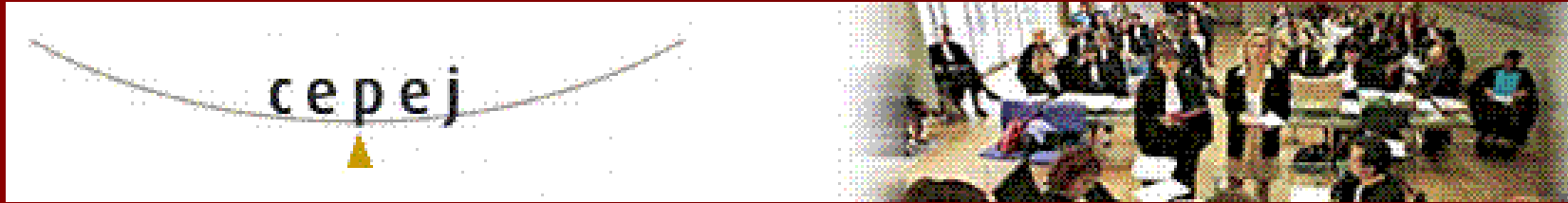
***The Evaluation process
carried out by the
Working Group on Evaluation
(CEPEJ-GT-EVAL)
(Stefano)***



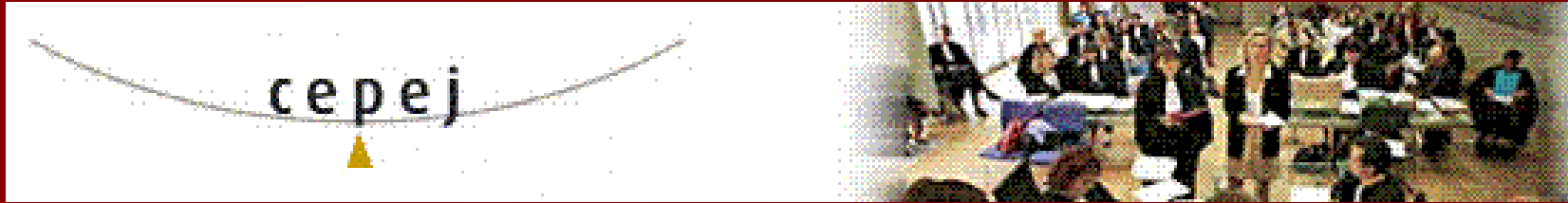
2 reports have been already published : 2006, 2008. The 3rd evaluation cycle has started. The report will be published during autumn 2010 (figures from 2008).



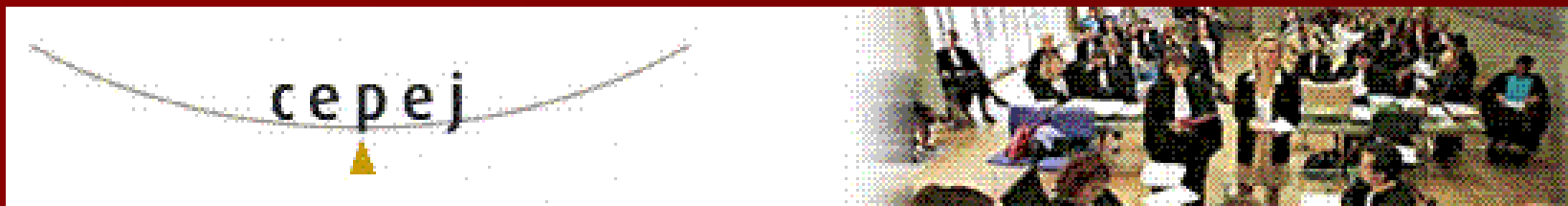
Chapter 4 is devoted to the "Users of courts" using criteria like information provided to the parties, protection of vulnerable persons, compensation procedures...



***Section 4.7 is devoted to the
assessment of the
satisfaction of users:***



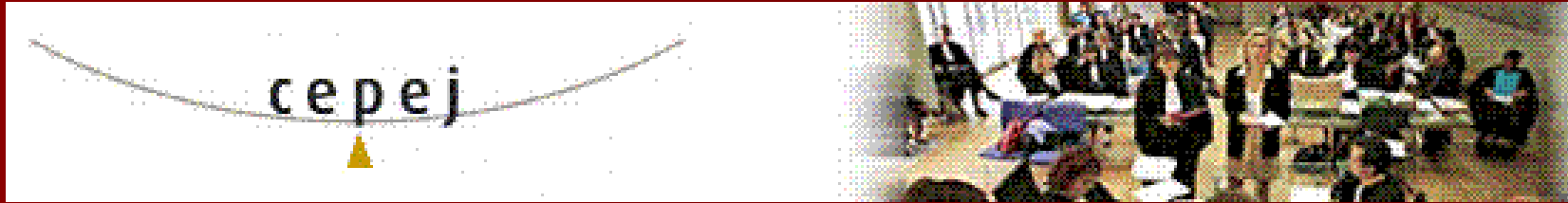
It is not a common practice to conduct surveys but "Exceptions can be found in the countries where quality-control systems for the courts have been introduced.



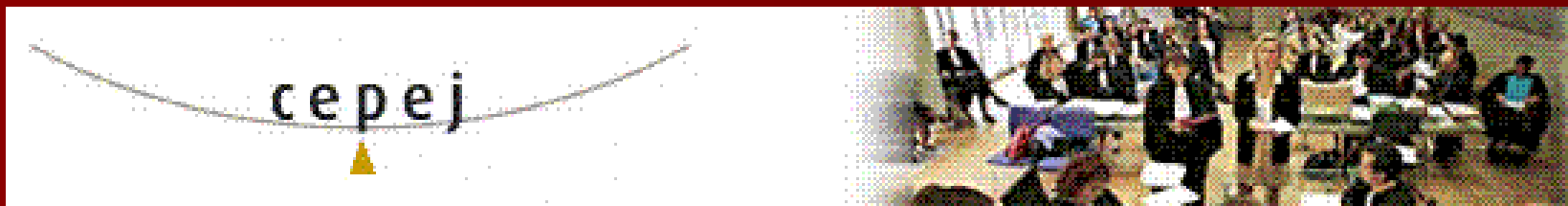
or where the assessment of court users is common practice: Austria, Finland, the Netherlands, Spain and Switzerland.”

(European judicial systems: Edition 2008 (data 2006) CEPEJ, p. 70/71)

http://www.coe.int/T/dghl/cooperation/cepej/evaluation/default_en.asp



***Part of the work done by the
GT-QUAL also relies on public
surveys.***



1. The judges and prosecutors in the court of _____

	LEVEL OF SATISFACTION						IMPORTANCE							
21. The attitude and politeness of the judges and prosecutors are:	unsatisfactory			satisfactory			low			high				
	0	1	2	3	4	5	6	0	1	2	3	4	5	6
22. The judge/prosecutor's language is:	unclear			clear			low			high				
	0	1	2	3	4	5	6	0	1	2	3	4	5	6
23. The judges' impartiality in conducting the oral proceedings is:	unsatisfactory			satisfactory			low			high				
	0	1	2	3	4	5	6	0	1	2	3	4	5	6