

PUBLIC HEARING ON
«IMPROVING CRIMINAL JUSTICE SYSTEMS IN EUROPE:
THE ROLE OF E-TOOLS AND PERFORMANCE
INDICATORS»

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Building infrastructures for national and
cross-border e-justice

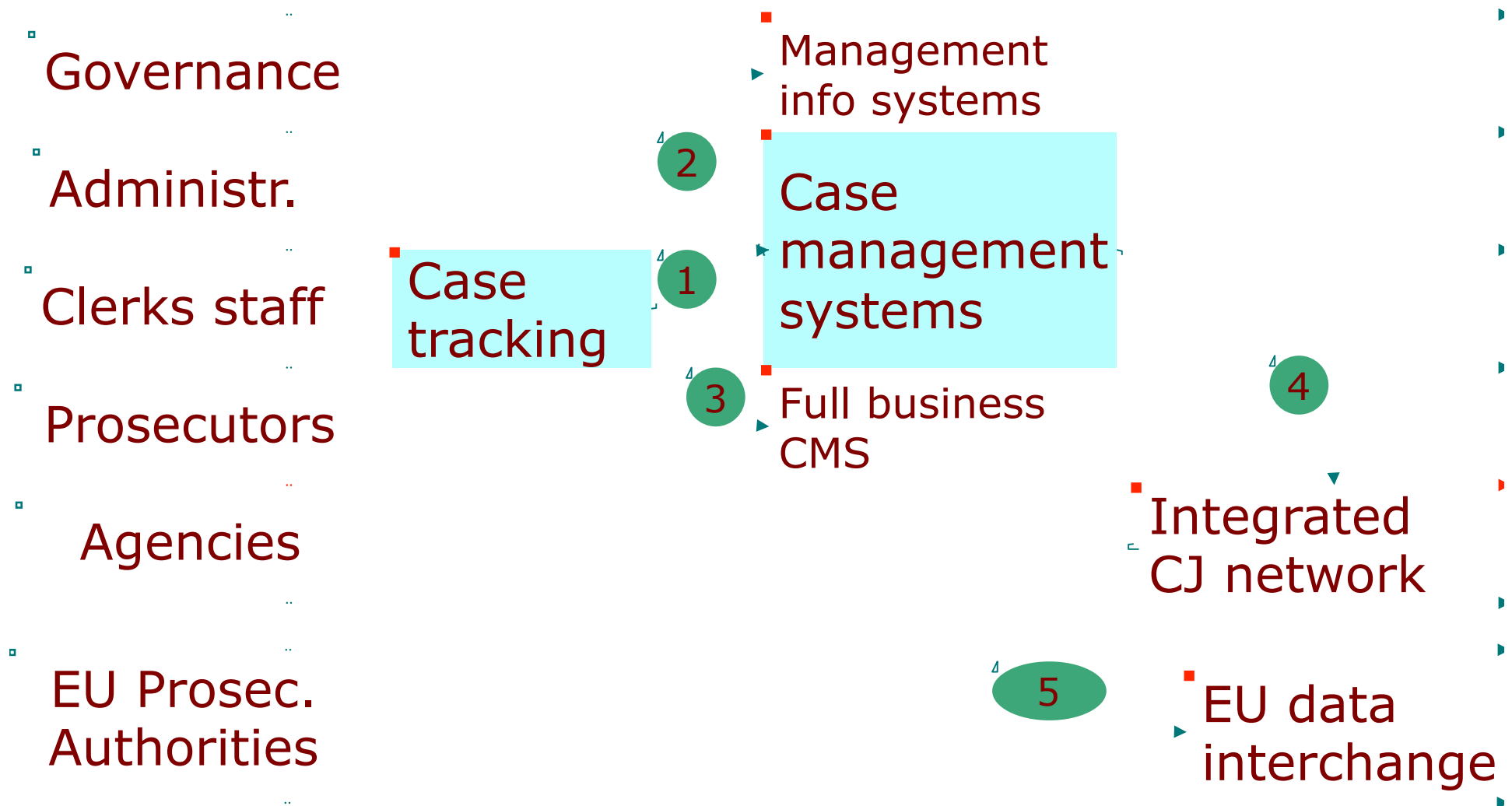
European Parliament, Brussels,

26 March 2012

recent IRSIG-CNR research projects

- ◆ European Seminar on Court Technology Grotius Project 1999-2000
- ◆ Judicial Electronic Data Interchange Grotius Project 2002-2003
- ◆ AGIS programme JLS/2005/AGIS/175 ICT for Public Prosecutors' Offices
- ◆ Civil Justice Programme: Building Interoperability for European Civil Proceedings Online JLS/2009/JCIV/AG/0035
 - **Final conference 15-16 June 2012 in Bologna**
- ◆ e-Codex: ICT PSP 270968

From case-tracking to Integrated CJ



From paper dockets to case tracking

- ◆ **Functions of CT systems:**
 - Keep track of main procedural steps (ReGe)
 - Limited automation
- ◆ **Users:**
 - Clerks, administrative staff
- ◆ **ICT and institutions:**
 - Different systems for different functions (ReGe + Res Ita)
 - Different systems for different kinds of PPO (Mini + Micro, Fr)
- ◆ **Development barriers:**
 - Lack of knowledge, experience, understanding
- ◆ **Limits:**
 - Systems heterogeneity, maintenance, integration

From Case Tracking to CMS

◆ **Functions of CMS:**

- Large scale automation (procedures + documents) NIAS (NI)
- Case management (active, deadlines, tasks generators, statistics)

◆ **Users:**

