

Strasbourg, 1 August 2011

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)**

NETWORK OF PILOT COURTS

**6th Plenary Meeting
Strasbourg, Agora building
22 September 2011**

**PREPARATORY QUESTIONNAIRE ABOUT ITEM 5 OF THE AGENDA
"WHICH INDICATORS FOR MEASURING THE QUALITY OF JUSTICE ?"**

Name of the pilot court: ...Turin First Instance Court (*Tribunale di Torino*)

Country: ITALY

I. Is there in your ... a programme or programmes regarding the quality of justice ?

- | | | |
|---|------|----|
| A. Country | yesX | no |
| B. Region (for instance for federal states) | yes | no |
| C. Court | yesX | no |

**II. If yes, which scopes are concerned by these programmes in the five following fields (to know the content of these fields, please refer to the Checklist for promoting the quality of justice and courts
http://www.coe.int/t/dghl/cooperation/cepej/quality/default_EN.asp) ?**

- | | | |
|--|------|----|
| A. Strategy and policies | yes | no |
| B. Job and operations processes | yes | no |
| C. Access to justice, communication to court users
and the public | yesX | no |
| D. Human resources and status of judges and prosecutors | yes | no |
| E. Means of justice | yes | no |

F. Please specify the actions undertaken in these fields :

In the field of communication to court users and the public, Turin First Instance Court ran a satisfaction survey in 2011; a written report on it will be submitted to next Pilot Courts meeting on September 22nd 2011 in Strasbourg.

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III. Is there in your country a programme for evaluating the quality of justice?

YESX NO

A. On which tools are they based ?

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|--|------|----|
| 1. Satisfaction surveys? | yesX | no |
| Inspection (inspectorate body, High Council of the Judiciary, other) ? | yes | no |
| 2. Peer evaluation ? | yes | no |
| 3. Other tools ? | yesX | no |

Which are they ?

Beside satisfactions surveys, which can be conducted for “internal” use only, a relevant kind of tool for evaluating the quality of justice is represented by the periodical assessments that every four years are done by the local Councils for the Judiciary and by the High Council for the Judiciary on each and any Italian judge and prosecutor; in the framework of such assessments also the quality of judicial activity is taken into account as a parameter and criterion of evaluation.

IV. Do you have indicators for measuring quality ? YESX NO

If yes, which ones :

- | | | |
|---|------|----|
| 1. Rate of annulment/challenge of court decisions | | |
| By higher courts ? | yes | no |
| 2. Continuous training ? | yesX | no |
| 3. Others ? | yes | no |

If yes, which ones ?

Participation in continuous training activities is considered as a criterion for periodical assessment of judges and prosecutors. Continuous training activities enormously contribute to the improvement of quality of justice.

As far as point No. 1 is concerned, rates of annulment/challenge of court decisions by higher courts are not taken into account. We must not forget that, according to Recommendation No. R 12 – 2010 of the Council of Europe (see Point No. 70) “Judges should not be personally accountable where their decision is overruled or modified on appeal.” This means that quality of justice can not be evaluated on the bases of the ratio of annulment/challenge of court decisions, as the “wrong” decision could be the one issued by the higher court.

Free comments :

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