Judicial Statistics?

Eurostat European Sourcebook Council of Europe – SPACE I and II CEPEJ **OECD** Factbook **Eurobarometer** United Nations – including the affiliated European Institute for Crime **Prevention and Control (HEUNI)** Worldwide Governance Indicators (WGI) **EU Crime Report European Research Group on National Reconviction Rates (ERNR) Crime Comparison - The Development of a European Crime Database** World Justice Project (WJP) and Rule of Law Index **Euro-Justis**

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"What people need isn't more data, but a new mindset"

Hans Rosling, academic, statistician





The Council of Europe Instruments, Experience and Judicial Reform





Basics

Based on the European **Convention of Human Rights** (especially regarding Art. 6) the Council of Europe provides Resolution and Recommendations Concerning principles of judiciary and its professions, simplification, access to justice, reducing workload, Alt. Dis. Res. and enforcement







CEPEJ The European Commission for the Efficiency of Justice

Your network for improved standards





CEPEJ

Tasks
Activities
Evaluation
Indicators
Quality







CEPEJ – Tasks

 Established on 18. SEP 2002
 Composed of experts from all <u>the 46</u> <u>member States</u> of the CoE
 Mission to contribute to the improvement

of the efficiency and the functioning of justice in all member states.





CEPEJ – Tasks

- to analyse the results of the judicial systems
- to identify their difficulties
- to define concrete ways to improve the evaluation of their results and functioning
- to provide assistance at request
- to propose to the competent instances of the Council of Europe the fields where it would be desirable to elaborate a new legal instrument.







CEPEJ – Tasks

CEPEJ is not

- a monitoring or follow-up body of the results of the judicial systems of the member States,
- nor an institution which is competent to elaborate new binding legal instruments.







- Prepares benchmarks
- Collects and analyses data
- Defines instruments of measure and means of evaluation
- Adopts documents (reports, guidelines, action plans, etc.)
- Develops contacts with experts and researchers
- Promotes networks of legal professionals





Activities of CEPEJ in the field of...

Evaluation of Judicial Systems
Judicial time management
Quality of justice
Enforcement
Mediation
Targeted co-operation





CEPEJ – activities on delays

- Framework Programme: "A new objective for judicial systems: the processing of each case within an optimum and foreseeable timeframe"
 "Time Management Checklist"
- Report "Length of court proceedings based on the case-law of the European Court of Human Rights"
- Report "Reducing judicial time in the countries of northern Europe"



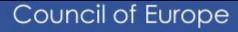




CEPEJ- other achievements

- Setting up of a Network of pilot courts to support the work of the CEPEJ
- Adoption of a Medium-term activity Programme
- European Day of Civil Justice, in partnership with the EC
- "Crystal Scales of Justice"







CEPEJ- targeted cooperation

- Armenia (organisation of courts)
 Bulgaria (workload of judges)
 Croatia and Slovenia (timeframes)
 Malta and Switzerland (mediation)
- Netherlands (territorial jurisdiction)
- Russian Federation (enforcement)
- UK (restorative justice)
- PT (dematerialization and use of IT)
- U.A.E. (performance study)
- Montenegro (court network)





CEPEJ – activities on evaluation

Report "European Judicial Systems" For the years (2002), 2004, 2006 and 2008 Selected data Comments and trends Database





