



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

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

**PILOT-SCHEME**  
**FOR**  
**EVALUATING JUDICIAL SYSTEMS**

# SCHEME FOR EVALUATING JUDICIAL SYSTEMS

**Country:**

**REPUBLIC OF CYPRUS**

**Contact Name:**

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CHIEF REGISTRAR,  
SUPREME COURT OF CYPRUS.**

## I. General information

### 1. Number of inhabitants

Number: 689.565

Year of reference: 2002

Source: Statistical Service of the Republic

### 2. Total annual State/regional public budget

Budget: £2.687,567,145

Year of reference: 2002

Source: Budget Law of the Republic

### 3. Average gross annual salary

Salary: £5.607,8

Year of reference: 2002

Source: Statistical Service of the Republic

## II. Access to Justice and to all courts

### II. A. Legal aid/cost of justice

#### 4. Annual public budget spent on legal aid

Annual budget: No statistical Data Year : 2002

Source :  
.....

#### 5. If possible, specify

##### - the annual public budget spent on legal aid in criminal cases

Annual budget: No statistical Data Year : 2002

Source :  
.....

##### - annual public budget spent on legal aid in other court cases

Annual budget: No statistical Data Year : 2002

Source :  
.....

#### 6. Total number of legal aid cases (in a year) \*

Number of cases: 577 Year : 2004

Source : District Courts Records  
(As from March 28<sup>th</sup>, 2003)

#### 7. If possible, specify:

##### - the total number of legal aid cases in criminal matters (in a year)

Number of cases: 559 Year : 2004

Source : District Courts Records  
(As from March 28<sup>th</sup>, 2003)

##### - the total number of legal aid cases in other court cases (in a year)

Number of cases: 38 Year : 2004

Source : District Courts Records  
(As from March 28<sup>th</sup>, 2004)

\* According to the Constitution, every person has the right to have a Lawyer of his own choice and to have free Legal Assistance where the interest of justice so required and as provided by Law.  
Regarding Law 165(1) 2002 for Free Legal Aid and Civil Procedure Rule 1/2003, after March 28<sup>th</sup> 2003 there is a specific procedure for free Legal Aid.

8. Does your country have an income and asset test for granting legal aid?

Yes / ~~NO~~ :

9. If yes, what is the maximum income level for granting legal aid?

Income level: ..... Year : .....

It is on the discretion of the Court to decide whether an application for free legal aid will be granted or not.

10. Is it possible to refuse legal aid for lack of the merit of the case? (eg. for frivolous or vexatious actions, or cases without merit)

Yes / ~~NO~~ : .....

If yes, is the decision taken by : - the court ✓  
- a body external to the court  
(please indicate the right answer) - a mixed decision-making body (court and external)  
- other:

What factors are taken into account ?

- Factors: 1. Financial condition of the applicant  
2. Welfare Services Report  
3. Evidence before the Court

11. In general do litigants have to pay a court tax or fee to start a proceeding at a general jurisdiction court?

Yes / ~~NO~~ / ~~OTHERWISE~~ .....

If yes, is this true for : - criminal cases? ~~Yes~~ / No  
- other than criminal cases? Yes / ~~NO~~

12. Does your country have a private system of legal expenses insurance for individuals?

~~Yes~~ / No / ~~OTHERWISE~~ .....

13. Do judicial decisions have an impact on who bears legal costs which are paid by the parties during the procedure?

Yes / ~~NO~~ / ~~OTHERWISE~~ .....

If yes, is this true for : - criminal cases ? Yes / ~~NO~~  
- other than criminal cases? Yes / ~~NO~~

14. In your country, have studies been carried out on the costs of cases brought to courts concerning: - users?  / No  
 - the State?  / No

If yes, please indicate the references of these studies published in the year 2002 or 2003:  
 (Author / instance) (Title) (Type of courts or costs reported on):

.....  
 .....  
 .....

