



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[59 115 809]

Comments ONS Mid-Year Population Estimates 2018
England = 55,977,178

Wales = 3,138,631

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/annualmidyearpopulationestimates/mid2018>

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	599 313 190 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Country and Regional Analysis, 2018, HM Treasury

Table A1 in main document

<https://www.gov.uk/government/statistics/country-and-regional-analysis-2018>

England = £505032000000

Wales = £32492000000

Figure converted using Bank Of England Dec 2018 rate = 0.8969. It has been rounded to the nearest thousand.

003. Per capita GDP (in €) in current prices for the reference year

[30 840]

Comments 2017 figure. 2018 GVA data not published yet.

GVA Bulletin

<https://www.ons.gov.uk/economy/grossvalueaddedgva/bulletins/regionalgrossvalueaddedbalanceduk/1998to2017>

004. Average gross annual salary (in €) for the reference year

[33 620]

NA

Comments Annual Pay- Gross 2018 (table 8.7a - mean annual income England and Wales)

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/placeofresidencebylocalauthorityashtable8>

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[0.8969]

Allow decimals : 5

NAP

Comments Bank of England spot rate on December 31st 2018

<http://www.bankofengland.co.uk/boeapps/iadb/Rates.asp?TD=31&TM=Dec&TY=2018&into=EUR&rateview=D>

A1. Please indicate the sources for answering questions 1 to 5

Sources: Sources in comments for each question.

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	2 264 262 427 [] NA [] NAP	2 092 880 691 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	1 166 282 451 [] NA [] NAP	1 176 454 272 [] NA [] NAP
2. Annual public budget allocated to computerisation	149 874 915 [] NA [] NAP	147 411 333 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	67 474 052 [] NA [] NAP	73 959 743 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	372 521 501 [] NA [] NAP	380 042 994 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	197 669 752 [] NA [] NAP	1 987 147 [] NA [] NAP
6. Annual public budget allocated to training	2 954 998 [] NA [] NAP	6 071 481 [] NA [] NAP
7. Other (please specify)	307 484 759 [] NA [] NAP	306 953 720 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Regarding the increase of implemented budget for training, it can be explained by the court change programme, which is an agile reform programme, and which was in its early stages in 2016/17. Training becomes a requirement as projects reach go-live or programme deliverables are implemented; (this could be training on a new system/process, or new staff are brought in to deliver set up of new sites (CTSCs etc) and so it's logical these costs would be incurred in the later years of the reform programme. Regarding the decrease in the budgets allocated to investments in new court buildings, it reflects the property transformation linked to the reform programme. Total Budget figure quoted is the delegated gross resource budget and includes the voted funding plus non voted Higher Judicial Salaries. The "Other" category above includes general office expenditure (stationery, postage, etc), utilisation of provisions and depreciation. The implemented budget align with the Annual accounts.

Converted to euros using Dec 2018 bank of england rate (0.8969)

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts and legal aid together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[] NA [X] NAP	[] NA [X] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

008. Are litigants in general required to pay a court fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions? The Civil and Family Courts are, in the main, self-funding with most of the cost funded by court fees. To the extent that the cost is not covered by fees it is met by the general taxpayer as part of the resource budget of the Ministry of Justice. The objective each year is to recover the total cost, not counting the cost of providing fee remissions (waivers) - in other words the target was 'full-cost pricing', rather than 'full-cost recovery'. Court fees must comply with the general policy principles that apply to all services where Government charges fees authorised by Parliament. Key amongst these, is that fees should not exceed the total cost of providing the service. Generally, fees should be set at levels which, on average, if charged in every case rather than waived, would recover the full cost of providing the service - fees cannot be set to make a profit. Some enhanced fees, which exceed cost of proceedings, have now been introduced to reduce further the cost to the taxpayer of operating the courts system. Tribunal business fees are in place for various tribunals, including Immigration and Asylum and some smaller special tribunals, the intention is not to recover the full cost, but for users to contribute towards the cost of the service they receive. Rises in IAC First Tier fees, introduced October 10th 2016, were reversed the next month following legal counsel and following a Supreme Court judgement HMCTS no longer charge for fees in Employment Tribunals with fee refunds being offered to customers who originally paid a fee for an employment tribunal. As with civil and family court fees remissions are available and the remainder of the cost is met by the taxpayer. The fundamental principle in setting fees and charges, including to other government departments, is a) to promote efficient allocation of resources so that those who consume the services are encouraged to use them efficiently, and b) to maintain the link between costs and benefits, thus improving decision-making and accountability. The remission system ensures that access to justice is protected for individuals who are less well-off and allows people on low incomes to access HMCTS services free of charge or at a reduced rate, depending on their eligibility. It is central to the policy of full-cost pricing that this system achieves its purpose. The remission system is targeted to only those who cannot afford to pay a fee, and those who can afford to pay all or part of a fee, do. The system has three elements: an automatic full fee remission for those in receipt of a qualifying benefit, a full fee remission for those whose gross annual income is calculated to be lower than the stated thresholds and a full or part fee remission based on an income and expenditure means test to calculate monthly disposable income. Since October 2015 users have been able to apply for help with their civil court and tribunal fees through Help with Fees. In July 2016, a new online service was launched which allows the public to apply for fees digitally and provides an end-to-end service incorporating swift eligibility checks with the Department for Work and Pensions. Our Reform programme continues to offer more digitised fee transaction processing with Divorce, Probate and Civil Money Claims being added to the digital service offerings

008-1. Please briefly present the methodology of calculation of these court fees:

- HMCTS set fees to achieve 100% cost recovery in civil and family.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[117]

[] NA

[] NAP

Comments The fee for starting proceedings to recover a sum of money where the sum claimed exceeds £1,500 (€1,672) but does not exceed £3,000 (€3,345); is - through our County Court Business Centre or Money Claim online approximately £105 (€117); otherwise through a court £115 (€128).

Converted to euros using Dec 2018 bank of england rate (0.8969).

009. Annual income of court fees received by the State (in €):

[773 025 000]

[] NA

[] NAP

Comments Rounded to nearest 1,000. Converted to euros using Dec 2018 bank of england rate (0.8969).

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	1 811 000 000 [] NA [] NAP	918 000 000 [] NA [] NAP	893 000 000 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	1 848 000 000 [] NA [] NAP	980 000 000 [] NA [] NAP	815 000 000 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	1 508 000 000 [] NA [] NAP	831 000 000 [] NA [] NAP	677 000 000 [] NA [] NAP

12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	267 000 000 [] NA [] NAP	159 000 000 [] NA [] NAP	108 000 000 [] NA [] NAP
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If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: In relation to the 'approved' budget, the Government has specified the areas of law that are in scope of legal aid and the criteria on which that funding is to be made available. Following from this, demand for those areas of law is then the most important driver of the amount spent on legal aid in individual years.

Expenditure on legal aid is measured differently for different purposes. A measure that is best for analysing the costs of different services, for example, may not be practical for managing budgets or payments. The three most often-used measures are:

- Closed-case expenditure, which is the measure used for expenditure figures throughout the legal aid statistics. It represents the total value of payments made to legal aid providers in relation to pieces of work that are completed in the period. This basis is comparable to volumes of completed work to which it relates, and to the same fine level of detail. This does not include income received or expenditure in relation to debt write-offs.
- The government budgeting measure known as RDEL (Resource Departmental Expenditure Limits) is the main measure used by government to control current spending, both to set budgets for future years and report on how much has been spent. It represents the value of work carried out in the period better than the closed-case measure but cannot be broken down to such a fine level of detail. This measure does incorporate income and expenditure in relation to debt.

The closed-case figures provided exclude Central Funds - an area of around £50m expenditure in 2018-19 which encompasses arrangements to meet costs in a variety of scenarios that are not covered by the main criminal legal aid schemes. This is because it is not clear in which category they belong. They are included in the RDEL figures provided, within the criminal categories.

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	588 699 000 [] NA [] NAP	571 468 000 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	[] NA [X] NAP	3 369 000 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Converted using Bank of England Dec 2018 rate = 0.8969. Rounded to nearest thousand.

The figure under 'Implemented Budget' (above) does not include other income the CPS receives and so is net operating expenditure. Accordingly, the figure under Approved Budget does not include Annually managed expenditure (AME) that sits outside the Departmental Expenditure Limit (DEL).

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

	Preparation of the total court budget	Adoption/approval 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	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Other ministry	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Parliament	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Courts	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

If any other Ministry and/or inspection body and/or other, please specify:

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	(X) Yes () No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court administrative director	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify: Budgets are prepared and managed by the Finance teams.

A2. Please indicate the sources for answering questions 6 to 14:

Sources: For 6: Internal Budget Category
For 12: <https://www.parliament.uk/documents/commons-committees/Justice/estimates-memoranda/MoJ-Estimates-2019-20.pdf>
For 12.1.0 figures are based on the government budgeting measure known as RDEL
For 12.1.1 and 12.1.2 figures are based on closed-case expenditure - Source is Legal aid statistics Eng & Wales, table numbers as follows:
Court: Crime lower: court rep (2.2), Crime higher: courts (4.1), Civil Rep: closed case (6.5 + 6.7)
Non-Court: Crime Lower: prison law (2.2), Civil: legal help and CLR* (5.3) & mediation (7.1 + 7.2)
*Although not in a court, CLR figures cover proceedings in the Mental Health and Immigration and Asylum jurisdictions of the First-Tier Tribunal and Immigration and Asylum Chamber of the Upper Tribunal.

For 13: The CPS Annual Report and Accounts 2018/19:

<https://www.cps.gov.uk/publication/cps-annual-report-2018-19> (web page)

<https://www.cps.gov.uk/sites/default/files/documents/publications/CPS-Annual-Report-and-Accounts-2018-19.pdf> (document pdf)

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	10 354 055 079 [] NA [] NAP	9 542 397 146 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Converted to Euros using Bank of England exchange rate from Dec 2018 - 0.8969

015-2. Elements of the judicial system budget (Q6, Q7, Q12 and Q13)

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	()	(X)	()

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	()	(X)	()
Constitutional court	()	(X)	()
Judicial management body	(X)	()	()

State advocacy	()	(X)	()
Enforcement services	(X)	()	()
Notariat	()	(X)	()
Forensic services	()	(X)	()
Judicial protection of juveniles	(X)	()	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	(X)	()
Immigration Service	()	(X)	()
Some police services (e.g. : transfer, investigation, prisoners' security)	(X)	()	()
Other	(X)	()	()

If "other", please specify: Total budget also includes funding to the following Departmental entities, amongst others, providing/dealing with justice related services:

* Advisory Committees on Justices of the Peace

* Children and Family Court Advisory and Support Service

* Criminal Cases Review Commission

* Criminal Injuries Compensation Authority

* HM Inspectorate of Prisons

* HM Inspectorate of Probation

* Independent Advisory Panel on Deaths in Custody

* Government Facility Services Limited

* Judicial Appointments Commission * Legal Services Board * Office for Legal Complaints * Official Sol

icitor and Public Trustee

* Parole Board

* Prisons and Probation Ombudsman

* Public Guardian

* Tribunals

* Youth Justice Board

Note: Refugees and asylum seekers is not included, however we do run the relevant tribunals.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: '15.1

<https://www.gov.uk/government/publications/ministry-of-justice-annual-report-and-accounts-2018-to-2019>

Budget figure is the Total Estimate figure, which includes budget approved by Parliamentary vote, and budget approved by other measures.

15.2

Source: <https://www.gov.uk/government/organisations>

15.3

Source: <https://www.gov.uk/government/organisations>

- * On 'Constitutional court', the Supreme Court of the United Kingdom is not part of the Ministry of Justice
- * The element 'Functioning of the Ministry of Justice' includes budget of HQ and 37 supporting agencies and public bodies
- * On 'Refugees and asylum seekers services', the Ministry of Justice is only responsible for tribunals, and not the wider immigration service, which is the domain of the Home Office
- * The elements listed under 'Other' include Department's Agencies and Entities in the Departmental Group, including Executive Non-Departmental Public Bodies
- * The total budget figure if converted into Euros at 2018-19 rates cannot be compared with the figures of 2017-18 in Euros
- * 'Some police services' includes transferring prisoners etc.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- The provision of legal aid can be broken down into two main justice areas, criminal and civil. Criminal legal aid mainly includes work carried out in police stations and in criminal courts in relation to people being investigated or charged with criminal offences. Civil legal aid includes work relating to disputes between the state and individuals, such as care proceedings, asylum claims and judicial reviews. It can be split by area of law, and into the categories legal help, controlled legal representation and civil representation.

017. Does legal aid include the coverage of or the exemption from court fees?

- (X) Yes
- () No
- [] NAP

If yes, please specify:

018. 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

NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: For example, travel costs and expert fees.

2.1.2. Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	1 255 697 <input type="checkbox"/> NA <input type="checkbox"/> NAP	484 780 <input type="checkbox"/> NA <input type="checkbox"/> NAP	770 917 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	1 000 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	375 949 <input type="checkbox"/> NA <input type="checkbox"/> NAP	624 195 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	255 553 <input type="checkbox"/> NA <input type="checkbox"/> NAP	108 831 <input type="checkbox"/> NA <input type="checkbox"/> NAP	146 722 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate:

021. 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?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: Please note: the figures provided above refer to a range of thresholds that are dependent on case and a full means test. Therefore they represent a large oversimplification. The means test for Crime and Prison Law Advice and Assistance is determined by the Provider using the thresholds set out in Regulations but summarised at the link provided above. Criminal figure above for household disposable income. In the Crown Court those with disposable income above that threshold, but below £37,500, receive legal aid but have to pay a contribution from income.

For non-criminal cases, the means test is also determined in accordance with the legal aid regulations but is summarised at the link above. As with criminal cases, the annual income and assets values do not necessarily relate to just "one person". Instead, the resources of an individual's partner will be included within the individual's disposable income and disposable capital unless they have a contrary interest in the proceedings. They are therefore also household values. The assets of other individuals may also be included (e.g. anyone substantially maintaining the individual). There are thresholds of £12,475, £22,325 and £37,500 (depending on the type of case and full means test (dependants etc.))