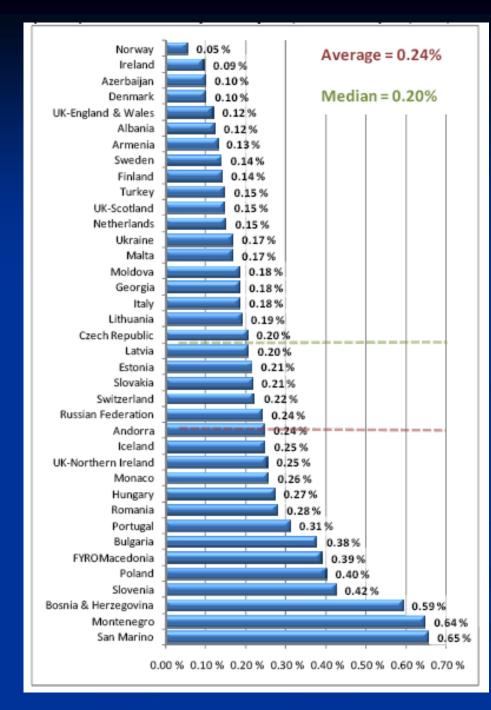


CEPEJ – European Judicial Systems

- Provides comparable data in crucial judicial issues: Budget, personnel, access to justice, legal aid, legal professions, enforcement, …
- Enables quantitative and qualitative assessment
- Replies submitted by almost all members
- Scientifically analysed
- Performance benchmarks of judicial systems (Clearance rate, caseload, time of delivery)



Example: Annual public budget allocated to all courts (excluding prosecution and legal aid) as part (in %) of the **GDP** per capita, in 2008



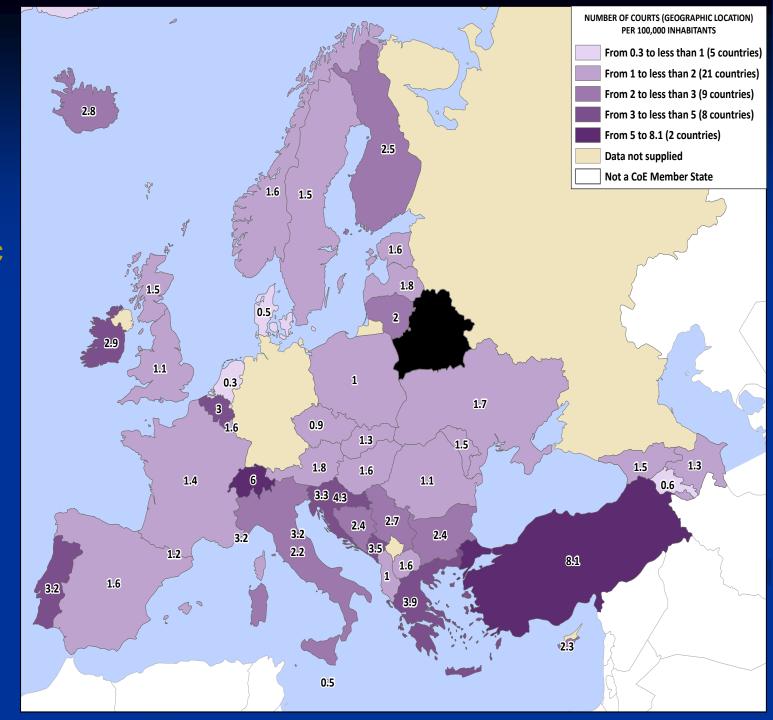
Brazil:

1.12% of the GDP

Excluding prosecution and legal aid?

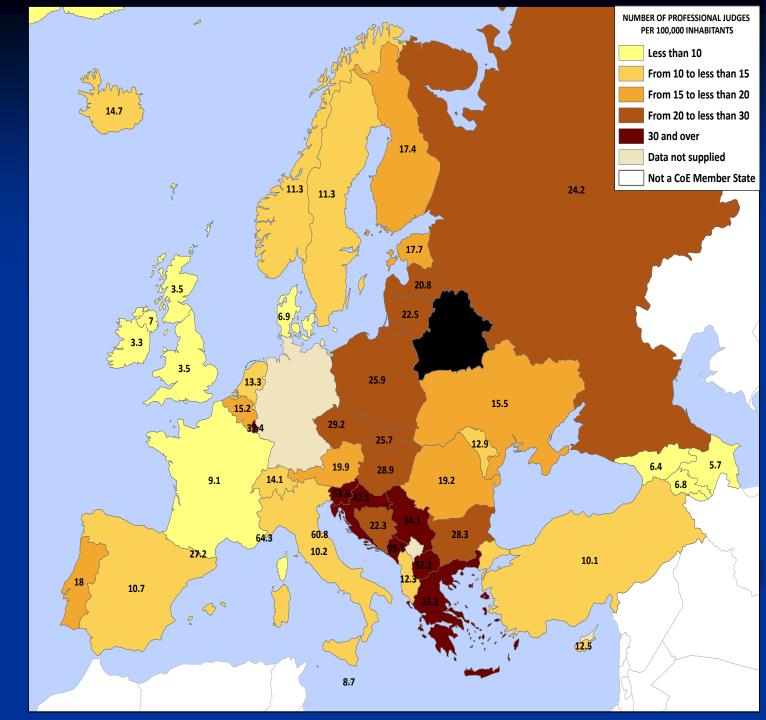
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Example: Number of all courts (geographic locations) per 100.000 inhabitants in 2008

