

Indicators for Criminal Cases Management in Bulgaria

Public Hearing: Improving Criminal Justice Systems
in Europe: The Role of E-Tools and Performance
Indicators

European Parliament – 26.03.2012

PRESENTATION

Where do we stand?

- States or entities which defined quality standards and have specialized staff entrusted with quality policy and/or quality systems
 - No quality standards and no specialized staff (26 states or entities, including Bulgaria)
 - Specific quality standards, but no specialized staff (14 states or entities)
 - Specialized court staff but no general quality policy (3 states or entities)
 - Quality standards and specialized court staff (4 states or entities)
- Performance targets defined for an individual judge and at the court level
 - No targets for judges or at the court level (12 countries, including Bulgaria)
 - Targets defined for judges only (5 countries)
 - Targets defined at the court level only (14 countries)
 - Targets defined for judges and at the court level (16 countries)

Source: CEPEJ Evaluation report of European judicial systems 2010

Who does what?

- **Supreme Judicial Council (SJC)**
 - Requests and summarizes, every 6 months, information from the courts, the prosecutor's office and the National Investigation Service on their activity
 - Provides to the National Institute of Statistics statistical data for publishing
 - Provides for the information servicing of the activities of the judiciary with the assistance of the Ministry of Finance, the Ministry of Regional Development and Public Works (access to the National Population Database), the National Institute of Statistics and the Bulgarian Institute of Standardization
 - Has two relevant permanent committees: Committee on professional qualification, information technologies and statistics and Committee on analyzing and reporting the workload of the bodies of the judiciary
- **Public Prosecutor's Office (PPO)**
 - Every 6 months the Prosecutor General submits to the SJC, its Inspectorate and the Minister of Justice summarized information on the institution, movement and closing of files
 - The Supreme Prosecutor's Office of Cassation has a special Division on Information, Analysis and Methodological Supervision

Unified Information System for Counteracting Crime (UISCC): under construction

- Inter-institutional automated information system for providing information in the course of counteracting crime designed to include all instances of recorded crime and to allow monitoring of the work on every crime, offender, criminal proceeding, etc.
- Each criminal proceeding and each crime are given a common identification and all information is kept into a single case file
- Information comes from the courts, the Prosecutor's Office, the investigation authorities, the police, the military police (Ministry of Defense) and DG Execution of Penalties (Ministry of Justice)
- Information is fed on the criminal records of persons (by the Ministry of Justice and the regional courts), on the Bulgarian identity documents (by the Ministry of Interior), on the civil registration of individuals by the National Population Database and on the BULSTAT registration by the Registry Agency

What can be expected from the UISCC?

- Subsystem “Registration”: investigative activities (in investigation services and police departments), prosecutorial activities, detained persons, trial proceedings (before the first, the second and the third instance), execution of penalties in places of detention
- Subsystem ‘Reports’: tools for defining and customizing queries and managing the reports produced (three types: thematic, standard and statistical)
- Strategic proposals for improving the UISCC: unification and harmonization of statistics among the different branches of the judiciary and the Ministry of Interior, improving the reliability of statistics, including additional mechanisms for external control and verification, linking statistical data with indicators, reflecting to a larger extent the viewpoint of the ‘user’ and society and not only of the institutions

What indicators (statistics) are used by the courts?

- Percentage of cases, closed within 3 months, out of all closed cases
- Cases, where appeals were made
- Workload of judges by official staff number and the actual workload (based on the number of judges actually working throughout the period and the number of months they have actually worked)

What indicators (statistics) are used by the Prosecutor's Office?

- Files ruled upon vs. all files opened
- Refusals to institute pre-trial cases vs. total number of files ruled upon
- Newly instituted pre-trial cases vs. all pre-trial cases
- Pre-trial cases where investigations are closed vs. all cases
- Pre-trial cases ruled upon by the prosecutor vs. all cases
- Prosecutorial acts submitted to court vs. all pre-trial cases ruled upon by the prosecutor
- Case files sent back from the courts vs. all prosecutorial acts (quality of work)
- Prosecutors' requests for detention granted by the court (necessity of detention)
- Pre-trial proceedings, finished within the terms, prescribed by law
- Persons sentenced by the court vs. all persons sent to trial
- Sentences with started execution vs. all sentences sent to the Prosecutor's Office

What is missing?

