



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2013

Country: Norway**National correspondent**

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1. Demographic and economic data

1. 1. General information

1. 1. 1. Inhabitants and economic information

1) Number of inhabitants (if possible on 1 January 2013)

5 051 000

2) Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €) - (If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP).

	Amount
State or federal level	138 210 000 000
Regional / federal entity level (total for all regions / federal entities)	NAP

3) Per capita GDP (in €)

79 235

4) Average gross annual salary (in €)

64 418

5) Exchange rate of national currency (non-Euro zone) to € on 1 January 2013

7,3175

A1. Please indicate the sources for questions 1 to 4 and give comments concerning the interpretation of the figures supplied if appropriate:

Statistics Norway and the Ministry of Finance

Has been an annual increase in salary 3-4 % , and there was a lower exchange rate in 2012 than in 2010.

1. 1. 2. Budgetary data concerning judicial system

6) Annual approved public budget allocated to the functioning of all courts, in € (if possible without the budget of the public prosecution services and without the budget of legal aid):

TOTAL annual approved budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	<input checked="" type="checkbox"/> Yes	234 000 000
1. Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	160 100 000
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	9 400 000
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.		NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	<input checked="" type="checkbox"/> Yes	62 300 000
5. Annual public budget allocated to investments in new (court) buildings	<input checked="" type="checkbox"/> Yes	0
6. Annual public budget allocated to training and education	<input checked="" type="checkbox"/> Yes	3 900 000
7. Other (please specify):		NAP

7) If you cannot separate the budget of the public prosecution services and the budget of legal aid from the budget allocated to all courts, please indicate it clearly. If "other", please specify:

Annual public budget allocated to justice expenses are not included in the budget for the courts.

8) Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:☐ for criminal cases?☒ for other than criminal cases?

If yes, are there exceptions to the rule to pay court a tax or fee? Please provide comments on those exceptions:

Pursuant to the Court Fee Act section 10, court fee does not have to be paid in certain cases. Section 10 applies for instance to paternity cases and cases concerning parental responsibility. Pursuant to the Free Legal Aid act section 24 and 25 legal aid also includes relief of the court fee. Under certain provisions the court fee is relieved although legal aid is refused.

8.1) Please briefly present the methodology of calculation of courts fees?

Pursuant to the Court Fee act the methodology of calculation of courts fees is based on a fixed basic court fee, which is frequently adjusted by law (currently equivalent to approx 110 EURO). The Court Fee act then defines how many basic court fees the plaintiff has to pay depending on case category and length of court hearing.

8.2) Please indicate, if possible, the amount of court fees to commence an action for 3000€ debt recovery?

Pursuant to the Court Fee act section 7 the court fee for filing complaint to the Conciliation board is 1 x the basic court fee (860 NOK or approx 110 EURO). Writ of summons to the district courts in such a case would be defined as small claim, with 3,5 x the basic court fee.

9) Annual income of court taxes or fees received by the State (in €)

22 100 683

12) Annual approved public budget allocated to legal aid, in €. - If one or several data are not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. (Question modified)

If your system enables to be granted legal aid for cases which are non litigious or not brought to court, please specify:

	Amount (in €)
Total annual approved public budget allocated to legal aid (12.1 + 12.2)	270501300
12.1 Annual public budget allocated to legal aid for cases brought to court	257 473 000
12.1.1 in criminal law cases	148 545 000
12.1.2 in other than criminal law cases	108 928 000
12.2 Annual public budget allocated to legal aid for non litigious cases or cases not brought to court (legal consultation, ADR, etc)	13 028 300

Comment :

13) Total annual approved public budget allocated to the public prosecution services (in €). Please indicate in the "comment" box below any useful information to explain the figures provided .

☒ Amount 22 266 400

Comment :

Balanced budget on higher prosecution authority

14) Authorities formally responsible for the budgets allocated to the courts (multiple options possible) :

	Preparation of the total court budget	Adoption of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	Yes	No	No	No
Other ministry				

	No	No	No	No
Parliament	No	Yes	No	No
Supreme Court	No	No	No	No
High Judicial Council	No	No	No	No
Courts	No	No	No	No
Inspection body	No	No	No	Yes
Other	Yes	No	Yes	No

14.1) If any other Ministry and/or inspection body and/or other, please specify (considering question 14):

Preparation of the courts budget is partly done by the Norwegian Courts Administration (NCA). Management and allocation of budgets between courts is done by NCA. Office of Auditor General is responsible for evaluation.

A.2 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your budgetary system and the main reforms that have been implemented over the last two years
- if available, an organisation scheme with a description of the competencies of the different authorities responsible for the budget process

Q6 no.5 - no funding for investments in new buildings in 2012.

Please indicate the sources for answering questions 6, 9, 12 and 13.

Q 6, 9 and 13: Norwegian Courts Administration; q12: Ministry of Justice and Public security.

1. 1. 3. Budgetary data concerning the whole justice system

15) The following data would be useful for information

15.1) (Former question 10) Annual approved public budget allocated to the whole justice system, in € (this global budget does not include only the court system as defined under question 6, but also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.)

.

☐ NA

4463015000

15.2) (Former question 11) Please indicate the budgetary elements that are included in the whole justice system. If "other", please specify in the "comment" box below.

Court (see question 6)	Yes
Legal aid (see question 12)	Yes
Public prosecution services (see question 13)	Yes
Prison system	Yes
Probation services	Yes
Council of the judiciary	Yes
Constitutional court	No
Judicial management body	NA
State advocacy	NA
Enforcement services	NA
Notariat	NA
Forensic services	NA
Judicial protection of juveniles	Yes
Functioning of the Ministry of Justice	Yes
Refugees and asylum seekers services	Yes
Other	NAP

Comment :

2. Access to justice

2. 1. Legal aid

2. 1. 1. Principles

16) Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	Yes	Yes
Legal advice	Yes	Yes

17) Does legal aid include the coverage of or the exemption from court fees?

☒ Yes

☐ No

If yes, please specify:

Legal aid regarding a specific case foresees the exoneration of the court fees of the case.

18) Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

☒ Yes

☐ No

If yes, please specify:

Legal aid can be granted to cover the fees related to inter alia cases regarding provisional security.

19) Can legal aid be granted for other costs (different from questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc ? If yes, please specify it in the "comment" box below).

Criminal cases	Other than criminal cases
Yes	Yes

Comment :

Criminal cases: The accused person may have travel costs covered by the court in case the person is not capable of covering the costs. The state covers expenses related to interpretation and translation of documents.

Civil cases: The state covers inter alia expenses related to the use of experts in child custody proceedings.

20) Number of cases referred to the court for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please specify in the "comment" box below, when appropriate.

[This question concerns only the annual number of cases for which legal aid has been granted to those referring a case to a court. It does not concern legal advice provided for cases that are not brought before the court.]

	Number
Total	45 661
in criminal cases	39 232
other than criminal cases	6 429

Comment :

The numbers are based on an individ' perspective. Hence, we have extracted the numbers from the courts' centralized accountancy system, and not from the courts Case Management system, as each case registered in the CMS might contain

several individuals receiving legal aid (the defendant and the aggrieved persons for instance).

[mail 28/05/2014 : Norway was not able to give 2010-legal aid numbers, hence the difference from 2010 to 2012 will by that alone be substantial. So 2012 should be considered to be Norway's starting point of comparison.]

20.1) Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Number of cases
19 048

Comment :

21) In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

Please specify in the "comment" box below.

Accused individuals	Yes
Victims	Yes

Comment :

In criminal cases all accused individuals are entitled to be assisted by a free of charge lawyer, regardless of their financial situation. An exception is however made for certain smaller cases, typically cases regarding violation traffic regulations. Victims are entitled to be assisted by a free of charge lawyer in certain cases, e.g cases regarding violence.

22) If yes, are individuals free to choose their lawyer within the framework of the legal aid system

☒ Yes

☐ No

23) Does your country have an income and assets evaluation for granting legal aid to the applicant ? If you have such a system but no data available, please indicate NA. If you do not have such a system, please indicate NAP.

Please provide in the "comment" box below any information to explain the figures provided.

	amount of annual income (if possible for one person) in €	amount of assets in €
for criminal cases	NAP	NAP
for other than criminal cases?	33 607	13 661

Comment :

A division is made between matters that are subject to means testing and matters that are not. Prior to 1 January 2013, the income limits that determine whether a person was eligible for means tested legal aid was € 33 607 for a household of one, and € 50 410 for a household of two.

24) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

☒ Yes

☐ No

If yes, please explain the exact criteria for denying legal aid:

Pursuant to the Legal Aid Act section 16 legal representation can be refused if it is considered unreasonable for the assistance to be paid for out of public funds.

25) In other than criminal cases, is the decision to grant or refuse legal aid taken by:

- ☒ the court?
- ☒ an authority external to the court?
- ☐ a mixed authority (court and external bodies)?

26) Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

- ☒ Yes
- ☐ No

If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

Home and car insurance may cover legal expences, but this is mainly applied to litigations relating to the insured subject.

27) Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared, in:

criminal cases?	Yes
other than criminal cases?	Yes

B.1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your legal aid system and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 20 and 23:

Norwegian Courts Administration (NCA) and the Ministry of Justice and Public Security/Civil Department

2. 2. Users of the courts and victims

2. 2. 1. Rights of the users and victims

28) Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to the following:

The websites mentioned could appear in particular on the internet website of the CEPEJ. Please specify in the "comment" box below what documents and information the addresses for "other documents" include:

- | | | |
|---|---|--|
| legal texts (e.g. codes, laws, regulations, etc.)? Internet address(es): | <input checked="" type="checkbox"/> Yes | www.lovdata.no |
| case-law of the higher court/s? Internet address(es): | <input checked="" type="checkbox"/> Yes | www.lovdata.no,
www.hoyesterett.no,
www.domstol.no |
| other documents (e.g. downloadable forms, online registration)? Internet address(es): | <input checked="" type="checkbox"/> Yes | www.blanketter.no
www.brreg.no/
www.altinn.no/ |

Comment :

Please note that not all of the case law of the higher courts is available online free of charge, but the newest decisions are. Public instances, for example judicial libraries, offer access, free of charge, to databases containing caselaw of the higher courts.

29) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

- ☒ Yes
- ☐ No
- ☐ Yes only in some specific situations

If yes only in some specific situations, please specify:

Criminal cases: In criminal cases the prosecuting authority shall send a copy of the indictment and the summary of evidence to defence counsel together with documents relating to the case. Within a time-limit set by the prosecuting authority, defence counsel shall return the documents relating to the case with a statement of what evidence he will produce. The procedural rights for victims were strengthened by law 7 March 2008. The Government introduced an obligation for the police and public prosecutors to inform victims in special cases about the development in the case, which can include the timeframe of the proceedings. This obligation applies in particular to victims of sexual offences, serious violence, domestic violence, forced marriage, human trafficking and genital mutilation. These victims can also be assisted by a counsel. The amendments entered into force by 1 July 2008.

