



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE  
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2007

Country: UK-Scotland

National correspondent

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## 1. Demographic and economic data

### 1. 1. General information

#### 1. 1. 1. Inhabitants and economic information

##### 1) Number of inhabitants

5116900

##### 2) Total of annual State public expenditure / where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State level	44181918000
Regional / entity level	

##### 3) Per capita GDP (in €)

30473

##### 4) Average gross annual salary (in €)

35644,80

##### 5) Exchange rate from national currency (non-Euro zone) to € on 1 January 2007

1,4852 Euros per £

#### Please indicate the sources for the questions 1 to 4

- 1) Source: Govt Actuary Dept, Eurostat - mid-2006
- 2) Source: SE Draft budget to 2007/08 as at 2006 - year of reference: 2006/07  
<http://www.scotland.gov.uk/Resource/Doc/146893/0038508.pdf>
- 3) Source: World Bank Data & Statistics - year of reference: 2006
- 4) Source: Annual Survey of Hours and Earnings Nov 2007 - year of reference: 2006/07

### 1. 2. Budgetary data concerning judicial system

#### 1. 2. 2. Budget (courts, public prosecution, legal aid, fees)

##### 6) Total annual approved budget allocated to all courts (in €)

120852210

##### 7) Please specify

€ 113748498 Scottish Courts Service and  
€ 7103712 District Courts through LA funding(GAE). 2006/07 Budget

**8) Does the approved budget of the courts include the following items? Please give for each item (or some of them) a specification of the amount concerned**

Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	43261355,17
Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	4915860,015
Annual public budget allocated to justice expenses	<input checked="" type="checkbox"/> Yes	28644825,02
Annual public budget allocated to court buildings (maintenance, operation costs)	<input checked="" type="checkbox"/> Yes	34041697,69
Annual public budget allocated to investments in new (court) buildings	<input checked="" type="checkbox"/> Yes	2391660,462
Annual public budget allocated to training and education	<input checked="" type="checkbox"/> Yes	799702,1593
Other (please specify):	<input type="checkbox"/> Yes	

**9) Has the annual public budget of the courts changed (increased or decreased) over the last five years?**

Yes

No

If yes, please specify (i.e. provide an indication of the increase or decrease of the budget over the last five years)

Slight rise and fall but outturn almost unchanged compared with 2002/03.

**10) In general are litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:**

for criminal cases?

for other than criminal cases?

If yes, are there exceptions? Please specify:

Yes. People are exempt from paying court fees where,

(a) the person or his or her partner is in receipt of income support under the Social Security Contributions and Benefits Act 1992[4]

(b) the person is in receipt of an income based jobseeker's allowance (payable under the Jobseekers Act 1995[5])

(c) the person is in receipt of civil legal aid within the meaning of section 13(2) of the Legal Aid (Scotland) Act 1986[6] in respect of the matter in the Table of Fees in connection with which the fee is payable

(d) the fee is payable in connection with a simplified divorce or dissolution of a civil partnership application and the person is in receipt of advice and assistance from a solicitor under the Legal Aid (Scotland) Act 1986 in respect of that application

(e) the person's solicitor is undertaking work in relation to the matter in the Table of Fees in connection with which the fee is payable on the basis of any regulations made under section 36 of the Legal Aid (Scotland) Act 1986 providing for legal aid in a matter of special urgency

(f) the person or his or her partner is in receipt of guarantee credit under the State Pension Credit Act 2002[7] or

(g) the person or his or her partner is in receipt of working tax credit, provided that—  
 (i) child tax is being paid to the party, or otherwise following a claim for child tax credit made jointly by the members of a couple (as defined in section 3(5A) of the Tax Credits Act 2002)[8] which includes the party or

(ii) there is a disability element or severe disability element (or both) to the tax credit received by the party  
 and that the gross annual income taken into account for the calculation of the working tax credit is £16,017 or less."

**11) If yes, please specify the annual income of court fees (or taxes) received by the State (in €)**

23988950

**12) Total annual approved budget allocated to the whole justice system (in €)**

3095384036

**13) Total annual approved public budget allocated to legal aid (in €)**

239947427

**14) If possible, please specify**

	the annual public budget allocated to legal aid in criminal cases	the annual public budget allocated to legal aid in other court cases
Amount	71%	29%

**15) Is the public budget allocated to legal aid included in the court budget ?**

- Yes
- No

**16) Total annual approved public budget allocated to the public prosecution system (in €)**

147511549

**17) Is the budget allocated to the public prosecution included in the court budget?**

- Yes
- No

**18) Authorities formally responsible for the budget allocated to the courts:**

	Preparation of the total court budget	Adoption of the total court budget	Management and allocation of the budget among the individual courts	Evaluation of the use of the budget at a national level
Ministry of Justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other ministry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parliament	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supreme Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judicial Council	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Inspection body	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**19) If other Ministry and/or inspection body and/or other, please specify (in regards to question 18):**

Preparation of total court budget is carried out by the Scottish Government in consultation with the courts. Management and allocation of the budget among the individual courts is partly performed by Courts and partly by Local Authorities.

