



THE 2017 EU JUSTICE SCOREBOARD

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Effective justice systems are crucial for upholding the rule of law, ensuring that citizens and businesses can fully enjoy their rights, strengthening mutual trust and building a business and investment-friendly environment in the single market. The *EU Justice Scoreboard* is an information tool which provides data on the quality, independence and efficiency of justice systems in all EU Member States. It is part of a dialogue with Member States in the context of the European Semester, aiming at helping to achieve more effective justice systems.

The *Scoreboard* provides information on the functioning of civil, commercial and administrative justice systems.

The *2017 EU Justice Scoreboard* examines new aspects of the functioning of justice systems. In particular to better understand how consumers access the justice system, it examines the accessibility of persons at risk of poverty to legal aid. For the first time, Member States have provided data on case length for proceedings dealing with anti-money laundering offenses. It also presents the results from a survey of lawyers on how they use information and communication technologies for communicating with courts. To keep track of the situation of judicial independence in Member States, this edition presents the result of a new survey on the perception of citizens and companies and shows new data on safeguards for protecting judicial independence.

The key findings of the *2017 EU Justice Scoreboard* give insight into the three priority areas that need to be addressed.



See the complete
**2017 EU Justice
Scoreboard at:**

[http://ec.europa.eu/
newsroom/just/document.
cfm?action=display&doc_
id=43918](http://ec.europa.eu/newsroom/just/document.cfm?action=display&doc_id=43918)

1. Efficiency of justice

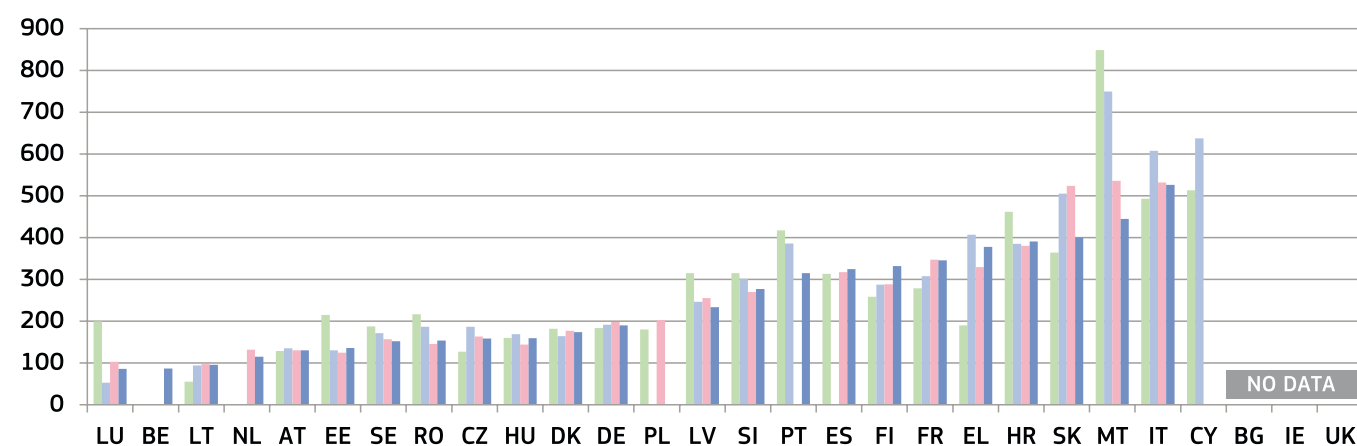
Timeliness of judicial decisions is essential to ensure the smooth functioning of the justice system. The 2017 Scoreboard reveals positive developments in particular in the Member States which have been identified in the context of the European semester or economic adjustment programme as facing challenges. The length of litigious civil and commercial cases has improved significantly in a number of these Member States.

Length of proceedings

Figure 1 Time needed to resolve litigious civil and commercial cases (1st instance/in days)