Civil cases: The Dispute Act sets down a timeframe of max 6 months (in the general process) and max 3 months (in the small claim process).

30) Is there a public and free-of-charge specific information system to inform and to help victims of crime?

- ☒ Yes
☐ No

If yes, please specify:

There are public offices - Norwegian services for victims of crime - that provide assistance and information to victims of crime, free of charge. As specified under question 32, some victims are also entitled to a counsel free of charge to assist them with matters concerning the criminal case, compensation etc.

31) Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons. If "other vulnerable person" and/or "other special arrangements", please specify it in the "comment" box below.

[This question does not concern the police investigation phase of the procedure and does not concern compensation mechanisms for victims of criminal offences, which are addressed under questions 32 to 34.]

	Information mechanism	Special arrangements in court hearings	Other
Victims of sexual violence/rape	Yes	Yes	Yes
Victims of terrorism	Yes	No	No
Children (witnesses or victims)	Yes	Yes	Yes
Victims of domestic violence	Yes	Yes	Yes
Ethnic minorities	Yes	No	No
Disabled persons	Yes	No	No
Juvenile offenders	Yes	No	Yes
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	Yes	No	Yes

Comment :

- Victims of rape, human trafficking and FGM are entitled to the assistance of counsel if he or she desires, cf. the Criminal Procedure Act section 107 a.
- The spouse, relatives in a direct line of ascent or descent, siblings and equally close relatives by marriage of the person charged are exempted from the duty to testify, cf. the Criminal Procedure Act section 122. The exemption does not include children under the age of 12.
- In cases of an examination of a witness who is under 14 years of age or a witness who is mentally retarded or similarly handicapped in cases of sexual felonies or misdemeanors, the judge shall take the statement separately from a sitting of the court when he finds it desirable in the interest of the witness or for other reasons, cf. the Criminal Procedure Act section 239. The same procedure may also be used in other criminal matters when the interest of the witness so indicate.
- According to Criminal Procedure Act section 245, the court may decide that the person charged or other persons shall leave the court room during the examination of the aggrieved person or of a witness under 18 years of age, if for special reasons this is in the best interest of the aggrieved person or the witness.
- If a person charged is under 18 years of age, his guardian shall also have the rights of a party to the case cf. the Criminal Procedure Act section 83.
- On 24. June 2011 the Norwegian Government approved several proposals for legislative amendments regarding juvenile offenders. The proposals include amendments to the Criminal Procedure Act which gives juvenile offenders extended right to a publicly appointed defense counsel. The amendments entered into force 20 January 2012.

There are other favourable arrangement for i.e. disabled persons, but not according to the procedural law itself.

31.1) Is it possible for minors to be a party to a judicial proceedings :

- ☒ Yes
☐ No

If yes, please specify which procedure can be concerned (civil, criminal, administrative/normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.) :

Firstly, minors can be party to criminal proceedings from the age of 15.

Secondly, The Dispute Act section 2-2 sets out that minors (below 18 years of age) do not have procedural capacity, unless procedural capacity is provided by statute. Such capacity is provided inter alia in the Dispute Act section 36-3 in cases of coercive measures related to health and social services.

32) Does your country allocate compensation for victims of crime?

- ☒ Yes
☐ No

If yes, for which kind of offences

The public fund for compensation is available for all victims of violent crimes, including sexual offences. Compensation by court decision is available in all kinds of cases, either pursued separately in a civil case or jointly with the criminal case.

33) If yes, does this compensation consist in:

- ☒ a public fund?
☒ damages to be paid by the responsible person (decided by a court decision)?
☐ a private fund?

34) Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

- ☒ Yes
☐ No

If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

The Norwegian National Collection Agency (NCA) is responsible for collection, legal enforcement and accountancy of all financial claims from the police, including compensation for the aggrieved party. NCA conducts statistics over the recovery of compensation awarded by courts. On a general basis the recovery rate is about 90 %.

35) Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

- ☒ Yes
☐ No

If yes, please specify:

The public prosecutors have some obligations to inform victims about their rights, decisions in the case and provide for their right to acquaint themselves with the documents in the case. In some cases the prosecutors also have an obligation to inform victims if the suspect is remanded in custody, for how long and when the person is released. The above mentioned amendments to strengthening victims' rights, introduced an even more active role for the public prosecutors in respect of victims of certain types of crime. Inter alia, obligations to provide information on the development of the case, to inform about certain appeals and to offer a personal meeting with the victim before the court proceedings. It can also be noted that in public cases where the aggrieved person is not entitled to counsel, the prosecutor may on application pursue civil legal claims on behalf of the aggrieved person, cf. the Criminal Procedure act section 427.

36) Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case?

Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

- ☒ Yes
- ☐ No
- ☐ NAP (the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed).

If necessary, please specify:

According to the Criminal Procedure Act section 59 a, victims of crime may appeal decisions by the prosecuting authority by way of complaint to the immediately superior prosecuting authority

2. 2. 2. Confidence of citizens in their justice system

37) Is there a system for compensating users in the following circumstances:

- ☒ excessive length of proceedings?
- ☒ non execution of court decisions?
- ☒ wrongful arrest?
- ☒ wrongful condemnation?

Where appropriate, please give details on the compensation procedure, the number of cases, the result of the procedures and the existing mechanism for calculating the compensation (e.g. the amount per day for unjustified detentions or convictions):

Criminal cases: If a person is wrongfully convicted the Criminal Procedure Act section 444 establishes full compensation in addition to any economic loss that the prosecution has caused him. A person who is wrongfully arrested contrary to Art 5 of the European Convention on Human Rights and Art 9 of the UN International Covenant on Civil and Political Rights, is entitled to compensation for any economic loss that the prosecution has caused him. In both cases, certain exceptions are made in section 446. If there is a breach of Art 6 (reasonable time) of the European Convention on Human Rights, the Criminal Procedure Act section 445 establishes – as a main rule – compensation regarding a documented economic loss caused by the unlawful delay. Compensation for economic loss is given based on the factual loss as a consequence of the legal proceedings.

The Criminal Procedure Act section 447 concerns damage for non-economic loss as a consequence of arrest or remand in custody when the person is acquitted or no legal proceedings are instituted against him. Regulations are given with fixed rates, saying that for periods of less than four hours, no damages for non-economic loss is paid. After that, the first two periods of 24 hours detention is compensated by 183 Euro (1500 NOK) each. If the charged person is transferred to a prison, each following day shall be compensated by 49 Euro (400 NOK). If the person spends custody in remand to complete isolation, the damages should be raised by 25% of the calculated sum.

38) Does your country have surveys aimed at legal professionals and court users to measure their trust and/or satisfaction with the services delivered by the judicial system? (multiple options possible)

- ☒ (Satisfaction) surveys aimed at judges
- ☒ (Satisfaction) surveys aimed at court staff
- ☒ (Satisfaction) surveys aimed at public prosecutors
- ☒ (Satisfaction) surveys aimed at lawyers
- ☒ (Satisfaction) surveys aimed at the parties
- ☒ (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)
- ☐ (Satisfaction) surveys aimed at victims

If possible, please specify their titles, object and websites where they can be consulted:

39) If possible, please specify:

	Surveys at a regular interval (for example annual)	Occasional surveys
Surveys at national level	No	Yes
Surveys at court level	No	Yes

40) Is there a national or local procedure for making complaints about the functioning of the judicial system (for example the handling of a case by a judge or the duration of a proceeding)?

☒ Yes

☐ No

41) Please specify which authority is responsible for dealing with such complaints and inform whether there is or not a time limit to respond and/or a time limit for dealing with the complaint (multiple options possible). Please give information concerning the efficiency of this complaint procedure in the "comment" box below.

	Time limit to respond (e.g. to acknowledge receipt of the complaint, to provide information on the follow-up to be given to the complaint, etc.)	Time limit for dealing with the complaint
Court concerned	Yes	No
Higher court	Yes	No
Ministry of Justice	Yes	No
High Council of the Judiciary	No	No
Other external bodies (e.g. Ombudsman)	Yes	No

Comment :

See answers to Q 140 to 144.

Parties can forward complaints to the concerned court related to a specific case, for example on the duration of proceedings. In civil cases a party can make a petition to the Chief Judge asking for his/hers interference. The decision of the Chief Judge can be appealed to the Higher court.

General complaints regarding the overall functioning of the Judiciary can be forwarded to the National Courts Administration or to the Ministry of Justice. However, there are no established procedures related to the handling of such complaints

41.1) Please indicate the number of complaints that are upheld and the amount of compensation given to users in 2012 for complaints about the functioning of the judicial system

3. Organisation of the court system

3. 1. Functioning

3. 1. 1. Courts

42) Number of courts considered as legal entities (administrative structures) and geographic locations. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total number
42.1 First instance courts of general jurisdiction (legal entities)	66
42.2 First instance specialised Courts (legal entities)	2
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	73

43) Number (legal entities) of first instance specialised courts (or specific judicial order). If data is not available, please indicate NA.

If the situation is not applicable in your country, please indicate NAP.

	Number
Total (must be the same as the data given under question 42.2)	2
Commercial courts (excluded insolvency courts)	
Insolvency courts	
Labour courts	
Family courts	
Rent and tenancies courts	
Enforcement of criminal sanctions courts	
Fight against terrorism, organised crime and corruption	
Internet related disputes	
Administrative courts	
Insurance and / or social welfare courts	
Military courts	
Other specialised 1st instance courts	2

Comment :

The two specialized courts are located in Oslo. Oslo County Court deals with probate, bankruptcy and enforcement cases. Oslo District Court handles criminal cases and civil cases.

In addition, there are courts of particular jurisdiction. Examples of courts with particular jurisdiction are the Labour Court and the Land Consolidation Courts. Altogether, there are 34 land consolidation courts in the first instance and 5 appellate land consolidation courts.

The courts of particular jurisdiction are not included in the numbers presented above.

The Conciliation Boards also form part of the court system. There are approximately 430 Conciliation Boards and 1320 Conciliation Board members.

44) Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

☒ Yes

☐ No

If yes, please specify:

Following the change of Government after the Parliamentary elections in September 2013, the new Government has signalled in its political Government platform document several initiatives related to the judiciary. Among these initiatives are to carry out an overall evaluation the judicial map, as well as an assessment of need for establishing specialized courts and administrative courts related to immigration cases, as well as "fast track" courts.

45) Number of first instance courts (geographic locations) competent for the following cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Number
a debt collection for small claims	65
a dismissal	65
a robbery	65

Please give the definition for small claims and indicate the monetary value of a small claim:

The Dispute Act of 2005 that entered into force 1. January 2008, introduced a simplified procedure for small claims. Small claims are cases where the value of the subject-matter is below 125 000 NOK (15 985 EURO).