The £31,884 annual income value is gross household income. If income is within this limit there are further requirements on disposable income that must be met before either "full legal aid" or "partial legal aid" can be provided. The upper threshold is a disposable income level of no more than £733 per calendar month.

In terms of "full legal aid", the maximum annual assets value of £3,000 only applies to "civil representation". "Legal help and CLR" are only provided on a "full legal aid" basis. Thus, legal aid will be available without contributions where gross income is no more than £31,884, disposable income is no more than £733 pcm, and disposable capital is no more than £8,000 (except certain immigration cases where the limit is £3,000)

In terms of "partial legal aid", where an individual applying for "civil representation" has between £316 and £733 monthly disposable income and/or between £3,000 and £8,000 disposable capital they are still eligible to receive legal aid but may be required to make a "contribution" to the costs of their case on a one-off or monthly basis.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	13 909 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	35 549 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 345 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Partial legal aid to the applicant for criminal cases	13 909 [] NA [] NAP	[] NA [X] NAP
Partial legal aid to the applicant for other than criminal cases	31 884 [] NA [] NAP	8 920 [] NA [] NAP

024. 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

Comments - If yes, please explain the exact criteria for denying legal aid: There are different criteria for granting legal aid depending on the nature of the proceedings in question, including some cases where there is no minimum criteria at all. In general terms, an applicant must show that they have reasonable grounds for taking, defending or being a party to proceedings, and that it is reasonable, in the particular circumstances of the case, for legal aid to be granted. The Legal Aid Agency must consider, for example, whether the case has a reasonable chance of success, whether the benefits of litigation would outweigh the cost to public funds, and whether the applicant would gain any significant personal benefit from proceeding, bearing in mind any liability to repay the costs if successful. These factors are similar to those that would influence a privately paying client of moderate means when considering whether to become involved in proceedings

025. 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)

Comments

026. 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

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

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: Sources for the Q20 figures (Legal aid statistics England & Wales table no.):

Court: Crime lower: magistrates' court representation (2.1), Crime higher: Crown Courts representation (4.1), Civil Representation: closed case (6.3).

Non-Court: Crime Lower: advice at police station, prison law (2.1), Civil: legal help and Controlled Legal Representation (CLR)* (5.2) + family mediation (7.2).

*Although not in a court, CLR figures cover proceedings in the Mental Health and Immigration and Asylum jurisdictions of the First-Tier Tribunal and Immigration and Asylum Chamber of the Upper Tribunal.

Q23: Annual income and assets converted to euros using bank of england december 2018 rate = 0.8969

2.2.Court users and victims

2.2.1.Rights of the users and victims

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

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	()	(X) https://www.gov.uk/government/publications https://www.judiciary.gov.uk/judgments/
case-law of the higher court/s	()	(X) https://www.judiciary.gov.uk/judgments/ https://www.supremecourt.uk/decided-cases/
other documents (e.g. downloadable forms, online registration)	()	(X) http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do

Please specify what documents and information are included in “other documents”: The MoJ actively publishes as much information as possible and a significant amount of information is available under the MoJ publication scheme. Please see

<https://www.gov.uk/government/organisations/ministry-of-justice/about/publication-scheme> When information is available on the website, or one of our partner websites, the web address will be given and a link will be provided.

The Justice website on GOV.UK contains resources for legal professionals.

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

(X) Yes, always

() No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims

of offences?

Yes

No

Comments - If yes, please specify:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Disabled persons	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other vulnerable person" and/or "other special arrangements", please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.): The age of criminal responsibility in England and Wales is 10 years. Young people charged with criminal offences are usually dealt with in a specialist Youth Court, with only the most serious cases being dealt with by the Crown Court. Legal aid is available for that individual.

032. Does your country allocate compensation for victims of offences?

Yes, please specify for which kind of offences: If an injury has been suffered then a claim can be considered in the criminal courts.

Public fund applies only to victims of violent offences through the Criminal Injuries Compensation Authority

(<https://www.gov.uk/government/organisations/criminal-injuries-compensation-authority>). Court-ordered compensation paid by offenders to victims can apply to any kind of case.

No

Comments

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

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

Yes

No

Comments - 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: HMCTS only collects performance data relating to the recovery rate of court ordered compensation. Data is published as part of the Criminal Court Quarterly Statistics -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/851932/ccsq-bulletin-q3-2019.pdf

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

Yes

No

Comments - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify: The scheme gives effect to the duties recognised in R v Christopher Killick [2011] EWCA Crim 1608 and Article 10 of the European Union Directive, establishing minimum standards on the rights, support and protection of victims of crime. The principles are set out further in the published guidance on VRR which is available in full on the CPS website:

<https://www.cps.gov.uk/legal-guidance/victims-right-review-scheme>.

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. Surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

8. Other not mentioned	<input type="checkbox"/> Annual	<input type="checkbox"/> Annual
	<input type="checkbox"/> Other regular	<input type="checkbox"/> Other regular
	<input type="checkbox"/> Ad hoc	<input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: Crown Prosecution Service Victim Survey: (Yet to be published) http://www.cps.gov.uk/victims_witnesses/resources/. Previously an annual survey, however whether it is to be continued is yet to be decided. In addition to this, The Crime Survey for England and Wales (annual general population survey commissioned by Office for National Statistics), which is designed to measure levels and nature of victimisation among adults in England and Wales, provides some information about victims' experiences and confidence in the Justice system although the ability to examine their experiences of courts is limited due to the small number of respondents who had contact with courts. The CSEW also includes some questions about people who have been involved in civil, family and criminal court cases about their views of their contact with HMCTS. However, it is not yet known if the victim & witnesses questions will continue to be included in the CSEW in the future. HMCTS Enterprise Performance Framework Perception pilot.

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

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
High Judicial Council	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

High Judicial Council	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations.

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	334 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
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)	337 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Since the last report, we have continued to close a number of court and tribunal buildings following the national consultation published in July 2015 and the two London magistrates' courts consulted on in September 2016. In addition other closures have taken place which are either remaining closures from the court closures announced in 2010 (CERP) or individual closures that were considered business as usual. In July 2016 a further 6 sites were announced for closure. We are now reporting on operational court and hearing centres in line with all other correspondences.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other specialised 1st instance courts", please specify:

044. 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

Comments - Please specify: HMCTS is currently undertaking a programme of reform that will transform the way courts and tribunals operate. Modernisation will provide new ways to access the courts and tribunals; many of the new approaches have the potential to change the way we use our buildings, their flexibility and location. As reform progresses we will consider further changes to our estate in alignment with the modernisation programme. This may lead to further consolidation of the court and tribunal estate.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
an employment dismissal	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

an insolvency case

NA

NAP

Comments We have 332 courts that are able to hear cases relating to debt collection and robbery. We view our estate as flexible so we are able to if required utilise all 332 courts for Robbery or small claims if it were required, therefore we cannot provide a breakdown for this question.

045-1. Is your definition for small claims the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition for small claims: There are three routes, called tracks (small claims track, fast track and multi-track):

Small claims track – generally for lower value and less complex claims with a value of up to £10,000 (although there are some exceptions);

Fast track – claims with a value of between £10,000 and £25,000; and

Multi-track – very complex claims with a value of £25,000 or more.

045-2. Please indicate the value in € of a small claim:

[11 150]

Comments Small claims track – generally for lower value and less complex claims with a value of up to £10,000 (although there are some exceptions).

Converted to Euros using Bank of England spot rate on 31st December 2018:0.8969

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

Sources: e-Pims. The Electronic Property Information Mapping Service is the central database of Government Central Civil Estate properties and land.

3.2. Court staff

3.2.1. Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1 831 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 126 <input type="checkbox"/> NA <input type="checkbox"/> NAP	705 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance professional judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2. Number of second instance (court of appeal) professional judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court professional judges	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please provide any useful comment for interpreting the data above: The total number of salaried office holders includes a number that work on a salaried part-time basis. This number is not currently recorded on the e-HR (Judicial Office) Database to enable the numbers to be reflected on a FTE basis. The figure includes all levels of salaried judicial office holders from the Lord Chief Justice to the District Judges/Tribunal Judges. Note 46.2 There are many different levels of judges which hear appeals, not just the Court of Appeal. The judicial complement is monitored closely, and reflects the fluctuating needs of the business across the jurisdictions. Only the most business critical appointments are agreed to deal with retirements etc.

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Number of first instance court presidents	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Number of Supreme Court presidents	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	6 366 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In full-time equivalent	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If necessary, please provide comments to explain the answer provided: This is the total of fee-paid judicial office holders (some of whom will hold more than one fee-paid post, and some who will also have a mix of fee-paid and salaried work. The gender breakdown of the 6366 total is 3571 (male) and 2795 (female). The judicial complement is monitored closely, and reflects the fluctuating needs of the business across the jurisdictions. Only the most business critical appointments are agreed to deal with retirements etc.

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

(X) Yes If yes, please give specifications on the types of cases and an estimate in percentage. The judges listed at 48 deal with the same type as work as their salaried equivalent, but generally deal with the less serious/complicated matters.

No

NAP

Comments

049. Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting in a jury):

	Figure
Gross figure	14 348 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
criminal cases (severe)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
criminal cases (misdemeanour and/or minor)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
family law cases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
labour law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
social law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
commercial law cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
insolvency cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other civil cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “other”, please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

Yes

No

Comments

050-1. If yes, for which type of case(s)?

Criminal cases

Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[179 469]

NA

NAP

Comments The figure provided above is for 2018. It pertains to the "number of jurors supplied to the court" in line with figures provided by the Jury Central Summoning Bureau. This is the same measure as provided for previous years. The figure does not necessarily add up to the overall total within 2018, as the data reflects rolling 12-month periods.

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (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)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	14 194 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 399 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 796 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other non-judge staff", please specify: It is not possible to provide a break down of FTE by the functions listed. However, the following breakdown of FTE by gender across different occupational bands can be provided in percentage terms (Band A represents the highest grade below Senior Civil Servant (SCS) and Band F represents the lowest grade. SCS: Men = 43%; women = 57%
Band A: Men = 45%; women = 55%
Band B: Men = 32%; women = 68%
Band C: Men = 32%; women = 68%

Band D: Men = 27%; women = 73%

Band E: Men = 29%; women = 71%

Band F: Men = 38%; women = 62%

Grand Total: Men = 31%; women = 69%

052-1. Number of non-judge staff by instance (if possible on 31 December of the reference year) (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)

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Total non-judge staff working in courts at first instance level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Total non-judge staff working in courts at Supreme Court level	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services

- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments The other types of services that are outsourced are:

- Facilities Management (FM) services to private providers across the HMCTS estate through Total Facilities Management (TFM) contracts. At a high level these services include:
 - building maintenance (mechanical and electrical maintenance and fabric maintenance)
 - security
 - cleaning
 - waste management -grounds maintenance. PFIs for the provision of serviced accommodation at courts estates
 - Collection of Payments of Court Fines and Fees
 - Provision of Transcription and Court Reporting Services
 - Occupational Health
 - Travel and Event Management
 - Contingent Labour
 - Consultancy: strategic transformation of HMCTS reform delivery
 - Courier Services -Provision (sourcing, paying and associated administration) of interpreters and translators across the justice sector, including within courts and tribunals. a new set of contracts for these services commenced in October 2016. The interpreters themselves remain freelance.

The elements of IT Services that are outsourced are as follows: -Architecture and Design -Agile Product Delivery

- Development
- Testing
- Operational Support
- Desktop Computing
- Case Management Applications
- Video Technology
- Bulk Printing Services
- Server Hosting
- 9 other FITS service towers not included in the ICT services. -Security: IT Security Architecture
- Cyber Security Assurance
- Protective Monitoring - WIFI Courts staff have access to learning and development opportunities provided by Civil Service Learning which is managed centrally, and this service has been outsourced. However this has not been included in answers to question 54.1 because this does not strictly fall within the remit of the courts.

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: e-HR (Judicial Office) Database

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the



information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	2 455 [] NA [] NAP	1 046 [] NA [] NAP	1 409 [] NA [] NAP
1. Number of prosecutors at first instance level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of prosecutors at Supreme Court level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment for interpreting the data above: '1st instance level' is all prosecutors with a valid practicing certificate with the exception of those in the CPS Appeals Unit.

'2nd instance level' is prosecutors with a valid certificate in the Appeals Unit of the CPS Special Crime & Counter Terrorism Division

'2nd instance level' prosecutors would also cover supreme court level cases, there being no discrete separation

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	19 [] NA [] NAP	8 [] NA [] NAP	11 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	19 [] NA [] NAP	8 [] NA [] NAP	11 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at Supreme Court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please provide any useful comment for interpreting the data above: These figures cover our 14 geographical Areas, a non-geographic Area providing out-of-hours charging advice (CPS Direct), our Proceeds of Crime service and 3 Casework Divisions that prosecute the most sensitive and specialised types of crime. Since the last return the CPS has restructured its prosecution operation handling prosecutions originating within London dividing it into 2 separate Areas.

057. Do other persons have similar duties to those of public prosecutors?

(X) Yes

() No

Comments - If yes, please specify their title and functions: Associate Prosecutors (APs)

APs work with Crown Prosecutors and paralegals, with the support of administrators. Their work is most likely to include:

- reviewing cases following investigation by the police
- making decisions as to whether prosecutions should proceed and which charges should be brought
- preparing cases for prosecution

- researching into the law
 - carrying out legal procedures such as bail applications
 - conducting case conferences with other members of the legal profession such as barristers
 - presenting cases in court
 - providing advice to colleagues or to members of the wider criminal justice system such as police or solicitors
- Since the last return the CPS has reviewed the role of APs and is committed to reducing numbers as a result.

057-1. Please specify their number (in full-time equivalent):

[137]

[] NA

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

() Yes

(X) No

[] NAP

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence ?