2010 2013 2014 2015

Source: CEPEJ study⁽¹⁾

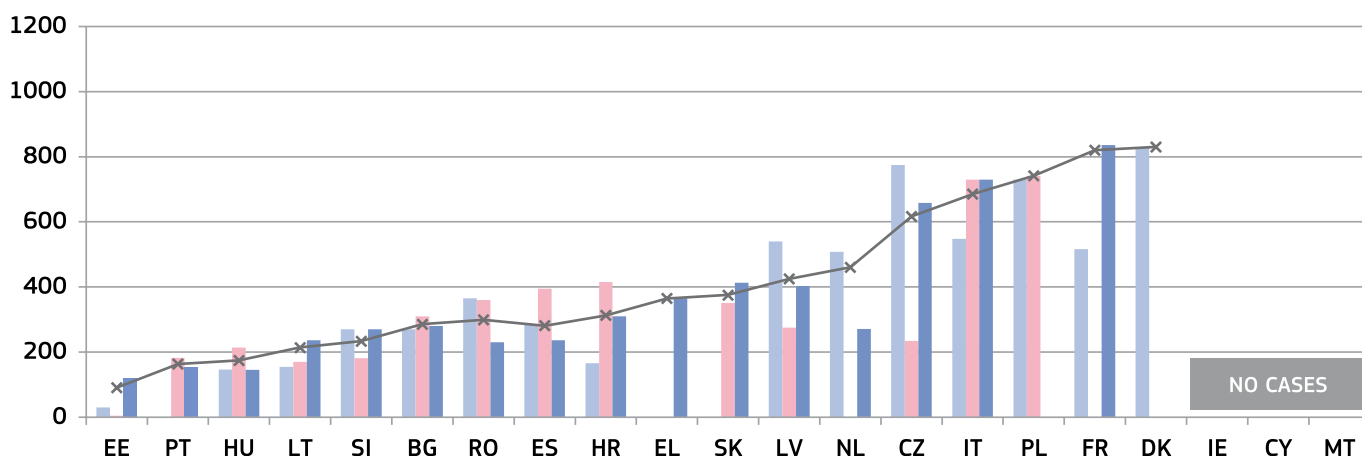


Consumer protection

Figure 2 Consumer protection: Average length of judicial review (1st instance/in days)⁽²⁾

2013 2014 2015 Average 2013 - 2015

Source: : European Commission with the Consumer Protection Cooperation Network



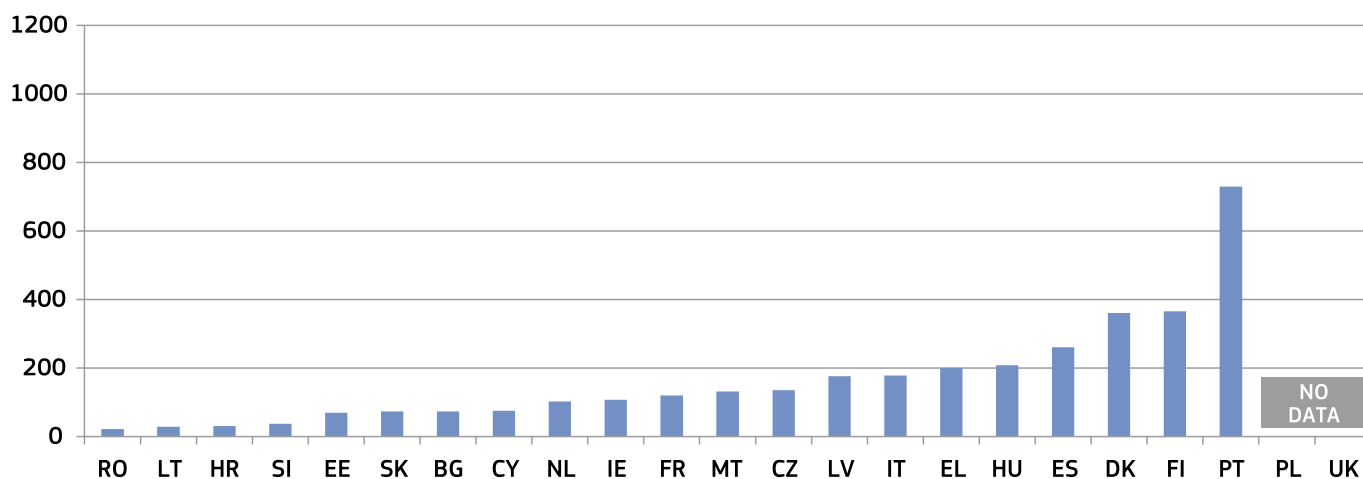
⁽¹⁾ For further methodological and country-specific information see the 2017 EU Justice Scoreboard.

⁽²⁾ BE, LU, AT, FI, SE and UK: scenario is not applicable as consumer authorities not empowered to decide on infringements of relevant consumer rules. In some years the number of relevant cases was limited (below 5 per year) in DK, EE, EL, FR, HR and NL. An empty column in respective year means no cases reported by DK and NL and no data available for EL, FR, PT and SK. For further methodological and country-specific information see the 2017 EU Justice Scoreboard.