Please indicate the sources for answering questions 42, 43 and 45:

Norwegian Courts Administration

[mail from NC 1/4/2014 about the number of 1st instance court: The number for first instance courts is 66. Please note that 65 in Q 45 refers to first instance courts according to jurisdiction. Oslo has two first instance courts, one court dealing with civil and criminal cases, whereas the other one deals with enforcement, probate, notary functions, bankruptcy cases. This means that the answer to Q 45 will be 65, because one of the Oslo first instance courts will be left outside.]

3. 1. 2. Judges, court staff

46) Number of professional judges sitting in courts (if possible on 31 December 2012) (please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please provide in the "comment" box below any useful comment for interpreting the data above.

[Please make sure that public prosecutors and their staff are excluded from the following figures (they will be part of questions 55-60). If a distinction between staff attached to judges and staff attached to prosecutors cannot be made, please indicate it clearly.

Please indicate the number of posts that are actually filled at the date of reference and not the theoretical budgetary posts.]

	Total	Males	Females	NAP
Total number of professional judges (1 + 2 + 3)	557	342	215	
1. Number of first instance professional judges	369	218	151	
2. Number of second instance (court of appeal) professional judges	168	111	57	
3. Number of supreme court professional judges	20	13	7	

Comment :

47) Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total	Males	Females	NAP
Total number of court presidents (1 + 2 + 3)	73	50	23	
1. Number of first instance court presidents	66	43	23	
2. Number of second instance (court of appeal) court presidents	6	6	0	
3. Number of supreme court presidents	1	1	0	

48) Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December 2012).

Please provide in the "comment" box below any information to explain the answer under question 48.

Gross figure	<input checked="" type="checkbox"/> Yes	43
If possible, in full-time equivalent		NA

Comment :

If necessary, please provide comments to explain the answer under question 48:

The number of professional judges sitting in courts on an occasional basis consists of first and second instance court judges and lawyers, who have reached the retirement age, but who are willing to sit in court of appeal cases when the court is in need of extra judges. The number of cases handled per year vary from judge to judge,, but in general the amount of work per year laid down by these judges does not constitute more than a few months – in full time equivalent.

49) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December 2012) (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury):

If such non-professional judges exists in your country, please specify it in the "comment" box below:

Gross figure	<input checked="" type="checkbox"/> Yes	43 000
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Comment :

With the exception of summary plea guilty trials in the first instance courts, which are handled by a single judge, all criminal cases are dealt with by composite court where lay judges as matter of principle form majority. First instance criminal cases are dealt with by 1 professional judge and 2 lay judges, all with equal vote. Second instance criminal cases are dealt with by 3 professional judges and 4 lay judges. Hence – the criminal procedure act presupposes a large number of lay judges. The lay judges serve from a case to case basis, and are selected randomly through the case management system.

In order to maintain the lay factor, these lay judges are not remunerated with the exception of a per diem fee of 250 NOK, and most important, they only serve in 1 to 2 cases on annual basis.

50) Does your judicial system include trial by jury with the participation of citizens?

- ☒ Yes
☐ No

If yes, for which type of case(s)?

All criminal cases in Norway start in the first instance courts. The jury system is attached to the second instance appellate proceedings. The jury decides on the question of guilt in appeals where the indictment concerns penal provisions with a sentencing framework exceeding six years.

So in criminal cases a trial by jury is mandatory in the appeal court, when the appeal concerns assessment of evidence for guilt and the prescribed penalty scale for the offence exceeds six years. The jury decides whether the indicted is to be found guilty or not.

51) Number of citizens who were involved in such juries for the year of reference:

6 700

52) Number of non-judge staff who are working in courts for judges (if possible on 31 December 2012) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled). If "other non-judge staff", please specify it in the "comment" box below.

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> Yes (among which women) 82 1 (7 24)
---	---

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal

NAP

2. Non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) such as registrars

☒ Yes (among which women) 2 0 (11)

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including

NA

computer systems, financial and budgetary management, training management)

4. Technical staff

NA

5. Other non-judge staff

NA

Comment :

The Supreme Court is set up with 18 judges' legal assistants. Borgarting and Gulating Court of Appeal is set up with one judges' legal assistant each.

53) If there are Rechtspfleger (or similar bodies) in your judicial system, please describe briefly their status and duties:

We do not have rechtspfleger in the Norwegian courts.

54) Have the courts delegated certain services, which fall within their powers, to private providers (e.g. IT services, training of staff, security, archives, cleaning)?

☒ Yes

☐ No

If yes, please specify:

Contractualization exists on several levels. Firstly, the court buildings are to a large extent rented from private actors (with the exception of new court buildings exceeding a certain size). Secondly, several services such as cleaning are done by private actors. Thirdly, pursuant to the Norwegian Act on Enforcement, the forced sale of real estate can be outsourced to real estate agents.

C1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your judicial system and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Norwegian Courts Administration

3. 1. 3. Public prosecutors and staff

55) Number of public prosecutors (if possible on 31 December 2012) (please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. Please provide in the "comment" box below any useful information for interpreting the data.

	Total	Males	Females	NAP
Total number of prosecutors (1 + 2 + 3)	616	300	316	
1. Number of prosecutors at first instance level	502	225	277	
2. Number of prosecutors at second instance (court of appeal) level	101	66	35	
3. Number of prosecutors at supreme court level	13	9	4	

Comment :

The Norwegian organization of the public prosecutors establishes three tiers. The first tier of prosecutors is integrated within the police. Each police district is set up with prosecutorial units or departments. The second tier of prosecutors consists of the Regional Public Prosecution Offices. The Director of Public Prosecutions forms the last and topmost tier. Although the first tier of prosecutors is organized within the police, and the budget related to these prosecutors follow the budget for the police, these prosecutors have the same formal qualifications as the two topmost layers of prosecutors, but will generally have less working experience and qualifications gained thereof than prosecutors in the second and third tier. The authority to decide in prosecutorial matters correlates of course with the hierarchy within the prosecution services.

56) Number of heads of prosecution offices. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please provide in the "comment" box below any useful information for interpreting the data.

	Total	Males	Females	NAP
Total number of heads of prosecution offices (1 + 2 + 3)	13	12	1	
1. Number of heads of prosecution offices at first instance level	0	0	0	
2. Number of heads of prosecution offices at second instance (court of appeal) level	12	11	1	
3. Number of heads of prosecution offices at supreme court level	1	1	0	

Comment :

57) Do other persons have similar duties to public prosecutors?

☐ Yes

☒ No

☐ NA

Number (full-time equivalent)

58) If yes, please specify their title and function:

59) If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

☐ Yes

☐ No

59.1) Do all prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

☐ Yes

60) Number of staff (non-public prosecutors) attached to the public prosecution service (if possible on 31 December 2012) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

Number ☒ NA

Among which women ☒ NA

C2 You can indicate below:

- Any useful comments for interpreting the data mentioned in this chapter

- The characteristics of your judicial system and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 55, 56 and 60.

The Office of the Director General of Public Prosecution

3. 1. 4. Management of the court budget

61) Who is entrusted with responsibilities related to the budget within the court?

If "other", please specify it in the "comment" box below.

	budget	allocation	management of the budget	on the use of the budget
Management Board	No	No	No	No
Court President	Yes	Yes	Yes	Yes

Court administrative director	Yes	Yes	Yes	Yes
Head of the court clerk office	No	No	No	No
Other	No	No	No	No

Comment :

3. 1. 5. Use of Technologies in courts

62) For direct assistance to the judge/court clerk, what are the computer facilities used within the courts?

Word processing	100% of courts
Electronic data base of caselaw	100% of courts
Electronic files	100% of courts
E-mail	100% of courts
Internet connection	100% of courts

63) For administration and management, what are the computer facilities used within the courts?

Case registration system	100% of courts
Court management information system	100% of courts
Financial information system	100% of courts
Videoconferencing	+50% of courts

64) For the electronic communication and exchange of information between the courts and their environment, what are the computer facilities used by the courts ?

Si "autres moyens de communication électronique", veuillez le préciser dans la boîte de commentaires ci-dessous.

Electronic web forms	-10% of courts
Website	100% of courts
Follow-up of cases online	0 % of courts
Electronic registers	0 % of courts
Electronic processing of small claims	0 % of courts
Electronic processing of undisputed debt recovery	0 % of courts
Electronic submission of claims	0 % of courts
Videoconferencing	+50% of courts
Other electronic communication facilities	100% of courts

Comment :

To "follow-up of cases online":

Scheduled dates for proceedings are published on the internet.

To "electronic registers":

The courts in Norway do not have a major role when it comes to registers. The Brønnøysund Register Centre is a government body under the Norwegian Ministry of Trade and Industry, and consists of several different national computerised registers.

"Other electronic communication facilities": The Case Management System in first and second instance courts communicates electronically with the Register of Bankruptcy, several legal information systems, and indictments from the public prosecutor is sent electronically to the courts, et cetera. The courts are also electronically connected to vast number of public registers.

65) The use of videoconferencing in the courts (details on question 63).

Please indicate in the "comment" box below any clarification on the legal framework and the development of videoconferencing in your country.

65.1 In criminal cases, do courts or prosecution offices use videoconferencing for hearings in the presence of defendants or witnesses or victims?	Yes
65.2 Can such court hearing be held in the police station and/or in the prison?	Yes
65.3 Is there any specific legislation on the conditions for using videoconferencing in the courts / prosecution offices, especially in order to protect the rights of the defence?	Yes
65.4 Is videoconferencing used in other than criminal cases?	Yes

Comment :

The scope for the finalized pilot project for six courts was implemented for all courts by enactment that entered into force in 2011. The new provisions in the criminal procedure act enhanced the use of videoconferencing in criminal pretrial detention cases compared to the pilot by authorizing the judge to decide to use videoconferencing in hearings related to the prolonging of pre trial detention even though the accused person does not consent.

C3 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your judicial system and the main reforms that have been implemented over the last two years

3. 2. Monitoring and evaluation

3. 2. 1. Performance and evaluation

66) Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

☒ Yes

☐ No

If yes, please indicate the name and the address of this institution:

The Norwegian Courts Administration (NCA), NO-7485 Trondheim, Norway

66.1) Does this institution publish statistics on the functioning of each court on the internet:

☒ Yes

☐ No, only in an intranet website

☐ No

67) Are individual courts required to prepare an annual activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

☒ Yes

☐ No, only in an intranet website

68) Do you have, within the courts, a regular monitoring system of court activities concerning:

The monitoring system aims to assess the day-to-day activity of the courts (namely, what the courts produce) thanks in particular to data collections and statistical analysis (see also questions 80 and 81).

☒ number of incoming cases?

☒ number of decisions delivered?

☐ number of postponed cases?

☒ length of proceedings (timeframes)?

☒ other?

If other, please specify:

The Norwegian Courts Administration (NCA) focuses on the number of incoming cases, the number of closed cases, the number of pending cases and processing time (time elapsed between case coming in until case closed).