**II. B. Users of the courts and victims**

15. Are there official internet sites/portals (eg. Ministry of justice, etc..) through which the general public may have free access to: \* An office Automation System is in process of being developed. It is due to be completed within about a year, whereupon it will be put into operation in court administration. Legal Information System is also in process of being established.
- legal texts (eg. codes, laws, regulations, etc..)?  / No  
internet address:
  - to the case-law of the higher court/s?  / No  
internet address:
  - to other documents (for examples legal forms)?  / No  
internet address:

If yes, please give the internet address

16. Is there a public and free-of-charge specific information system to inform and to help victims of crimes? Yes /

Comments:

By the Welfare Service

17. Is there a public, free of charge and personalised specific information system, managed by the police or the justice system, on the follow up given to complaints by victims of crime?  / No

Comments:

18. Does your country have a public compensation fund to compensate financially victims of crimes? Yes /

Comments:

19. Does your country have users' or legal professionals' (judges, lawyers, officials, etc.) surveys to measure public trust and satisfaction with the services delivered by the judiciary?  
~~Yes~~ / No

If yes, are these surveys  
- at national level Yes / No  
- at court level Yes / No

20. Is there a national or local procedure for making complaints about the performance of the judiciary (eg. through an ombudsman)? Yes / ~~No~~ \*

Please specify:

- at court level/internal procedure Yes / No  
- at court level/external procedure Yes / No  
- at national level/internal procedure Yes / No  
- at national level/external procedure Yes / No

Comments: The Supreme Court is dealing with complaints about the performance of Judiciary. The Ombudsman is dealing with complaints about the performance of Administrative Bodies

21. As a general rule, do the institutions which receive such complaints have an obligation to respond and/or to deal with the complaint within a certain time limit?

- time limit to respond: Yes / ~~No~~ 30 days  
- time limit for dealing with the complaint: ~~Yes~~ / No

### III. Functioning of courts and efficiency of justice

#### III. A. Functioning

22. Total number of courts  
Number of courts: 7

1. Supreme Court (Appellate, Revisional, Administrative, Electoral, Admiralty Jurisdiction, Prerogative Writs Jurisdiction)
2. District Courts (Civil, Criminal Jurisdiction)
3. Assize Courts
4. Family Courts
5. Rent Control Courts
6. Industrial Disputes Court
7. Military Court

23. Number of general jurisdiction first instance courts

Number of courts: 3

1. Supreme Court (Administrative, Admiralty, Electoral, Prerogative Writs)
2. District Courts (Civil, Criminal)
3. Assize Courts

**24. Number of specialised first instance courts**  
*Please specify the different areas of specialisation*

(area of specialisation)	(number of courts)
1. Family Courts	3
2. Military Court	1
3. Rent Control Courts	3
4. Industrial Disputes Court	1

**25. Number of professional judges sitting in courts**  
*(present the information in full time equivalent and for permanent posts)*

Number of judges:	96 * fte	Year :	2004	* Supreme Court Judges	13
				District	68
				Family	8
Source :	Supreme Court Data			Rent Control	3
				Industrial	
				Disputes	3
				Military	1

**26. Number of non-professional judges sitting in courts**  
*(present the information in full time equivalent and for permanent posts)*

Number of judges: 0 fte Year : —  
 Source : —

Please give details: —

**27. Number of non-judge administrative staff who are working in courts**  
*(present the information in full time equivalent and for permanent posts)*

Number of staff: 273 fte Year : 2004  
 Source : Supreme Court Data

**28. Annual budget allocated to all courts**

Annual budget: £7,361,419 Year : 2002  
 Source : Supreme Court Data

**29. Annual budget allocated to the Ministry of justice or the institution (for example Judicial Council) which is responsible for the functioning of the courts**

Annual budget: — Year : —  
 Source : —

**30. Has the budget for justice increased during the last 5 years? Yes / No**  
 What are the figures? XX

Budget £6,976,394 Year 2001  
 Budget £14,697,000 Year 2004





37. Total number of criminal cases charged by the public prosecutor before the courts (in a year)

Number of cases: No Statistical Data Year : .....

Source : .....