(X) Yes

() No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution services (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	3 026 [] NA	954 [] NA	2 072 [] NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: The CPS's own internal establishment figures against Cabinet Office definitions, sourced from our iTrent system as at December 2018

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality



061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	(X) Both the Lord Chancellor and the Lord Chief Justice have a statutory responsibility to encourage judicial diversity. Where two or more candidates are assessed as being of equal merit, the JAC can select a candidate for the purpose of increasing judicial diversity using the equal merit provision (EMP) introduced by the Crime and Courts Act 2013. The Commission's equal merit provision policy has applied to selection exercises launched since 1 July 2014. Where two or more candidates are judged by the Commission to be of equal merit when assessed against the advertised requirements for a specific post, and there is clear under-representation on the basis of race or gender, the Commission can use the EMP to make the final selection decision.	()
prosecutors	()	(X)
non-judge staff	(X) MoJ and its agencies undertake anonymous sifting as a key part of the recruitment process at all grades, except within the Senior Civil Service. This ensures that no personal information of applicants is available at sifting stage, including their name and gender. MoJ's Resourcing Policy encourages mixed-gender recruitment panels.	()

lawyers	(X) Barristers: RC110.3 B, C and D in the Bar Standards Board Equality Rules relate to this. They include the stipulation that all members of any recruitment panel within Chambers must have undertaken fair recruitment training. RC110. 3. F in the Bar Standards Board Equality Rules. We also have diversity monitoring equality rules. Chambers must regularly review the diversity of applicants across all levels of seniority. The employed bar will be subject fair recruitment employment provisions as stipulated by employment law in the UK.	()
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: Regarding judges, both the Lord Chancellor and the Lord Chief Justice have a statutory responsibility to encourage judicial diversity. Where two or more candidates are assessed as being of equal merit, the JAC can select a candidate for the purpose of increasing judicial diversity using the equal merit provision (EMP) introduced by the Crime and Courts Act 2013. The Commission's equal merit provision policy has applied to selection exercises launched since 1 July 2014. Where two or more candidates are judged by the Commission to be of equal merit when assessed against the advertised requirements for a specific post, and there is clear under-representation on the basis of race or gender, the Commission can use the EMP to make the final selection decision.

For non-judge staff, MoJ and its agencies undertake anonymous sifting as a key part of the recruitment process at all grades, except within the Senior Civil Service. This ensures that no personal information of applicants is available at sifting stage, including their name and gender. MoJ's Resourcing Policy encourages mixed-gender recruitment panels.

For Barristers: RC110.3 B, C and D in the Bar Standards Board Equality Rules relate to this. They include the stipulation that all members of any recruitment panel within Chambers must have undertaken fair recruitment training. RC110. 3. F in the Bar Standards Board Equality Rules. We also have diversity monitoring equality rules. Chambers must regularly review the diversity of applicants across all levels of seniority. The employed bar will be subject fair recruitment employment provisions as stipulated by employment law in the UK.

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

Yes, please specify	No
---------------------	----

judges	<p>(X) Both the Lord Chancellor and the Lord Chief Justice have a statutory responsibility to encourage judicial diversity. Where two or more candidates are assessed as being of equal merit, the JAC can select a candidate for the purpose of increasing judicial diversity using the equal merit provision (EMP) introduced by the Crime and Courts Act 2013. The Commission's equal merit provision policy has applied to selection exercises launched since 1 July 2014. Where two or more candidates are judged by the Commission to be of equal merit when assessed against the advertised requirements for a specific post, and there is clear under-representation on the basis of race or gender, the Commission can use the EMP to make the final selection decision.</p>	<p>()</p>
prosecutors	<p>()</p>	<p>(X)</p>
non-judge staff	<p>(X) MoJ and its agencies undertake anonymous sifting as a key part of the recruitment process at all grades, except within the Senior Civil Service. This ensures that no personal information of applicants is available at sifting stage, including their name and gender. MoJ's Resourcing Policy encourages mixed-gender recruitment panels.</p>	<p>()</p>

lawyers	(X) Barristers: The Bar Standards Board have an equality rule stipulating that the affairs of chambers must be carried out in a way which is fair and equitable to all members. Rule C110 in the BSB Handbook, states that all barristers must take “reasonable steps” to ensure that their chambers meets the requirements of the Equality Rules (rC110-rC112). rC110 includes the requirement for chambers to have a written anti-harrassment policy as well as a parental leave policy, and what these should include as a minimum. Evidence would suggest that proportionately more women at the Bar in England and Wales are primary carers for a dependent child, and that they are also disproportionately affected by harassment in the profession.	()
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: For judges, both the Lord Chancellor and the Lord Chief Justice have a statutory responsibility to encourage judicial diversity. Where two or more candidates are assessed as being of equal merit, the JAC can select a candidate for the purpose of increasing judicial diversity using the equal merit provision (EMP) introduced by the Crime and Courts Act 2013. The Commission’s equal merit provision policy has applied to selection exercises launched since 1 July 2014. Where two or more candidates are judged by the Commission to be of equal merit when assessed against the advertised requirements for a specific post, and there is clear under-representation on the basis of race or gender, the Commission can use the EMP to make the final selection decision.

For non-judge staff, MoJ and its agencies undertake anonymous sifting as a key part of the recruitment process at all grades, except within the Senior Civil Service. This ensures that no personal information of applicants is available at sifting stage, including their name and gender. MoJ’s Resourcing Policy encourages mixed-gender recruitment panels.

For barristers the Bar Standards Board have an equality rule stipulating that the affairs of chambers must be carried out in a way which is fair and equitable to all members. Rule C110 in the BSB Handbook, states that all barristers must take “reasonable steps” to ensure that their chambers meets the requirements of the Equality Rules (rC110-rC112). rC110 includes the requirement for chambers to have a written anti-harrassment policy as well as a parental leave policy, and what these should include as a minimum. Evidence would suggest that proportionately more women at the Bar in England and Wales are primary carers for a dependent child, and that they are also disproportionately affected by harassment in the profession.

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or

partly - the distribution males/females within the judicial system concerning:

	Yes	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	(X)	()
lawyers	(X)	()
notaries	(X)	()
enforcement agents	()	(X)

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? Judges:

<https://www.judiciary.uk/publications/judicial-diversity-statistics-2019-2/>

Prosecutors:

<https://www.cps.gov.uk/sites/default/files/documents/publications/CPS-AEER-2018-19.pdf> Non-Judge staff:

MoJ publishes an annual workforce monitoring report, which provides detail on MoJ staff by gender. The data is derived from HR admin system. <https://www.gov.uk/government/publications/ministry-of-justice-workforce-monitoring-report-2017-to-2018>

Barristers:

The Bar Standards Board are undertaking an ongoing programme of research into women at the Bar in England and Wales, and exploring issues which may be contributing towards a lack of retention of female barristers. A link to the first report can be found here:

https://www.barstandardsboard.org.uk/media/1773934/women_at_the_bar_-_full_report_-_final_12_07_16.pdf. The project has led to an action plan which led to the ongoing Equality Impact Assessment of our Equality Rules – and part of that EIA, we are assessing the impact of the rules on sex.

Notories:

<http://www.facultyoffice.org.uk/wp-content/uploads/2018/03/Diversity-and-Equality-Data-2017-18.pdf>

A report on the findings from a number of workshops undertaken as part of the Women at the Bar Project can be found here:

<https://www.barstandardsboard.org.uk/uploads/assets/118b1db5-d15f-4e53-a214b0e71622f9aa/womenatthebarreportv4.pdf>

We publish yearly Diversity Reports of the Bar. The one for 2018 can be found here:

<https://www.barstandardsboard.org.uk/uploads/assets/1fda3d4b-c7e3-4aa8-a063024155c7341d/diversityatthebar2018.pdf>. The one for 2019 is to be published in January 2020

Appendix I in a report by the BSB on pupillage selection criteria includes some information on the distribution of recent female and male pupils by area of practise: <https://www.barstandardsboard.org.uk/uploads/assets/de77ead9-9400-4c9d-bef91353ca9e5345/e4e1db09-1848-4b1e-b6855bab7373cc94/second-edition-test31072019104713.pdf>

The Bar Council produced this report in 2015:

http://www.barcouncil.org.uk/media/378213/bar_council_momentum_measures_creating_a_diverse_profession_summary_report_july_2015.pdf

Queen's Counsel Appointments funded this research from The Work Foundation on the under-application by women

for appointment as Queen's Counsel: http://www.theworkfoundation.com/wp-content/uploads/2017/09/421_Balancing-the-scales.pdf

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

() Yes

(X) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet

link of this/these document(s) or send it/them to us? The Lord Chancellor, Lord Chief Justice and Judicial Appointments Commission (JAC) have a statutory duty to encourage diversity under the Constitutional Reform Act 2005. The Ministry of Justice is a member of the Judicial Diversity Forum (JDF) alongside members from the Judiciary, Judicial Appointments Commission and the legal professional bodies. The Forum meets quarterly to coordinate efforts to encourage judicial diversity, which include gender diversity. In 2019, the membership and aims of the JDF were strengthened to help provide an enhanced level of priority and focus. The Forum meets twice yearly and is supported by an Officials' Group comprising senior representatives from each of the partner organisations. The JAC has a statutory duty to appoint candidates on merit. Under the Constitutional Reform Act 2005, the JAC also has a statutory duty to 'have regard to the need to encourage diversity in the range of persons available for selection for appointments'. This is in addition to its public-sector duty under the Equality Act 2010.

The JAC, judiciary and legal professions undertake a range of outreach events, shadowing programmes, pre-application support and mentoring to attract and support eligible candidates, including those from under-represented groups, such as women. The Equal Merit Provision (EMP), introduced by the Crime and Courts Act 2013, can be used for increasing judicial diversity, including gender diversity. Where two or more candidates are assessed as being of equal merit and there is under-representation in the relevant level of the judiciary, the JAC can select a candidate for the purpose of increasing judicial diversity. The JAC's EMP policy currently applies to the protected characteristics of gender and race only. In 2019, the JAC extended its approach to equal merit to cover the shortlisting stage of every exercise. This change ensures that the JAC continues to take all measures possible, consistent with the statutory framework, to support the aim of increasing diversity. Between 1 April 2017 and 31 March 2019, 3 recommendations were made using the equal merit approach; all 3 were women. In April 2019, the Pre-Application Judicial Education programme (PAJE) launched – a joint initiative of the Judicial Diversity Forum. The programme has offered candidates from underrepresented groups (including women lawyers) support through judge facilitated discussion groups, to support a greater understanding of the role and skills required to be a judge.

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner)/institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
the recruitment of judges	(X)	()
the promotion of judges	(X)	()
the recruitment of prosecutors	()	(X)
the promotion of prosecutors	()	(X)
the recruitment of non-judge staff	()	(X)
the promotion of non-judge staff	()	(X)

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments JJudges: (1) Judicial Appointments Commission (JAC) (2) Chair of Judicial Diversity Committee

(1) The JAC is an executive non-departmental public body (NDPB), sponsored by the Ministry of Justice (MoJ). It is an independent selection body for judicial appointments in the courts and tribunals of England and Wales, and for some tribunals with UK-wide jurisdiction. (2) Since its creation, the Committee has focused its efforts on attracting women into the judiciary and supporting their progression to the senior levels. <https://www.judiciary.gov.uk/about-the-judiciary/who-are-the-judiciary/diversity/judicial-diversity-committee-of-the-judges-council-report-on-progress-and-action-plan/>

Non-judge staff:

Civil Service Commissioners:

The Civil Service Commission (CSC) regulates recruitment into the Civil Service, ensuring that appointments are made on merit after fair and open competition. The Commission is independent of both Civil Service and Government.

The CSC, as a regulator of recruitment processes will challenge the Civil Service and ensure that recruitment is representative of the society we live in. The CSC Annual Report (2016-2017) states that 'there is a welcomed improving trend in gender diversity'.

MoJ Inclusion and Diversity Strategy

The MoJ Inclusion and Diversity Strategy- 2017-2020 is for all staff in the MoJ nationally.

Its aims are to embed inclusion and diversity in our day to day work and help address key challenges identified. Our Diversity Champions deal with the issues of gender and will take forward any issues.

MoJ is striving to build a world class organisation that is open, inclusive, truly values and celebrates the diversity of its workforce and can understand and serve the needs of the diverse society of which we are a part.

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text) For judges: Court of Appeal Judge, Vice President, Court of Appeal Criminal Division

NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality) For judges:Judiciary of England and Wales

NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. block a decision or allow an appeal) For judges: Both consultative function and delegated legal responsibilities

NAP

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

	Yes	No
in courts (judges)	(X)	()
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

Leadership Judges (Presiding Judges and Chamber Presidents etc) exercise the delegated authority of the Lord Chief Justice and the Senior President of Tribunals in the deployment and allocation of judicial work to their judicial colleagues and do so as to promote equality of opportunity and treatment including that of gender for all those in respect of whom they have responsibility.

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment in different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments. Although the Government and the judiciary share the aspiration that the judiciary is more reflective of society and action is taken to increase talented female lawyers (and other under-represented groups) applying for judicial office, we would not expect that any increase in the proportion of women judges would result in any changes in the administration of justice. However, court reform such as the introduction of new technology, together with policies such as salaried part-time working may result in more options for flexible working and so make the judiciary more attractive to women.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) : The Lord Chancellor, Lord Chief Justice and Judicial Appointments Commission (JAC) have a statutory duty to encourage diversity under the Constitutional Reform Act 2005. The Ministry of Justice is a member of the Judicial Diversity Forum (JDF) alongside members from the Judiciary, Judicial Appointments Commission and the legal professional bodies. The Forum meets quarterly to coordinate efforts to encourage judicial diversity, which include gender diversity.