These indicators may be calculated anytime. However, the NCA has chosen to evaluate the efficiency of the courts every six months.

The indicator "number of decisions" is here interpreted as "number of resolved cases" (i.e. all cases/procedures which have come to an end at the level considered.)

69) Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

The evaluation system refers to the performance of the court systems with prospective concerns, using indicators and targets. The evaluation may be of more qualitative nature (see questions 69-77). It does not refer to the evaluation of the overall (good) functioning of the court (see question 82).

- ☒ Yes
☐ No

If yes, please specify:

See question 68). The statistics produced every six months are published per court. The processing time will be evaluated against targeted processing time.

70) Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 72)

- ☒ Yes
☐ No

71) Please select the 4 main performance and quality indicators that have been defined:

- ☒ incoming cases
☒ length of proceedings (timeframes)
☒ closed cases
☒ pending cases and backlogs
☐ productivity of judges and court staff
☐ percentage of cases that are processed by a single sitting judge
☐ enforcement of penal decisions
☐ satisfaction of court staff
☐ satisfaction of users (regarding the services delivered by the courts)
☐ judicial quality and organisational quality of the courts
☐ costs of the judicial procedures
☐ other:

If other, please specify:

72) Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

- ☐ Yes
☒ No

73) Who is responsible for setting the targets for each judge?

- ☐ executive power (for example the Ministry of Justice)?
☐ legislative power
☐ judicial power (for example a High Judicial Council, Higher Court)
☐ President of the court

☐ other

If other, please specify:

NAP

No evaluation/monitoring of individual judges, only per court.

74) Are there performance targets defined at the level of the court (if no please skip to question 77)?

☒ Yes

☐ No

75) Who is responsible for setting the targets for the courts?:

☐ executive power (for example the ministry of Justice)?

☒ legislative power

☐ judicial power (for example a High Judicial Council, Higher Court)

☒ President of the court

☐ other

If other, please specify:

The Parliament sets targets for the processing time in both civil and criminal cases

76) Please specify the main targets applied to the courts:

For civil cases: Average processing time within 6 months

For criminal cases with lay judges: Average processing time within 3 months

For single judge criminal cases: Average processing time within 1 month

77) Who is responsible for evaluating the performance of the courts (see questions 69 to 76)? (multiple options possible)

☐ High Council of judiciary

☒ Ministry of Justice

☐ Inspection authority

☐ Supreme Court

☐ External audit body

☒ Other

If other, please specify :

Other: Norwegian Courts Administration.

As point of embarkation, it is the Norwegian Courts Administration which is responsible for the well functioning of the courts. However - the Parliamentary responsibility pertains to the Minister of Justice. The Government may instruct the Norwegian Courts Administration in singular cases, and the Ministry of Justice may issue general regulation related to the judiciary.

Although the Ministry of Justice does not evaluate the courts on a regular basis, they may in principle initiate evaluation. It is important to stress that today this is not a practical question.

78) Are quality standards determined for the whole judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

☐ Yes

☒ No

If yes, please specify:

79) Do you have specialised court staff that is entrusted with these quality standards?

☐ Yes

☒ No

80) Do you monitor backlogs and cases that are not processed within a reasonable timeframe for ?

☒ in civil law cases

☒ in criminal law cases

☒ in administrative law cases

81) Do you monitor waiting time during court procedures?

☐ Yes

☒ No

If yes, please specify:

82) Is there a system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan (plan of visits) agreed beforehand?

This question does not concern the specific evaluation of performance indicators.

☐ Yes

☒ No

Please specify the frequency of the evaluation:

83) Is there a system for monitoring and evaluating the performance of the public prosecution service?

☐ Yes

☒ No

If yes, please give further details:

C.4 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter

- the characteristics of your court monitoring and evaluation systems

cf Q80: we don't have administrative courts in Norway. Administrative cases (mostly cases between state bodies and citizens) form part of the civil cases in the report, but the back log measures do also apply to these cases.

4. Fair trial

4. 1. Principles

4. 1. 1. General principles

84) Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

NA

85) Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

NA

86) Number of cases regarding Article 6 of the European Convention of Human Rights on duration and non-execution. If data is not available, please indicate NA.

	Cases declared inadmissible by the Court	Friendly settlements	Judgements establishing a violation	Judgements establishing a non violation
Civil proceedings - Article 6§1 (duration)	0	0	0	0
Civil proceedings - Article 6§1 (non-execution)	0	0	0	0
Criminal proceedings - Article 6§1 (duration)	0	0	0	0

Please indicate the sources:

<http://hudoc.echr.coe.int/>

D.1 You can indicate below any useful comments for interpreting the data mentioned in this chapter

4. 2. Timeframes of proceedings

4. 2. 1. General information

87) Are there specific procedures for urgent matters as regards:

- ☒ civil cases?
- ☒ criminal cases?
- ☒ administrative cases?
- ☐ there is no specific procedure

If yes, please specify:

Urgent civil cases: Custody proceedings may take some time to bring to a final conclusion. The parties and interests involved can, according to the Children's Act, call for an interim solution.

Generally, there is the possibility of obtaining an interim court order to secure the claim, more precisely to secure a claim before there is a basis for the ordinary enforcement of the claim or before the dispute is dealt with during the main hearing.

Urgent criminal cases: Cases including juveniles/minors (i.e. under the age of 18 yrs) and persons in pre-trial custody, take priority, as decided in the Criminal Procedure Act section 275.

88) Are there simplified procedures for:

- ☒ civil cases (small disputes)?
- ☒ criminal cases (small offences)?
- ☐ administrative cases?
- ☐ there is no simplified procedure

If yes, please specify:

Civil cases: Cases involving claims of limited amounts (small claims) are dealt with in a simplified procedure according to the Dispute Act 2005 chapter 8.

Criminal cases: According to the Criminal Procedure Act section 248 a singular professional judge may pass sentence in cases where the accused person confesses in court and the confession is strengthened by the other information obtain by the public prosecutor, granted that the other criteria set forth in section 248 is present.

88.1) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

☐ Yes

☒ No

89) Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

☒ Yes

☐ No

If yes, please specify:

Civil cases: According to the Dispute Act of 2005 section 9-4, the judge in charge of the preparation of the case shall carry out a planning meeting with the parties immediately after the court has received the defence pleading. The intention of this meeting is to establish a plan for the further proceedings, including modalities, time limits and dates for hearings.

Also – according to the Courts Act section 151 the court may reduce the time limits set forth in the procedural legislation, with the consent from the parties.

4. 2. 2. Case flow management and timeframes of judicial proceedings

90) Comment:

The national correspondents are invited to pay special attention to the quality of the answers to questions 91 to 102 regarding case flow management and timeframes of judicial proceedings. The CEPEJ agreed that the subsequent data would be processed and published only if answers from a significant number of member states – taking into account the data presented in the previous report – are given, enabling a useful comparison between the systems.

91) First instance courts: number of other than criminal and criminal law cases.

Number of other than criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note 1: cases mentioned in categories 3 to 5 (enforcement, land registry, business register) should be presented separately in the table. Cases mentioned in category 6 (administrative law) should also be separately mentioned for the countries which have specialised administrative courts or separate administrative law procedures or are able to distinguish in another way between administrative law cases and civil law cases.

Note 2: check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means: "(pending cases on 1 January 2012 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2012. Vertical consistency of data means that the sum of the individual case categories 1 to 7 should r

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)*	26 640	53 127	53 044	24 636
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	7 920	18 123	18 053	7 937
2. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	6 582	11 121	11 636	6 043
3. Non litigious enforcement cases	10 138	23 883	23 355	10 656
4. Non litigious land registry cases**	NAP	NAP	NAP	NAP
5. Non litigious business registry cases**	NAP	NAP	NAP	NAP
6. Administrative law cases	NAP	NAP	NAP	NAP
7. Other cases (e.g. insolvency registry cases)	NAP	NAP	NAP	NAP

92) If courts deal with "civil (and commercial) non-litigious cases", please indicate the case categories included:

93) If "other cases", please indicate the case categories included:

Please note that the Norwegian courts do also perform marriages and notarius publicus functions. The number of marriages in 2012 were 8398. Each marriage is weighted to 1 hour 15 minutes. Each notarius publicus task is weighted to 15 minutes. The number of such tasks can be estimated to approximately 25 000 per year.

94) Number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note: please check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means that: "(pending cases on 1 January 2012 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2012. Vertical consistency of data means that the sum of the categories 8 and 9 for criminal cases should reflect the total number of criminal cases.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	4 589	27 414	27 429	4 500
8. Severe criminal cases	NA	NA	NA	NA
9. Misdemeanour and / or minor criminal cases	NA	NA	NA	NA

95) To differentiate between misdemeanour / minor offenses and serious offenses and ensure the consistency of the responses between different systems, the CEPEJ invites to classify as misdemeanour / minor all offenses for which it is not possible to pronounce a sentence of privation of liberty. Conversely, should be classified as severe offenses all offenses punishable by a deprivation of liberty (arrest and detention, imprisonment). If you cannot make such a distinction, please indicate the categories of cases reported in the category "serious offenses" and cases reported in the category "minor offenses":

Comment to Q 94: The number of criminal cases includes composite court cases (with 1 professional judge and 2 lay judges) and guilty plea cases (1 single professional judge). Please note that Norway has not been able to extract guilty plea cases from other single judge cases in the previous evaluation cycles. We are now able to do that, and the increase in number of criminal cases can be explained accordingly. The division between guilty plea cases and composite court cases is:

Pending 1 Jan. 2012:
Composite Court cases: 3615
Guilty plea cases: 974

Incoming cases:
Composite Court cases: 15037
Guilty plea cases: 12377

Resolved cases:
Composite Court cases: 15095
Guilty plea cases: 12334

Pending 31. Dec. 2012:
Composite Court cases: 3491
Guilty plea cases: 1009

Furthermore – please note that the numbers only include cases where a criminal sanction is pronounced, i.e. not cases

of coercive pre trial measures.

As for the previous evaluation cycles, we cannot differ in our data between misdemeanour cases and severe cases, although the composite court cases usually concern more severe cases than was adjudicated in the simplified procedure for guilty plea cases.

96) Comments on questions 90 to 95 (specific situation in your country e.g. NA-answers and the calculation of the total number of other than criminal law cases, differences in horizontal consistency etc.)

Horizontal consistency

100 % horizontal consistency in this table is not feasible. The reason is that according to procedural law, cases may be divided or united after being registered in to the court.

97) Second instance courts: total number of cases

Number of "other than criminal law" cases.