**You can indicate below:**

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

**Please indicate the sources for the questions 6, 7, 13 et 16**

Source for 6, 7, 13 & 16

Exchange rate used 1.4852 Euros per £ sterling, as at 1/1/07 given budgets relate to 12 month period 2006/07.

<http://www.scotland.gov.uk/Resource/Doc/146893/0038508.pdf>

12) Details (TOTAL €3,095,384,036 (2006/07):

Courts Group €60,248,623

Legal Aid €239,947,427

Miscellaneous €35,931,444

Police Central Government €154,165,245

Police LA Capital €46,657,558

Reducing Re-offending and Court Reform €8,911,200

Safer Communities €104,186,780

Accountant in Bankruptcy €11,462,774

Scottish Court Service €113,748,498

Scottish Prison Service €588,586,245

District Courts GAE €7,103,712

Police GAE €1,552,336,981

Police Loan Charges €21,844,322

Source: <http://www.scotland.gov.uk/Resource/Doc/146893/0038508.pdf>

## 2. Access to justice

### 2. 1. Legal aid

#### 2. 1. 1. Principles

**20) Does legal aid concerns:**

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Legal advice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

**21) If other, please specify (in regards to question 20):**

**22) Does legal aid foresee the covering or the exoneration of court fees?**

Yes

No

If yes, please specify:

???

**23) Can legal aid be granted for the fees that are related to the execution of judicial decisions?**

Yes

No

If yes, please specify:

**24) Number of cases granted with legal aid provided by (national, regional, local) public authorities:**

	Number
Total	
Criminal cases	
Other than criminal cases	

**25) In a criminal case, can any individual who does not have sufficient financial means be assisted by**

a free of charge (or financed by public budget) lawyer?

- Yes
- No

26) Does your country have an income and asset test for granting legal aid:

	No	Yes	Amount
for criminal cases?		X	
for other than criminal cases?		X	

27) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action)?

- Yes
- No

28) If yes, is the decision for granting or refusing legal aid taken by:

- the court?
- an authority external to the court?
- a mixed decision-making authority (court and external)?

29) Is there a private system of legal expense insurance enabling individuals to finance court proceedings?

- Yes
- No

Please specify:

But insurance against legal expenses is voluntary

30) Do judicial decisions have an impact on who bears the legal costs which are paid by the parties during the procedure in:

	yes	no
criminal cases?		



	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other than criminal cases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

You can indicate below:

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

Please indicate the sources for the questions 24 and 26

Scottish Legal Aid Board

## 2. 2. Users of the courts and victims

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

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

legal texts (e.g. codes, laws, regulations, etc.)?  yes

case-law of the higher court/s?  yes

other documents (for example forms)?  yes

**32) Is there an obligation to provide information to the parties concerning the foreseeable timeframe of the proceeding?**

Yes

No

If yes, please specify:

No obligation but it is usual to do so.

**33) Is there a public and free-of-charge specific information system to inform and to help victims of crimes?**

Yes

No

If yes, please specify:

As E. & W

**34) Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:**

	Information mechanism	Hearing modalities	Procedural rights	Other
Victims of rape	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Victims of terrorism	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Children/Witnesses/Victims	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Victims of domestic violence	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ethnic minorities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Disabled persons	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Juvenile offenders	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**35) Does your country have a compensation procedure for victims of crimes?**

- Yes  
 No

**36) If yes, does this compensation procedure consist in:**

- a public fund?  
 a court decision?  
 private fund?

If yes, which kind of cases does this procedure concern?

As E. & W

**37) Are there studies to evaluate the recovery rate of the compensation awarded by courts to victims?**

- Yes
- No

If yes, please specify:

???

**38) Is there a specific role for the public prosecutor with respect to the (protection of the position and assistance of) victims?**

- Yes
- No

If yes, please specify:

???

**39) Do victims of crimes have the right to contest a decision of the public prosecution to discontinue a case?**

- Yes
- No

If yes, please specify:

???