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments. In 2019, the membership and aims of the

JDF were strengthened to help provide an enhanced level of priority and focus. The Forum meets twice yearly and is supported by an Officials' Group comprising senior representatives from each of the partner organisations. The JAC has a statutory duty to appoint candidates on merit. Under the Constitutional Reform Act 2005, the JAC also has a statutory duty to 'have regard to the need to encourage diversity in the range of persons available for selection for appointments'. This is in addition to its public-sector duty under the Equality Act 2010.

The JAC, judiciary and legal professions undertake a range of outreach events, shadowing programmes, pre-application support and mentoring to attract and support eligible candidates, including those from under-represented groups, such as women. The Equal Merit Provision (EMP), introduced by the Crime and Courts Act 2013, can be used for increasing judicial diversity, including gender diversity. Where two or more candidates are assessed as being of equal merit and there is under-representation in the relevant level of the judiciary, the JAC can select a candidate for the purpose of increasing judicial diversity. The JAC's EMP policy currently applies to the protected characteristics of gender and race only. In 2019, the JAC extended its approach to equal merit to cover the shortlisting stage of every exercise. This change ensures that the JAC continues to take all measures possible, consistent with the statutory framework, to support the aim of increasing diversity. Between 1 April 2017 and 31 March 2019, 3 recommendations were made using the equal merit approach; all 3 were women. In April 2019, the Pre-Application Judicial Education programme (PAJE) launched – a joint initiative of the Judicial Diversity Forum. The programme has offered candidates from underrepresented groups (including women lawyers) support through judge facilitated discussion groups, to support a greater understanding of the role and skills required to be a judge.

[] NAP

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify): No official evaluation, studies or reports are available on any causes of inequalities, in relation to promotion procedures and access to the functions of responsibility. The Judicial Office monitors the progress of women within the judiciary (<https://www.judiciary.uk/publications/judicial-diversity-statistics-2019-2/>) and works with the Judicial Diversity Committee to put steps in place to support their advancement. Activities specifically directed at women have so far included networking events, mentoring, pre-application workshops and support programmes.

The JAC's most recent trends analysis shows positive trends for women in selection exercises for judicial roles. Overall, women are progressing through JAC exercises in line with the level of applications received. In 2018/19, women made up 44% of those recommended for appointment overall (legal exercises overall) from 50% of applicants. The representation of women in the courts judiciary has increased from 24% in 2014 to 32% as at 1 April 2019. Representation of women in the tribunals has increased from 43% in 2014 to 46% as at 1 April 2019 – nearly half of the tribunals judiciary. Women are one of the JAC's four target groups. The JAC undertakes outreach activities – in conjunction with its partners in the judiciary, MoJ and the professions - to attract candidates from under-represented groups, including women. The JAC also works closely with the Judicial Office, Ministry of Justice and the legal professions to break down barriers to appointment for different groups.

The JAC takes several steps to ensure that the selection process is fair, open and transparent to all groups, including women. These steps include:

With the assistance of an Advisory Group of professionals and judges, reviewing all selection materials to ensure that they will not have adverse equality or diversity impacts, and do not inadvertently advantage candidates from a particular practice area, or jurisdiction.

ensuring that the content and tone of selection exercise materials are gender neutral and do not contain stereotypes, colloquialisms or language that may be off putting to different groups, and that role play and scenarios feature a diverse range of characters.

Dry-running all materials with mock candidates and analysing the results, making any necessary adjustments to the content, timing, preparation materials or other aspects of selection materials.

Training JAC panellists on fair selection training on appointment, and refreshing this training in the panel briefing session before

every selection exercise.

Making reasonable adjustments when requested for candidates who need them.

Extension of name-blind sifting shortlisting, which was already used for online tests, to sifts of applications and independent assessment for smaller exercises. The JAC selection process is also carefully monitored, including: Monitoring progression of target groups at key points in the selection process, and investigating reasons for significant drops in target groups.

Observing live interviews, telephone assessments and role play to ensure consistency. Completing equality impact assessments for any significant changes to the selection process.

Assigning a JAC Commissioner to all exercises to oversee quality assurance and fair selection.

In 2018, an independent review conducted by the Work Psychology Group found that they were following a best practice approach in the use of their shortlisting tools.

promotion procedures and access to the functions of responsibility (please specify) : No official evaluation, studies or reports are available on any causes of inequalities, in relation to promotion procedures and access to the functions of responsibility. The Judicial Office monitors the progress of women within the judiciary (<https://www.judiciary.uk/publications/judicial-diversity-statistics-2019-2/>) and works with the Judicial Diversity Committee to put steps in place to support their advancement. Activities specifically directed at women have so far included networking events, mentoring, pre-application workshops and support programmes.

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With the assistance of an Advisory Group of professionals and judges, reviewing all selection materials to ensure that they will not have adverse equality or diversity impacts, and do not inadvertently advantage candidates from a particular practice area, or jurisdiction.

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Observing live interviews, telephone assessments and role play to ensure consistency. Completing equality impact assessments for any significant changes to the selection process.

Assigning a JAC Commissioner to all exercises to oversee quality assurance and fair selection.

In 2018, an independent review conducted by the Work Psychology Group found that they were following a best practice approach in the use of their shortlisting tools.

Comments - If the situation changed since reference year, please specify in the comments. No official evaluation, studies or reports are available on any causes of inequalities, in relation to promotion procedures and access to the functions of responsibility. The Judicial Office monitors the progress of women within the judiciary (<https://www.judiciary.uk/publications/judicial-diversity-statistics-2019-2/>) and works with the Judicial Diversity Committee to put steps in place to support their advancement. Activities specifically directed at women have so far included networking events, mentoring, pre-application workshops and support programmes.

The JAC's most recent trends analysis shows positive trends for women in selection exercises for judicial roles. Overall, women are progressing through JAC exercises in line with the level of applications received. In 2018/19, women made up 44% of those recommended for appointment overall (legal exercises overall) from 50% of applicants. The representation of women in the courts judiciary has increased from 24% in 2014 to 32% as at 1 April 2019. Representation of women in the tribunals has increased from 43% in 2014 to 46% as at 1 April 2019 – nearly half of the tribunals judiciary. Women are one of the JAC's four target groups. The JAC undertakes outreach activities – in conjunction with its partners in the judiciary, MoJ and the professions - to attract candidates from under-represented groups, including women. The JAC also works closely with the Judicial Office, Ministry of Justice and the legal professions to break down barriers to appointment for different groups.

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With the assistance of an Advisory Group of professionals and judges, reviewing all selection materials to ensure that they will not have adverse equality or diversity impacts, and do not inadvertently advantage candidates from a particular practice area, or jurisdiction.

ensuring that the content and tone of selection exercise materials are gender neutral and do not contain stereotypes, colloquialisms or language that may be off putting to different groups, and that role play and scenarios feature a diverse range of characters.

Dry-running all materials with mock candidates and analysing the results, making any necessary adjustments to the content, timing, preparation materials or other aspects of selection materials.

Training JAC panellists on fair selection training on appointment, and refreshing this training in the panel briefing session before every selection exercise.

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Observing live interviews, telephone assessments and role play to ensure consistency. Completing equality impact assessments for any significant changes to the selection process.

Assigning a JAC Commissioner to all exercises to oversee quality assurance and fair selection.

In 2018, an independent review conducted by the Work Psychology Group found that they were following a best practice approach in the use of their shortlisting tools.

[] NAP

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)

the composition of hearings with several judges is always mixed	(X) see below	()
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	(X) see below	()

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments. Magistrates Court (Crime) - Bench composition is usually mixed gender.

Tribunals - Lay panel is generally mixed gender.

Family court - Lay panel is generally mixed gender.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input type="checkbox"/> defined and coordinated at national level by one institution <input checked="" type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input type="checkbox"/> other
IT Governance	<input type="checkbox"/> governed on national level by one institution <input type="checkbox"/> governed on national level by several institutions <input checked="" type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

Implementing new projects	Management of applications
---------------------------	----------------------------

Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non
Other alternatives (external service provider only – specify in a comment)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non

Comments - please also describe in case of “other alternatives”

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

Yes

No

Comments (please specify projects that have experienced national developments) Regional tier IT staff feeding into national application support teams.

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

Yes

No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

Business processes

Workload

Human resources

Costs

Other, please specify Includes improved customer service

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

Yes

No

Comments (please specify in particular if national frameworks of information security exist): Use of external and independent cybersecurity experts

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

() No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) Information Commissioner's Office.

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

() Yes

(X) Non

Comments

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes () No	() Yes () No	() Yes () No	() Yes () No
Criminal	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes () No	() Yes () No	() Yes () No	() Yes () No
Administrative	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes all judgements () Yes some judgements () No	() Yes () No	() Yes () No	() Yes () No	() Yes () No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

() Yes

(X) No

Comments

062-6-1. If yes, please specify the following information:

- [] Linkage with other European records of the same nature
- [] Content directly available through computerised means for judges and/or prosecutors
- [] Content directly available for purposes other than criminal (civil and administrative matters)



3.5.4 Writing assistance tools

062-7. Are there writing assistance tools for which the content is coordinated at national level? (models or templates, paragraphs already pre-written, etc.)

Yes

No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

Yes

No

Comments

062-8-1. If yes, please specify:

Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature

Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify For civil and administrative the online availability is partial. In some administrative, databases are local.

063-1-1. If yes, please specify the following information:

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input type="checkbox"/> both <input checked="" type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input type="checkbox"/> both <input checked="" type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input type="checkbox"/> both <input checked="" type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Business registry	<input type="checkbox"/> 100%	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> 10-49%			
	<input type="checkbox"/> 1-9%			
	<input checked="" type="checkbox"/> 0% (NAP)			
	<input type="checkbox"/> NA			

Comment – if it exists in other matters please specify

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Justice expenses management	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
-----------------------	--	---	----------------------------

For judges	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court users

users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
-----------------------	---	---	---	---

Comments - if it exist in other matters please specify

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	[]	[]	[]	[] SMS [] E-mail [] Specific computer application [] Other	[]
Criminal	[]	[]	[]	[] SMS [] E-mail [] Specific computer application [] Other	[]
Administrative	[]	[]	[]	[] SMS [] E-mail [] Specific computer application [] Other	[]

Comments

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Communication between court and lawyers representing parties

(X) Yes

() No

Communication between court and parties not represented by lawyer

(X) Yes

() No

Comments This is available in some types of cases or claims but not all and varies with those factors and the type of representation.

064-6-1. If yes, please specify the following information:

Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework

Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments In criminal courts, some communication is by dedicated system to system interfaces, whereas others are via email

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes

Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments Other indicates a variety of modalities.

064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)

Yes

No

Comments – Please describe the system that exists. A variety of applications beign developed e.g. divorce online

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

Admissibility of electronic evidence	Legislative framework
---	------------------------------

Civil and/or commercial	(X) Yes () No	() General law only () General and specialised law (X) Specialised law only
Criminal	(X) Yes () No	() General law only () General and specialised law (X) Specialised law only
Administrative	(X) Yes () No	() General law only () General and specialised law (X) Specialised law only

Comments

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

(X) Yes

() No

Comments - If yes, please specify: There are appraisal schemes in operation for Magistrates, Deputy District Judges (Magistrates' courts), Deputy District Judges in the civil courts and most judges in the Tribunals Service and these schemes are judicially led. Currently, there are no appraisal schemes for salaried judges in the courts. However, judicial appraisal is undertaken informally in a number of courts.

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	() Yes (X) No
within the public prosecution services	() Yes (X) No

Comments

3.6.2. Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

[X] number of incoming cases

- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

- Yes
- No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined

indicators?

Yes

No

Comments

073-0. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Monthly

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

Yes

No

Comments

073-2. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

Yes

No

Comments We have an Area Performance Review process

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Quarterly

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

Yes

No

Comments

073-6. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple options possible) :

- Public prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3. Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures

- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments Not all activities are measured in all Jurisdictions

Crown – Incoming Cases, Decisions, Ineffective, Vacated (postponed), Cracked Trials, Timeliness

Magistrates – Incoming and Completed Cases & Timeliness

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	(X) Timeliness is measured in Crown, County and Magistrates' Courts and some aspects of Family Courts and Tribunals	()

within the public prosecution services	(X) We monitor the overall length of time for a case from CPS decision to charge to finalisation in the court. This is only for CPS charged cases so is a minority of cases. This is not broken down between why there were or were not delays.	()
--	---	-----

Comments Timeliness is measured in Crown, County and Magistrates' Courts and some aspects of Family Courts and Tribunals. We monitor the overall length of time for a case from CPS decision to charge to finalisation in the court. This is only for CPS charged cases so is a minority of cases. This is not broken down between why there were or were not delays.

3.6.4. Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

(X) Yes (please indicate the name and the address of this institution):Her Majesty's Courts and Tribunals Service , 102 Petty France, London SW1H 9AJ

() No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

(X) Yes, on internet

() No, only internally (in an intranet website)

() No

Comments

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

(X) Yes (please indicate the name and the address of this institution):Crown Prosecution Service (CPS)

() No

Comments

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

(X) Yes, on internet

() No, only internally (in an intranet website)

() No

Comments CPS publishes it's own annual report.

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

() Yes

(X) No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

[] Internet

[] Intranet (internal) website

[] Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

() Annual

() Less frequent

() More frequent

Comments

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

(X) Yes

() No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): Some of the above information is published in the CPS annual report.

081-4. If yes, please specify in which form this report is released:

[] Internet

[] Intranet (internal) website

[X] Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

(X) Annual

() Less frequent

() More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of

prosecution...)?

Yes

No

Comments - If yes, please specify: All courts have PTPH's – Plea and trial preparation hearings that are attended by the Prosecutor (CPS) and where the timetable/directions and court dates are agreed and set.

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify: All courts have PTPH's – Plea and trial preparation hearings that are attended by the Prosecutor (CPS) and where the timetable/directions and court dates are agreed and set.

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting the individual targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):NAP

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments This is referring to judicial appraisal. None apply, in that timescales vary for different schemes.