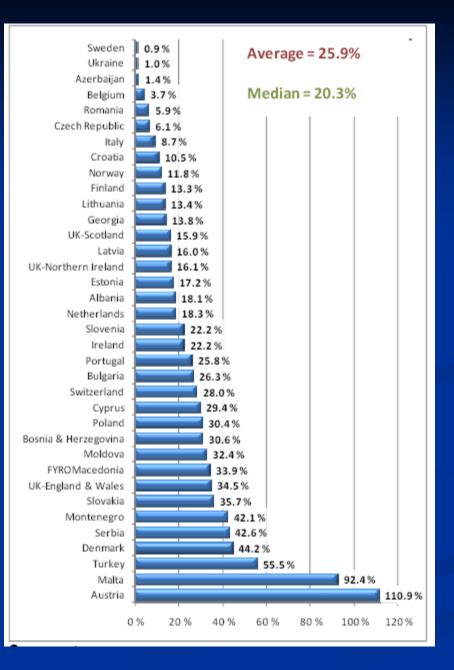


Example: Number of professional judges sitting in courts (FTE) for 100.000 inhabitants in 2008

Brazil: 8.7 judges



Example: Share of court fees (or taxes) in the court budget (as receipts) in 2008, in %

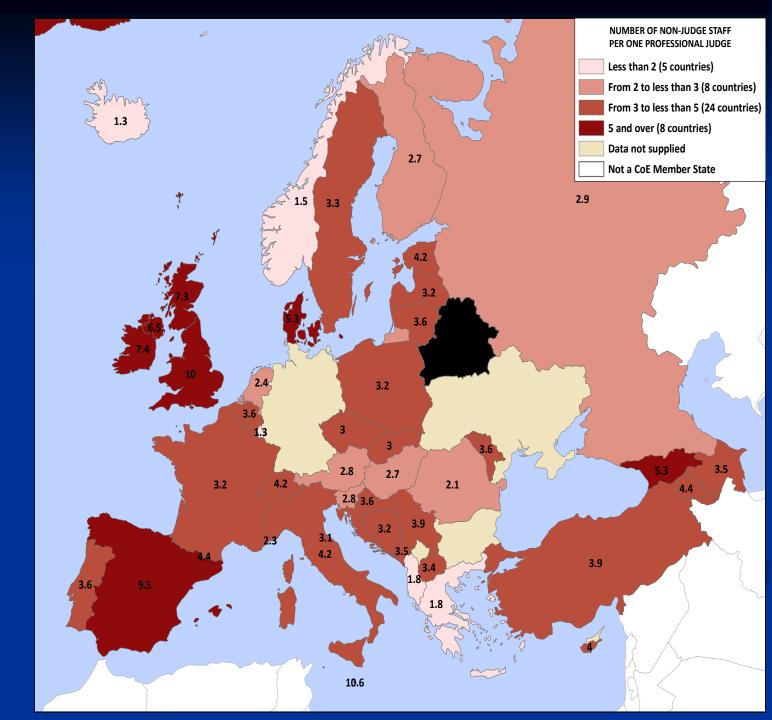


Brazil: 43.6%

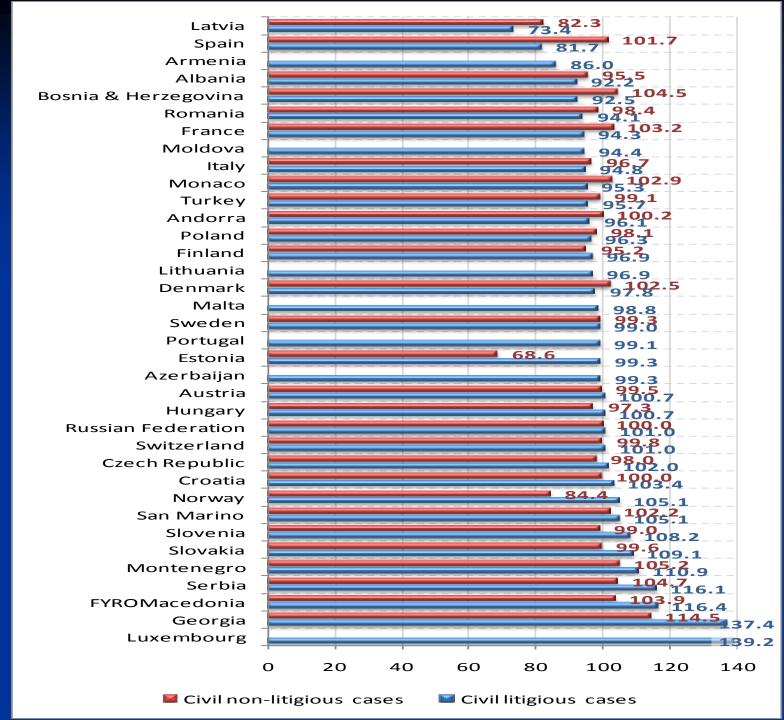


Example: Number of nonjudge staff per one professional judge

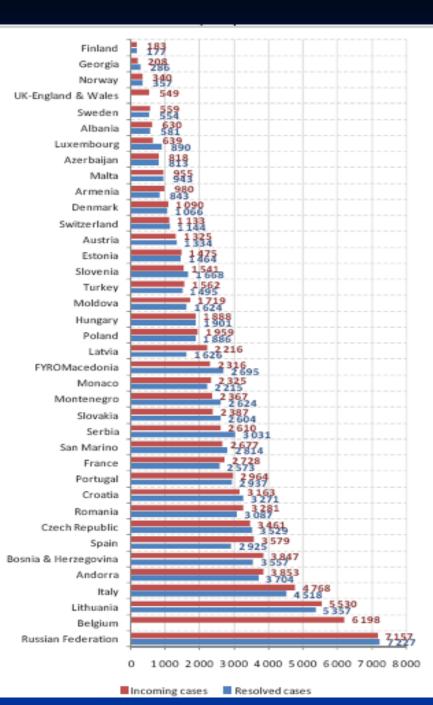
Brazil: 11 civil servants per judge?



Example: Clearance rate of civil litigious and nonlitigious cases in 2008, in% **Brazil**: Litigation 1st instance 104.4%



Example: Number of 1st instance incoming and resolved civil (and commercia I) litigious cases per 100.000 inhabitant s in 2008



Brasil: Litigious, 1st instance

Incoming 7,857

Resolved 8,206



"For every complex problem, there is a solution that is simple, neat - and wrong."

