



The aim of the CEPEJ is to contribute to improving the quality of justice and the efficiency of its functioning in the 47 Member States of the Council of Europe.

## Edito



Georg Stawa,

New President of the CEPEJ since 1 January 2015

Dear colleagues and friends,

When more than a decade ago the CEPEJ started to improve the efficiency of justice, we had in mind Evaluation reports, together with tools and methods aiming at identifying gaps and needs of judiciary systems. However, past examples alone are not enough to offer answers for the future: this is the reason why I would like to further develop our knowledge, models and methods in order to offer the chance to President of Courts, professionals working in the field of justice and managers to understand the functioning of systems in order to offer responses in timely fashion.

The respect of deadlines will always be imperative for the application of Art. 6 of the European Convention on Human Rights and to the increasing expectations of the parties as well as the society. Although new techniques and innovative solutions are implemented to improve the systems, our expertise remain essential to better understand deadlines, monitoring processes and their limits to ensure that justice is well delivered.

But all these quantitative approaches have to be balanced by the quality of the judicial system. It is particularly important, if resources are cut, to be aware of the impact on quality. To some extent the current development of criteria, monitoring measures, tools and even quality indicators are therefore a priority to highlight the impacts of public politics and to establish the limits to the independence of judges.

During previous presidencies, and thanks to the excellent commitment of all members and experts of the CEPEJ, our work and expertise has been widely disseminated within the judicial community, policy-makers and institutions, which are interested in cooperating and sharing ideas with us. We are requested to cooperate on projects to improve judicial systems in a win-win scenario with all parties involved.

It is with this spirit that we have to continue working by reason of what the CEPEJ best represents: a friendly and dynamic forum of good practices, composed of professional members of the judiciary, who have the common goal of improving the quality and the efficiency of our judicial systems, in order to boost the confidence of all citizens seeking justice.

Once we share the problems, we can also share the solutions!

Yours,

## Review : CEPEJ guidelines on the organisation and accessibility of court premises European Commission for the Efficiency of Justice takes a fresh look at court premises



The typical Greek temple with its colonnade, steps to access the justice and its chiaroscuro lightings in the public lobby and courtroom is present in everybody's mind.

What do contemporary users of the public justice service expect from the institution? In the 21st century can it wear the same clothes that it wore in the past centuries? Do citizens seeking justice and other parties have different expectations about their reception in places where the justice is administered?

In its new guidelines on the organisation and accessibility to court premises, which has been adopted by the CEPEJ during its 24th plenary meeting in December 2014, the Commission proposes practical ways to refurbish existing premises, or to create new ones. In the first case, the right knowledge of the property is essential to accurately weigh the arguments that support or oppose the refurbishment, on the basis of a prospective analysis of the activity.

In both cases it is appropriate to refer to users of a courthouse for the refurbishment or the construction process, in order to guarantee them a complete access, whether real or virtual.

A courthouse is not a public building like others, and its special features should be highlighted for its specific symbolism. Citizens and professionals must have an easy access to the building, and in particular people with disabilities. They should easily find their way around the building thanks to good signposting. Rooms should be varied in order to meet the needs of the public, who uses them. The type of disputes determines not only the required standard of security, but also the need for rooms of suitable size and layout.

The working areas dedicated to judges and administrative staff may follow new patterns like teamwork and shared spaces. The individual office is no longer the

**Georg Stawa**  
**President of the CEPEJ**

universal model to prevail in every situation.

Access to computer networks must be general, and specific, according to the type of public. The possibility of virtual access to a court should be guaranteed by creating rooms which allow videoconferencing. Effective access should include a comprehensive website enabling everyone, and in particular citizens seeking justice, to approach the courthouse in complete confidence.

The efficiency and quality of justice particularly depend on a good reception, either real or virtual, and to premises and facilities aimed at all users of justice. Contributing to all this is the purpose of these guidelines.