38. Total number of incoming criminal cases in the courts involving robbery cases (in a year)

Number of cases: 18 Year : 2002

Source : Supreme Court Annual Data

39. Total number of judicial decisions, involving robbery (in a year)

Number of cases: 11 Year : 2002

Source : Supreme Court Annual Data

*Please indicate, if possible:*

Number of convicted persons: 11 % of convicted persons: 100%

Number of acquitted persons: — % of acquitted persons: —

40. Percentage of decisions involving robbery subject to an appeal to a higher court (in a year)

Percentage of decisions: 60% Year : 2002

Source : Supreme Court Annual Data

41. Total number of incoming criminal cases in the courts, involving intentional homicide (in a year)

Number of cases: 0 Year : 2002

Source : Supreme Court Annual Data

42. Total number of judicial decisions, involving intentional homicide (in a year)

Number of decisions: 0 Year : 2002

Source : Supreme Court Annual Data

*Please indicate also if possible:*

Number of convicted persons: 0                      % of convicted persons: 0%

Number of acquitted persons: 0                      % of acquitted persons: 0%

#### 43. Percentage of decisions concerning intentional homicide subject to an appeal to a higher court (in a year)

Percentage of decisions: 0%                      Year: 2002

Source: Supreme Court Annual Data

#### 44. Total number of incoming civil and administrative cases in the courts (in a year)

Number of cases: 34,112\*                      Year: 2002

Source: Supreme Court Annual Data

\* 32,852 civil cases – 1260 administrative cases

#### 45. Total number of judicial decisions in civil and administrative matters (in a year)

Number of decisions:	34,788*	Year:	2002	* Civil: Withdrawn/settled	31903
				Partly Hearing	308
				Full	510
				Administrative:	2067
				TOTAL	34788

Source: Supreme Court Annual Data

#### 46. Percentage of decisions concerning civil and administrative matters subject to an appeal to a higher court (in a year)

Percentage of decisions:	*	Year:	2002	* Incoming	CIVIL	ADMINISTRATIVE
				Full Hearing	303	201
				Withdrawn/Dismissed	160	116
				TOTAL	143	85
					58.8%	99.5%

Source: Supreme Court Annual Data

#### 47. Total number of incoming divorce cases in the courts (in a year)

Number of cases: 4220                      Year: 2002

Source: Supreme Court Annual Data

#### 48. Total number of judicial decisions in divorce cases (in a year)

Number of decisions: *	Year:	2002	* Withdrawn/Proof/ Settled before trial	3850
			Full Hearing	25
			Partly Heard	118
			TOTAL	3993

Source: Supreme Court Annual Data

#### 49. Percentage of decisions concerning divorce cases subject to an appeal to a higher court (in a year)

Percentage of decisions:	95.4% *	Year:	2002	* Incoming	22
				Hearing	17
				Partly Heard	5

Source: Supreme Court Annual Data

50. Total number of incoming employment dismissal cases in the courts (in a year)

Number of cases: 714 Year : 2002  
Source : Supreme Court Annual Data

51. Total number of judicial decisions of employment dismissal cases (in a year)

Number of decisions: \* Year : \* \* Withdrawn 720  
Partly Hearing 58  
Source : Supreme Court Annual Data Full 95  
TOTAL 873

52. Percentage of decisions concerning employment dismissal cases subject to an appeal to a higher court (in a year)

Percentage of decisions: 0% Year : 2002  
Source : Supreme Court Annual Data

**IV. Use of Information Technology in the court**

53. Annual IT budget allocated to the courts (if possible in Euros)

Annual budget: \* Year : .....  
Source : .....

\* The funds are allocated to the Department of Information Technology Services (DITS). This department is responsible for the supply, installation and maintenance of IT to all services of the Government including the Judicial.

54. In general, do the courts in your country have computer facilities?

- for judges Yes / ~~NO~~
- for non-judges court staff Yes / ~~NO~~

55. Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary ? Yes / ~~NO~~

If yes, please specify the name and the address of this institution

(Name) Chief Registrar (Address) .....  
Supreme Court of Cyprus

The Supreme Court is collecting monthly and annually the statistical data regard the functioning of the courts.

56. What kind of facilities can be used by the clients of the courts to communicate with the courts ?

- Telephone Yes / ~~NO~~
- Mail Yes / ~~NO~~
- Fax Yes / ~~NO~~
- E-mail Yes / ~~NO~~
- Internet Yes / ~~NO~~ No on line services

57. Is there an electronic form to carry out certain procedural steps? ~~Yes~~ / No

**V. Fair trial**

58. Percentage of adversary judgements in criminal cases in first instance

Percentage of judgements: ..... Year : The whole system of trial in all cases that is both Civil and Criminal, is based on the adversarial system of the Common Law.  
Source : .....  
.....