1. Efficiency of justice systems

Figure 3 Consumer protection: Average length of administrative decisions by consumer protection authorities (1st instance/in days) ⁽³⁾

Source: European Commission with the Consumer Protection Cooperation Network

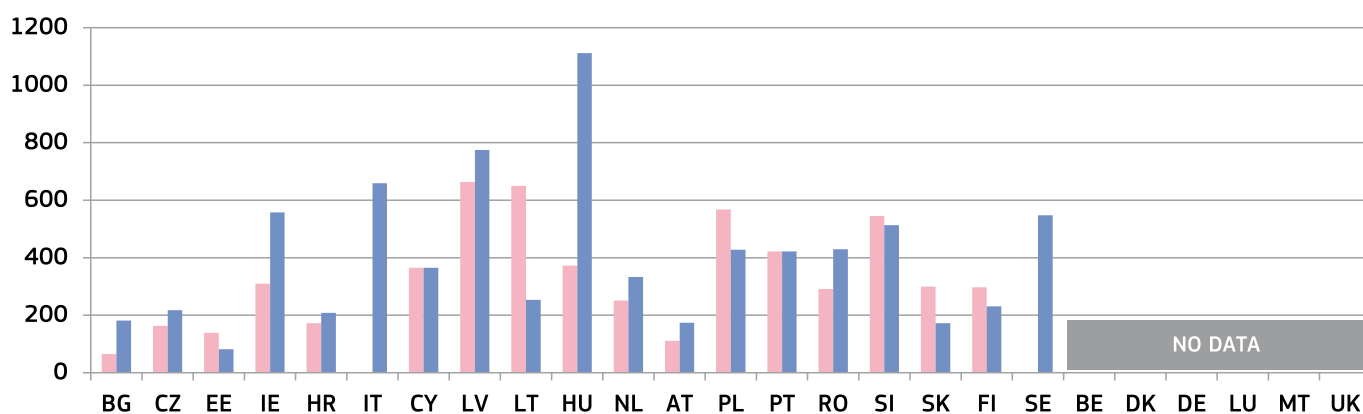


Money Laundering

Figure 4 Money laundering: Average length of court cases (1st instance/in days) ⁽⁴⁾

2014 2015

Source: European Commission with the Expert Group on Money Laundering and Financing of Terrorism



⁽³⁾ BE, DE, LU, AT, and SE: scenario is not applicable. The figure presents a weighted average on administrative proceedings initiated by consumer authorities in 2014 and 2015. Some authorities are competent for only parts of relevant EU law. For further methodological and country-specific information see the 2017 EU Justice Scoreboard.

⁽⁴⁾ EL, ES, and FR: data only for number of cases, not case length. For further methodological and country-specific information see the 2017 EU Justice Scoreboard.

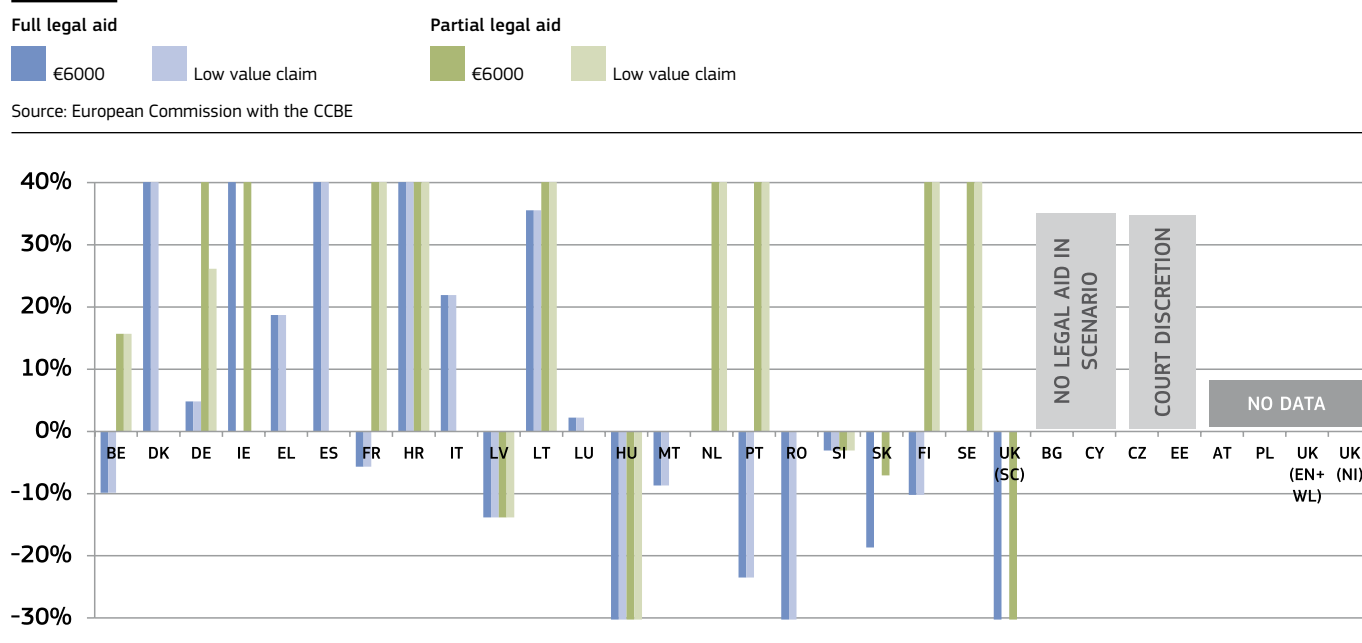
2. Quality of justice systems

Effective justice systems require not only timely decisions but also quality. Easy access, adequate resources, effective assessment tools and appropriate standards are key factors that contribute to the quality of justice systems. The 2017 Scoreboard confirms that the situation varies significantly across the EU, but also that many Member States are making particular efforts in these areas.