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

() Yes

(X) No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

[] Executive power (for example the Ministry of Justice)

[X] Prosecutor General /State public prosecutor

[] Public prosecutorial Council

[] Head of the organisational unit or hierarchical superior public prosecutor

[] Other (please specify):

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

(X) Yes

() No

Comments These are known as Individual Quality Assessments.

120-1. If yes, please specify the frequency of this assessment:

() Annual

() Less frequent

(X) More frequent

Comments

C4. Please indicate the sources for answering the questions in this chapter:

Sources: NAP

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial

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

[]

[X] NA

[] NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge, if a party considers that the judge is not impartial?

Yes

No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[]

NA

Comments

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): The Government publishes an annual report on European Court of Human Rights judgments that have found violations in UK cases and the actions the Government has taken to address them. The report is examined by the Parliamentary Joint Committee on Human Rights. The Committee can hold oral evidence sessions with Ministers. The Ministry of Justice monitors the individual and general measures being taken by the lead department for each case to ensure that the UK abides by these judgments.

The annual report is published at <https://www.gov.uk/government/collections/human-rights-the-governments-response-to-human-rights-judgments>

086-1. Is there in your country a possibility to review a case after a decision on violation of human rights by the European Court of Human Rights?

Yes

No

NAP

Comments Following an adverse judgment, the lead department for the case will determine the individual measures necessary to address the violation.

We found the wording of this question (Q 86-1) and supporting guidance hard to interpret and would be grateful if you could clarify this for the next survey. From the guidance, we understood it to be asking for the procedure we follow in order to address the violation found in a specific case (as opposed to preventing similar violations in future).

D1. Please indicate the sources for answering questions in this chapter.

Sources: NA

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure for urgent matters

Comments - If yes, please specify: Civil: The Civil Procedure Rules (CPR) are rules of the court, which govern practice and procedure in the High Court, county courts and civil division of the Court of Appeal. The rules include provisions for individuals to bring urgent applications before the court if necessary. Examples of urgent applications may include applying for a stay in proceedings, payment of monies out of court and injunctions. Urgent applications should ordinarily be made within court hours. However, the courts are aware this may not always be possible; provisions are in place for Judges to be contacted out of hours and/or via telephone. To obtain an order under these circumstances there must in all cases be a real and justified urgency which will not wait proper notice, for example seeking an order to freeze assets.

Criminal: Applications can be made to a single justice of the peace out of court hours if necessary for example for police search warrant. Admin: the Tribunal Procedure Rules allow for provisions for individuals to bring urgent applications before the court if necessary sooner than the usual waiting period. A Judge may expedite certain cases depending on the their urgency.

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: Civil: County Court Business Centre provides for the administration of county court claims for online money claims, and a service for bulk users (eg credit card and utility providers). It also handles challenges to orders of recovery for parking and other traffic violations. It also provides for administrative process for non-contested attachment of earnings orders and charging orders. Admin: The overriding objective of the Tribunal Procedure Rules is “to enable the Tribunal to deal with cases fairly and justly.” This includes avoiding unnecessary formality and seeking flexibility in proceedings, dealing with cases proportionately, avoiding delay, and ensuring that the parties are able to participate fully in the proceedings. The Tribunal may hear an appeal either orally in a court room or determined on the papers only. This latter written procedure is used if both parties agree that the Tribunal may determine the appeal on the papers without holding a full hearing and the Tribunal is satisfied that it can determine the issues without one. The parties within the proceedings are notified by the judge’s decision through a letter, several weeks after the case.

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify: Within the framework of the Civil Procedure Rules & Judicial oversight

089. 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)?

(X) Yes

() No

Comments - If yes, please specify: Civil Cases - Yes. Within the framework of Civil Procedure Rules & Judicial oversight. Criminal Cases – Yes. The Criminal Procedure Rules require courts to manage cases by taking action to ensure that cases progress and are ready for trial. The courts have powers to direct the parties where necessary to take various actions. The courts are required to set a trial date and set a timetable for actions to be completed before the trial, to monitor progress and to ensure the parties comply with any directions given by the court. Each party and the court should nominate an individual responsible for progressing the case. In proceedings a Tribunal has the power to give directions or orders to ensure cases are dealt with in a timely and effective manner. For example it may send out a case management order detailing what parties should disclose to each other, who should be responsible for compiling the hearing bundle, when witness statements should be exchanged.

Civil Courts and Administrative Court cases – Yes. The Civil Procedure Rules also give the courts case management powers so as to ensure cases are dealt with in a timely and effective manner. The rules provide that active case management includes: encouraging parties to co-operate with each other; identifying issues at an early stage; deciding promptly which issues need full investigation and trial; deciding the order in which issues are to be resolved; encouraging parties to use alternative dispute resolution e.g. mediation where appropriate.

4.2.2. Case flow management – first instance



091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	2 852 251 [] NA [] NAP	2 488 978 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2.2.1. Non litigious land registry cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	541 252 <input type="checkbox"/> NA <input type="checkbox"/> NAP	493 347 <input type="checkbox"/> NA <input type="checkbox"/> NAP	440 077 <input type="checkbox"/> NA <input type="checkbox"/> NAP	599 456 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	262 806 <input type="checkbox"/> NA <input type="checkbox"/> NAP	214 190 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Employment Tribunal receipts have been notably higher than Employment Tribunal disposals since the abolishment of Employment Tribunal fees (Employment Tribunal caseload outstanding makes up over two thirds of Tribunal caseload outstanding, being reminded that Employment tribunals are classed as administrative cases in our data).

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. NA

093. Please indicate the case categories included in the category "other cases":

. Other incoming cases include: all petitions in matrimonial matters (divorce, annulment and judicial separation), and all cases started for domestic violence remedies, public and private law children act, financial remedies, forced marriage protection, female genital mutilation protection and adoption. Other resolved cases include: all decrees absolute/granted in matrimonial matters (divorce, annulment and judicial separation), and all cases disposed for domestic violence remedies, public and private law children act, financial remedies, forced marriage protection, female genital mutilation protection and adoption. Insolvency claims at the County Court - the 6720 number given is from table 1.2 of the Civil Justice Statistics Quarterly, the figures for 2018: <https://www.gov.uk/government/statistics/civil-justice-statistics-quarterly-april-to-june-2019>. However this is not a count of all insolvencies. A number of insolvency claims no longer go through the Courts and therefore have not been included above. The statistics on such cases can be found at the following web-page: <https://www.gov.uk/government/statistics/insolvency-statistics-october-to-december-2018>

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	335 840 [] NA [] NAP	1 572 529 [] NA [] NAP	1 582 756 [] NA [] NAP	325 932 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	38 247 [] NA [] NAP	103 100 [] NA [] NAP	109 271 [] NA [] NAP	32 546 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	297 593 [] NA [] NAP	1 469 429 [] NA [] NAP	1 473 485 [] NA [] NAP	293 386 [] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: - Severe criminal cases = all cases in crown court (excluding appeals against mags decisions) - Misdemeanour and / or minor criminal cases = all cases in mags courts - Cases pending = cases pending at the end of the previous year. - Income cases and resolved cases = receipts and disposals throughout 2018 (calendar year). - First instance courts = magistrates' courts. - Outstanding: Changes to the administrative systems at the Crown Court that completed in September 2019 have resulted in discontinuities in published series. Estimates of the number of outstanding cases at the Crown Court in England and Wales have been temporarily imputed for Q3 2019. Due to changes in the way in which case closures are recorded following the change in case management system it is not currently possible to produce estimates of outstanding cases which are consistent with previously published data. A provisional estimate of total outstanding cases at the Crown Court has been made available using a different methodology to that previously published. The observed trends in the data are consistent with existing published data and while like-for-like estimates are not available the provisional estimate is felt to be robust.

4.2.3. Case flow management – second instance

097. Second instance courts (appeal): Number of "other than criminal law" cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	853 [] NA [] NAP	1 163 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	[X] NA [] NAP	415 [] NA [] NAP	547 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	77 [] NA [] NAP	95 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "Other cases" please specify Totals are from Table 3.9 of the RCJ 2016 tables, for the calendar year 2018. It is not possible to break civil cases down into litigious and non-litigious cases, so a civil breakdown has not been given (but is included in the total figures).

<https://www.gov.uk/government/statistics/civil-justice-statistics-quarterly-january-to-march-2019>

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	[X] NA [] NAP	11 781 [] NA [] NAP	10 430 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Because terminology used does not match that of the CEPEJ, subcategories have been indicated NA, and figures are provided

below. - cases we consider severe (see Q94) : Pending cases on 1 Jan. ref. year: NA

Incoming cases: 3094 (RCJ 2018 table 3.7) counts those cases considered for leave to appeal by a single judge at the Court of Appeal

Resolved cases: 1411 (RCJ 2018 table 3.8) Pending cases on 31 Dec. ref. year: NA

Cases we consider minor / misdemeanours (see Q94): Pending cases on 1 Jan. ref. year: 2360

Incoming cases: 8687

Resolved cases: 9019

Pending cases on 31 Dec. ref. year: 2058

4.2.4. Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "Other cases", please specify MOJ no longer publishes figures for the Supreme Court. Some information on incoming cases is available in the Supreme Court Annual Report 2018-19: <https://www.supremecourt.uk/docs/annual-report-2018-19.pdf>

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

() Yes

(X) No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? []

cases closed by this procedure? []

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

3. Other cases	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify MOJ no longer publishes figures for the Supreme Court. Some information on incoming cases is available in the Supreme Court Annual Report 2018-19: <https://www.supremecourt.uk/docs/annual-report-2018-19.pdf>

4.2.5. Case flow management and timeframes – specific cases

101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	118 408 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 955 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	23 365 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 900 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> NA <input type="checkbox"/> NAP	6 720 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	1 659 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 197 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 309 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 553 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	353 <input type="checkbox"/> NA <input type="checkbox"/> NAP	634 <input type="checkbox"/> NA <input type="checkbox"/> NAP	600 <input type="checkbox"/> NA <input type="checkbox"/> NAP	391 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Incoming cases -This is the number of petitions filed for dissolution of marriage or dissolution of civil partnership (this does not include petitions for nullity of marriage or judicial separation). Resolved cases - This is the number of decree absolutes (divorces granted) in dissolution of marriage or dissolution of civil partnership cases (this does not include the resolution of cases for nullity of marriage or judicial separation). It excludes cases where the couple reconcile and decide not to go ahead with the divorce or cases where the divorce was refused.

Employment Dismissal Cases - tribunal cases consist of multiple jurisdictional components, and thus, the final number of cases can not be found. Therefore the number given in these cells relates to the number of 'unfair dismissal' and 'Suffer a detriment/unfair dismissal - pregnancy' jurisdictional complaints, and not based on the number of cases (definitions of these terms are given in the Tribunal publication, which a link has been given for this). Based on 2018 calendar year.. Regarding the increase of incoming employment cases, the employment tribunal (ET) fee refund scheme³ was introduced as a phased implementation scheme in October 2017 following the abolition of ET fees on 26 July 2017. More information on the scheme is available here <https://www.gov.uk/government/news/opening-stage-of-employment-tribunal-fee-refund-scheme-launched> Insolvency - 6720 is from Civil Justice Statistics Quarterly (Apr-Jun 2019), Table 1.2 (Total insolvency petitions in 2018) <https://www.gov.uk/government/statistics/civil-justice-statistics-quarterly-april-to-june-2019>. However this is not a count of all insolvencies.

A number of insolvency claims no longer go through the Courts and therefore have not been included above. These statistics on such cases can be found at the following two web-pages: <https://www.gov.uk/government/statistics/company-insolvency-statistics-july-to-september-2019> and <https://www.gov.uk/government/statistics/individual-insolvency-statistics-july-to-september-2019>

Cases relating to asylum seekers - immigration and asylum tribunals have a category "Asylum/Protection/Revocation of Protection" which includes asylum appeals, however the data is not broken down into the individual groups <https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-april-to-june-2019>

101-1. Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. 1. Most asylum seekers have the right to appeal to the First-tier Tribunal (Immigration and Asylum Chamber) if their asylum claim is refused by the Home Office, with the appeal heard by an independent Immigration Judge. They are allowed to remain in the UK while they wait for their appeal. If the applicant comes from a country presumed by the Home Office to produce clearly unfounded asylum claims (according to the Home Office's country guidance) then they will usually have to have their appeal heard 'out of country'. Those with an in country right of appeal have 14 days to appeal after the date of the Home Office's decision, while those with just an out of country right of appeal have 28 days. If the claim is allowed on the grounds of the 1951 Geneva Convention, either by the UK Border Agency or at appeal, the applicant gets Refugee Status, which lasts for five years. UK Border Agency can review this grant of status at any time during the five years. If it is still unsafe to return to the country of origin once this time has elapsed, the applicant will be able to apply for Indefinite Leave to Remain (ILR) in the UK. 2. A person who is neither a British citizen nor a Commonwealth citizen with the right of abode nor a person who is entitled to enter or remain in the United Kingdom by virtue of the provisions of the 2006 EEA Regulations requires leave to enter the United Kingdom. Under Sections 3 and 4 of the Immigration Act 1971 an Immigration Officer when admitting to the UK a person subject to immigration control under that Act may give leave to enter for a limited period and, if he does, may impose all or any of the following conditions: (i) a condition restricting employment or occupation in the UK; (ii) a condition requiring the person to maintain and accommodate himself, and any dependents of his, without recourse to public funds; (iii) a condition requiring the person to register with the police; and (iv) a condition restricting his studies in the UK. He may also require him to report to the appropriate Medical Officer of Environmental Health. Under Section 24 of the 1971 Act it is an offence knowingly to remain beyond the time limit or fail to comply with such a condition or requirement. The time limit and any conditions attached will be made known to the person concerned either (i) by written notice given to him or endorsed by the Immigration Officer in his passport or travel document; or (ii) in any other manner permitted by the Immigration (Leave to Enter and Remain) Order 2000.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). 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	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)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Litigious divorce case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	245 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. NA

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. Litigious divorce case, average length in 1st instance - median number of days from petition to decree absolute for dissolution of marriage or civil partnership where decree absolutes were made in 2018. Litigious divorce case, % Pending over 3 Years - This is the percentage of dissolution of marriage and dissolution of civil partnership cases, where a decree absolute was made during 2018, where the time between petition and decree absolute was over 1095 (365 x3) days.