If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)	1 596	3 615	3 583	1 614
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	NA	NA	NA	NA
2. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	NA	NA	NA	NA
3. Non litigious enforcement cases	NA	NA	NA	NA
4. Non litigious land registry cases	NAP	NAP	NAP	NAP
5. Non litigious business registry cases	NAP	NAP	NAP	NAP
6. Administrative law cases	NAP	NAP	NAP	NAP
7. Other cases (e.g. insolvency registry cases)	NAP	NAP	NAP	NAP

98) Number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	237	3 441	3 430	227
8. Severe criminal cases	NA	NA	NA	NA
9. Misdemeanour and/or minor criminal cases	NA	NA	NA	NA

Comment :

Contrary to previous years the number of criminal cases in the 2. Instance courts does not include appeals concerning interlocutory decisions from the first instance courts (the main category being pre trial detention cases). This is in accordance with the fact that we now are able to separate guilty plea judgements in the first instance courts from other single judge cases, c.f. Q 94.

99) Highest instance courts: total number of cases

Number of "other than criminal law" cases:

If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	2011-12	2012-13	2013-14	2014-15
Total of other than criminal law cases (1+2+3+4+5+6+7)	38	78	82	24
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)	NA	NA	NA	NA
2. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)	NA	NA	NA	NA
3. Non litigious enforcement cases	NA	NA	NA	NA
4. Non litigious land registry cases**	NAP	NAP	NAP	NAP
5. Non litigious business registry cases	NAP	NAP	NAP	NAP

6. Administrative law cases	NAP	NAP	NAP	NAP
7. Other cases (e.g. insolvency registry cases)	NAP	NAP	NAP	NAP

99.1) At the level of the Higher court, is there a procedure of manifest inadmissibility?

☒ Yes. If yes, please indicate the number of cases closed by this procedure?

☐ No

Number

NA

100) Number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	19	77	66	30
8. Severe criminal cases	NA	NA	NA	NA
9. Misdemeanour and/or minor criminal cases	NA	NA	NA	NA

Comment :

101) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases received and processed by first instance courts. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 January 2012	Incoming cases	Resolved cases	Pending cases on 31 December 2012
Litigious divorce cases	NAP	NAP	NAP	NAP
Employment dismissal cases	NA	NA	NA	NA
Insolvency	4786	9345	9746	4381
Robbery cases	NA	NA	NA	NA
Intentional homicide	NA	30	NA	NA

102) Average length of proceedings, in days (from the date the application for judicial review is lodged). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

[The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.]

	% of decisions subject to appeal	% pending cases more than 3 years	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)
Litigious divorce cases	NAP	NAP	NAP	NAP	NAP	NAP
Employment dismissal cases	NA	NA	NA	NA	NA	NA
Insolvency	NA	NA	NA	NA	NA	NA
Robbery cases	NA	NA	NA	NA	NA	NA
Intentional homicide	NA	NA	NA	NA	NA	NA

103) Where appropriate, please inform about the specific procedure as regards divorce cases (litigious and non-litigious):

With some very few exceptions, the dissolution of a marriage in Norway follows a non-judicial procedure.

104) How is the length of proceedings calculated for the five case categories? Please give a description of the calculation method.

-

105) Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- ☒ to conduct or supervise police investigation
- ☐ to conduct investigations
- ☐ when necessary, to request investigation measures from the judge
- ☒ to charge
- ☒ to present the case in the court
- ☒ to propose a sentence to the judge
- ☒ to appeal
- ☐ to supervise the enforcement procedure
- ☒ to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- ☒ to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- ☐ other significant powers

If "other significant powers", please specify:

106) Does the public prosecutor also have a role in civil and/or administrative cases?

- ☒ Yes
☐ No

If yes, please specify:

1. Cases regarding foreign immigration.
2. The prosecutor has an obligation to present claims for compensation for victims during the criminal proceedings against the offender.

106.1) Does the public prosecutor also have a role in insolvency cases?

- ☐ Yes
☒ No

If yes, please specify:

107) Case proceedings managed by the public prosecutor

Total number of 1st instance criminal cases.

If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Received by the public prosecutor	Cases discontinued by the public prosecutor (see 108 below)	Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases charged by the public prosecutor before the courts
Total number of 1st instance criminal cases	395753	186966	93679	82776

107.1) Among cases charged by the public prosecutor before the courts, how many were brought to court under a guilty plea procedure or similar ?

	Before the court case:	During the court case:
If possible, please distinguish the number of guilty plea procedure:	30942	NAP

108) Total cases which were discontinued by the public prosecutor. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Number
Total cases which were discontinued by the public prosecutor (1+2+3)	185 751
1. Discontinued by the public prosecutor because the offender could not be identified	137 436
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	3 842

3. Discontinued by the public prosecutor for reasons of opportunity

3 555

109) Do the figures include traffic offence cases?☐ Yes☒ No**D.2 You can indicate below:**

**any useful comments for interpreting the data mentioned in this chapter
the characteristics of your system concerning timeframes of proceedings and the main reforms that
have been implemented over the last two years**

[Q91, Q94, Q97, Q98, Q99, Q100, Q101 & Q102 mail from NC 1/4/2014: Horizontal consistency

100 % horizontal consistency in this table is not feasible. The reason is that according to procedural law, cases may be divided or united after being registered in to the court. (mail CN 27/3/2014)]

Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107 and 108.

Q 91-102: NCA

Q107-108: General Prosecutors Office

5. Career of judges and public prosecutors

5. 1. Recruitment and promotion

5. 1. 1. Recruitment and promotion

110) How are judges recruited?

- ☐ Mainly through a competitive exam (for instance, following a university degree in law)
- ☒ Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
- ☐ A combination of both (competitive exam and working experience)
- ☐ Other

If "other", please specify:

110.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

- ☒ Yes
- ☐ No

If "yes", please specify:

Pursuant to Working Environment Act, and the Gender equality act, all public institutions are obliged to actively promote gender equality at work. Accordingly, the Judicial Appointments Board and the Government exerts the principle of moderate gender allocation per quota in courts with gender imbalance. This is also applicable to recruitment and appointment of court presidents, where we still have too few female court presidents. The gender equality policy is also established in the policy note to the Judicial Appointments Board, which is made publicly available on its web site, and updated on a regular basis.

111) Authority(ies) in charge: are judges initially/at the beginning of their carrier recruited and nominated by:

[This question strictly concerns the authority entrusted with the decision to recruit (not the authority formally responsible for the nomination if different from the former)].

- ☐ An authority made up of judges only?
- ☐ An authority made up of non-judges only?
- ☒ An authority made up of judges and non-judges?

Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

The responsibility for recruitment of future judges lies with the Norwegian Courts Administration. The Judicial Appointments Board is responsible for the process of nomination of candidates to concrete vacancies, whereas the formal appointment is done by the Government.

112) Is the same authority competent for the promotion of judges?

- ☐ Yes
- ☒ No

If no, which authority is competent for the promotion of judges ?

New positions for judges within the Judiciary is achieved through the same system as the initial appointment, i.e. by announcement, interviews and collecting of references, nomination and finally new appointment from the King in Council. Hence, there is not a promotion system in the Norwegian judiciary that differs from ordinary appointments as described above.

112.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

☐ Yes

☒ No

If "yes", please specify:

Although no promotion system exists, the Norwegian Courts Administration is working actively with calling on female judges or attorneys to apply for positions as court president.

113) Which procedures and criteria are used for promoting judges? Please specify.

NA, see Q112

114) Is there a system of qualitative individual assessment of the judges' activity?

☐ Yes

☒ No

If yes, please indicate the frequency

115) Is the status of prosecution services:

☒ Independent?

☐ Under the authority of the Minister of justice ?

☐ Other?

Please specify:

116) How are public prosecutors recruited?

☐ Mainly through a competitive exam (for instance, following a university degree in law)

☐ Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)

☒ A combination of both (competitive exam and working experience)

☐ Other

If "other", please specify:

117) Authority(ies) in charge: are public prosecutors initially/at the beginning of their carrier recruited by:

[This question concerns the authority entrusted with the responsibility to recruit only (not the authority formally responsible for the nomination if different from the former).]

☒ An authority composed of public prosecutors only?

☐ An authority composed of non-public prosecutors only?

☐ An authority composed of public prosecutors and non-public prosecutors?

Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

☒ Yes

☐ No

If "yes", please specify:

118) Is the same authority formally responsible for the promotion of public prosecutors?

- ☐ Yes
- ☒ No

If no, please specify which authority is competent for promoting public prosecutors:
The head of prosecution office in the Region and the King in Council.

119) Which procedures and criteria are used for promoting public prosecutors? Please specify:

Public announcement and interviews.

119.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

- ☒ Yes
- ☐ No

If "yes", please specify:

It is a general rule for all public positions that the public office should try to achieve gender equality.

120) Is there a system of qualitative individual assessment of the public prosecutors' activity?

- ☒ Yes
- ☐ No

121) Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify in the "comment" box below

Yes. If yes, please indicate the compulsory retirement age	70
No	

Comment :

All judges are appointed for an undetermined period (for life). Pursuant to the Norwegian Constitution, judges may only be dismissed by way of court decision.

In addition to permanent judges, we make use of temporary appointed judges (deputy judges and acting judges (period from 3 months and up to 2 years)).

121.1) Can a judge be transferred to another court without his consent:

- ☐ For disciplinary reasons
- ☐ For organisational reasons
- ☐ For other reasons. Please specify modalities and safeguards

Please specify modalities and safeguards

Judges cannot be transferred without his or her consent.

122) If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period? If the situation is not applicable in your country, please indicate NAP.

	Duration of the probation period (in years)
Yes	
No	
NAP	nap

123) Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify in the "comment" box below:

Yes. If yes, please indicate the compulsory retirement age	yes
No	

Comment :

yes, if major misconduct

124) Is there a probation period for public prosecutors? If yes, how long is this period? If the situation is not applicable in your country, please indicate NAP.

	Duration of the probation period (in years)
Yes	
No	
NAP	NAP

125) If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

NAP

126) If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

NAP

E.1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of the selection and nomination procedure of judges and public prosecutors and the main reforms that have been implemented over the last two years

5. 2. Training

5. 2. 1. Training

127) Training of judges

Initial training (e.g. attend a judicial school, traineeship in the court)	Compulsory
General in-service training	Optional
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	Compulsory
In-service training for management functions of the court (e.g. court president)	Compulsory
In-service training for the use of computer facilities in courts	Compulsory

128) Frequency of the in-service training of judges:

General in-service training	Annual / Regular (e.g. every 3 months)
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	Occasional (e.g. at times)
In-service training for management functions of the court (e.g. court president)	Annual / Regular (e.g. every 3 months)
In-service training for the use of computer facilities in courts	Occasional (e.g. at times)

129) Training of public prosecutors

Initial training	No training proposed
General in-service training	Compulsory
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Optional
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Optional
In-service training for the use of computer facilities in office	Optional

130) Frequency of the in-service training of public prosecutors

General in-service training	Occasional (e.g. at times)
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Occasional (e.g. at times)
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Occasional (e.g. at times)
In-service training for the use of computer facilities in office	Occasional (e.g. at times)

131) Do you have public training institutions for judges and / or prosecutors? If yes, please indicate the budget of such institution(s) in the "comment" box below.