**François Paychère**  
Dr in Law  
Magistrate at the Auditor General's  
Department (Geneva)  
President of the GT-QUAL

## Pitfalls to avoid when building a new courthouse



Building premises aimed at all users and people involved in the administration of justice is a challenge, whether these premises are designed for a single or several courts. Are we going to build a "Palais de justice"? A judicial precinct? A courthouse that people can call in French 'maison des Tribunaux'? The choice of words, through their underlying values, will have an impact on the project.

The location of the future premises for justice administration should be determined with diplomacy and acumen. Indeed, the related land must have a significant strategic position within the justice precinct. They must be easily reachable by means of transports available to all, and they also must be located at a reasonable distance for those working regularly with courts (lawyers, police, and penitentiary institutions). Finally, they must be controlled by the State.

Project designers should take into account a symbol that embodies such a building. They should find the right balance in order to allow the expected construction to convey an image of welcome, openness, rigour, efficiency, protection, attention, humanity, dignity and equality, while affirming that justice is one of the three powers of democracy.

Integrated in the urban network without ostentation, the building should help people to understand its function without hesitation.

It is also necessary that project managers consider the organisation of the premises in a way that they meet all needs, which sometimes might seem paradoxical. Spaces reserved to professionals of justice, the reception, those aimed at court users, and other services such as the cafeteria, should be clearly separated. In addition, there should be an area of enhanced security. The traffic flows between those spaces should be subject to an accurate study. Thus for example: judges should not meet lawyers and the parties before hearings; detained persons should walk between cells and courtrooms without meeting third persons; couples in litigation should not wait in the same room for a hearing; persons with reduced mobility should be able to move without restrictions. Those looking to cause trouble should be kept away.

However, these paths should be clear, recognizable and avoid to give the impression that justice is an inextricable labyrinth.

Project managers should put themselves in the users' shoes in order to meet their needs and satisfy them. People can be pretty sure that this will be done for judges and lawyers, and likely for court users, witnesses and clerks. However, will librarians, archivists, accountants and IT professionals have appropriate spaces to accomplish their tasks? Will this balance be ensured for the entire life of the building, or in any event for the two or three decades to come?

The approach is to design and build a construction for the justice system which meets all these needs, that offers the most appropriate spaces capable of representing and symbolising justice that complies with the security requirements, with territory planning and public finances. This is an extremely difficult task, which implies, from the beginning of the project, the creation of a team aimed at ensuring a relevant, effective, and efficient management.

**Philippe THÉLIN**  
Judge - administrative Chamber of the Court of justice

## Elements taken into account when constructing a courthouse with regard to the judicial requirements concerning accessibility



The pursuit of justice is a sovereign function, a manifestation of the power exercised by the State. While being guardian of the law, justice serves the people. It is carried out in buildings often called "Palais de Justice". A court (building) must be visible and "legible". It must be located in the heart of the precinct. As it is not possible to imagine a town hall in a peripheral area, a court has ideally its rightful place in the centre of the city. In order to be "legible", the court must be immediately identified as such, and perceived as a court.

Material circumstances permitted, it is preferred to have a new construction in the city centre, or a renovation/extension of an existing building, which is often located at the heart of the local community. This solution is sometimes preferred, at the expense of all related services. The court will be easily detected thanks to its architectural elements (raised steps, columns, and the façade...), and by its signage elements (pole, flag, inscription on the façade). Because of its importance, the building must be easily accessible, and must benefit of clear signposting right from the city centre for its easy access for cars and public transport... Its visibility will be increased if it will be separated from nearby buildings by an open space (forecourt, park, green area).

In order to exercise the right to justice, it has to be ensured that users of courts (magistrates and civil servants) have satisfactory working material conditions. Without them, there will be no service of justice. Thus, a particular attention will be paid in order to have working spaces that are well-lighted and appropriate, to preserve confidentiality during interactions, and to ensure tranquillity for an effective work environment. The rational and consistent organisation of these premises will contribute to the efficiency of the judicial work. All this will be more effective with the addition of facilities of common use, such as toilets, meeting and training rooms, a library, a canteen, a recreation room, and social facilities...