H.L. Mencke





CEPEJ – recommends especially

- Evaluation of Judicial Systems Report
 "Time Management Checklist"
 "Court Quality Checklist"
 SATURN European Uniform Guidelines for Monitoring of Judicial Timeframes
 - (EUGMONT)
- GOJUST Guidelines on Judicial Statistics





CEPEJ – recommended indicators

| | Type of case | Cases pending on 1.1.2008 | New cases initiated in 2008 | Resolved cases in 2008 | Cases pending on 31.12.2008 |
|----|--------------|------------------------------|--------------------------------|---------------------------|--------------------------------|
| 1 | Civil cases | | | | |
| 1a | | | | | |
| 1b | | | | | |



CEPEJ – recommended indicators

Clearance Rate (%) =
$$\frac{\text{resolved cases}}{\text{incoming cases}} \times 100$$

Case Turnover Ratio= $\frac{\text{Number of Resolved Cases}}{\text{Number of Unresolved Cases at the End}}$

 $DispositionTime = \frac{365}{CaseTurnoverRatio}$

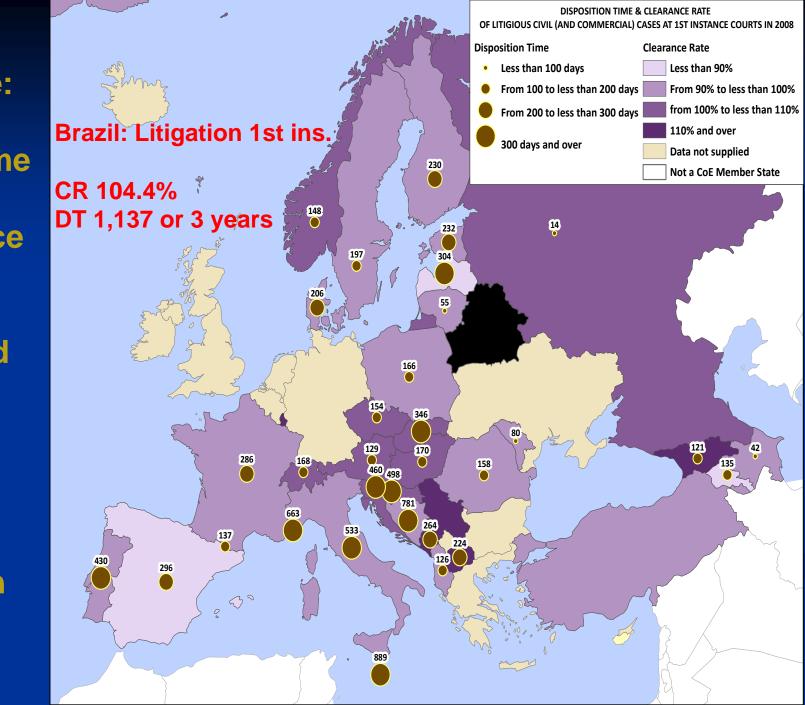
Efficiency rate, Total backlog, Backlog resolution, Case per judge, Standard departure ...





CEPEJ indicators – applied

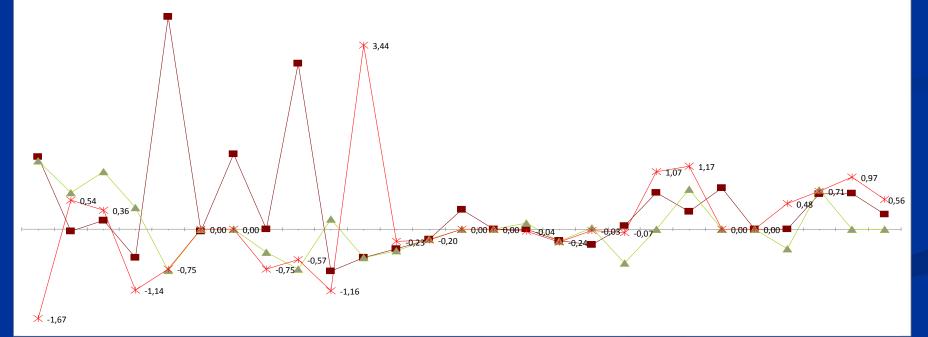
| | | | | "Ç" Co | ourthouse St | atistics | | | | |
|--------------------------|---|-----------------------------|--|--------------------------|---------------------------|--------------------|-------------------|----------|-------------------|--|
| | Remaining Cases From the Previous Year | Cases Filed This Year | Cases Returned by the Court of Cassation | Total Files in Docket | Total Cases Decided | Remaining Cases | Clearance Rate | Caseload | Backlog Change | Average Disposition Time in days |
| | 240 | 265 | 7 | 512 | 329 | 183 | 121% | 67% | -24% | 203,02 |
| | 862 | 589 | 18 | 1.469 | 519 | 950 | 86% | 157% | 10% | 668,11 |
| Criminal Courts | 884 | 576 | 7 | 1.467 | 637 | 830 | 109% | 142% | -6% | 475,59 |
| Chiminal Courts | 917 | 590 | 5 | 1.512 | 643 | 869 | 108% | 146% | -5% | 493,29 |
| | 1.087 | 2.695 | 0 | 3.782 | 2.043 | 1.739 | 76% | 65% | 60% | 310,69 |
| | 384 | 1.416 | 18 | 1.818 | 1.082 | 736 | 75% | 51% | 92% | 248,28 |
| Totals CC Ç | 1.471 | 4.111 | 18 | 5.600 | 3.125 | 2.475 | 76% | 60% | 68% | 289,08 |
| Totals CC Ç per judge | 183,88 | 513,88 | 2,25 | 700,00 | 390,63 | 309,38 | 76% | 60% | 68% | 289,08 |