If your judicial training institutions do not correspond to these criteria, please specify it:

	Initial training only	Continuous training only	Initial and continuous training	2012 budget of the institution, in €
One institution for judges	NAP	NAP	NAP	NAP
One institution for prosecutors	NAP	NAP	NAP	NAP
One single institution for both judges and prosecutors	NAP	NAP	NAP	NAP

Comment :

Training of judges is, in line with rest of court staff and staff at the Norwegian Courts Administration, exerted by the Norwegian Courts Administration through Department of Training Development. Proper rooting of the training for judges is ensured through the Training Advisory Council, and by establishing several committees divided into legal fields (criminal law and procedure, civil procedure, et cetera).

131.1) If there is no initial training for judges and/or prosecutors in such institutions, please indicate briefly how these judges and/or prosecutors are recruited and trained ?

The initial training is organized by the Department of Training Development in the Norwegian Courts Administration, and consists of 5 gatherings held during first year at the bench, each gathering with duration of 3-4 days.

E.2 You can indicate below:**any useful comments for interpreting the data mentioned in this chapter****comments regarding the attention given in the curricula to the European Convention on Human Rights and the case law of the Court****the characteristics of your training system for judges and public prosecutors and the main reforms that have been implemented over the last two years****5. 3. Practice of the profession****5. 3. 1. Practice of the profession****132) Salaries of judges and public prosecutors.**

	Gross annual salary, in €, on 31 December 2012	Net annual salary, in €, on 31 December 2012
First instance professional judge at the beginning of his/her career	130 737	90 163
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	212 295	159 836
Public prosecutor at the beginning of his/her career	66234	64873
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Public prosecutor General)	103 842	101 729

Comment :

The net salary is calculated by subtracting taxes from gross annual salary. The actual net salary for a judge will however depend on which deductions the judge will have (tax deductible interest et cetera).

Otherwise, please note that due to differences in currency rate, the salary reported for the 2010 evaluation was artificially low!

[mail from NC 4/4/2014 about the increase between 2010 & 2012 : The sole reason for the increase of the salary - which is a mistake - was due to a misunderstanding when it comes to the term "public prosecutor" which in this case is refering to what we would call a Police Prosecutor in Norway.

The correct salary for 2012 would then be 66234 (Gross annual - instead of 87683) and 64873 (Net annual - instead of 85894).

Since there has been a different person handling the questionnaire in the Office of the Director of Public Prosecutions this time (the person handling the previous one is no longer working at this office), it is hard to explain the difference in the Net annual salary 2010 vs 2012, but \ the correct Net annual for 2010 should probably have been around 60500 somewhere (depending on currency etc.). (The no. given for Net annual in 2010 has been calculated differently presumably by deducting all the taxes, which is not the way it's calculated in our pay scale.) The 2012 amount is based on our official pay scale.]

133) Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	No	No
Special pension	No	No
Housing	No	No
Other financial benefit	No	No

134) If other financial benefit, please specify:

NAP

[Q133 mail from NC 1/4/2014 : Supreme Court Judges was until 1 January 2011 by law entitled to up to 15 years of extra pension time if they retire at the age of 67. The special pension was motivated by a wish to strengthening the recruitment to the Supreme Court from private practicing lawyers.

This benefit was abandoned in 2011. This implies that Supreme Court judges appointed after 1 January 2011 are not entitled to such pension, but those appointed before that date will uphold their pension.]

135) Can judges combine their work with any of the following other functions ?

	With remuneration	Without remuneration
Teaching	Yes	No
Research and publication	Yes	No
Arbitrator	Yes	No
Consultant	No	No
Cultural function	Yes	No
Political function	Yes	No
Other function	Yes	No

136) If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

According to the Courts Act section 121e, judges are obliged to report their extra-judicial activities to the Norwegian Courts Administration. Some activities must be approved by the Norwegian Courts Administration. Other activities, such as cultural functions, must be reported. The Norwegianl Courts Administration has a time limit of 14 days from the registration of the activity, in order to take action.

137) Can public prosecutors combine their work with any of the following other functions ?

	With remuneration	Without remuneration
Teaching	Yes	Yes
Research and publication	Yes	Yes
Arbitrator	Yes	Yes
Consultant	No	No
Cultural function	Yes	Yes
Political function	Yes	Yes
Other function	No	No

138) Please specify existing rules (e.g. authorisation to perform the whole or a part of these activities). If "other function", please specify:

Standard rules for all public employees.

139) Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time)?

☐ Yes

☒ No

If yes, please specify the conditions and possibly the amounts:

5. 4. Disciplinary procedures

5. 4. 1. Disciplinary procedures

140) Who has been authorised to initiate disciplinary proceedings against judges (multiple options possible)?

- ☒ Citizens
- ☒ Relevant Court or hierarchical superior
- ☐ High Court / Supreme Court
- ☒ High Judicial Council
- ☒ Disciplinary court or body
- ☐ Ombudsman
- ☐ Parliament
- ☒ Executive power
- ☒ Other
- ☐ This is not possible

If "executive power" and/or "other", please specify:

The General Prosecutor initiate disciplinary proceedings, and in severe cases the case is presented to the King in Council.

According to the Courts Act section 237 a complaint to Supervisory Committee for Judges on alleged misconduct can be initiated by individuals and professional actors affected by the alleged misconduct as well as by the Chief Judge, the National Courts Administration or the Ministry of Justice.

The Norwegian Bar Association is also authorised to initiate disciplinary proceedings, cf "others".

141) Who has been authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- ☐ Citizens
- ☐ Head of the organisational unit or hierarchical superior public prosecutor
- ☒ Prosecutor General /State public prosecutor
- ☐ Public prosecutorial Council (and Judicial Council)

- ☐ Disciplinary court or body
- ☐ Ombudsman
- ☒ Professional body
- ☐ Executive power
- ☐ Other
- ☐ This is not possible

If "executive power" and/or "other", please specify:

142) Which authority has disciplinary power on judges? (multiple options possible):

- ☐ Court
- ☐ Higher Court / Supreme Court
- ☐ Judicial Council
- ☒ Disciplinary court or body
- ☐ Ombudsman
- ☐ Parliament
- ☒ Executive power
- ☐ Other

If "executive power" and/or "other", please specify:

In November 2002 the Supervisory Committee for Judges was established. The Committee is a separate, administrative and collegiate body composed of five members – two representatives from the public, two judges and one lawyer – all appointed by the Government. The disciplinary measures that the Committee is authorized with is limited to an assessment of the alleged conduct related to norms for judicial conduct. If these norms are found to be violated, the Committee may issue an authoritative decision on criticism or warning, where the latter is the most serious reaction.

A proceeding towards a judge related to dismissal may only be initiated by King in Council. A dismissal of a judge can only be done by a judicial decision with the Government as the plaintiff.

Source: Norwegian Courts Administration

143) Which authority has the disciplinary power on public prosecutors? (multiple options possible):

- ☐ Supreme Court
- ☐ Head of the organisational unit or hierarchical superior public prosecutor
- ☐ Prosecutor General /State public prosecutor
- ☐ Public prosecutorial Council (and Judicial Council)
- ☒ Disciplinary court or body
- ☐ Ombudsman
- ☐ Professional body
- ☒ Executive power
- ☐ Other

If "executive power" and/or "other", please specify:

The Director General of the Public Prosecutor's office handles complaints regarding prosecutors.

144) Number of disciplinary proceedings initiated against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

	Judges	Public prosecutors

Total number (1+2+3+4)	67	1
1. Breach of professional ethics	NA	
2. Professional inadequacy	NA	
3. Criminal offence	NA	1
4. Other	NA	

Comment :

145) Number of sanctions pronounced in 2012 against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

	Judges	Public prosecutors
Total number (total 1 to 9)	5	1
1. Reprimand	4	1
2. Suspension	1	
3. Removal of cases		
4. Fine		
5. Temporary reduction of salary		
6. Position downgrade		
7. Transfer to another geographical (court) location		
8. Resignation		
9. Other		

Comment :

For the first time in over 80 years, a Norwegian judge was suspended from the bench by decision from the Government. The Government later decided to file dismissal case before Oslo District Court.

E.3 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning disciplinary procedures for judges and public prosecutors and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 144 and 145

NCA and GENERAL PROSECUTORS OFFICE

6. Lawyers

6. 1. Status of the profession and training

6. 1. 1. Status of the profession and training

146) Total number of lawyers practising in your country.

6969

147) Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

☐ Yes

☒ No

148) Number of legal advisors who cannot represent their clients in court:

150

149) Do lawyers have a monopoly on legal representation in (multiple options are possible):

☒ Civil cases?

☒ Criminal cases - Defendant?

☒ Criminal cases - Victim?

☐ Administrative cases?

☐ There is no monopoly

If there is no monopoly, please specify the organisations or persons that may represent a client before a court (for example a NGO, a family member, a trade union, etc) and for which types of cases:

In the Supreme court, only lawyers who are entitled to conduct cases before the Supreme court can be engaged.

In the lower courts, any advocate may represent a party. With special permission from the court, some other suitable person (who is not a lawyer) may also represent the party.

Even though the court may approve representation from other than lawyers pursuant to the Criminal Procedure Act section 95 and the Civil Procedure Act section 3-3, the number of such approvals is very low compared to representation from lawyers. (cf CN 10/07)

150) Is the lawyer profession organised through? (multiple options possible)

☒ a national bar?

☒ a regional bar?

☐ a local bar?

151) Is there a specific initial training and/or examination to enter the profession of lawyer?

☒ Yes

☐ No

If not, please indicate if there are other specific requirements as regards diplomas or university degrees :

152) Is there a mandatory general system for lawyers requiring in-service professional training?

☒ Yes

☐ No

153) Is the specialisation in some legal fields tied with specific training, levels of qualification, specific diploma or specific authorisations?

☐ Yes

☒ No

If yes, please specify:

Please indicate the sources for answering questions 146 and 148:

Supervisory Council for Legal Practice.

F1 Comments for interpreting the data mentioned in this chapter:

Please note that the numbers in previous evaluation scheme was incorrect. Question 146:right number was 6662.
Question 148: right number was 150.

6. 2. Practising the profession

6. 2. 1. Practising the profession

154) Can court users establish easily what the lawyers' fees will be (i.e. do users have easy access to prior information on the foreseeable amount of fees, is the information transparent and accountable)?

☒ Yes

☐ No

155) Are lawyers' fees freely negotiated?

☒ Yes

☐ No

156) Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

☒ Yes laws provide rules

☐ Yes standards of the bar association provide rules

☐ No, neither laws nor bar association standards provide rules

F2 Useful comments for interpreting the data mentioned in this chapter:

Where public legal aid is given, the fee is determined by Regulation. In all other cases the fee is negotiable.