4.2.6. Case flow management – public prosecution

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 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 (please specify):

Comments Public prosecutors can propose a sentence to a judge only to advise the judge on sentencing powers and where a case may have aggravating features that merit a sentence uplift (such as hate crime)

106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: None of the above

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	466 775 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 342 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	494 811 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments All data provided is for the period 1st April 2018 to 31st March 2019.

Source: Crown Prosecution Service Case Management Information System

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	50 342 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Discontinued by the public prosecutor because the offender could not be identified	2 346 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Source: Crown Prosecution Service Case Management Information System

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. How are judges recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify): Qualifying test.

Comments

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - 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 Judicial Appointments Commission.

112. Is the same authority (Q111) competent for the promotion of judges?

- Yes
- No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

- Competitive test / Exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): Judges are not promoted; suitable candidates are recommended to the Lord Chancellor, Lord Chief Justice or Senior President of Tribunals. Criteria or competencies are adapted to each judicial role.

A serving judge's only route to promotion is to apply through a Judicial Appointments Commission (JAC) selection exercise. Eligibility criteria (both statutory and discretionary) vary depending on the post(s) being filled and may include, for more senior salaried roles, a requirement for candidates to have previous judicial experience, although experience of sitting in a fee-paid capacity is normally sufficient to satisfy the criterion. Consequently, salaried judges seeking promotion to a more senior salaried post must normally apply in a competition which is also open to practitioners.

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- statutory independent
- under the authority of the Minister of Justice or another central authority
- other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

- 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

Comments - 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: The Crown Prosecution Service (CPS) is responsible for its own recruitment procedure within the civil service guidelines to ensure fair and open competition. The Head of CPS, The Director of Public Prosecutions (DPP), is a fixed term appointment made by the superintending government minister, the Attorney General, according to published criteria.

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- Competitive test / exam
- Other procedure (interview or other)
- No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): There is no automatic through grading (promotion) for Prosecutors. Prosecutors must apply for any vacancies and will be assessed accordingly . The assessment will include an interview and sometimes another formal assessment.

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Assessment results
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.3.Mandate and retirement of judges and prosecutors



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

(X) Yes, please indicate the compulsory retirement age: Under the provisions of the Judicial Pensions and Retirement Act 1993 (JUPRA), most salaried and fee-paid judicial office holders will normally be required to vacate their office on their 70th birthday. Those who were appointed prior to the commencement of JUPRA's retirement provisions (the end of March 1995) retain their original compulsory retirement date. Fee-paid judicial office holders are initially appointed for a set period - usually between 4 and 5 years depending on role and when appointed - renewable automatically, subject to the upper age limit.

() No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: In the main, judicial office holders may be removed from office by the Lord Chancellor, with the concurrence of the Lord Chief Justice, on grounds of misbehaviour or inability to perform the duties of the office. Such decisions are taken in accordance with the procedures contained in the Judicial Discipline (Prescribed Procedures) Regulations 2006.

121-1. Can a judge be transferred to another court without his/her consent:

[] For disciplinary reasons

[X] For organisational reasons

[] For other reasons (please specify modalities and safeguards):

[] No

Comments A period of notice would be given. 'Terms and conditions' specify that where a salaried judicial office holder is asked by the Lord Chief Justice or the Senior President of Tribunals (depending on the office holder in question) to change his/her sitting arrangements, and because of that change, he/she is obliged to remove his/her family home, he/she may claim a range of allowances.

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

() Yes, duration of the probation period (in years):

(X) No

Comments

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

(X) Yes, please indicate the compulsory retirement age: With effect from 1 April 2010, there is no longer a mandatory retirement age within the Civil Service. CPS employees may however choose to retire at any point once they have reached their retirement age (also known as "pension age") under the terms of their pension scheme. The CPS cannot compulsorily retire employees at any age. From a CPS Senior Staffing Unit perspective, the only senior management position which is time-bound is the Director of Public Prosecutions. The DPP is on a five year contract which may be renewed thereafter at the sole discretion of the Attorney General's Office. All other senior management posts are appointed to office for an undetermined period. Furthermore, there is no compulsory retirement age.

() No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Yes there are exceptions (e.g. where disciplinary breach).

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):0.5

No

Comments

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

[5]

NA

NAP

Comments Not applicable for salaried. Applies to fee-paid. Fee-paid judicial office holders are initially appointed for a set period - usually between 4 and 5 years depending on role and when appointed - renewable automatically, subject to the upper age limit.

125-1. Is it renewable?

Yes

No

NAP

Comments

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)?

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

Sources: NA

5.2.Training

5.2.1.Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments

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

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for management functions of the court (e.g. court president)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in courts	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on ethics	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: All salaried and fee-paid judges will receive training on an annual basis and training is linked to authorisations for different jurisdictions

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors:



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

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in office	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on ethics	[] Regularly (for example every year) [] Occasional (as needed) [X] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

Initial training only	Continuous training only	Initial and continuous training

One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	14 494 369 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments budget converted using BOE december 2018 conversion rate - 0.8969

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. The CPS provides training and development for its prosecutors through a blended learning programme, designed and delivered in the main by CPS subject matter experts. Subject to individuals' specialist requirements, they will complete a number of mandated training courses on joining the CPS and then complete additional training courses when they move into different prosecutor roles. Identification and prioritisation of new corporate legal development needs is undertaken by the CPS' Tools and Skills for the Job Board and this results in additional courses being undertaken by prosecutors.

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	441 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Only for judges	441 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Only for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

3. Only for other non-judge staff	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Only for other non-prosecutor staff	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Other common training	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments:

E2. Please indicate the sources for answering the questions in this chapter:

Sources: Judicial office

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	123 018 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	110 335 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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)	247 248 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	221 757 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	37 481 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 626 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 617 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 777 <input type="checkbox"/> NA <input type="checkbox"/> NAP
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 Attorney General).	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Converted to Euros using Bank of England exchange rate at 31 Dec 2018 = 0.8969

133. Do judges and public prosecutors have additional benefits?

Judges	Public prosecutors
--------	--------------------

Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	(X) Yes () No	() Yes (X) No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	() Yes (X) No	() Yes (X) No

Comments

134. If “other financial benefit”, please specify:

[X] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	() Yes (X) No	(X) Yes () No
Research and publication	() Yes (X) No	() Yes (X) No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. Rules governing these kinds of ‘outside activity’ are governed by the Lord Chancellor’s terms and conditions for judicial office holders. There are some differences between the terms and conditions for salaried office holders and those for fee-paid office holders in this area – reflecting the detail that fee-paid office holders would be expected to be engaged in, and in receipt of remuneration for, ‘outside activities’ given the part-time nature of their judicial role.

Judges must ensure that while holding judicial office they conduct themselves in a manner consistent with the authority and standing of a judge. They must not, in any capacity, engage in any activity which might undermine, or be reasonably thought to undermine, their judicial independence or impartiality. Judges may not undertake any other remunerated employment, nor receive or retain any fee or emolument in any circumstances save for royalties earned as an author. They may not undertake any task or engage in any activity which

in any way limits their ability to discharge their judicial duties to the full. They should so conduct their private affairs as to minimise the possibility of conflict or embarrassment.

Directorships: A judge may continue to hold directorships which relate to organisations whose primary purpose is not profit-related, and whose activities are of an uncontroversial character.

Charitable activities: If a judge is involved in charitable activities, including holding the directorship of a charity, he/she should be on his/her guard against circumstances arising which might be seen to cast doubt on his/her judicial impartiality or conflict with his/her judicial office.

Lectures: There is in principle no objection to members of the judiciary speaking on technical legal matters, which are unlikely to be controversial, at lectures and conferences or seminars organised by the Bar or The Law Society, or by academic or other similar non-profit making organisations. Lectures and seminars which deal with matters of more general public interest may, however, raise wider issues of policy, sometimes not immediately apparent. Judges will therefore wish to be cautious about speaking at these. Depending on circumstances, it could also be inappropriate for a judge to accept an invitation to deliver a public lecture or participate in a conference or seminar run by a commercial undertaking. It is regarded as inappropriate for a judge to receive a fee personally for giving a lecture. However, where a judge gives a lecture for a commercial undertaking there is no objection, if he/she considers that it would be appropriate, to his/her requesting that any fee otherwise payable be paid to a charity of his/her choice.

Writing books/articles: It is a long-established tradition that the writing of books and articles, academic and technical works, and the editing of legal textbooks are not incompatible with holding judicial office and there is no objection to the acceptance of royalties or fees for doing so. Legal and technical books and articles do not normally give rise to difficulties but it may sometimes be advisable for a judge to avoid writing on a subject of wider or more general public interest. However, the editorship of a commercial legal or technical journal is generally considered incompatible with judicial office, since this involves a regular commitment. Furthermore, journals provide platforms for opinions and, as such, they represent a potential source of avoidable conflict. Editorship of such journals should therefore normally be resigned on appointment; if an exception is sought, reference should be made to the Judicial Office.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	() Yes (X) No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	() Yes (X) No
Consultant	(X) Yes () No	() Yes (X) No
Cultural function	() Yes (X) No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: - authorisation would be needed in all circumstances

- Prosecutors can combine their work with these functions/activities as a qualified lawyer practising criminal law, but NOT in their capacity as a serving Crown Prosecutor - remuneration would only be allowed during time the individual has formally and specifically agreed will be unpaid by the CPS (unpaid special leave), as an alternative/consecutive rather than an additional/concurrent source of

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

Yes

No

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

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

Yes

No

Comments The Lord Chief Justice is responsible for guidance to the judiciary on such issues. Guidance is given in the Guide to Judicial Conduct.

138-1. If yes, how is this institution / body formed

only by judges

by judges and other legal professionals

other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

NAP

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments Yes there are professional bodies e.g. Solicitors Regulation Authority, Bar Council.

Employed barristers and solicitors working for the CPS are also subject internal controls e.g. Civil Service Code of Conduct, CPS Code of Conduct etc. All CPS Codes and guidance material are open to the public or on request.

138-4. If yes, how is this institution / body formed

only by prosecutors

by prosecutors and other legal professionals

other, please specify:

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. The Solicitors Regulation Authority produce guidance, standards and regulations on ethics that are available on their web-site:

<https://www.sra.org.uk/solicitors/guidance/guidance/>

The Bar Council has its own ethics committee and their web-site has a dedicated Ethics & Practice Hub at:

<https://www.barcouncilethics.co.uk/>

NAP

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify): Any individual can bring a complaint against a judicial office holder. The decision to investigate further and therefore initiate disciplinary proceedings rests with the Judicial Complaints Investigation Office which acts on behalf of the Lord Chancellor and Lord Chief Justice. Complaints against tribunal judiciary and magistrates are considered in the first instance by the relevant Tribunal President and Advisory Committee respectively.

This is not possible

Comments

141. Who is 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 (High Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

This is not possible

Comments There is no specific professional body for prosecutors, however as practising solicitors or barristers our prosecutors are subject to regulation by the Law Society or Bar Standards Council.

142. Which authority has disciplinary power over judges? (multiple options possible)

Court

Higher Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify): The Lord Chancellor and the Lord Chief Justice for England and Wales have joint responsibility for judicial discipline

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

Supreme Court

Head of the organisational unit or hierarchical superior

Prosecutor General /State public prosecutor

Public prosecutorial Council (High Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions



144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	1 672 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Breach of professional ethics	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	1 672 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: FOR JUDGES:

The Judicial Conduct Investigations Office's recorded complaints by category for 2018/19 are:

Judicial Decision & Case Management 1,173

Inappropriate Behaviour Comments 293

Judicial delay 35

Conflict of Interest 21

Failure to meet sitting requirements 17

Criminal conviction (not including motoring offences or fraud) 4

Financial fraud 2

Motoring offences 4

Misuse of judicial status 4

Civil proceedings 7

Not specified 112

FOR PUBLIC PROSECUTORS:

Breach of Dignity at Work Policy – 4; Breach of Security – 2; Flexible working hours abuse – 1; Inappropriate behaviour/conduct – 2;

Non-attendance at court – 1; Refusal to carry out reasonable management Instruction – 3; Unauthorised absence - 5

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Temporary reduction of salary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. FOR JUDGES:

The sanctions available to the Lord Chancellor and Lord Chief Justice in cases of judicial misconduct are formal advice; formal warning; reprimand and removal. 33 'other' in the table above is comprised of: Formal advice = 20 Formal warning = 13.

The significant difference between the number of "disciplinary proceedings" and sanctions issued reflects the fact that: a) disciplinary proceedings has been interpreted to mean complaints; and b) the majority of the complaints received against judicial office holders are about issues which are outside the scope of the complaints process, e.g. judicial decisions and are, therefore, rejected or dismissed.

It should also be noted that the time taken it can take to conclude complaints that proceed to full investigation means there is not a direct correlation between complaints made and concluded over the same period. A complaint may be initiated in one reporting year and not conclude until the next. FOR PUBLIC PROSECUTORS:

There are two main reasons for the difference between the number of disciplinary proceedings initiated and the number of sanctions. One is that the outcome of the proceedings can be 'No Warning', which is not a sanction and amounted to 10 during this period. The second is that the time taken to determine a disciplinary matter means that there is no direct correlation between those initiated and those concluded over the same period.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: FOR JUDGES: The Judicial Conduct Investigations Office case management system. FOR PUBLIC PROSECUTORS: The CPS's own internal HR database.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	159 796 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments There were 2052 lawyers for which gender was unknown, 79485 men and 78259 women.