Justice cannot be conceived without a reception for court users, the public, and court officers... The first public space includes the public lobby ("salle des pas perdus"). It is the room where the authority of the justice is manifest, and where tensions and anxieties should be eased (toilet facilities are essentials). This is also the junction point for all users of justice, people who use the building, the public, and the court officers. It is a place for strolling, waiting and getting information. Also, there should be a point for general and personalised information, which should allow the management of simple tasks, such as withdrawals and registration of files and applications; it should allow easily access to all services for support associations, and have a list of lawyers. The access to the building, to the public lobby, and to the spaces dedicated to the public (at least) must be accessible to all individuals with disability.

This public space must communicate, in the easiest way possible, with the courtrooms which welcome a large number of people, and with offices. Courtrooms will be arranged according to the type of civil or criminal hearings, but they should also blend with different services.

Courts dealing with criminal activities will be organised in a way to ensure a secure circuit dedicated to the arrivals of detainees or those held in custody; the security waiting area; the flow of people to the office of the prosecutor; the examining magistrate, magistrate for custody and release; and the courtrooms.

Each court will also have service facilities: logistic and stocking of general resources, archiving, and storage of exhibits (for courts dealing with criminal activities).

In general, due to real risks of damaging people and goods, the security system located at the entrance of the building will ensure the detection of heavy metals, the electronic recognition of identities (entry passes), and closed circuits or areas.

**Jean-Luc STOEESLE**

President of the First Instance Court of Strasbourg (France)

Member of the Network of Pilot Courts of the CEPEJ

## Specificities of the construction of a courthouse in comparison to other public buildings

The public nature of a courthouse is determined by a large number of aspects at different levels. The urban planning and the issues regarding the interior design have an impact. For many of these aspects the (apparent) contradiction between accessibility, the public nature, and safety inside and outside the building play an important role.

A large part of the visitors of the courthouse must and will, in contrast to many other public services, be present during sessions. A court deals with many cases that might have occurred in a larger region. This means that visitors often come from places miles away, or in the surrounding areas. This also applies to prisoners. The courthouse will therefore have to be situated in a location that guarantees easy access for people who rely on public transport (train station), but it also has to be easily accessible by car and by bicycle. Transport of prisoners must be safe and easy, and it must be guaranteed in all circumstances. The location must be chosen in a way that the security of the building is optimal, like in the case of a detached building. To a large extent this will determine the number of security measures to implement around the

building, and still considering the welcoming character and the public nature of the built environment. Indeed, it is preferable few physical security measures. Unlike many other public buildings, a courtroom transmits a very serious image of itself. A large number of people who visit the building tend to be very tense. Both the decision of the judges, as well as the confrontation with the counterparty can cause emotional stress. It is important that all visitors can feel secure in this environment.. The architecture of the building can influence all this in a number of ways. It actually starts right at the entrance, which must be friendly and inviting. This should also offer sufficient guarantees that security guards carry out their work in a professional manner and block the entrance to any kind of weapons. For this reason, the architecture must be appropriate and welcoming. After the entrance, the waiting areas for visitors are, for obvious reasons, directly visible. People should be able to move easily and to find their way. This requires large uncluttered spaces with a view of the surroundings, and plenty of natural light. By creating uncluttered spaces less staff and technical resources are necessary for security. This is cost-effective but it also makes sure that visitors feel safe.

Perhaps the most complex task when designing a court is designing clear and generous spaces for the public with strict separations between different groups of users, efficient uncluttered spaces for staff with short distances between functional areas, and safe short routes from cell to courtroom for detained suspects.



