

# CEPEJ 2018 Report on Efficiency of Justice



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## News

On 5 October 2018, CEPEJ published its [2018 report](#) on the main trends observed for the efficiency of justice in 45 European countries. This 7th evaluation report is based on the 2016 data and serves as a practical tool to better understand the operation of justice in Europe, including major trends, statistics, and common issues. All data is also publicly available as an interactive database: [CEPEJ-STAT](#). A [summary](#) of the 2018 CEPEJ study is also provided.

The report evaluates the efficiency of justice systems based mainly on the following indicators:

- The availability and allocation of resources;
- The situation of prosecutors and judges and their relations to one another;
- The organization of courts;
- The performance of the judicial systems.

Throughout the report, CEPEJ highlights numerous methodological problems encountered and the choices made to overcome them.

As regards the budget available to the individual justice systems, each country's investment has been assessed in proportion to its level of wealth. The report reveals an overall, if slight, increase in this area, with particularly sizeable budgets in Luxembourg and Norway. After a series of budget cuts due to the 2008 economic and financial crisis, budgets are returning to pre-crisis levels. As regards the allocation of resources, the budgets of courts account for the largest share (66% on average), especially in states that only have professional judges. In East European countries, more of the judicial budget goes towards public prosecution, while countries in northern Europe invest predominantly in legal aid. In general, there is a higher contribution by the users of the judicial systems to its financing via taxes and court fees. Two extremes in this regard are as follows:

- France, Luxembourg, and Spain provide for access to courts without fees;
- In Austria, revenues from registers exceed the operating costs of the entire judicial system.

As regards judges and prosecutors, there is a trend towards compulsory additional trainings in order to qualify for specialist posts or functions. Great importance is attached to the experience of candidates in the selection process for judges' posts.

Although Europe is still split as to the use of juries, there is a growing professionalization of judges. Based on various indicators, such as staffing level or the number of cases, the busiest prosecution services are in

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France, Austria, and Italy. In addition, the salary levels of judges and prosecutors are becoming increasingly similar.

Concerning parity within the judicial system, the proportion of women is increasing among judges and prosecutors, but other legal professions remain overwhelmingly male. That said, only Germany appears to have developed a global policy in favor of parity. Only a few specific measures for promoting parity exist in other Member States.

As regards their organization, the courts are becoming fewer in number, larger in size, and more specialized. This goes hand in hand with the developing use of Internet-based information and communication methods. Personal contact remains crucial for court users in order to facilitate a better understanding of decisions and foster trust in justice.

The performance of judicial systems is improving overall in civil and criminal cases, with asylum applications having had a significant impact on the number of incoming cases in nine countries. The productivity of criminal courts is improving, although the duration of procedures appears to be lengthening in Supreme Courts.

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