6. 3. Quality standards and disciplinary proceedings

6. 3. 1. Quality standards and disciplinary proceedings

157) Have quality standards been determined for lawyers?

☒ Yes

☐ No

If yes, what are the quality criteria used?

Ethical standards.

158) If yes, who is responsible for formulating these quality standards:

☒ the bar association?

☐ the Parliament?

☐ other?

If "other", please specify:

159) Is it possible to file a complaint about :

- ☒ the performance of lawyers?
☒ the amount of fees?

Please specify:

If you think that your attorney has performed in a manner incompatible with the proper conduct for attorneys, you may file a complaint to the Norwegian Bar Association's Disciplinary Committee. If you subsequently believe that your attorney charged you too much for his or her services, you may file a complaint to the Norwegian Bar Association's Disciplinary Committee. If you and the attorney nonetheless are unable to reach an agreement, you can file a complaint. No tariff exists for how the attorney's fees are calculated. The disciplinary authority will perform a discretionary assessment of, among other aspects, the work performed by the attorney, elapsed time, the complexity of the work, the assets involved in the case, the case's significance for the client, and the outcome. The amount of fees can also be complained about to the court which has handled the case.

160) Which authority is responsible for disciplinary procedures?

- ☐ the judge
☐ the Ministry of justice
☐ a professional authority
☒ other

If other, please specify:

Four bodies:

Supervisory Council For Legal Practice,

Lawyers Licensing Committee,

The Bar Association's Disciplinary Committee (1st instance for members)

The Lawyers Disciplinary Committee (appellate body or 1st instance for non-members of the Bar Association).

161) Disciplinary proceedings initiated against lawyers. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

	Number
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	NA
1. Breach of professional ethics	NA
2. Professional inadequacy	NA
3. Criminal offence	NA
4. Other	NA

Comment :

The Norwegian statistics uses other categories than those mentioned in the table.

162) Sanctions pronounced against lawyers.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

Total number of sanctions (1 + 2 + 3 + 4 + 5)	NA

1.Reprimand	NA
2. Suspension	NA
3. Removal	NA
4. Fine	NA
5. Other (e.g. disbarment)	NA

Comment :

Reference is made to our comment on question 161

F3 You can indicate below any useful comments for interpreting the data mentioned in this chapter:

7. Alternative Dispute Resolution

7. 1. Mediation and other forms of ADR

7. 1. 1. Mediation and other forms of ADR

163) Does the judicial system provide for judicial mediation procedures? If no skip to question 168

Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor can propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement).

☒ Yes

☐ No

163.1) In some fields, does the judicial system provide for mandatory mediation procedures?

If there are mandatory mediation procedures, please specify which fields are concerned in the "comment" box below.

☒ Before going to court

☒ Ordered by a judge in the course of a judicial proceeding

If there are mandatory mediation procedures, please specify which fields are concerned:

All civil cases, including child custody cases, shall initially be tried settled by mediation.

In the initial preparatory plan meeting the judge is obligated to discuss mediation procedures for the parties involved.

164) Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	No	Yes	No	Yes	No
Family law cases (ex. divorce)	No	Yes	Yes	Yes	No
Administrative cases	Yes	Yes	No	Yes	No
Employment dismissals	No	Yes	No	Yes	No
Criminal cases	No	No	No	No	No

165) Is there a possibility to receive legal aid for judicial mediation procedures?

☒ Yes

☐ No

If yes, please specify:

Mediation may be covered by the legal aid scheme. The initial judicial procedure in family cases is based on mediation. The parties in family cases, i.e. child custody cases, are entitled to legal aid granted that the general conditions are present.

166) Number of accredited or registered mediators who practice judicial mediation:

NA

167) Number of judicial mediation procedures.

Please indicate the source in the "comment" box below:

Total number of cases (total 1+2+3+4+5)

NA

1. civil cases

☒ Yes

1 905

2. family cases

NA

3. administrative cases

NA

4. employment dismissals cases
5. criminal cases

NA
NAP

Comment :

The information is based on reports from the Norwegian Courts Administration. The number includes civil cases in 1. and 2. instance courts, where in-court mediation procedures pursuant to the Dispute Act section 8-3 are carried out. In a way, this is mediation in strict sense. Judges do also try to reach amicable settlements in general.

All cases regarding child custody after dissolution of marriage/cohabitation are with few exceptions also initiated by mediation procedures. The number of such cases in 2012 was 2621 cases.

168) Does the legal system provide for the following ADR :

If "other", please specify it in the "comment" box below:

Mediation other than judicial mediation?	Yes
Arbitration?	Yes
Conciliation?	Yes
Other alternative dispute resolution?	Yes

Comment :

Public mediation Service (restorative justice)

G.1 You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning ADR and the main reforms that have been implemented over the last two years

Please indicate the source for answering question 166:

8. Enforcement of court decisions

8. 1. Execution of decisions in civil matters

8. 1. 1. Functioning

169) Do you have enforcement agents in your judicial system?

- ☒ Yes
☐ No

170) Number of enforcement agents

330

171) Are enforcement agents (multiple options are possible):

- ☒ judges?
☐ bailiffs practising as private professionals under the authority (control) of public authorities?
☒ bailiff working in a public institution?
☐ other enforcement agents?

Please specify their status and powers:

172) Is there a specific initial training or examination to become an enforcement agent?

- ☐ Yes
☒ No

173) Is the profession of enforcement agents organised by?

- ☐ a national body?
☐ a regional body?
☐ a local body?
☒ NAP (the profession is not organised)

174) Are enforcement fees easily established and transparent for the court users?

- ☒ Yes
☐ No

175) Are enforcement fees freely negotiated?

- ☐ Yes
☒ No

176) Do laws provide any rules on enforcement fees (including those freely negotiated)?

- ☒ Yes
☐ No

Please indicate the source for answering question 170:

Police Directorate

8. 1. 2. Efficiency of enforcement services

177) Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

- ☒ Yes
☐ No

178) Which authority is responsible for supervising and monitoring enforcement agents?

- ☐ a professional body
☐ the judge
☐ the Ministry of justice
☐ the public prosecutor
☒ other

If other, please specify:

The Police Directorate (Politidirektoratet) is the main supervising body, but is subordinate to the Ministry of Justice and Public Security.

179) Have quality standards been determined for enforcement agents?

- ☐ Yes
☒ No

If yes, what are the quality criteria used?

180) If yes, who is responsible for establishing these quality standards?

- ☐ a professional body
☐ the judge
☐ the Ministry of Justice
☐ other

If "other", please specify:

181) Is there a specific mechanism for executing court decisions rendered against public authorities, including for supervising such execution?

- ☐ Yes
☒ No

if yes, please specify

182) Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- ☐ Yes
☒ No

If yes, please specify

183) What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

- ☐ no execution at all

- ☐ non execution of court decisions against public authorities
- ☐ lack of information
- ☐ excessive length
- ☐ unlawful practices
- ☐ insufficient supervision
- ☐ excessive cost
- ☒ other

If "other", please specify:

NA. The Police Directorate carries no statistics on complaints received by the enforcements officers.

184) Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- ☐ Yes
- ☒ No

If yes, please specify:

185) Is there a system measuring the length of enforcement procedures:

- ☒ for civil cases?
- ☒ for administrative cases?

186) As regards a decision on debts collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits:

- ☒ between 1 and 5 days
- ☐ between 6 and 10 days
- ☐ between 11 and 30 days
- ☐ more

If more, please specify

**187) Number of disciplinary proceedings initiated against enforcement agents.
If other, please specify it in the "comment" box below.**

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

Total number of initiated disciplinary proceedings (1+2+3+4)	NA
1. for breach of professional ethics	NA
2. for professional inadequacy	NA
3. for criminal offence	NA
4. Other	NA

Comment :

188) Number of sanctions pronounced against enforcement agents.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings initiated and the number of sanctions exists, please indicate the reasons in the "comment" box below.

Total number of sanctions (1+2+3+4+5)	NA
1. Reprimand	NA

- | | |
|---------------|----|
| 2. Suspension | NA |
| 3. Dismissal | NA |
| 4. Fine | NA |
| 5. Other | NA |

Comment :

H.1 You can indicate below:

**any useful comments for interpreting the data mentioned in this chapter
the characteristics of your enforcement system of decisions in civil matters and the
main reforms that have been implemented over the last two years**

Please indicate the sources for answering questions 186, 187 and 188:

8. 2. Execution of decisions in criminal matters

8. 2. 1. Functioning

189) Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- ☐ Judge
- ☐ Public prosecutor
- ☒ Prison and Probation Services
- ☒ Other authority

Please specify his/her functions and duties (initiative or monitoring functions). If "other authority", please specify:

For the enforcement of fines - Norwegian National Collection agency, or if the fine is not paid - the distraint is effected by the Law enforcement offices (Namsmann/local police).

190) Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- ☐ Yes
- ☒ No

191) If yes, what is the recovery rate?

- ☐ 80-100%
- ☐ 50-79%
- ☐ less than 50%
- ☐ cannot be estimated

Please indicate the source for answering this question:

H.2 You can indicate below:

**any useful comments for interpreting the data mentioned in this chapter
the characteristics of your enforcement system of decisions in criminal matters and the main reforms
that have been implemented over the last two years**

9. Notaries

9. 1. Statute

9. 1. 1. Functionning

192) Do you have notaries in your country? If no please skip to question 197.

- ☒ Yes
☐ No

193) Are notaries:

If other, please specify it in the "comment" box below.

- | | | |
|--|--|----|
| private professionals (without control from public authorities)? | <input type="checkbox"/> number | |
| private professionals under the authority (control) of public authorities? | <input type="checkbox"/> number | |
| public agents? | <input checked="" type="checkbox"/> number | 68 |
| other? | <input type="checkbox"/> number | |

Comment :

Included in the number of notaries publicus (Q193) are 66 (?) district courts, East- Finnmark Chief of Police and The District Governors Office at Svalbard. We have not included Norwegian Embassies or Consulates abroad and certain public offices with limited notary authority.

[mail of NC 1/4/2014 about number of district courts : The number for first instance courts is 66. Please note that 65 in Q 45 refers to first instance courts according to jurisdiction. Oslo has two first instance courts, one court dealing with civil and criminal cases, whereas the other one deals with enforcement, probate, notary functions, bankruptcy cases. This means that the answer to Q 45 will be 65, because one of the Oslo first instance courts will be left outside.]

194) Do notaries have duties (multiple options possible):

- ☐ within the framework of civil procedure?
☐ in the field of legal advice?
☒ to certify the authenticity of legal deeds and certificates?
☒ other?

If "other", please specify:

The duties of the notaries are to give documents or a signature official validation. The most used forms are:

- confirmation of a signature
- Confirmation of signature and power of procuration in a company
- Assurance of honour
- confirmation of correct copy
- Life confirmation
- Protest on a promissory note

9. 1. 2. Supervision

195) Is there an authority entrusted with supervising and monitoring the notaries' activity?