Legal aid

Most Member States grant legal aid on the basis of the applicant's income. This figure compares in % the income thresholds for granting legal aid in a specific consumer case with the Eurostat poverty threshold in each Member State. For example, if eligibility for legal aid appears at 20 %, it means that an applicant with an income 20 % higher than the respective Eurostat poverty threshold can receive legal aid. On the contrary, if eligibility for legal aid appears at -20 %, it means that the income threshold for legal aid is 20 % lower than the Eurostat poverty threshold.

Figure 5 Income threshold for legal aid in a specific consumer case⁽⁵⁾ (differences in % between Eurostat poverty threshold)



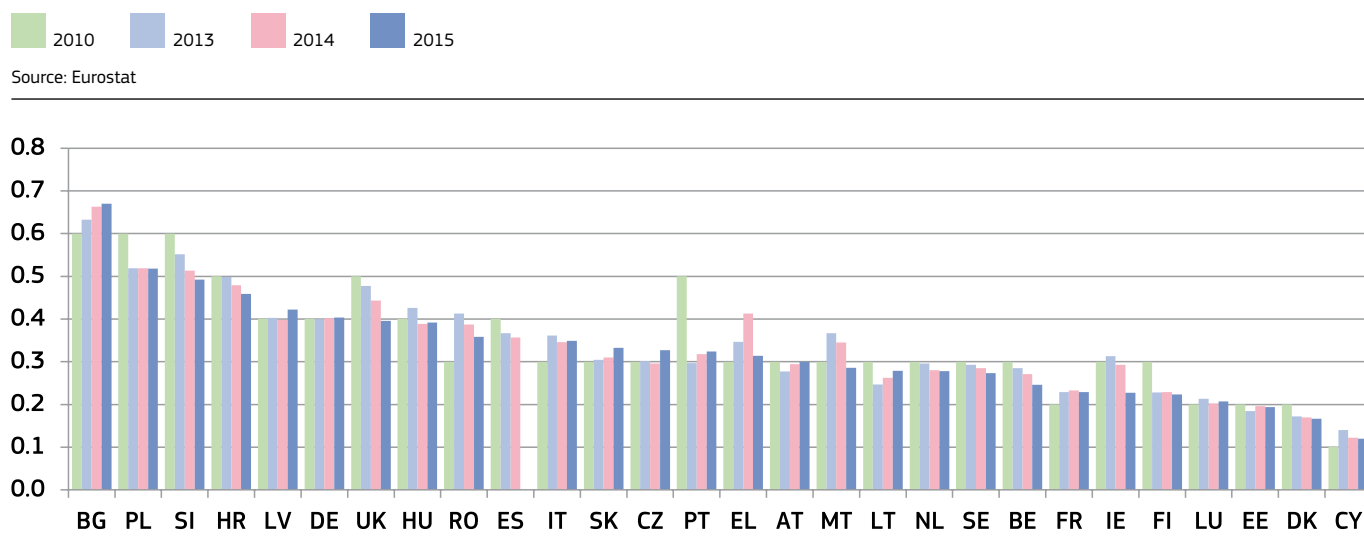
⁽⁵⁾ 2016 data collected through replies by CCBE members. The figure presents thresholds for legal aid ranging from 40 % to -30 %. DK, DE, IE, FR, HR, LT, NL, PT, FI, and SE grant legal aid at an income threshold which ranges between 40 % and 154 %. HU, RO, and UK(SC) grant legal aid at an income threshold which ranges between -30 % and -68 %. 'Low value claim' means a claim which corresponds to the Eurostat poverty threshold for a single person in each Member State, converted to monthly income (e.g. in 2014, this value ranged between €110 in RO and €1716 in LU). For further methodological and country-specific information see the 2017 EU Justice Scoreboard.

2. Quality of justice systems

Financial resources

Adequate resources are necessary for the good functioning of the justice system. The figure below shows the budget actually spent on courts as a share of gross domestic product (GDP).