59. Is there a right to an interpreter for all those within your jurisdiction if the persons cannot understand or speak the language used in court? Yes / ~~No~~

60. Is there an effective remedy to a superior jurisdiction for all cases? Yes / ~~No~~

61. Are reasons given for all prison sentences? Yes / ~~No~~

62. Average length, in days, of robbery cases from the formal beginning of the prosecution until the first instance judgment

Average length: up to six months Year : 2002  
Source : Supreme Court Statistical Data

63. Average length, in days, of robbery cases from the formal beginning of the prosecution until the appellate judgment

Average length: up to 1 year Year : 2002  
Source : Supreme Court Statistical Data

64. Average length, in days, of divorce cases from the deposit of the complaint until the first instance judgment

Average length: up to 1 year Year : 2002  
Source : Supreme Court Statistical Data

65. Average length, in days, of divorce cases from the deposit of the complaint until the appellate judgment

Average length: up to 16 months Year : 2002

Source : Supreme Court Statistical Data

66. Average length, in days, of employment dismissal cases from the deposit of the complaint until the first instance judgment

Average length: up to 6 months Year : 2002

Source : Supreme Court Statistical Data

67. Average length, in days, of employment dismissal cases from the deposit of the complaint until the appellate judgment

Average length: up to one year Year : 2002

Source : Supreme Court Statistical Data

68. Do you, on a regular basis, measure the size of backlog cases in the courts?

Yes / ~~XX~~

69. Do you have a way of analysing queuing time during court procedures?

Yes / ~~XX~~

If yes, please specify: According to the procedure specified by the Civil Procedure Rules.

**VI. Judges**

70. Gross annual salary of a first instance professional judge at the beginning of his/her career

Annual salary : £32.460 Year : 2002

Source : Supreme Court Accounting Department

71. Gross annual salary of a judge of the Supreme Court or of the highest appellate court

Annual salary : £57.690 Year : 2002

Source : Supreme Court Accounting Department

72. Can judges combine their work with other professions (for example as a university professor, arbitrator, consultant)? ~~Yes~~ / No

If yes, please specify:

.....

73. Are judges recruited and nominated by an independent institution? Yes / ~~No~~

(if yes), who are represented in this institution:

- the members of the judiciary Yes / ~~No~~

- officials not part of the judiciary ~~Yes~~ / No

- a mixture of the two categories referred to above ~~Yes~~ / No

By Judges of the Supreme Council of Judicature (composed of the 13 members of the Supreme Court), whereas, Supreme Court Judges are appointed by the President of the Republic.

Is the process of selection and nomination of judges carried out according to pre-established procedures? Yes / ~~No~~

74. Is there a system of induction and continuation training for judges?

~~No~~ / Yes, but not compulsory / ~~Yes, compulsory~~ \*

What is the average percentage of judges who have attended a continuation training session each year?

Percentage of judges:

Year :

Source :

.....  
.....

\* Training seminars for Judges especially on E.U Law have been held in the past years. The training programme of Judges will be intensified in the months to come as a matter of priority.

75. Is there a system of supervision and control on the courts - other than through appeal? Yes / ~~No~~

If yes, please specify: By the Supreme Court of Cyprus

76. Is there in your country a system of temporary judges? Yes / ~~No~~

If yes, are these temporary judges paid on the basis of their activity? ~~Yes~~ / No (Paid on a salary basis)

If yes, please specify: —

77. Annual number of disciplinary proceedings against judges

Number of proceedings:

1

Year : 2002

Source :

Office Records of the Supreme Court

78. Annual number of sanctions against judges

Number of sanctions: 0 Year : 2002  
Source : —

**VII. Public prosecutors**

79. Annual budget for the public prosecution

Annual budget: Year :  
Source : .....

80. Number of professional public prosecutors (in full time equivalent)

Number of prosecutors: Year :  
Source : .....

81. Gross annual salary of a public prosecutor at the beginning of his/her career

Annual salary : Year :  
Source : .....