- ☒ Yes
☐ No

196) Which authority is responsible for supervising and monitoring notaries:

- ☐ a professional body?
☒ the judge?
☐ the Ministry of justice?
☐ the public prosecutor?

☐ other?

If other, please specify:

By appeal to the Court.

I.1 You can indicate below:

**any useful comments for interpreting the data mentioned in this chapter
the characteristics of your system of notaries and the main reforms that have been implemented over
the last two years**

Please indicate the sources for answering question 193:

the NCA

10. Court interpreters

10. 1. Court interpreters

10. 1. 1. Functionning

197) Is the title of court interpreters protected?

☐ Yes

☒ No

198) Is the function of court interpreters regulated by legal norms?

☒ Yes

☐ No

199) Number of accredited or registered court interpreters:

NAP

200) Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

☐ Yes

☒ No

If yes, please specify (e.g. having passed a specific exam):

201) Are the courts responsible for selecting court interpreters?

If no, please indicate in the "comment" box below which authority selects court interpreters.

Yes ☐ for recruitment and/or appointment for a specific term of office

Yes ☒ for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No ☐.

Comment :

J.1 You can indicate below any useful comments for interpreting the data mentioned in this chapter:

Please indicate the sources for answering question 199:

11. Judicial experts

11. 1. Judicial experts

11. 1. 1. Judicial experts

202) In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

- ☒ "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,
- ☒ "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,
- ☒ "law experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

203) Is the title of judicial experts protected?

- ☐ Yes
- ☒ No

204) Is the function of judicial experts regulated by legal norms?

- ☒ Yes
- ☐ No

205) Number of accredited or registered judicial experts (technical experts)

NAP

206) Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

- ☒ Yes
- ☐ No

If yes, please specify, in particular the given time to provide a technical report to the judge:

The time given to produce reports is decided in the mandate to the expert, and is with few exceptions not regulated by law.

Civil cases: Pursuant to the Dispute Act section 25-3 the court shall, as a main rule, appoint one expert. More than one expert may be appointed in cases where this is justified by the nature of the expert issues, the importance of the case or other circumstances. According to section 25-3, the experts shall have the necessary skills and experience. The expert shall furthermore be competent to serve. The parties shall be given the opportunity to express their opinion on the choice of experts.

The Dispute Act section 25-4 states that the court shall determine the issues to be examined by the expert and give the necessary instructions. The expert shall submit a written report unless the court decides otherwise, cf. section 25-5 cf. section 21-12. The court's instructions may thus include a time limit to provide the written report. According to the Dispute Act section 25-5 the expert is obliged to attend a court hearing to give evidence following a summons from the court. The examination of the expert shall normally be conducted in accordance with the provisions on examination of witnesses.

Criminal cases: According to the Criminal Procedure Act section 138, any person appointed by the court to serve as an expert, is bound to undertake the task. The expert shall, as a main rule, be asked whether he is willing to serve. Before the court appoints an expert, the parties shall be given the opportunity to express their views, cf. section 141. According to section 139, one expert shall be appointed unless the court finds that the case requires two or more experts. The expert shall be qualified to serve, cf. section 142.

The Criminal Procedure Act section 142 a states that the court shall determine the issues to be examined by the expert. As a rule, the expert shall submit a written report to the court, cf. section 143. The court normally stipulates a time limit to provide the report. It can be noted that when serving as an expert in cases which gives rise to questions related to forensic medicine, the expert shall immediately send a copy of the written report to the commission of forensic medicine, cf. section 147.

The expert may be summoned to give oral evidence before the court, either instead of submitting a written report, or in order to give additional information and answer questions from the court and the parties, cf. section 143. According to section 144, the examination shall be carried out according to the rules applicable to witnesses. The expert may also be given the opportunity to put questions to the parties, witnesses and other experts.

207) Are the courts responsible for selecting judicial experts?

If no, please specify in the "comments" box below which authority selects judicial experts?

Yes ☒ for recruitment and/or appointment for a specific term of office

Yes ☒ for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No ☐.

Comment :

You can indicate below any useful comments for interpreting the data mentioned in this chapter:

Please indicate the sources for answering question 205:

12. Foreseen reforms

12. 1. Foreseen reforms

12. 1. 1. Foreseen reforms

208) Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. If possible, please observe the following categories:

1. (Comprehensive) reform plans

2. Budget

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

3.1 Access to justice and legal aid

4. High Judicial Council

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education, etc.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

6.1 Personal status

7. Enforcement of court decisions

8. Mediation and other ADR

9. Fight against crim

1. Reform Plans (Jury System):

The Ministry of Justice and Public Security appointed a committee commissioned to evaluate the Norwegian jury system 21 May 2010. The committee presented its report 17 June 2011. The extensive report deals with institutional questions and the need for changes in existing legislation. The principal debate is whether the jury system should be maintained, and if so in what form. The Ministry is currently working on a proposal which will be presented to the parliament.

On 25 January 2013, the Ministry of Justice and Public Security appointed a committee commissioned to evaluate the provisions in the General Civil Penal Code 22 May 1902 no. 10, regarding psychotic and unconscious persons. The task also includes the use of forensic psychiatrists as expert witnesses in criminal proceedings. The report is to be presented to the Ministry of Justice and Public Security 1 September 2014, whereupon the Ministry plans to initiate a consultation procedure regarding the proposed changes.

1. Reform Plans (Police Districts/prosecutor in the police):

After the terror attacks in Oslo and Utøya 22 July 2011 we have in Norway had an ongoing debate on the functioning of the Norwegian police. The attacks and the following debate were a substantial part of the reason why the Norwegian Minister of Justice and Public Security in 2012 appointed a committee with the task of carrying out a police analysis intended to form the basis for a long-term further development of the police. The committee was asked to evaluate today's use of resources within the police, the police force's prioritisation, competence, management and organization. It was also asked to assess whether centralized administrative resources could be disposed of differently in order to strengthen the police force in rural districts.

The committee submitted its report in June 2013, pointing out its view on the future challenges for the police force. In order to develop a police force that is able to meet future needs the committee recommends the carrying out of two reforms:

- A structural reform which should include
 - a) the transferring of responsibilities for tasks other than the more "hard-core" police tasks (protection, prevention and prosecution, law and order), and
 - b) fewer police districts (preferably six instead of today's 27) and fewer local police units (suggested approximately 210 instead of today's 354)
- A quality reform including
 - a) initiatives to improve processes for management and control between the different levels of administration (ministry, directorate, police districts)
 - b) initiatives to improve quality of the work and the achievements within the police

The committee's report has been circulated among affected stakeholders for comments. The Ministry is now preparing for both decisions on and further considerations of the suggested structural reform. The quality reform is an on-going work at the different levels of administration.

3. Courts

The newly elected Government has signalled several initiatives related to the courts in the Government's political platform statement from October 2013. Firstly, the Government wants to assess the judicial map related to number of first instance courts. The aim is to modernize the courts and increase the level of efficiency. Furthermore, the Government wants to carry out an assessment related to fast track courts, administrative courts related to immigration cases, and special courts.

3.1. Reform of legal aid

In 2009, the Government submitted a White paper (Meld. St.) with the goal of getting a faster and more efficient legal aid. The Government presented amendments within the law of legal aid and they proposed starting a new service system, in which all citizens can get a first-line legal aid from a lawyer or a private legal helper free of charge. The Ministry of Justice and Public Security is currently assessing the proper follow up. Some Norwegian counties have already carried out a project of free legal service and the project has been evaluated

6. Reform plans regarding criminal law, civil law etc:

a) The Norwegian Government appointed January 25th 2013 an official committee with a mandate to evaluate The Criminal Act's section on the defendants/accused's soundness of mind and the use of forensic psychiatry in criminal proceedings. An official committee report with recommendations will be delivered to The Norwegian Ministry of Justice and Public Security within September 1st 2014."

b) The Norwegian Government appointed January 11th 2013 an official committee with a mandate to evaluate the regulations concerning lawyers and others who provides legal aid. An official committee report with recommendations will be delivered to The Norwegian Ministry of Justice and Public Security within March 2th 2015

c) Guardianship Law Reform

On July 1 2013, a new law on guardianship entered into force. The new law replaced earlier laws from 1898 and 1927, and involves a major change in the organization of the guardianship authority on both local and central level. It was necessary to carry out a major renewal of the guardianship administration and in addition making sure that the rules were more consistent with international human rights provisions.

The guardian's mandate is to preserve the interests of the person under guardianship – for instance with regard to managing finances or ensuring that the individual has access to different social services according to his or her needs. The guardian therefore plays an important role in the Norwegian welfare system. The new law seeks to facilitate increased protection of the person's integrity, dignity and autonomy, regardless of the person's ability to exercise his or her legal capacity. The new law encourages more volunteers to be a regular or professional guardian, and the local Public Guardianship Office has a specific responsibility to provide adequate training, guidance and assistance to the guardians

8. Mediation:

In 2010 the Norwegian Ministry of Justice and Public Security mandated a working group to assess possible ways to increase the use of mediation boards, both in civil and criminal matters. The working group delivered its report to the Ministry in September 2011, and the Ministry is currently assessing the proper follow up. The Norwegian overall concept of restorative justice is that the idea of involving victims, offenders and the community in deciding the consequences of illegal actions and harm caused, shall be available at all stages in the criminal justice system. Participation in a restorative process should be offered to all affected by a crime, no matter what kind of crime, who the affected are and how much time has passed since the crime was committed

9.1 Prison System:

In order to reduce the number of children in prison, alternative sanctions have been introduced or extended. A new sanction called the "juvenile sentence" is based on the principle of restorative justice and will be implemented locally, in the community where the convicted person lives. Social control, in the form of close follow-up, will replace the physical control that would be exercised in prison. The legislation on juvenile sentence has not yet entered into force in general. A pilot project in two cities has been initiated to try out the new sanction, and it is hoped that the project will provide valuable experience when the juvenile sentence is later implemented across the country. One juvenile sentence has already been passed.

It is extended access for the court to impose a community sentence instead of a sentence of imprisonment for children between 15 and 18 years. It is also extended access for children between 15 and 18 years, if they are sentenced to imprisonment, to serve their sentence outside prison under the use of electronic surveillance.

In addition, Norway is presently establishing separate prison units for young offenders to avoid juveniles serving their sentences in prisons together with adults. One juvenile prison unit is established in the western part of Norway. Another juvenile unit will be localized in the eastern part of the country but is not yet established.

The Norwegian Parliament has approved an amendment to the Execution of Sentences Act limiting the use of solitary confinement for juvenile offenders. The Ministry of Justice and Public Security is working to provide necessary regulations and guidelines in order to make the amendment enter into force as soon as possible.