*Example of Courthouse in Zwolle (The Netherlands)*

**Gilles HOOTSMANS**

Architect  
Hootsmans Architectuurbureau

## Ongoing activities: what's new?

### Evaluation of judicial systems

#### Justice Scoreboard

The CEPEJ delivered its Study evaluating the functioning of the justice in all member States of the European Union on the basis of facts and figures and by using the same methodology used for preparing its biennial report on "the European judicial systems". This Study has served as a basis for the publication of the "Justice Scoreboard" by the European Commission.

#### Launching of the 2014-2016 evaluation cycle



The CEPEJ Working group on the evaluation of European judicial systems (GT-EVAL) held its meeting in Paris on 19 and 20 February 2015 to launch the new 2014-2016 evaluation cycle. The evaluation scheme will be opened to the national correspondents for the transmission of the judicial data from 31 May to 31 December 2015.

#### Peer's evaluation

Peer's evaluation missions of the systems for collecting the judicial statistics will be organised this year by the CEPEJ in Lithuania and probably in Serbia.

► [More information...](#)

### Timeframes of proceedings

#### Updated SATURN guidelines for judicial time management now also applicable to prosecutors

The SATURN Guidelines for judicial time management have been updated in a way that they are now also applicable to prosecutors for the investigation period during the criminal procedure. Before their adoption,





the guidelines have been submitted to the Consultative Council of European Prosecutors (CCPE) for their opinion.

► [Updated SATURN guidelines for judicial time management \(2nd update\)](#)

### **Courts training programme for the application of SATURN tools**

#### **Albania**

Within the framework of the Project "Increase the efficiency of the Albanian justice system and in line with European standards" (SEJ), some coaching sessions are organised for the courts. These will soon be applicable at a national level, although they have been already launched in February 2015 on the basis of 15 priority guidelines. All established reports which follow the court's coaching have been discussed, and recommendations contained in this report have been selected in view of their implementation.

#### **Croatia**

In the framework of a Cooperation Programme between Croatia and the CEPEJ, funded by the Norway Grants "Improving the quality and efficiency of the judicial system through infrastructure development and better management", a training plan for pilot courts has been implemented.

#### **Morocco**

In the framework of the joint programme "Towards a strengthened democratic governance in the South Mediterranean", financed by the European Union and implemented by the Council of Europe, CEPEJ experts define objectives to be attained with regards to the reduction of court delays of different jurisdictions (mission foreseen to Rabat in April 2015).

#### **France, Georgia and Greece**

Court training programmes for the use SATURN tools regarding the judicial time management have been developed in several courts in France, Georgia and Greece.

The CEPEJ has created a training programme for the courts regarding the use of the SATURN tools on court delays. It is provided by CEPEJ members and experts. Each court interested to this programme is invited to contact [Stephane.Leyenberger@coe.int](mailto:Stephane.Leyenberger@coe.int).

#### **Meeting of the SATURN Working group on judicial time management**

The Steering Committee of the SATURN Centre for judicial time management is working in particular on a Guide regarding objectives on court delays. This guide should be adopted in occasion of the CEPEJ plenary meeting in July 2015.

► [More information...](#)

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## **Quality of Justice**

### **Meeting of the Working group on Quality of justice (GT-QUAL)**

The Working group on Quality of justice (GT-QUAL) is especially working on the issue of the "Judge's virtual office" and on the guidelines for computerised systems at disposal of the courts. The group proposes a debate about practical ways to allow the reinforcement of the right to a fair trial as guaranteed by Article 13 of the European Convention on Human Rights. A handbook with good practices on the enforcement of justice decisions is also under preparation. Furthermore, the group is preparing, in co-operation with the Fundamental Rights Agency of the European Commission, a Handbook about access to justice.