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

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

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

If yes, please specify (fund, daily tariff):

[www.legalappeal.co.uk](http://www.legalappeal.co.uk)

**41) Does your country have surveys aimed at users or legal professionals (judges, lawyers, officials, etc.) to measure their trust and/or satisfaction with the services delivered by the judiciary system?**

- (Satisfaction) surveys aimed at judges
- (Satisfaction) surveys aimed at court staff
- (Satisfaction) surveys aimed at public prosecutors
- (Satisfaction) surveys aimed at lawyers
- (Satisfaction) surveys aimed at citizens (visitors of the court)
- (Satisfaction) surveys aimed at other clients of the courts

If possible, please specify their titles, how to find these surveys, etc:

[www.scotland.gov.uk](http://www.scotland.gov.uk)

**42) If yes, please specify:**

	Yes (surveys at a regular interval: for example annual)	Yes (incidental surveys)
Surveys at national level	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surveys at court level	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**43) Is there a national or local procedure for making complaints about the performance (for example the length of proceedings) or the functioning (for example the treatment of a case by a judge) of the judicial system?**

- Yes  
 No

**44) If yes, please specify:**

	Time limit to respond (Yes)	Time limit for dealing with the complaint (Yes)
Court concerned	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Higher court	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Justice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
High Council of the Judiciary	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other external organisations (e.g. Ombudsman)	<input type="checkbox"/>	<input type="checkbox"/>

**Can you give information elements concerning the efficiency of this complaint procedure?**

### 3. Organisation of the court system

#### 3. 1. Functioning

##### 3. 1. 1. Courts

**45) Number of courts considered as legal entities (administrative structures) and geographic locations (please, complete the table)**

	Total number
First instance courts of general jurisdiction (legal entities)	22
Specialised first instance courts (legal entities)	22
All the courts (geographic locations)	50

**46) Please specify the different areas of specialisation (and, if possible, the number of courts concerned):**

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

Yes

No

If yes, please specify:

???

**48) Number of first instance courts competent for a case concerning:**

	Number
a debt collection for small claims	
a dismissal	
a robbery	

**Please specify what is meant by small claims in your country (answer only if the definition has changed compared to the previous evaluation round):**

Debt collection is dealt with at the Sheriff Court level. A small claim is action for a recovery of sums up to £750. Summary cause actions are for claims of £750-£1,500 and Ordinary cause deals with over £1,500.

**Please indicate the sources for the question 45**

www.scotcourts.gov.uk

## 3. 1. 2. Judges, courts staff

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

227

**50) Number of professional judges sitting in courts on an occasional basis and who are paid as such:**

	Number
gross figure	NA
if possible, in full time equivalent	

**51) Please specify (answer only if the information has changed compared to the previous evaluation round):**

34 Supreme Court judges

136 full time sheriffs

4 stipendiary magistrates

These figures are approximate and taken from 2004.

Q50 – there are in Scottish system non-professional judges?

The query as stated for this question, which appears to ask whether Scotland has a system of non-professional judges, doesn't tally with the actual question, which asks about "occasional" professional judges, which I take to be part time. The answer to the query as overtly stated is yes, Scotland does have a system of non-professional judges.

However, assuming that the query is in fact about part time judges, which I think makes sense, because we appear not to have given any information thus far for question 50, the answer to that is also yes. We have in Scotland part time sheriffs, who numbered 80 in 2006. However it isn't possible to give a Full Time Equivalent (FTE), as their participation is demand led and thus varies from day to day and week to week

**52) Number of non-professional judges (including lay judges and excluding jurees) who are not remunerated but who can possibly receive a simple defrayal of costs. Please specify (answer only if the information has changed compared to the previous evaluation round):**

749 Justices of the Peace (approx.)

**53) Does your judicial system include trial by jury with the participation of citizens?** Yes No

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

**54) If possible, indicate the number of citizens who were involved in such juries for the year of reference?**

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

1231

**56) If possible, could you distribute this staff according to the 4 following categories:**

non-judge staff (Rechtspfleger), with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal  Yes

non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, keeping the minutes of the meetings, helping to prepare the decisions) such as registrars  Yes

staff in charge of different administrative tasks as well as of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)  Yes

technical staff  Yes

**Please indicate the sources for the questions 49, 50, 52, 53 and 55**

### 3. 1. 3. Prosecutors

**57) Number of public prosecutors (present the information in full time equivalent and for permanent posts)**

458,4

**58) Do any other persons have similar duties as public prosecutors?**

Yes

No

If yes, please specify:



**59) Number of staff (non prosecutors) attached to the public prosecution service (present the information in full time equivalent and for permanent posts)**

Please indicate the sources for the questions 57 and 59

3. 1. 4. Budget and New technologies

**60) Who is entrusted with the individual court budget?**

	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court administrative director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Head of the court clerk office	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**61) You can indicate below:**

- any useful comments for interpreting the data mentioned above
- if available an organization scheme with a description of the competencies of the different authorities responsible for the budget process in the court

Other = Scottish Court Service

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

	100% of courts	+50% of courts	-50% of courts	- 10 % of courts
Word processing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electronic data base of jurisprudence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electronic files	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-mail	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Internet connection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