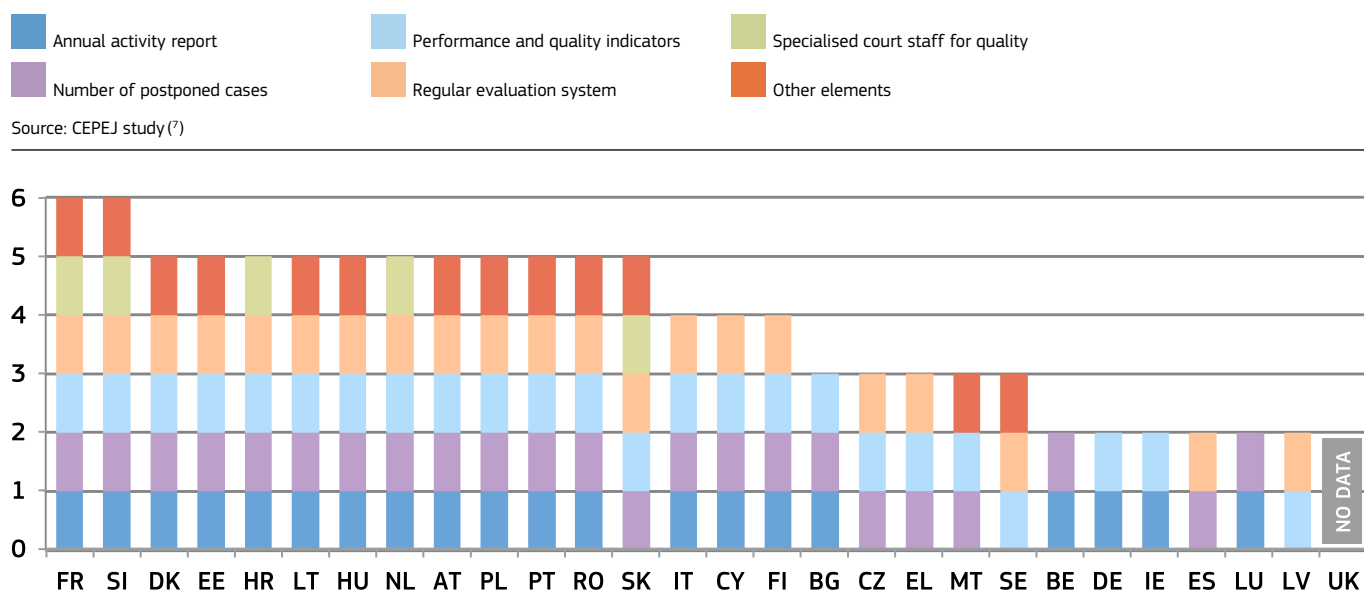
Figure 6 General government total expenditure on law courts (as a percentage of GDP)⁽⁶⁾



Assessment tools

Improving the quality of justice systems requires tools to assess their functioning, e.g. surveys and the follow-up given to them are indispensable to assess how justice systems operate from the perspective of legal professionals and court users.

Figure 7 Availability of monitoring and evaluation of court activities



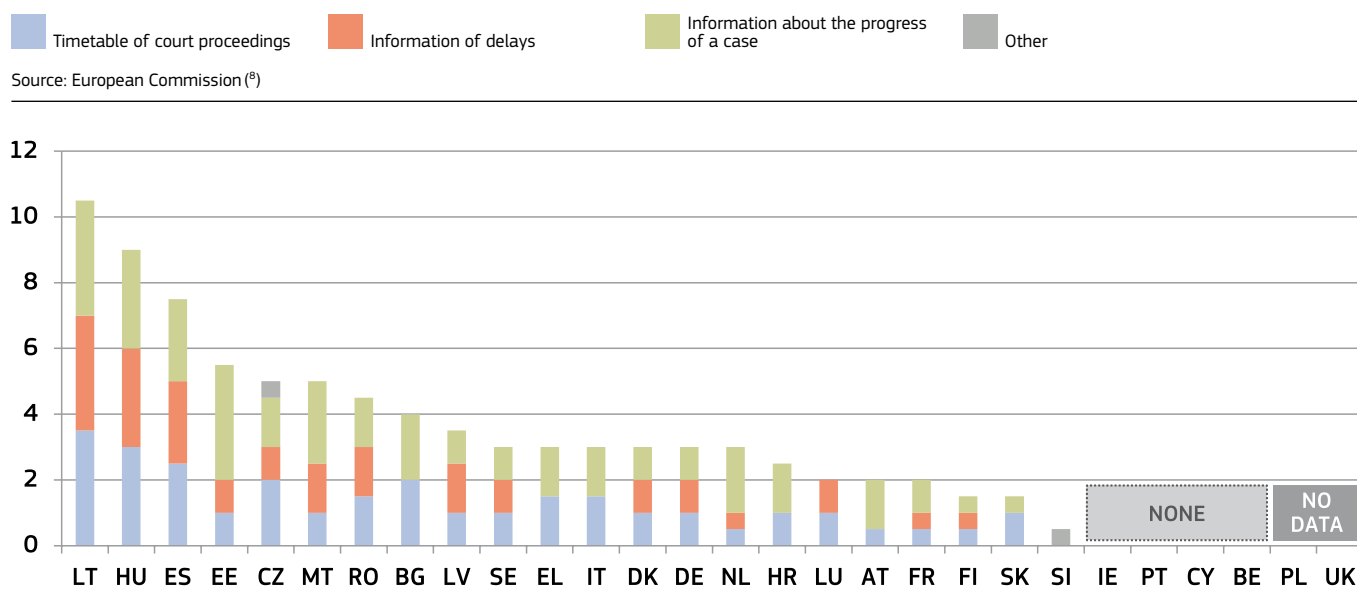
⁽⁶⁾ General government total (actual) expenditure on administration, operation or support of administrative, civil and criminal law courts and the judicial system, including enforcement of fines and legal settlements imposed by the courts and operation of parole probation systems, and legal aid — legal representation and advice on behalf of government or on behalf of others provided by government in cash or in services; excluding prison administrations. For further methodological and country-specific information see the *2017 EU Justice Scoreboard*.