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

Yes ()

No (X)

Comments

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

[]

[X] NA

[] NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[]	[]	[]
Dismissal cases	[]	[]	[]
Criminal cases – Defendant	[]	[]	[]
Criminal cases – Victim	[]	[]	[]
Administrative cases	[]	[]	[]

[X] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers’ monopoly: There is no monopoly.

Parties in criminal, civil and administrative cases are typically represented by barristers or solicitors with higher rights of audience.

However, there are other persons and organisations who are able to represent clients as follows: -Persons granted rights of audience by statute, such as local authority officers.

-Persons granted rights of audience at the discretion of the court.

-Any person has rights of audience in small claims cases (cases where the financial amount involved does not exceed £1000) as long as that person is present at the hearing. -Parties to a case may represent themselves as ‘litigants in person’.

Legal Executive Advocates who have attained a civil proceedings certificate can represent clients:

-In open court in the County Court in civil proceedings,

-Before Justices or a District Judge in the Magistrates Court in matters originating by complaint or application,

-Before any tribunal under the supervision of the Council on Tribunals where the tribunal rules provide for a non-discretionary right of audience being available to barristers and solicitors,

-Before the Coroners Courts (where they can exercise rights of audience similar to those of solicitors and barristers).

Legal Executive Advocates who have attained a criminal proceedings certificate can represent clients:

-Before Justices or a District Judge in all adult magistrates courts and Youth Courts in matters within the jurisdiction of those courts, -In the Crown Court of High Court before a judge in chambers to conduct bail applications,

-In the Crown Court on appeal from the Magistrates Court, the Youth Court on committal of an adult for a sentence to be dealt with if any solicitor who employs the Legal Executive or any other solicitor or Fellow in the same employment as the Legal Executive appeared on behalf of the defendant in the Magistrates or Youth Court, -Before Coroners’ Courts. Legal Executive Advocates who have attained a family proceedings certificate can appear before Justices or District Judge in the Family Proceedings Courts and before the Coroners

Courts. All patent attorneys have rights of audience and the right to conduct litigation in the Patent County Courts and on appeal from the Patent Office in the Patents Court, which is part of the High Court. Patent attorney litigators have the right to conduct litigation in the High Court, the Patents Court and in the Court of Appeal on appeal from the Patents County Court or the High Court in any matter relating to patents, designs, trade marks or technical information.

Members of the Institute of Trade Mark Attorneys with litigators' rights can conduct litigation in the Chancery Division of the High Court and the County Court (including the Patents County Court) relating to trade mark, design and passing off cases.

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family member	() Yes (X) No	() Yes (X) No	() Yes (X) No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): Note, rights of audience are granted at the discretion of the judge, and rules laid out in the Legal Services Act 2007 governing exemptions, so technically, all of these entities may qualify for rights of audience. As a general rule, only litigants in person appear to have automatic rights of audience.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- [X] Notarial activity
- [X] Arbitration / mediation
- [X] Proxy / representation
- [X] Property manager
- [X] Real estate agent
- [] Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- [X] Self-employed lawyer
- [] Staff lawyer
- [X] In-house lawyer

Comments All practising barristers must hold a practising certificate issued by the Bar Standards Board, the professional regulatory body for barristers. Barristers are required to renew their practising certificate yearly. During the renewal process barristers need to verify their practising status and entitlement to exercise reserved legal activities;

confirm whether they have completed the requisite amount of continuing professional development (CPD) activity; declare they have

obtained and paid for adequate indemnity insurance and pay a practising certificate fee. Those in their second six months of pupillage (a 12 month professional training period undertaken prior to attaining full practising status) are entitled to supply legal services and exercise Rights of Audience, provided that they have the permission from their Pupil Supervisor or Head of Chambers, and have been issued with a Provisional Practising Certificate. Barristers seeking to conduct litigation will need to be approved by the BSB for individual authorisation to conduct litigation.

Rules barristers are required to comply with are laid out in the Bar Standards Board Handbook. Details of changes to the rules governing barristers are formulated by the Bar Standards Board, but any changes to approved regulators regulatory arrangements must be approved by the Legal Services Board before coming into effect (unless LSB directs that is an exempt alteration).

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

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

Yes

No

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

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

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify: Public Access barristers (barristers who are allowed to accept instructions directly from the public rather than via a solicitor intermediary) must have completed Public Access training. Barristers seeking to conduct litigation will need to be approved by the Bar Standards Board for individual authorisation to conduct litigation.

Solicitor-Advocates - solicitors wishing to obtain higher rights of audience must hold a practising certificate and be accredited under the Higher Rights of Audience Regulations. These regulations require independent assessment of advocacy skills before the SRA can award a civil and/or criminal qualification.

F1. Please indicate the sources for answering questions 146 and 148:

Sources: For Barristers: <https://www.barstandardsboard.org.uk/media-centre/research-and-statistics/statistics/practising-barrister-statistics/> Solicitors: http://www.sra.org.uk/sra/how-we-work/reports/data/population_solicitors.page

6.1.2. Practicing the profession



154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

- Yes
- No

Comments Barristers must provide a written summary of their fee charging structure on accepting instructions from their client. This can be a fixed fee, hourly rate, or other fee arrangement. The BSB have brought new transparency rules into force as of 1 July 2019, with an implementation period until January 2020. This follows the Competition and Markets Authority's (CMA's) recommendation in December 2016 that the legal regulators deliver a step change in transparency standards to help consumers understand the price and service they will receive, what redress is available and the regulatory status of their provider.

155. Are lawyers' fees freely negotiated?

- Yes
- No

Comments Lawyers operating in the private sector are free to set their own fees. Some publicly funded lawyers, such as legal aid lawyers, have standard fees that are regulated by the Government. Fixed recoverable fees also operate in personal injury cases where the claim value is up to a maximum value of £25,000.

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

Comments Lawyers operating in the private sector are free to set their own fees. Some publicly funded lawyers, such as legal aid lawyers, have standard fees that are regulated by the Government. Fixed recoverable fees also operate in personal injury cases where the claim value is up to a maximum value of £25,000.

6.1.3. Quality standards and disciplinary procedures



157. Have quality standards been determined for lawyers?

- Yes
- No

Comments - If yes, what are the quality criteria used? Each regulator is responsible for defining the quality standards for its regulated community.

Quality criteria for barristers are included in the Bar Standards Board Handbook, which includes all regulations and guidance for barristers.

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

- the bar association
- the Parliament
- other (please specify):

Comments There is a Legal Ombudsman however it does not set quality standards but is a service provider that has a set of rules on how to handle complaints.

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify: The Legal Ombudsman (LeO) is an independent and impartial scheme set up to help resolve disputes about the service provided by legal service providers or entities (firms, businesses or practices). It is free to members of the public. If a client has an issue with a legal service provided, the Legal Ombudsman advises first filing a complaint to the provider of the legal service, and then filing a complaint to them if the complaint is not resolved. In circumstances laid out by each regulator, complaints can be made to and investigated by the regulator itself. For example: for barristers, individuals or organisations can complain about the professional conduct of a barrister who has not acted for them via the Bar Standards Board, which deals with matters of professional misconduct. And for solicitors, reports from third parties about breaches of the Code of Conduct and other regulatory requirements are filed with the Solicitors Regulation Authority. Clients of solicitors can also apply to Court for detailed assessment of their bill.

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify): Under the provisions of the Legal Services Act 2007 (and other relevant legislation, for example, Solicitors Act 1974), approved regulators are responsible for disciplinary procedures concerning the individuals and organisations they regulate.

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	166 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Breakdown for 1-4 not available for solicitors. For barristers figures are:

Breach of professional ethics = 27

Professional inadequacy = 4

Criminal offence = 9

Other = 9 (included disciplinary finding by another body, failing to co-operate with the Legal Ombudsman, Failure to comply with the practising requirements)

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	245 [] NA [] NAP
1. Reprimand	19 [] NA [] NAP
2. Suspension	26 [] NA [] NAP
3. Withdrawal from cases	82 [] NA [] NAP
4. Fine	102 [] NA [] NAP
5. Other	16 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Sanctions where the outcome is proved/upheld.

For barristers Other includes - 'Disbarred = 3', 'Prohibited from accepting public access instructions = 2', 'Prohibited from applying for a Practising Certificate = 1'

For solicitors Other includes section 43 orders, Section 47 (2) (g) and where a solicitor agrees to remove themselves from the roll and pay our costs.

Multiple sanctions can be imposed in relation to one case. In most cases, disciplinary proceedings will not be concluded in the same year as they were initiated.

7. Court related mediation and other alternative Dispute Resolution

7.1 Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: In private family law, there is a requirement for a prospective applicant to attend a Mediation Information and Assessment Meeting (MIAM) before going to court, to assess whether any form of non-court dispute resolution is appropriate and suitable in that case. While there is an expectation on the Respondent to attend, there is no requirement for them to do so. There are various exemptions from the requirement to attend a MIAM, such as domestic abuse

or child protection concerns. This is not judicial mediation - MIAMs are conducted by family mediators, however, the court has the power to refer parties to a MIAM if the pre-court MIAM requirement has not been met and there is no valid exemption, or where the judge feels the case may be suitable for mediation. Please see further notes under G1. In civil cases, it is judicial discretion rather than mandatory.

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

- Yes
- No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: In private family law, there is a requirement for a prospective applicant to attend a Mediation Information and Assessment Meeting (MIAM) before going to court, to assess whether any form of non-court dispute resolution is appropriate and suitable in that case. While there is an expectation on the Respondent to attend, there is no requirement for them to do so. There are various exemptions from the requirement to attend a MIAM, such as domestic abuse or child protection concerns. This is not judicial mediation - MIAMs are conducted by family mediators, however, the court has the power to refer parties to a MIAM if the pre-court MIAM requirement has not been met and there is no valid exemption, or where the judge feels the case may be suitable for mediation. Please see further notes under G1. In civil cases, it is judicial discretion rather than mandatory. There is no mandatory mediation in administrative cases.

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

- Yes
- No
- [] NAP

Comments - If yes, please specify (only one or both options):: Family: Parties can receive legal aid for MIAM and mediation - this is not

judicial mediation, however the court can refer the parties to a MIAM. Please see further notes under G1. In civil, the Small Claims Mediation Service is provided free for claims up to £10,000. Within the Employment Tribunal mediation is offered for free.

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Family cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Labour cases including employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
6. Consumer cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate the source: Civil Mediation: In civil, while there is no accreditation for individual mediators, organisations that provide civil and commercial mediation are encouraged to become accredited with the Civil Mediation Council (CMC). The CMC is an association of academics, professionals and providers in the field of civil mediation that has set an accreditation standard that includes:

- Adequate mediator training - mediators must have successfully completed an assessed training course that includes training in ethics, mediation theory, mediation practice, negotiation, and role play exercises.
- Code of Conduct - an appropriate written Code of Conduct for its members to follow that must be no less rigorous than EU Model Code of Conduct for Mediators published in 2004.
- Supervision and monitoring - adequate and appropriate supervision, mentoring, monitoring and pupillage for its mediators, including a programme of continuing professional development (CPD), a complaints scheme, and the opportunity for peer review.
- Adequate insurance
- Efficient administration

The Ministry of Justice requires all civil mediation provider organisations that want to be involved in court-referred mediation, to first become accredited with the CMC. Those organisations are then added to the list of providers of the National Mediation Helpline (www.nationalmediationhelpline.com), and are able to undertake mediations referred by the courts, or direct from members of the public.

Currently, there are about 50 mediation organisations accredited by the CMC, of which 40 are part of the National Mediation Helpline. Not applicable in administrative cases. Source: Family Mediation Branch, Ministry of Justice, Whitehall, London, UK.

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

Mediation other than court-related mediation

Arbitration

Conciliation (if different from mediation)

Other ADR (please specify):Family: In connection to family disputes, we are aware of (but not involved in the promotion of) ‘collaborative law’, which is a practice involving the parties, their legal advisors, any experts that may be necessary (for instance, a child psychologist, a financial advisor, a pension advisor, and so on) in round-table negotiations. Should negotiations fail, their respective legal advisors are barred from participating in court litigation. This is considered by the proponents of collaborative law as incentivising all participants (including their legal advisors) to reach agreement. There is also a more traditional route known as 'lawyer negotiation', where parties can hire lawyers to negotiate on their behalf, to attempt to reach an agreement, ideally without going to court.

Comments

G1. Please indicate the source for answering question 166:

Source: NA

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

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	2 876 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with: 1) Only County Court Bailiffs can enforce county court judgments regarding debts regulated by the Consumer Credit Act 1974 (CCA) or below the value of £600. Creditors who are seeking to enforce county court judgments above that value and not regulated by the CCA, can choose to transfer the judgment to the High Court for enforcement by a High Court Enforcement Officer (HCEO). Only HCEOs can enforce High Court writs. Only civil enforcement agents can enforce certain warrants of control (e.g. for council tax debt and fixed penalty notices). HCEOs and civil enforcement agents are authorised to enforce writs and warrants throughout England and Wales, therefore, creditors are able to choose which accredited agent to use.

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immovable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments Civil enforcement agents and HCEOs must complete mandatory training in order to become an enforcement agent.

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

- a national body
- a regional body
- a local body
- NAP

Comments There are trade associations that represent civil enforcement agents and HCEOs.

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

- Yes
- No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: Her Majesty's Courts & Tribunal Service

8.1.2. Efficiency of enforcement services



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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments County Court Judges are responsible for the certification of enforcement agents and for dealing with complaints lodged with the court. County Court Bailiffs are directly employed by and accountable to HM Courts and Tribunals Service. High Court Enforcement Officers are authorised by the Lord Chancellor and are required to be members of the High Court Enforcement Officers Association.

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used? Bailiffs and enforcement agents National Standards April 2014. Certification of Enforcement Agents Regulations 2014. Civil Procedure Rules Parts 83 and 84 Writs and Warrants and Enforcement by Taking Control of Goods.