	100% of courts	+50% of courts	-50% of courts	-10% of courts

Case registration system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court management information system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial information system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**64) For the communication between the court and the parties, what are the computer facilities used within the courts?**

	100% of courts	+ 50% of courts	-50% of courts	-10% of courts
Electronic web forms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Website	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other electronic communication facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**65) Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary (answer only if this information has changed compared with the previous evaluation round)?**

- Yes  
 No

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

Judicial Appointments & Finance Division  
 Scottish Executive Justice Department  
 Edinburgh

**You can indicate below:**

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

**Please indicate the sources for the questions 62, 63 and 64**

The Scottish Executive

### 3. 2. Monitoring and evaluation

#### 3. 2. 1. Monitoring and Evaluation

**66) Are the courts required to prepare an annual activity report?**

- Yes  
 No

**67) Do you have a regular monitoring system of court activities concerning the:**

- number of incoming cases?
- number of decisions?
- number of postponed cases?
- length of proceedings (timeframes)?
- other?

Please specify:

**68) Do you have a regular system to evaluate the performance of each court?**

- Yes
- No

Please specify:

**69) Concerning court activities, have you defined performance indicators?**

- Yes
- No

**70) Please select the 4 main performance and quality indicators that are used for a proper functioning of courts.**

- Incoming cases
- Length of proceedings (timeframes)
- Closed cases
- Pending cases and backlogs
- Productivity of judges and court staff

- Percentage of cases that are treated by a single sitting judge
- The enforcement of penal decisions
- Satisfaction of employees of the courts
- Satisfaction of clients (regarding the services delivered by the courts)
- Judicial and organisational quality of the courts
- The costs of the judicial procedures
- Other

Please specify:

???

Les réponses ne sont les bonnes voir :

As E & W

**71) Are there performance targets defined for individual judges?**

- Yes
- No

**72) Are there performance targets defined at the level of the courts?**

- Yes
- No

**73) Please specify who is responsible for setting the targets:**

- executive power (for example the Ministry of Justice)
- legislative power
- judicial power (for example a High Judicial Council or a Higher Court)
- other

Please specify

Her Majesty's Government

**74) Please specify the main targets applied:**

**75) Which authority is responsible for the evaluation of the performances of the courts:**

- the High Council of judiciary
- the Ministry of Justice
- an Inspection authority
- the Supreme Court
- an external audit body
- other?

Other, please specify:

Scottish Court Service

**76) Are there quality standards (organisational quality and/or judicial quality policy) formulated for the courts (existence of a quality system for the judiciary)?**

- Yes
- No

If yes, please specify:

???

**77) Do you have specialised court staff which is entrusted with quality policy and/or quality systems for the judiciary?**

- Yes
- No

**78) Is there a system enabling to measure the backlogs and to detect the cases which are not processed within a reasonable timeframe for:**

- civil cases?
- criminal cases?
- administrative cases?

**79) Do you have a way of analysing waiting time during court procedures?**

- Yes
- No

If yes, please specify:

Details contained in the annual reports of the Scottish Court Service

**80) Is there a system to evaluate the functioning of courts on the basis of an evaluation plan (timetable for visits) agreed a priori?**

- Yes
- No

Please specify (including an indication of the frequency of the evaluation):

???

**81) Is there a system for monitoring and evaluating the functioning of the prosecution services?**

- Yes
- No

If yes, please specify:

???

The Crown Office & Fiscal Procurator is in charge of this

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your court monitoring and evaluation system

**Please indicate the sources for the the question 70,71, 72 and 76**

Scottish Executive and Scottish Court Service

## 4. Fair trial

### 4. 1. Principles

#### 4. 1. 1. General principles

**82) What is the percentage of judgements in first instance criminal cases in which the suspect is not attending in person or not represented by a legal professional (i.e. lawyer) during a court session (in absentia judgements) ?**

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

Yes

No

If possible, number of successful challenges (in a year):

**84) Please give the following data concerning the number of cases regarding Article 6 of the European Convention on Human Rights (on duration and non-execution), for the year of reference**

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

**Please indicate the sources for the questions 82 and 84**

### 4. 2. Timeframes of proceedings

#### 4. 2. 1. General information

**85) Are there specific procedures for urgent matters as regards:**

civil cases?

criminal cases?

administrative cases?

If yes, please specify:



**86) Are there simplified procedures for:**

- civil cases (small claims)?
- criminal cases (petty offences)?
- administrative cases?