82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court

Annual salary : Year :  
Source : .....

83. Can public prosecutors combine their work with other professions? Yes / No

If yes, please specify: .....

84. Are public prosecutors recruited and nominated by an independent institution? Yes / No

(If yes), who are represented in this institution:  
- the public prosecutors ? Yes / No  
- other stakeholders outside? Yes / No  
- a mixture of the two categories referred to above? Yes / No

Is the process of selection and nomination of public prosecutors done according to pre-established procedures? Yes / No

85. Is there a system of induction and continuation training for public prosecutors?

No / Yes, but not compulsory / Yes, but compulsory

What is the average percentage of prosecutors who have participated in continuation training each year?

Percentage of prosecutors: ..... Year : .....

Source :  
.....

86. Is there a system of supervision and control on public prosecutors? Yes / No

If yes, please specify:  
.....

87. Annual number of disciplinary proceedings against public prosecutors

Number of proceedings: ..... Year : .....

Source :  
.....

88. Annual number of sanctions against public prosecutors

Number of sanctions: ..... Year : .....

Source :  
.....

<b>VIII. Lawyers</b>
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89. Number of lawyers practising in your country

Number of lawyers: ..... Year : .....

Source :  
.....

90. Is there a national bar association? Yes / No



91. Have quality standards been formulated for lawyers? Yes / No

If yes, who is responsible for formulating these quality standards?

- the bar association Yes / No
- the legislature Yes / No
- other Yes / No

92. Can disciplinary proceedings be instituted against lawyers? Yes / No

93. Annual number of disciplinary proceedings against lawyers

Number of proceedings: ..... Year : .....  
Source : .....

94. Annual number of sanctions against lawyers

Number of sanctions: ..... Year : .....  
Source : .....

95. Is it possible to complain about the performance of lawyers? Yes / No

If yes, please specify: .....

96. What is the amount paid to a lawyer by the State in respect of legal aid for a first instance divorce case?

Amount: ..... Year : .....  
Source : .....

## **IX. Mediators and mediation proceedings**

97. Number of accredited or registered mediators

Number of mediators: ..... Year : .....  
Source : .....

98. How much public budget is devoted to mediation?

Amount: ..... Year : .....  
Source : .....  
.....

99. Number of incoming mediation cases (in a year)

Number of cases: ..... Year : .....  
Source : .....  
.....

100. Number of cases solved through mediation (in a year)

Number of cases: ..... Year : .....  
Source : .....  
.....

If possible, please specify:

- number of criminal cases solved through mediation: .....
- number of cases other than criminal solved through mediation: .....

101. In which areas of law is mediation most practised and successful in your country?

- in criminal cases? Yes / No
- in other than criminal cases? Yes / No

Year : ..... Source : .....

**X. Enforcement agents and execution of court decisions**

102. Number and types of enforcement agents

- in criminal cases:

(Type)	(Number)	(Year)	(Source)
Responsible body for the execution of Court decisions is the Police.	The number is allocated by the Police Head Quarters.		

- in other than criminal cases:

Bailiffs – Members of the Judicial Service	60	2002	Supreme Court Data
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103. Is there an institution to supervise or control the activities of enforcement agents?  
Yes / ~~NO~~

If yes, please specify: The Judicial Service under the supervision of the Chief Registrar of the Supreme Court.

104. Annual number of disciplinary proceedings against enforcement agents

Number of proceedings: 0 Year : 2002

Source : —

105. Annual number of sanctioned enforcements agents

Number of proceedings: 0 Year : 2002

Source : —

106. Is it possible to file a complaint against an enforcement agent? Yes / ~~NO~~

If yes, please specify: By submitting a complaint to the Head of the Judicial Service for the purpose of investigating the complaint and follow the procedures specified in the Public Service Law.

107. Does the court play a role in the execution of court decisions? Yes / ~~NO~~

If yes, please specify: In Civil cases the Judicial Service is responsible for the execution of Court decisions.  
In Criminal cases the responsible body is the Police Force.

108. Are the courts competent to decide against public authorities? Yes / ~~NO~~

Are the courts involved in executing decisions against public authorities? Yes / ~~NO~~