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

professional body

judge

Ministry of Justice

other (please specify):

Comments

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

Yes

No

Comments - If yes, please specify: There are a range of enforcement mechanisms within the civil and criminal courts which can be applied to public authorities as to any debtor or offender. Civil Enforcement mechanisms include: A “warrant of control” gives court bailiffs the authority to take goods owned by a debtor from their home or business. An “attachment of earnings order” is sent to a debtor’s employer and gives the authority for an amount to be deducted from the debtor’s earnings and sent to a court collection office then paid to the creditor. A “third party debt order” freezes a debtor’s assets and is usually made to stop the debtor taking money out of their bank account, building society, stocks and shares etc. Such an order may also be sent to anyone who owes the debtor money.

A “charging order” prevents the debtor from selling their assets such as property or land, without paying what is owed to the creditor. In the event that creditors are uncertain about the most effective means by which the judgment can be enforced they can apply to the court for an Order to Obtain Information. This is not a form of enforcement as such; it is a way of obtaining information from the debtor. These oral examinations have proven to be effective in establishing details of assets which may be enforced against.

The court will order the debtor to come to court to be formally questioned by an officer of the court, on oath, about his or her finances (providing evidence as necessary), which will help the creditor decide whether it is worthwhile taking an enforcement step, and if so, which of the methods available is most likely to recover money owed. Failure to comply with an order to obtain information by a debtor may lead to the matter being referred to a Judge, who could impose a period of imprisonment for contempt of court.

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

Yes

No

Comments - If yes, please specify: County Court Bailiffs are monitored by bailiff managers and have to comply with the Civil Bailiff Manual. All other enforcement officers must comply with the National Standards and the relevant regulations. Complaints can be made to the court who issued the certificate.

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 (please specify):

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

Yes

No

Comments - If yes, please specify: No, however we're currently reviewing regulations which govern bailiff behaviour.

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

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify): Warrants have a time limit of 12 months, but can be extended by application to the court. There is no time limit to inform debtor that a warrant has been sought from the court, or to instruct an EA to execute a warrant.

NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
-----------------	--

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: NA

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

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):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). A county court Judge certifies all certificated enforcement agents, of which many deal with criminal matters. Magistrates' courts (Judiciary, Magistrates, Legal Advisors

and Fines Officers) are in charge of the enforcement of judgments and orders originating from the Crown Courts and magistrates' courts.

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

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question: This data is obtained from the Financial impositions collection report which extracts the data from the Libra case management system. The report measures how much of the value imposed in a certain period is collected within the month of imposition and subsequent months up to 18 months after imposition. The data is available on the Her Majesty's Courts and Tribunals Service internal performance database – One Performance Truth (OPT). The recovery rate quoted is based on average collection of all court ordered financial impositions (excluding confiscation orders) by 12 months after imposition.

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Total	Male	Female
TOTAL (1+2+3+4)	751 [] NA [] NAP	525 [] NA [] NAP	226 [] NA [] NAP
1. Private professionals (without control from public authorities)	751 [] NA [] NAP	525 [] NA [] NAP	226 [] NA [] NAP
2. Professionals appointed by the State	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
3. Public officials	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary (multiple options possible):

diploma

professional experience/professional training

exam

appointment procedure by the State

other (please specify):

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

yes, please indicate the age of retirement:None

no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Dismissal as a disciplinary sanction. Failure to renew annual practicing certificate.

194. What kind of activities do notaries perform (multiple options possible):

Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

Authentication

Certification of signatures

Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):Reserved instrument activities, probate activities.

Comments

194-1. Do notaries have the exclusive rights when exercising their profession:

Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

Authentication

Certification of signatures

Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with: Authentication of deeds/certificates requiring notarisaton are the sole realm of Notaries. There is competition in the administration of oaths as most of the other legal regulators regulate this service.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

Real estate transaction

Family law

Succession law

Company law

Legality control of gambling activities

Other

Comments

194-3. Do notaries use specialised digital systems in their activity?

In establishing authentic instruments

In recording authentic instruments (archives)

Other activity (please specify):

Comments None of the above.

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

professional body

court

Ministry of Justice

public prosecutor

other (please specify):The Master of the Faculties, through the Faculty Office

Comments

196-1. Is there a system of general continuous training for all notaries?

Yes

No

Comments Practitioners must complete 6 hrs CPD per year in order to renew their annual practicing certificate.

Notaries in England and Wales also do probate work and real estate transaction.

I1. Please indicate the sources for answering question 192:

Sources: The Faculty Office which regulates notaries.

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

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

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[3 817]

[] NA

[] NAP

Comments The ministry works closely with its suppliers of language services to identify any gaps in their fulfilment, and to increase both the capacity and capability of their available interpreters, who are required to be listed on the ministry's register. Growing the number of available interpreters, both in terms of the languages they offer and locations they provide their services to, further ensures the broad range of booking requirements can be supported, and the needs of the justice system are met.

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

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam): The Ministry has clear set of requirements built into its Language Service contracts around qualification, right to work and security clearance, interpreters must meet these requirements before they are able to undertake work in the justice system. Details of these can be found at the follow link:

<https://www.contractsfinder.service.gov.uk/Notice/975cb99e-fec6-430f-8f31-fd532a907137>.

The Language Shop have been appointed as part of our contractual framework for interpreting. The Language Shop has a responsibility to assure the correct levels of qualifications, skills, security clearance and experience are held by each linguist through their ongoing assessment programme and in response to complaints or specific concerns during the contract period.

201. Are the courts responsible for selecting 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

[X] No, please specify which authority selects court interpreters The Ministry of Justice sets out the requirements for the provision of interpreters; a private company 'recruits' and 'deploys' interpreters for specific jobs

Comments

J1. Please indicate the sources for answering question 199

Sources: The Ministry of Justice's Independent Quality Assurance Provider for the MoJ's Language Services contracts, The Language Shop

11.Judicial experts

11.1.Profession of judicial expert

11.1.1.Status of judicial experts

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

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal 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).

Other (please specify):

Comments

202-1. Are there lists or databases of registered judicial experts?

Yes

No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?):

202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments NAP

202-3. Is the registration of judicial experts limited in time?

Yes, for how long

No

Comments NAP

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

Obligation of training

Initial training	() Yes (X) No
Continuous training	() Yes (X) No

Comments

203-2. If yes, does this training concern:

- judicial proceedings
- the profession of expert
- other

Comments NAP

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

- Yes
- No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

- Yes
- No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

205-1. Who sets the expert remuneration?

- For expert witnesses funded by legal aid, regulations cover remuneration rates. For all other cases rates are agreed between parties and the experts.

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

- Yes
- No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: Judges will case manage the conduct of proceedings, including the contribution of the expert witness in written and oral evidence.

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	[X] NA [] NAP
1.Civil and commercial litigious cases	[X] NA [] NAP
2.Administrative cases	[X] NA [] NAP
3.Criminal cases	[X] NA [] NAP
4.Other cases	[X] NA [] NAP

Comments

207. Are the courts responsible for selecting 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, please specify which authority selects judicial experts

Comments Parties normally select experts and will have regard to their qualifications, expertise, experience and suitability. The court has to approve the use of an expert and in some cases may appoint a single joint expert for proceedings.

207-1. Does the judge control the progress of the expertise?

- Yes
- No

Comments

K1. Please indicate the sources for answering question 205

Sources: NA

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.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. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans NA

2. Budget NA

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) To consolidate our status as a global leader, we are investing over a billion pounds to transform our courts and tribunals and bring them into the 21st century. By introducing straightforward digital services, modern technology and modern ways of working we will increase access to justice for everyone – and save over £250 million per year once modernisation is complete. The improvements that reform will bring will be measured in how swiftly a child can be moved to a place of safety, how smoothly a couple can move through divorce proceedings, how quickly a person in detention can be given a decision on their immigration appeal. We are making good progress and now have live online services across all our jurisdictions including divorce, probate, civil money claims, immigration & asylum, family public law, as well as online pleas for low-level traffic offences, saving citizens valuable time and money.

The principles behind reform are tried and tested. They ultimately boil down to building a reformed system that is proportionate, accessible and – above all – just. But the changes this entails to the way the system operates are fundamental. For the people who use and rely on it, the services it provides will be simpler and easier to use with many straightforward online services. For those who operate it – be they judges or staff – there will be much greater virtual, flexible working and much less paper-based administration. There will be fewer buildings and much better support for judges in the form of case officers. The overall operation will be put on a sustainable financial footing that provides an excellent value service to tax- and fee-payers.

In practical terms, this means giving effect to three ideas:

1. Getting cases out of court that do not need to be there – for example, an uncontested divorce, or a fare evasion offence.
2. Using greater virtual working, and only applying the full force of judge and physical courtroom to very difficult or sensitive issues – not to preliminary hearings to agree process, or minor crimes.
3. Stripping away paper, unnecessary hearings, forms, duplication and mistakes.

These three areas of change have profound implications for the courts and tribunals, the people who use them and those who work in them.

3.1. Access to justice and legal aid In February 2019, the Government published a post-implementation review of the Legal Aid, Sentencing and Punishment of Offenders act (LASPO), which governs the rules for legal aid. Alongside the review, and building on what we heard from the evidence submitted to it, we published the Legal Support Action Plan. The Action Plan sets out our vision for delivering a broader range of support to help people resolve their legal problems. The Action Plan included a range of changes for

legal aid and a number of initiatives to test the benefits of a range of complimentary legal support services in helping people resolve their problems earlier and, where appropriate, before they escalate to needing to appear in court. Measures included reviewing the eligibility requirements for legal aid and making placement orders and adoptions orders non-means tested. We are also developing a pilot to develop evidence on the effectiveness of early legal advice in an area of social welfare law. In July 2019, we laid legislation to bring unaccompanied migrant children into scope of legal aid. From the wider legal support perspective, we are focusing on testing how to better coordinate and signpost people to the right legal support for them, piloting the co-location of different support services together in one place, and providing further funding to enhance the support on offer to litigants in person. We are also investing £5m into a Legal Support Innovation Fund, to explore the role technology can play in helping people identify and resolve their legal issues, and undertaking an awareness campaign to promote legal aid and legal support across England and Wales.

4. High Judicial Council There are no current plans to reform the governance functions of the judiciary in England and Wales.

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

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

7. Enforcement of court decisions NA

8. Mediation and other ADR NA

9. Fight against crime NA

9.1. Prison system NA

9.2 Child friendly justice Family justice: We intend to pilot integrated domestic abuse courts that address criminal and family matters in parallel. This innovative approach will focus on achieving the right outcomes and a less traumatic experience for victims, including children, and ensuring that their voices are heard.

Youth Justice

Criminal records

•In 2013, the Coalition government changed the law so that minor offences no longer need to be disclosed. Following the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (known as LASPO), it also takes significantly less time for offences committed by children to become 'spent', as opposed to those committed by adults, after which time they no longer need to be disclosed for most purposes.

•These distinctions recognise that children who offend are often highly vulnerable and may not be as mature as adults who offend – these distinctions are in place to allow children to move on.

•In July 2019 the former Secretary of State announced his intention to legislate to reform the disclosure of criminal records under the Rehabilitation of Offenders Act, including that some sentences of over four years will no longer have to be disclosed to employers after a specified period of time. We are reviewing the options available to progress this work.

Secure schools

The government is committed to trialling Secure Schools – a new, innovative approach to youth secure provision. Set up under education legislation (registered as both Secure Children's Homes and 16-19 Academies) and intended to be run by not-for-profit external providers, they aim to deliver an integrated vision of health, care and education in one place. We expect Secure Schools to follow the existing best-practice principles of youth secure provision, as follows: •Provision must be needs-led and focused on addressing the underlying causes of behaviour through an emphasis on personal development including psycho-social skills, mental and physical health, and education; •Provision must be child-focused, based on strong relationships, with strong visible leaders who have freedom and autonomy and a specialist workforce who have been specifically recruited and trained to work with children with highly complex needs;

•The environment must have a therapeutic and homely feel and visible security features, such as bars and fences, should be kept to an absolute minimum; and,

•Sites should be located as close as possible to the communities that they serve to help facilitate continuity of care at the point of resettlement and the maintenance of family ties.

We are currently in the process of setting up the first Secure School in Medway in the south-east of England and in July 2019 announced that Oasis Charitable Trust, which runs 52 Academies with 30,000 students across England, had been selected to operate it. We are currently working alongside them to open the school as quickly as possible.

9.3. Violence against partners In February 2017, the then Prime Minister announced a new programme of work leading towards a draft Domestic Abuse Bill to transform how we think about and tackle domestic abuse A number of measures were outlined in proposals to bring forward a draft Bill to:

•Enshrine a definition of domestic abuse in law;

•Introduce a new protective notice and order which combines the strongest elements of the existing regime;

•Create a Domestic Abuse Commissioner in law to provide public leadership on domestic abuse issues and play a key role in overseeing and monitoring provision of domestic abuse services in England and Wales;

•Demonstrate our commitment to ratifying the Istanbul Convention by extending extraterritorial jurisdiction over Violence against Women and Girls related offences in England and Wales.

We held a consultation in 2018 that sought views on how we can deliver on these commitments as well as gathering views about a range of non-legislative measures that could be delivered alongside the legislative work. We published a draft Domestic Abuse Bill in January 2019 which underwent rigorous pre-legislative scrutiny by a joint committee before the Bill was formally introduced in July 2019. The Bill was given an unopposed Second Reading in October 2019, but unavoidably fell with the dissolution of Parliament ahead of the 2019 general election. The Government's commitment to this vital Bill was reaffirmed when the legislative programme

was set out in the Queen's speech at the end of 2019. The Domestic Abuse Bill is amongst those we will bring forward in the first session and we intend to do that as soon as practicable.

We recognise that our response to domestic abuse cannot be addressed through legislation alone and therefore, in January 2019, we published a package of 123 cross-government non-legislative actions to sit alongside the Domestic Abuse Bill. We have also committed £100 million of funding to combat Violence Against Women and Girls up until 2020, including £20 million to support organisations working to combat domestic abuse and to support victims.

10. New information and communication technologies NA

11. Other NA