If yes, please specify (for example if you have introduced a new law on simplified procedures):

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

- Yes
- No

If yes, please specify:

## 4. 2. 2. Penal, civil and administrative law cases

**88) Total number of cases in the first instance courts (litigious and non-litigious); (please complete the table)**

	Pending cases on 1 January 2006	Incoming cases	Decisions	Pending cases on 31 December 2006
Total of civil, commercial and administrative law cases (1-7)		240000		
1 Civil (and commercial) litigious		140000		

cases*				
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**				
5 Business register cases**				
6 Administrative law cases		100000		
7 Other		110000		
Total criminal cases (8+9)				
8 Criminal cases (severe criminal offences)				
9 Misdemeanour cases (minor offences)				

**89) \* The cases mentioned in categories 3 to 5 (enforcement, land registry, business register) are excluded from this total and should be presented separately in the table. The cases mentioned in category 6 (administrative law cases) are also excluded from this total for the countries which have specialised administrative courts or units in the courts of general jurisdiction.**

**\*\* if applicable**

**Note: for the criminal law cases there may be a problem of classification of cases between severe criminal law cases and misdemeanour cases. Some countries might have other ways of addressing misdemeanour offences (for example via administrative law procedure). Please indicate if possible what case categories are included under "severe criminal cases" and the cases included under "misdemeanour cases (minor offences)".**

### Explanation

**90) Total number of cases in the second instance (appeal) courts (litigious and non-litigious); (please complete the table)**

	Pending cases on 1 Jan. '06	Incoming cases	Decisions on the merits	Pending cases on 31 Dec. '06
Total of civil, commercial and administrative law cases (1-7)				
1 Civil (and commercial) litigious cases*				
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**				
5 Business register cases**				
6 Administrative law cases				
7 Other				
Total criminal cases (8+9)				
8 Criminal cases (Severe criminal offences)				
9 Misdemeanour cases (minor offences)				

**91) Total number of cases in the highest instance courts (litigious and non-litigious); (please complete the table)**

	Pending cases on 1 Jan. '06	Incoming cases	Decisions on the merits	Pending cases on 31 Dec. '06
--	-----------------------------	----------------	-------------------------	------------------------------

Total of civil, commercial and administrative law cases (1-7)				
1 Civil (and commercial) litigious cases*				
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**				
5 Business register cases**				
6 Administrative law cases				
7 Other				
Total criminal cases (8+9)				
8 Criminal cases (Severe criminal offences)				
9 Misdemeanour cases (minor offences)				

**92) Number of divorce cases, employment dismissal cases, robbery cases and intentional homicide cases received and treated by first instance courts (complete the table)**

	Pending cases on 1 Jan. '06	Incoming cases	Decisions	Pending cases on 31 Jan. '06
Divorce cases				
Employment dismissal cases				
Robbery cases				
Intentional homicide case				

**93) Average length of proceedings (from the date of lodging of court proceedings)**

	% of decisions subject to appeal	% pending cases more than 3 years	1st instance	2nd instance	Total procedure
Divorce cases		0			
Employment dismissal cases		0			
Robbery cases		0			
Intentional homicide		0			

**94) Where appropriate, please specify the specific procedure as regards divorce:**

**95) How is the length of proceedings calculated for the four case categories? (please give a description of the calculation method)**

**96) Please describe the role and powers of the prosecutor in the criminal procedure (multiple options are possible):**

- to conduct or supervise police investigation?
- to conduct investigation?
- when necessary, to demand investigation measures from the judge?

- to charge?
- to present the case in the court?
- to propose a sentence to the judge?
- to appeal?
- to supervise the enforcement procedure?
- to end the case by dropping it without the need for a judicial decision?
- to end the case by imposing or negotiating a penalty without a judicial decision?
- other significant powers?

Please specify:

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

- Yes
- No

If yes, please specify:

**98) Functions of the public prosecutor in relation to criminal cases – please complete this table:**

	Received by the public prosecutor	Discontinued by the public prosecutor because the offender could not be identified	Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	Discontinued by the public prosecutor for reason of opportunity	Concluded by a penalty, imposed or negotiated by the public prosecutor	Charged by the public prosecutor before the courts
Total number of 1st instance criminal cases	316377		2517*		35539**	168690

You can indicate below:

- any useful comments for interpreting the data mentioned above
- the characteristics of your system concerning timeframes of proceedings and the main reforms that

**have been implemented over the last two years**

Note 1\*: This relates to the number of cases closed as "Not a Crime" ie where the facts provable by sufficient admissible and reliable evidence do not disclose a crime known to the law of Scotland.

Note 2\*\*: This relates to the number of cases closed as a paid Fiscal Fine or Conditional Offer (Road Traffic etc offence) - ie no co-accused in the case was subject of court proceedings of any kind.