⁽⁷⁾ 2015 data, 2014 for PL. The evaluation system refers to the performance of court systems, using indicators and targets. For further methodological and country-specific information see the *2017 EU Justice Scoreboard*.

2. Quality of justice systems

Quality standards

Standards can drive up the quality of justice systems. The 2017 edition examines certain standards relating to timing of judicial proceedings and standards on the way parties are informed and the type of information they receive about the progress of their case. Some Member States have a system with automatic notification by e-mail or SMS providing information about delays, timetables or general case progress.

Figure 8 Standards on information about case progress

⁽⁸⁾ Member States were given points depending on the method used to provide each type of information. 1.5 points for automatic notification by e-mail or SMS, 1 point for online access throughout the case, 0.5 points each for information upon request by parties, court discretion or any other method used. 2016 data collected in cooperation with the group of contact persons on national justice systems. For further methodological and country-specific information see the *2017 EU Justice Scoreboard*.

3. Independence

Judicial independence is a fundamental requirement, which is vital for upholding the rule of law, the fairness of judicial proceedings and the trust of citizens and businesses in the legal system. For this reason, any justice reform should uphold the rule of law and comply with European standards on judicial independence. The Scoreboard shows the perceived judicial independence, as well as information on legal safeguards for certain situations where independence is at risk.

Figure 9 Perceived independence of courts and judges among the general public (light colours: 2016, dark colours: 2017)