### **Adoption of the CEPEJ Guidelines on the organisation and accessibility of court premises, and of Guidelines on the role of court-appointed experts in judicial proceedings**

During its plenary meeting in December 2014, the CEPEJ adopted the following guidelines:

► [Guidelines on the organisation and accessibility of court premises](#)

They offer a reference framework for managers and decision-makers about the construction of new court buildings or the renovation of the older ones. These guidelines concern all branches of the justice and they identify the factors to be taken into account when building or designing court; among others, the quality of public service, the reception of individuals, the existence of satisfying working conditions for judicial staff and the security.

► [Guidelines on the role of court-appointed experts in judicial proceedings](#)

These guidelines provide a reference framework on the role of court-appointed technical expert in the judicial decision process. They are aimed at the legislator, ministries, judges and at any other party involved in the judicial processes. They set out and communicate the fundamental principles which govern the function in the European judicial systems and clarify the legal interpretation and application of the law concerning the work of those experts during all judicial and pre-judicial proceedings in the field of civil, criminal and administrative law.

### **Training programme for the organisation of court users' satisfaction surveys**

The CEPEJ pursues its training programme for the organisation of satisfaction surveys amongst court users. The interested courts may benefit from the support of CEPEJ experts in this field. They are invited to address their request to the Secretariat of the CEPEJ: [Stephane.Leyenberger@coe.int](mailto:Stephane.Leyenberger@coe.int).

► [More information...](#)

## Network of pilot courts



The 10<sup>th</sup> meeting of the Network of pilot courts will take place on 23<sup>rd</sup> September 2015. This meeting will mark the 10<sup>th</sup> anniversary of the creation of the Network.

► [More information...](#)

## Events organised in the member States of the Council of Europe in 2014 on the occasion of the European Day of Justice



The European Day of Justice is celebrated each year on 25 October. It is aimed at European citizens, students and people who work in the field of justice. Its objective is to bring justice closer to citizens, to inform them on their rights and to promote the work of the Council of Europe and of the European Commission, through simulation of procedures and information sessions. In 2014, 13 countries have organised open doors, case simulations, training days, conferences, etc.

► [More information...](#)

## Submit your application for the 2015 "Crystal Scales of Justice" Prize



The Council of Europe is organising the 8<sup>th</sup> edition of the "Crystal Scales of Justice" Prize. This Prize has become a real reference for the modernization of the functioning of judicial proceedings and the improvement of its quality. The aim of the prize is to identify and promote innovative and recently implemented practices which should be easily applicable by other States or jurisdictions. Their efficiency must be measurable in terms of management of procedures, organisation of courts and functioning of the judicial system in general. The 2015 competition is open to courts, Bar Associations, non-governmental organisations and to any other body dealing with judicial affairs in a member State of the Council of Europe or to any observer State to the CEPEJ. Applications must meet the eligibility criteria as specified in the Rules of the Prize, and be submitted to the Council of Europe, preferably electronically, by 12 June 2015. An interview on the feedback of the representatives of the honoured initiatives in October 2014 is available on the

CEPEJ website.

It is the 8<sup>th</sup> time that this prize will be awarded. regarding the conduct of proceedings, court organisation and the functioning of court systems in general. To be eligible for consideration, the practices nominated practices must have been recently implemented.

Contact: [cepej@coe.int](mailto:cepej@coe.int)

► [More information](#)

## Publications

► [Guidelines on the role of court-appointed experts in judicial proceedings in the Council of Europe member States](#)

► [Guidelines on the organisation and accessibility of court premises](#)

► [Updated SATURN guidelines for judicial time management \(2nd update\)](#)



## Readers corner

You wish to react to an article published in this issue or to suggest us topics to be approached, please send us your suggestions by e-mail to the following address: [cepej@coe.int](mailto:cepej@coe.int).

## Upcoming events - March to July 2015

► **16-17 April 2015**

17<sup>th</sup> meeting of the Working Group on quality of justice (GT-QUAL)  
Strasbourg, France

► **02-03 July 2015**

25<sup>th</sup> CEPEJ plenary meeting