- Prosecutor's managers, clerks, staff

◆ **ICT and institutions:**

- The same system is used by all prosecutor's offices statewide

◆ **Barriers:**

- Authority and power (different PPO...)
- Procedural and data standardisation

◆ **Limits:**

- Limited involvement of prosecutor
- Data are underutilized for governance purposes

“Integrated Criminal Justice Network”

- ◆ **Functions of the “Integrated CJ Net”:**
 - Electronic data/documents, exchange/sharing across the Criminal Justice (Sakari, FIN; CJS, EN)
- ◆ **Users:**
 - Potentially every actor in the Criminal Justice network
- ◆ **ICT and institutions:**
 - Different interests and priorities within the agencies of the criminal justice network
- ◆ **Barriers:**
 - Authority and power
 - Data and procedural standardisation
 - Heterogeneity and technical integration

ICT for prosecutors: an story about ...

- ◆ Growing standardisation of data and procedures
- ◆ Growing number of functions and agencies involved in the project
- ◆ Continuous challenge of the existing institutional and organizational landscape
- ◆ Tensions between different forces:

Local solutions

Low standardisation

High specificity

Proprietary

Centralized solutions

High standardisation

Low specificity

Shared

Criminal Justice Network

- ◆ 20 years ago a state wide CMS was utopian
- ◆ Now
 - State wide CMS as a rule in many EU countries
 - CMS serving two different actors (in some countries)
 - Projects of integrated criminal justice systems