Very good Fairly good Fairly bad Very bad Don't know

Source: Eurobarometer⁽⁹⁾

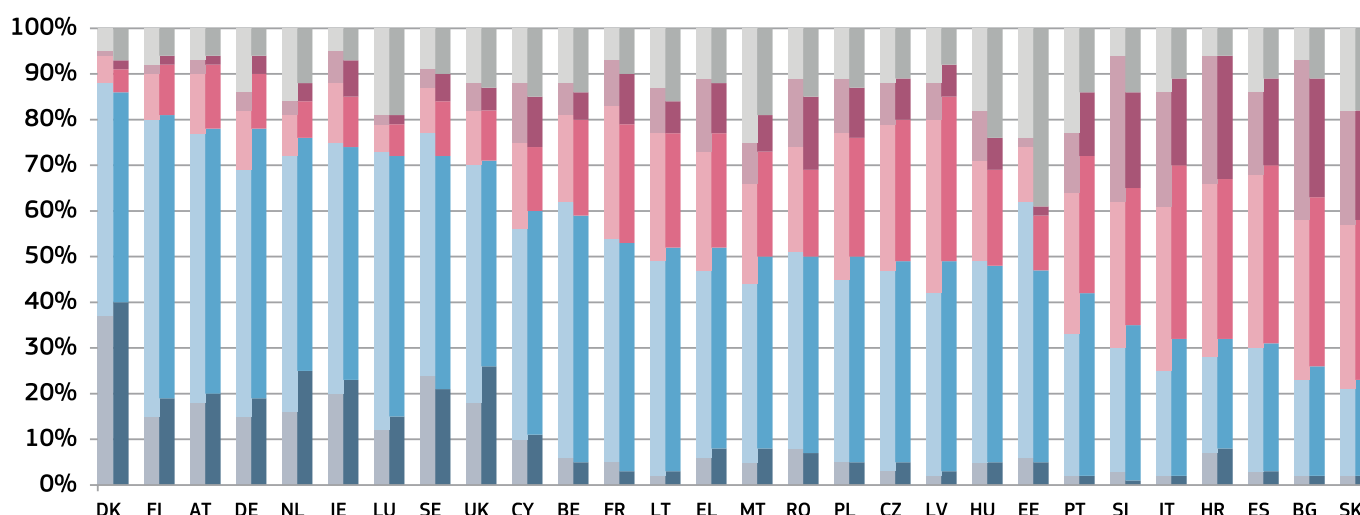
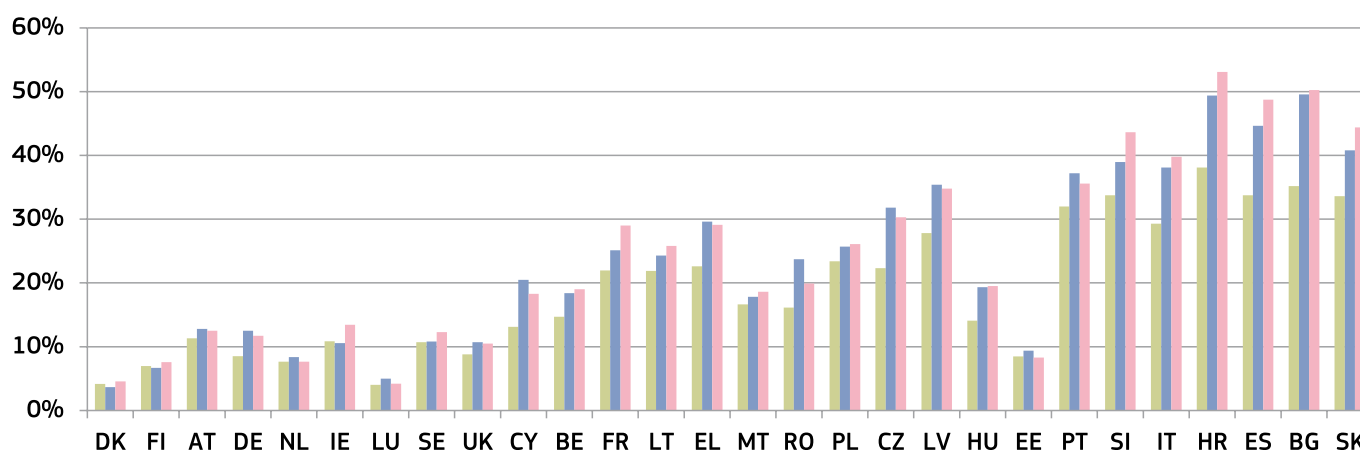


Figure 10 Main reasons among the general public for the perceived lack of independence (share of all respondents — higher value means more influence)

The status and position of judges do not sufficiently guarantee their independence Interference or pressure from economic or other specific interests Interference or pressure from government and politicians