**Please indicate the sources for the questions 92 to 94 and question 98**

## 5. Career of judges and prosecutors

### 5. 1. Appointment and training

#### 5. 1. 1. Recrutement, nomination and promotion

#### 99) How are judges recruited?

- Through a competitive exam (for instance after a law degree)?
- A specific recruitment procedure for legal professionals with long working experience in the legal field (for example lawyers)?
- A combination of both
- Other

If other, please specify:

#### 100) Are judges initially/at the beginning of their carrier recruited and nominated by:

- an authority composed of judges only?
- an authority composed of non-judges only?
- an authority composed of judges and non-judges?

#### 101) Is the same authority competent for the promotion of judges?

- Yes
- No

If no, please specify which authority is competent for promoting judges:

**102) Which procedures and criteria are used for promoting judges? (please specify).**

**103) How are prosecutors recruited?**

- Through a competitive exam? (for example after a law degree)
- A specific recruitment procedure for legal professionals with long working experience in the legal field (for example lawyers)?
- A combination of both
- Other

If other, please specify:

**104) Are prosecutors initially/at the beginning of their carrier recruited and nominated by:**

- an authority composed of prosecutors only?
- an authority composed of non-prosecutors only?
- an authority composed of prosecutors and non-prosecutors?

**105) Is the same authority formally responsible for the promotion of prosecutors?**

- Yes
- No

If no, please specify which authority is competent for promoting prosecutors.

**106) Which procedures and criteria are used for promoting prosecutors (please specify)**

**107) Is the mandate given for an undetermined period for judges ?**

- Yes  
 No

Are there exceptions? Please specify:

**108) Is the mandate given for an undetermined period for prosecutors?**

- Yes  
 No

Are there exceptions? Please specify:

**109) If no, what is the length of the mandate?  
Is it renewable?**

for judges

yes, please  
specify the  
length

for prosecutors

yes, please  
specify the  
length

Individually determined

**You can indicate below:**

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

Individually determined

### 5. 1. 2. Training

**110) Nature of the training of judges.  
Is it compulsory?**

- Initial training
- General in-service training
- In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)
- In-service training for management functions of the court (e.g. court president, court managers)
- In-service training for the use of computer facilities in the court



**111) Frequency of the training of judges:**

	Annual	Regular	Occasional
Initial training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General in-service training	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In-service training for specialised judicial functions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In-service training for management functions of the court	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In-service training for the use of computer facilities in the court	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**112) Nature of the training of prosecutors.  
Is it compulsory?**

- Initial training
- General in-service training
- Specialised in-service training (e.g. specialised public prosecutor)
- In-service training for management functions of the prosecution services (e.g. head prosecutor and/or managers)
- In-service training for the use of computer facilities in the public prosecution service

**113) Frequency of the training of prosecutors:**

	Annual	Regular	Occasional
Initial training	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
General in-service training	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specialised in-service training	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In-service training for management functions of the prosecution services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In-service training for the use of computer facilities in the public prosecution service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- comments regarding the attention given to the curricula to the European Convention on Human Rights and the case law of the Court
- the characteristics of your training system for judges and prosecutors and the main reforms that have been implemented over the last two years

As E &amp; W

**5. 2. Practice of the profession****5. 2. 1. Salaries**

**114) Salaries of judges and prosecutors (complete the table)**

	Gross annual salary (euro)	Net annual salary (euro)
First instance professional judge at the beginning of his/her career	170000	
Judge of the Supreme Court or the Highest Appellate Court	255000	
Public prosecutor at the beginning of his/her career	37500	
Public prosecutor of the Supreme Court or the Highest Appellate Instance	46000	

**115) Do judges and public prosecutors have additional benefits?**

	Judges	Prosecutors
Reduced taxation	<input type="checkbox"/>	<input type="checkbox"/>
Special pension	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Housing	<input type="checkbox"/>	<input type="checkbox"/>
Other financial benefit	<input type="checkbox"/>	<input type="checkbox"/>

**116) If other financial benefit, please specify:****117) Can judges combine their work with any of the following other professions?**

	Yes with remuneration	Yes without remuneration	No
Teaching	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Research and publication	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Arbitrator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Consultant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cultural function	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other function	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**118) If other function, please specify:**

Judges who sit part-time are often still in legal practice, so can, therefore, hold other remunerated jobs.