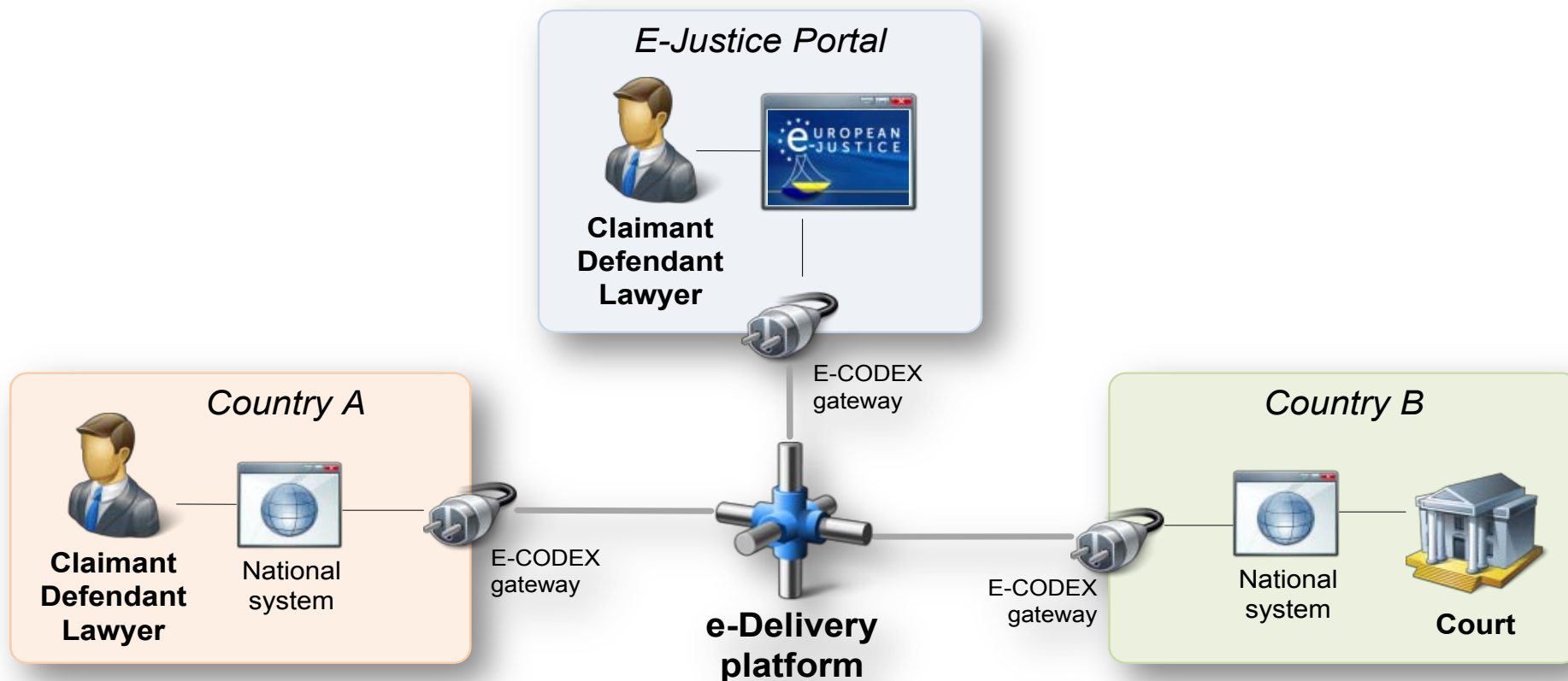


- ◆ Tomorrow:
 - Full implementation of integrated criminal justice systems at the national level
 - EU cross country information exchange

EU cross country information exchange

- ◆ European Arrest Warrant
 - Schengen Information System
- ◆ European Court of Justice
 - E-Curia (e-filing at Curia since nov 2011)
- ◆ e-Codex www.e-codex.eu
 - Development of Pilot application “to improving the cross border exchange of information in legal proceedings”

From tools to shared infrastructures



- ◆ “A shared, evolving, open, standardised, and heterogeneous installed base”

(O. Hanseth 1996)

- ◆ Point to point communication:

- Telex ... fax ... e-mail ... certified e-mail???

- ◆ Shengen Information System

- Legal changes (from Constitutional changes to technical regulation)

- SIS, SIS One4all, SISII

- Sirene bureaux



Critical factors Law and Organisation

Deep seated
Legal changes
regulation

**EU data
interchange**

**Integrated
CJ network**

Green light
(framework)