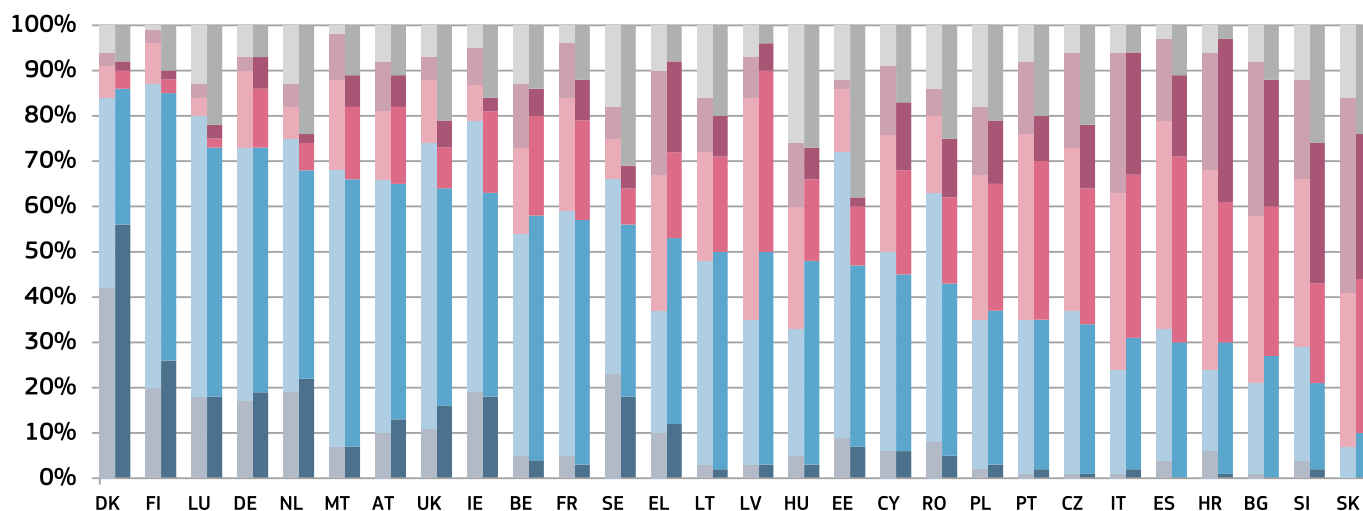
Source: Eurobarometer⁽¹⁰⁾



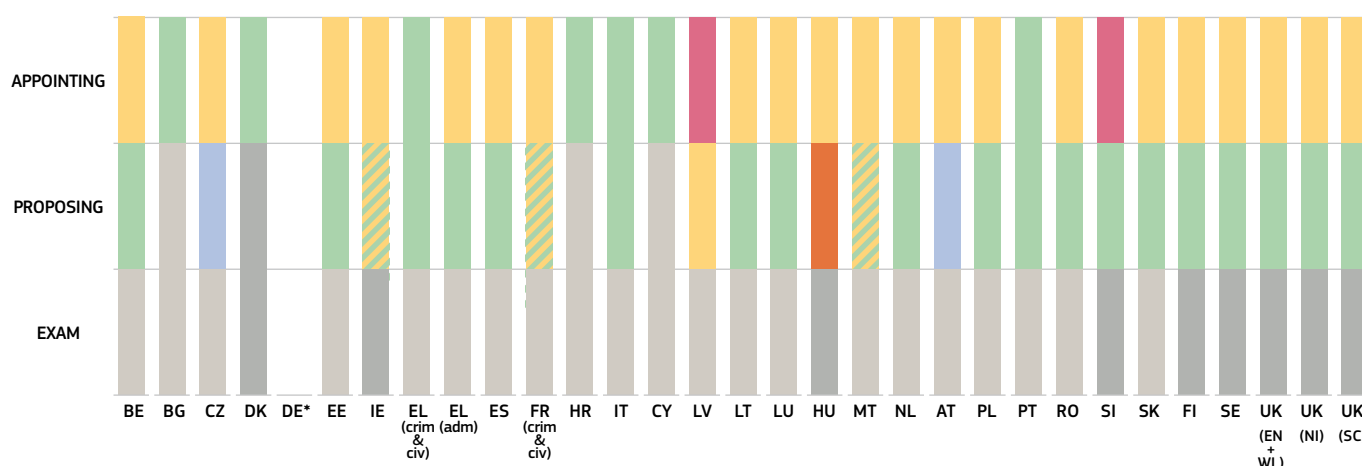
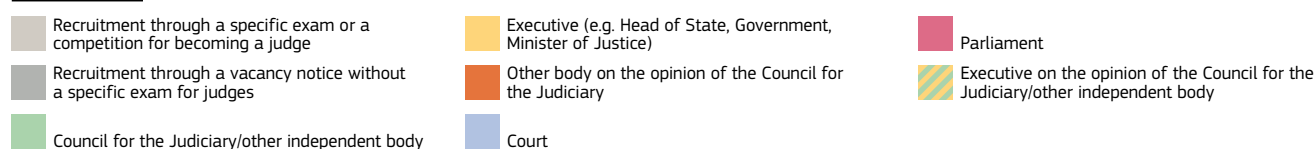
⁽⁹⁾ Eurobarometer survey FL447, conducted between 25 and 26 January 2017; replies to the question: "From what you know, how would you rate the justice system in (our country) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?"
http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

⁽¹⁰⁾ Eurobarometer survey FL447, replies to the question: "Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (our country): very much, somewhat, not really, not at all?"

3. Independence

Figure 11 Perceived independence of courts and judges among companies (light colours: 2016, dark colours: 2017)Source: Eurobarometer⁽¹¹⁾

The figure below presents the bodies and authorities which propose judges for their first appointment at first instance courts and the authorities that appoint them. It also shows whether the recruitment of judges is done through a specific exam or a competition for judges, or through a vacancy notice without a specific exam.

Figure 12 Appointment of judges: proposing and appointing authorities⁽¹²⁾

⁽¹¹⁾ Eurobarometer survey FL448, conducted between 25 January and 3 February 2017; replies to the question: 'From what you know, how would you rate the justice system in (our country) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?': http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

⁽¹²⁾ In several countries other authorities or bodies (e.g. court presidents, judges) may or should deliberate or be consulted on the candidate judges (e.g. in BE, CZ, DE, EE, LT, HU, NL, AT, UK (EN+WL), and UK (SC)); in some countries (e.g. LT and PL) certain candidates are exempt from taking the special exam for judges because of their previous qualifications or experience; DE: proceedings at the level of the federal states differ greatly. For further methodological and country-specific information see the 2017 EU Justice Scoreboard.