**119) Can prosecutors combine their work with any of the following other professions?**

Teaching	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Research and publication	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arbitrator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Consultant	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural function	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other function	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**120) If other function, please specify:**

As long as it does not impact in any way upon duties as a prosecutor

**121) Do judges receive bonus based on the fulfilment of quantitative objectives relating to the delivering of judgments?**

Yes

No

If yes, please specify:

**Please indicate the source for the question 114**

www.scotland.gov.uk

**5. 2. 2. Disciplinary procedures****122) Which authority is authorized to initiate disciplinary proceedings against judges and/or prosecutors? Please specify:**

As for E & W

**123) Which authority has the disciplinary power on judges and prosecutors? Please specify:**

As for E & W

**124) Types of disciplinary proceedings and sanctions against judges and prosecutors: number of disciplinary proceedings initiated**

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

**125) Types of disciplinary proceedings and sanctions against judges and prosecutors: number of sanctions pronounced**

	Judges	Prosecutors
Total number (total 1 to 9)		
1. Reprimand		
2. Suspension		
3. Withdrawal of cases		
4. Fine		
5. Temporary reduction of salary		
6. Degradation of post		
7. Transfer to another geographical (court) location		
8. Dismissal		
9. Other		

**You can indicate below:**

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

## 6. Lawyers

### 6. 1. Statute of the profession

#### 6. 1. 1. Profession

#### 126) Total number of lawyers practising in your country

12238

#### 127) Does this figure include legal advisors (solicitors or in-house counsellor) who cannot represent their clients in court?

- Yes  
 No

#### 128) Number of legal advisors?

11778

#### 129) Do lawyers have a monopoly of representation:

- Civil cases\*  
 Criminal cases - Defendant\*  
 Criminal cases - Victim\*  
 Administrative cases\*

\* If appropriate, please specify if it concerns first instance and appeal. And in case there is no monopoly, please specify the organisations or persons which may represent a client before a court (for example a NGO, family member, trade union, etc) and for which types of cases.

Any appropriately qualified person can represent in court

#### 130) Is the lawyer profession organised through:

- a national Bar?  
 a regional Bar?  
 a local Bar?

Please specify:

The Law Society of Scotland for solicitors and the Faculty of Advocates for advocates.

**Please indicate the source for the question 126**

Annual report of the Law Society of Scotland

**6. 1. 2. Training**

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

- Yes
- No

**132) Is there a mandatory general system for lawyers requiring continuing professional training?**

- Yes
- No

**133) Is the specialisation in some legal fields tied with a specific level of training/ qualification/ specific diploma or specific authorisations?**

- Yes
- No

If yes, please specify:

As E & W

**6. 1. 3. Fees**

**134) Can users establish easily what the lawyers' fees will be?**

- Yes
- No

**135) Are lawyers fees:**

- regulated by law?
- regulated by the Bar association?
- freely negotiated?

**6. 2. Evaluation****6. 2. 1. Complaints and sanctions****136) Have quality standards been formulated for lawyers?**

- Yes
- No

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

- the Bar association?
- the legislature?
- other?

Please specify (including a description of the quality criteria used):

**138) Is it possible to complain about :**

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

Please specify:

The Law Society of Scotland regulates the profession of lawyer.

**139) Which authority is responsible for disciplinary procedures:**

- the judge?
- the Ministry of Justice?
- a professional authority or other?

Please specify:

**140) Disciplinary proceedings and sanctions against lawyers:**

**Disciplinary proceedings initiated**

	Breach of professional ethics	Professional inadequacy	Criminal offence	Other
Annual number				

**141) Disciplinary proceedings and sanctions against lawyers:**

**Sanctions pronounced**

	Reprimand	Suspension	Removal	Fine	Other
Annual number					

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your system concerning the organisation of the Bar and the main reforms that have been implemented over the last two years

There were 4,091 complaints received and 4,517 closed



## 7. Alternative Dispute Resolution

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

#### 7. 1. 1. Mediation

**142) If appropriate, please specify, by type of cases, the organisation of judicial mediation:**

	Possibility of private mediation or court annexed mediation	Private mediator	Public authority	Judge	Prosecutor
Civil and commercial cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family law cases (ex. Divorce)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Administrative cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment dismissals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**143) Is there a possibility to receive legal aid for mediation procedures?**

Yes

No

If yes, please specify:

**144) Can you provide information about the number of accredited mediators?**

Yes

No

If yes, please provide the number of mediators:

**145) Can you provide information about the total number of judicial mediation procedures concerning:**

civil cases?

yes,  
number:

family cases?

yes,  
number:

administrative cases?

yes,  
number:

employment dismissals?

yes,  
number:

criminal cases?

yes,  
number:

**Please indicate the source for the question 145**

#### 7. 1. 2. Other forms of alternative dispute resolution

**146) Can you give information concerning other forms of alternative dispute resolution (e.g. Arbitration, conciliation)? Please specify:**

**You can indicate below:**

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

## 8. Enforcement of court decisions

### 8. 1. Execution of decisions in civil matters

#### 8. 1. 1. Functioning

#### 147) Number of enforcement agents

200

#### 148) Are enforcement agents:

- judges?
- bailiff practising as private profession ruled by public authorities?
- bailiff working in a public institution?
- other enforcement agents?

Please specify their status:

Enforcement falls to Sheriff Officers and Messengers-at-Arms who are fee-paid contractors who hold a commission from the Sheriff Principal of the Sheriffdom in which they are authorised to act.