CMS

None

**Case
tracking**

Small
group

Entire
Organisation

Inter-
organisationa

Member States
and EU

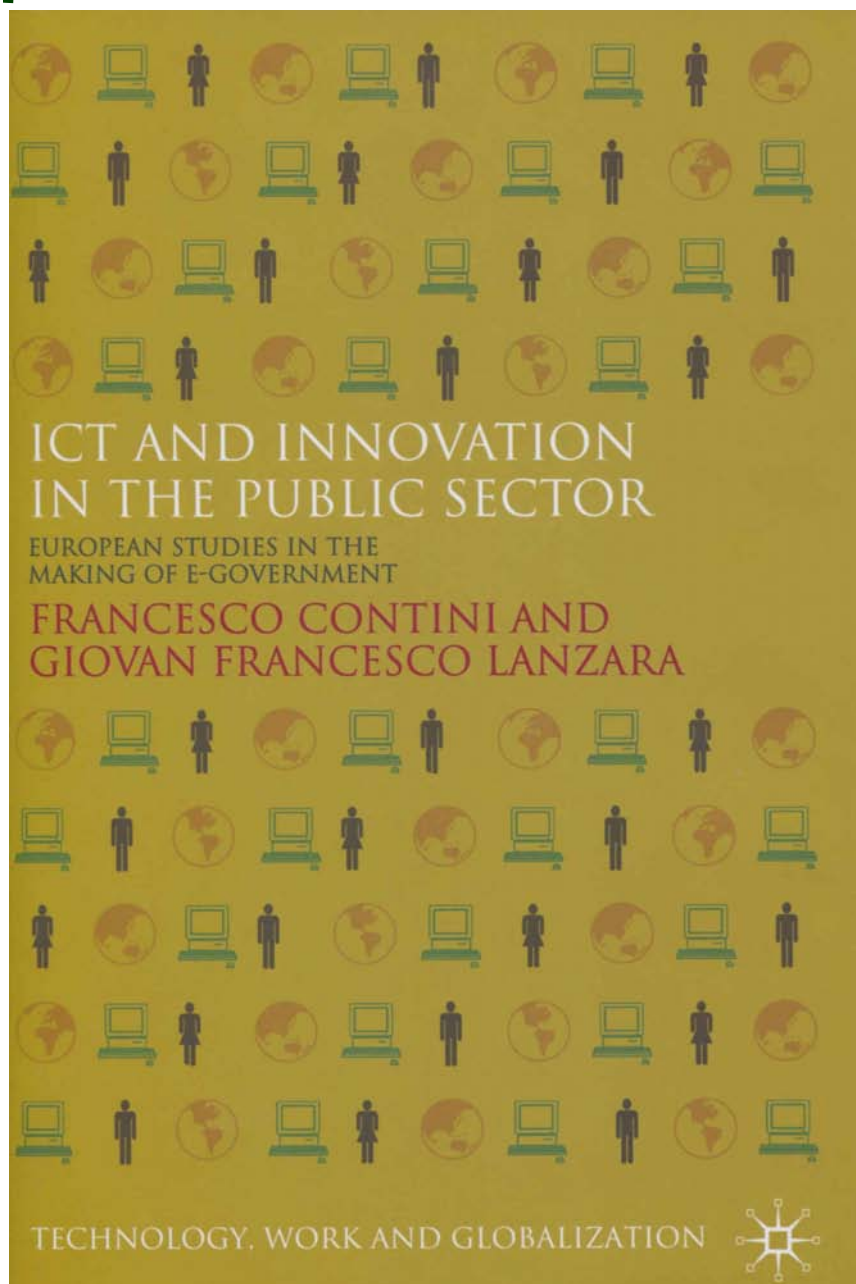


Some IRSIG-CNR publications

Francesco Contini and Giovan
Francesco Lanzara (Eds)

*ICT and Innovation in the Public
Sector: European Studies in the
Making of E-Government
(Technology, Work and Globalization)*