Example: Disposition time and **Clearance** Rate of litigious civil (and commercial) cases at 1st instance courts in 2008

Judicial Efficiency Scoring System

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European Commission

DG-HL portal Council of Europe

At a glance Cepei The European Commission for the Efficiency of Justice

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- Secretariat

We invite you to browse through the site to learn more about the European Commission for the Efficiency of Justice (CEPEJ) and its activities.



Activities

- Calendar
- Meeting reports

EVENTS

- Conferences
 European Day for Civil
- Justice The Crystal Scales of Justice Award

CEPEJ WORK

- Evaluation of Judicial Systems
- Judicial time management
- Quality of justice
- Enforcement
- Mediation

Targeted co-operation

- PILOT COURTS Activities of the network

Documentation

- CEPEJ documents
- Legal instruments
- ECHR judgements
- Thematic files
- Press releases
- CEPEJ Studies
- Newsletter

SEARCH

Simple search
 Advanced search



The news (10/06/2010)

In the framework of the peer's evaluation activity of the CEPEJ, aimed to examine statistical data collecting systems in the member States, Norway brought together, on 19 and 20 May 2010 in Oslo, the CEPEJ's yes of 5 Nordic countries (Norway, Sweden,

peers and representatives of 5 Nordic countries (Norway, Sweden, Finland, Denmark and Iceland) in view of exchanging their experience concerning file management systems in the Courts, the granting of resources to courts, legal aid and the more general aspect of reliability of judicial data.

Peer's evaluation

Forum Scheme

Restricted access

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The European Parliament calls the European Union to become a member of the CEPEJ

In its resolution adopted on 19 May on the accession of the European Union to the European Convention on Human Rights, the European Parliament calls on the European Union to become a member of the CEPEJ. This might be part of a package of measures accompanying the Union's accession to the Convention to strengthen the protection of human rights. • European Parliament resolution of 19 May 2010 on the institutional aspects of the accession of the European Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms



Call for applications for the European Crystal Scales of Justice Prize for innovative practices contributing to the quality of justice

In 2010, the Council of Europe together with the

European Commission is organising the 5th edition of the "Crystal Scales of Justice" Prize. The aim of the prize is to identify and promote innovative practices in civil and in criminal matters, in respect of conduct of proceedings, court organisation and general functioning of the justice system. Applications must be submitted by 30 June 2010 (more)

European Crystal Scales of Justice Prize

News in RSS format

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2010

- Calendar
 2010 Activity programme
- Mid-term programme
 Working groups

The Crystal Scales of Justice Award



Evaluation of judicial systems

Report 2010 Edition



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Thanks for your attention!