#### 149) Is there a specific initial training or examination to enter the profession of enforcement agent?

- Yes
- No

#### 150) Is the profession of enforcement agent organised by?

- a national body?
- a regional body?
- a local body?

#### 151) Can users establish easily what the fees of the enforcement agents will be?

- Yes
- No

#### 152) Are enforcement fees:

regulated by law?

freely negotiated?

**Please indicate the source for the question 147**

130 Messengers-at-Arms and 70 Sheriffs' Officers - Office of Public Sector Information

8. 1. 2. Supervision

**153) Is there a body entrusted with the supervision and the control of the enforcement agents?**

Yes

No

**154) Which authority is responsible for the supervision and the control of enforcement agents:**

a professional body?

the judge?

the Ministry of Justice?

the prosecutor?

other?

Please specify:

The Scottish Sheriffdoms

**155) Have quality standards been formulated for enforcement agents?**

Yes

No

If yes, who is responsible for formulating these quality standards and what are the quality criteria used?

The Society of Messengers-at-Arms and Sheriff Officers

**156) Do you have a specific mechanism for executing court decisions rendered against public authorities, including for monitoring the execution?**

- Yes  
 No

If yes, please specify:

???

**Please indicate the sources for the questions 155 and 156**

### 8. 1. 3. Complaints and sanctions

**157) What are the main complaints of 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:

Complaints are not dissected in this way

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

- Yes  
 No

If yes, please specify:

The Debt Arrangement & Attachment Act which came into force in 2003

**159) Is there a system measuring the timeframes of the enforcement of decisions:**

- for civil cases?  
 for administrative cases?

**160) As regards a decision on debts collection, can you estimate the average timeframe to notify the decision to the parties which live in the city where the court seats:**

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

Please specify:

**161) Disciplinary proceedings initiated against enforcement agents:**

- |                               |                                          |
|-------------------------------|------------------------------------------|
| Breach of professional ethics | <input type="checkbox"/> yes,<br>number: |
| Professional inadequacy       | <input type="checkbox"/> yes,<br>number: |
| Criminal offence              | <input type="checkbox"/> yes,<br>number: |
| Other                         | <input type="checkbox"/> yes,<br>number: |

**162) Sanctions pronounced against enforcement agents:**

Reprimand	<input type="checkbox"/> yes, number:
Suspension	<input type="checkbox"/> yes, number:
Dismissal	<input type="checkbox"/> yes, number:
Fine	<input type="checkbox"/> yes, number:
Other	<input type="checkbox"/> yes, number:

**You can indicate below:**

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

**Please indicate the sources for the questions 157 and 160**

## 8. 2. Execution of decisions in criminal matters

### 8. 2. 1. Functioning

**163) Is there a judge who is in charge of the enforcement of judgments?**

- Yes  
 No

If yes, please specify his/her functions and activities (e.g. Initiative or control functions). If no, please specify which authority is entrusted with the enforcement of judgements (e.g. prosecutor).

**164) As regards fines decided by a criminal court, are there studies to evaluate the effective recovery rate?**

- Yes  
 No

If yes, please specify:

**You can indicate below:**

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



## 9. Notaries

### 9. 1. Statute

#### 9. 1. 1. Functioning

**165) Do you have notaries in your country? If no, go to question 170.**

- Yes  
 No

**166) Is the status of notaries:**

- |                                                             |                                                   |
|-------------------------------------------------------------|---------------------------------------------------|
| a private one (without control from public authorities)?    | <input type="checkbox"/> yes, number:             |
| a status of private worker ruled by the public authorities? | <input type="checkbox"/> yes, number:             |
| a public one?                                               | <input checked="" type="checkbox"/> yes, number:  |
| other?                                                      | <input type="checkbox"/> yes, number and specify: |

**167) Do notaries have duties:**

- within the framework of civil procedure?  
 in the field of legal advice?  
 to authenticate legal deeds?  
 other?

Please specify:

**Please indicate the source for the question 166**

#### 9. 1. 2. Supervision

**168) Is there an authority entrusted with the supervision and the control of the notaries?**

- Yes

No

**169) Which authority is responsible for the supervision and the control of the notaries:**

- a professional body?  
 the judge?  
 the Ministry of Justice?  
 the prosecutor?  
 other?

Please specify:

The Law Society of Scotland

**You can indicate below:**

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

## 10. Functioning of justice

### 10. 1. Foreseen reforms

#### 10. 1. 1. Reforms

**170) Can you provide information on the current debate in your country regarding the functioning of justice? Are there reforms foreseen? (for example changes in legislation, changes in the structure of the judiciary, innovation programmes, etc). If yes, please specify.**