Palgrave Macmillan: 2009

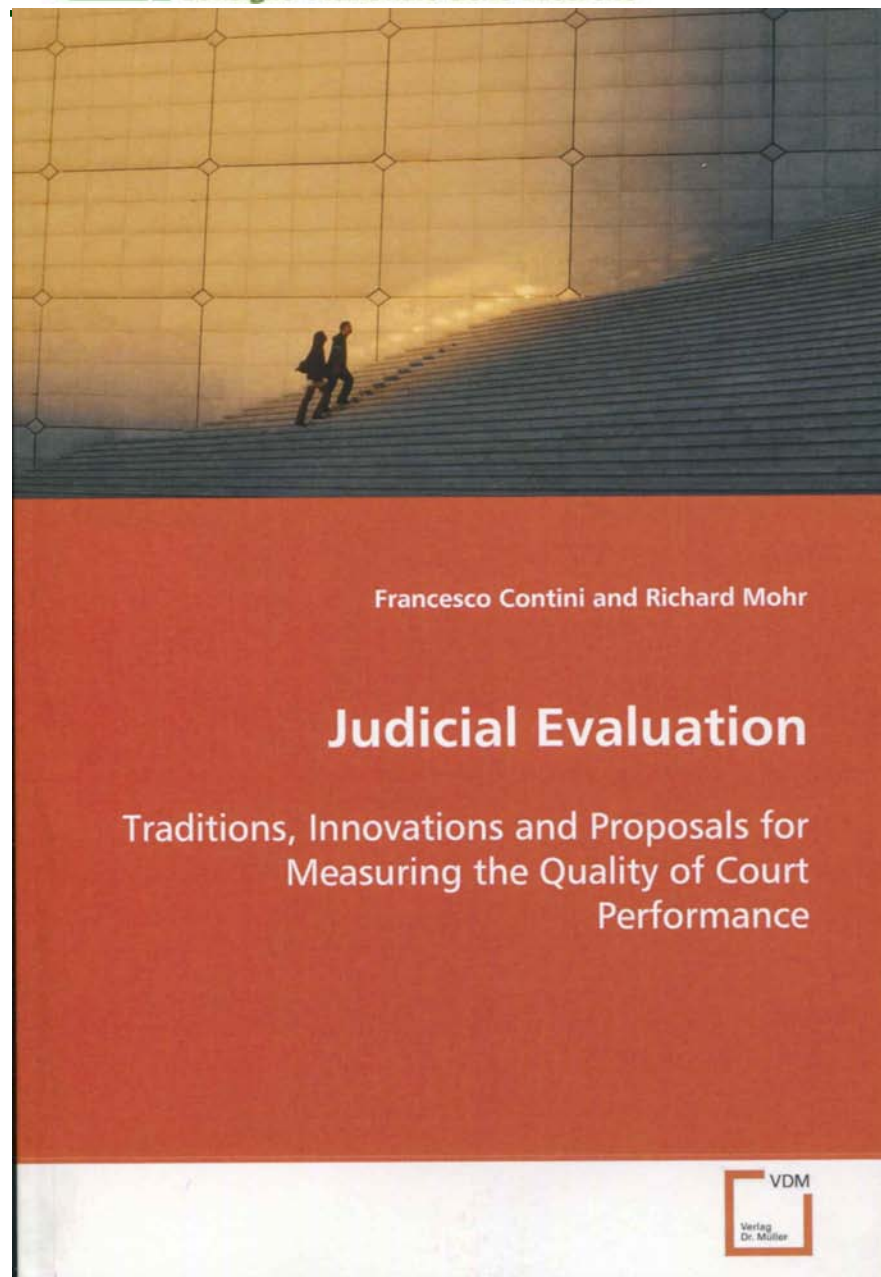


Some IRSIG-CNR publications

Francesco Contini and Richard Mohr

*Judicial Evaluation. Traditions,
Innovations and Proposals for
Measuring the Quality of Courts
Performance*

VDM Verlag 2008

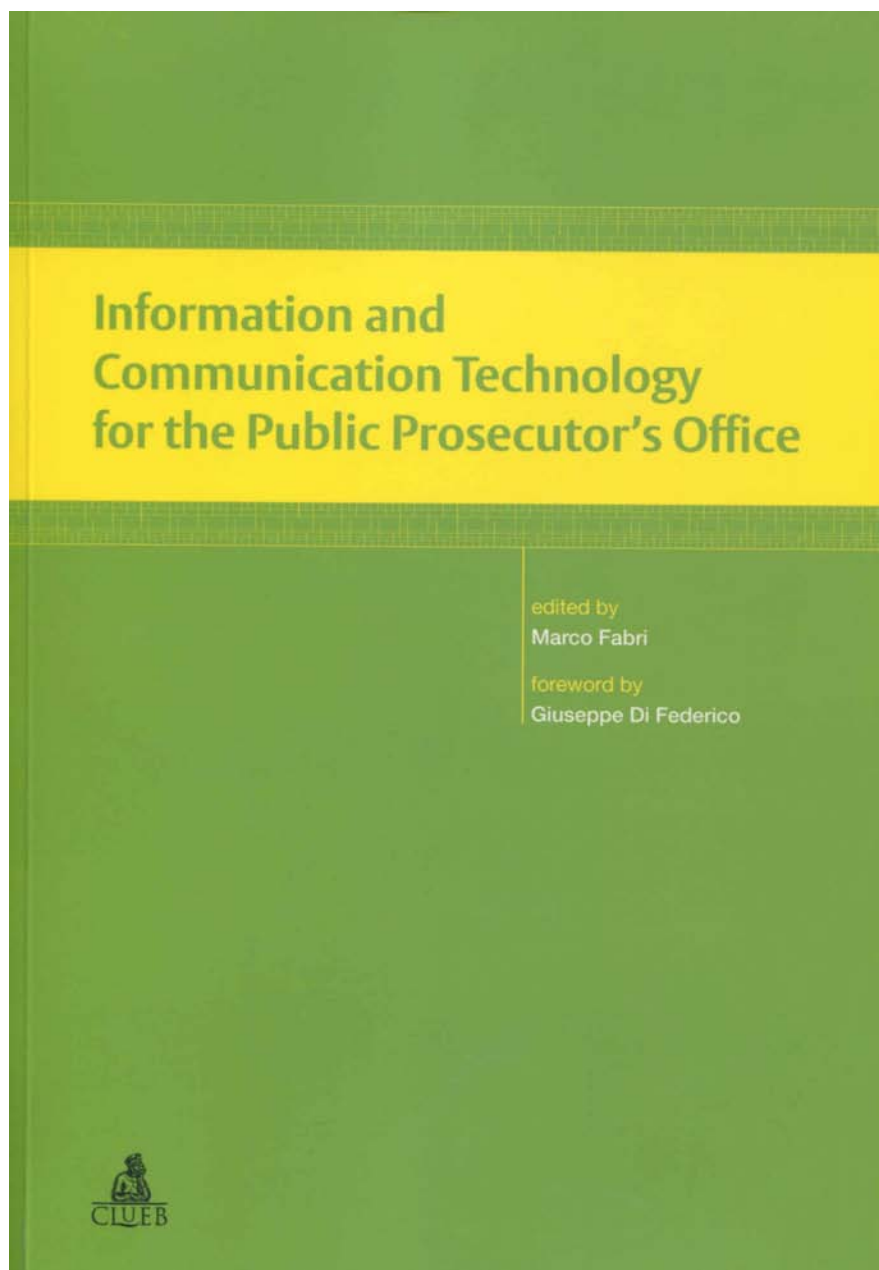


Some IRSIG-CNR publications

Marco Fabri (Ed)

*Information and
Communication Technology
for the Public Prosecutor's Office*

Clueb: 2007



Available on line at
[www.irsig.cnr.it/index.php?
option=com_booklibrary&task=view&id=1
552&catid=54&Itemid=75&lang=en](http://www.irsig.cnr.it/index.php?option=com_booklibrary&task=view&id=1552&catid=54&Itemid=75&lang=en)

JUDICIAL ELECTRONIC DATA INTERCHANGE IN EUROPE: APPLICATIONS, POLICIES AND TRENDS

Research project with financial support from the Grotius Civil Programme and Grotius II (Criminal), European Commission, and from the Italian Ministry of Education, University and Research (FIRB programme)

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Research Centre for Judicial Studies, University of Bologna, Italy
State Information Technology Court Service, Norway



Marco Fabri and Francesco Contini (Eds)

Judicial Electronic Data Interchange in Europe: Application, Policies and Trends

Lo Scarabeo: 2003

Available on line at:
www.irsig.cnr.it/index.php?option=com_booklibrary&task=view&id=1571&catid=54&Itemid=75&lang=en

**Justice and Technology
in Europe:
How ICT is Changing
the Judicial Business**

Editors
Marco Fabri and
Francesco Contini

Foreword by Giuseppe Di Federico

 **KLUWER LAW**
INTERNATIONAL

Marco Fabri and Francesco Contini (Eds)

*Justice and Technology in Europe: How
ICT Is Changing the Judicial Business*

Kluwer Law International: 2001