- Comprehensive methodology for measuring the effectiveness and efficiency of the judiciary
- Uniform indicators enabling the comparison between different institutions (e.g. between the courts and the public prosecutor's office)
- Weights indicating the complexity of different cases (number of defendants, number of victims, penalty prescribed by law, etc.)
- Targets/benchmarks for measuring and evaluating performance

Research efforts: cost of justice (OSI)

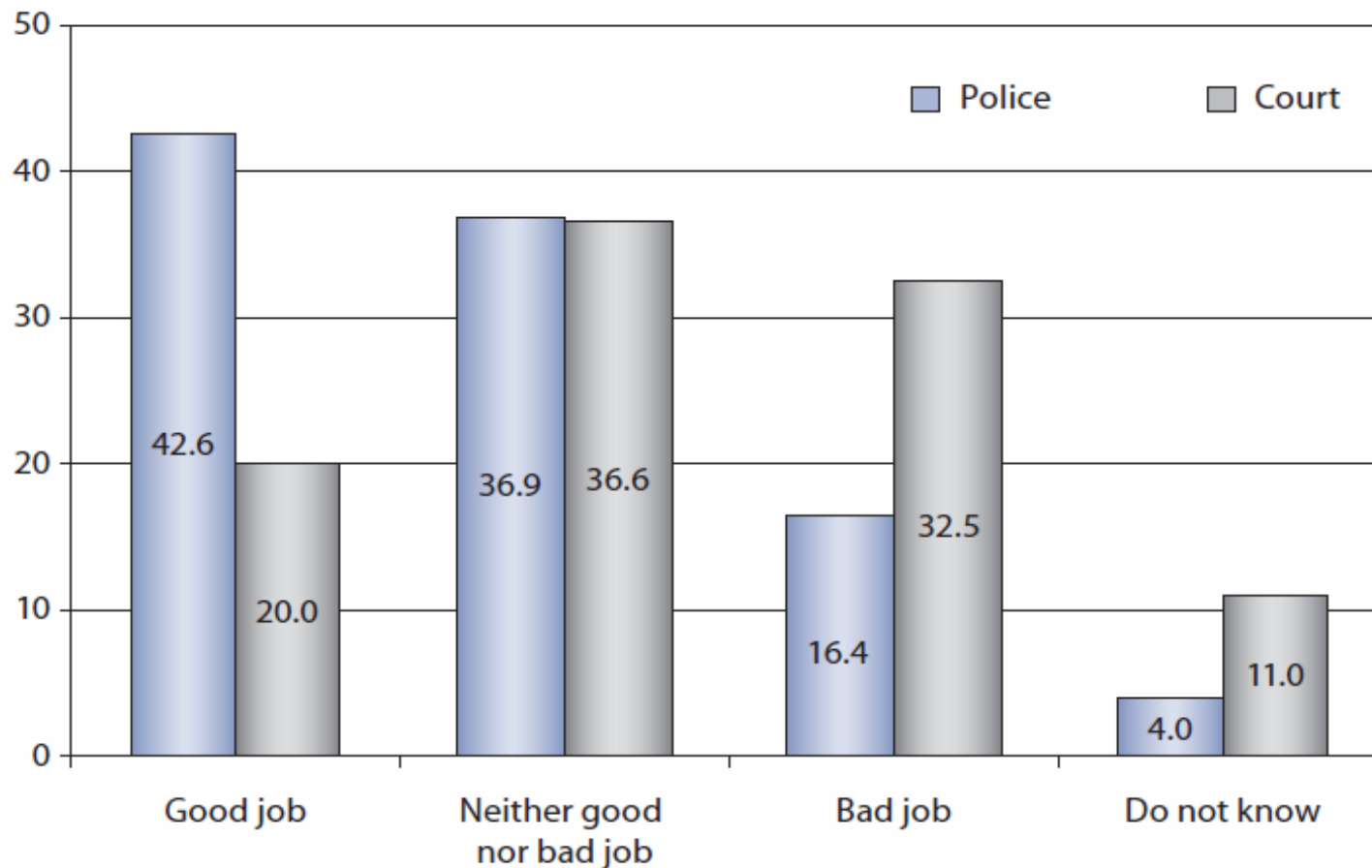
- Annual budget of the prosecutor's office vs. number of files ruled upon/number of pre-trial cases where investigations are closed/number of prosecutorial acts submitted to court (cost per file ruled upon/pre-trial case where investigation is closed/prosecutorial act submitted to court)
- Number of criminal cases per 100 000 inhabitants
- Average expenditure of courts per case
- Number of professional judges and prosecutors per 100 000 inhabitants
- Number of newly arrived files per prosecutor/judge

Research efforts: public confidence in the criminal justice system (CSD)

- First level indicators
 - Confidence in CJS (trust in police/courts/prosecution/prisons/probation)
 - Trust in CJS (trust in police/courts/prosecution/prisons/probation)
 - Security/insecurity
- Second level indicators
 - Trust in police (effectiveness/distributive and procedural fairness/priorities)
 - Trust in courts (effectiveness/distributive and procedural fairness)
 - Legitimacy of police (obligation to obey/moral alignment/legality)
 - Legitimacy of courts (obligation to obey/moral alignment/legality)
 - Cooperation with the police
 - Risk of sanction
 - Personal morality
 - Compliance with the law
- Third level indicators
 - Socio-demographic characteristics and economic and legal status of respondents

Public confidence in justice: selected findings

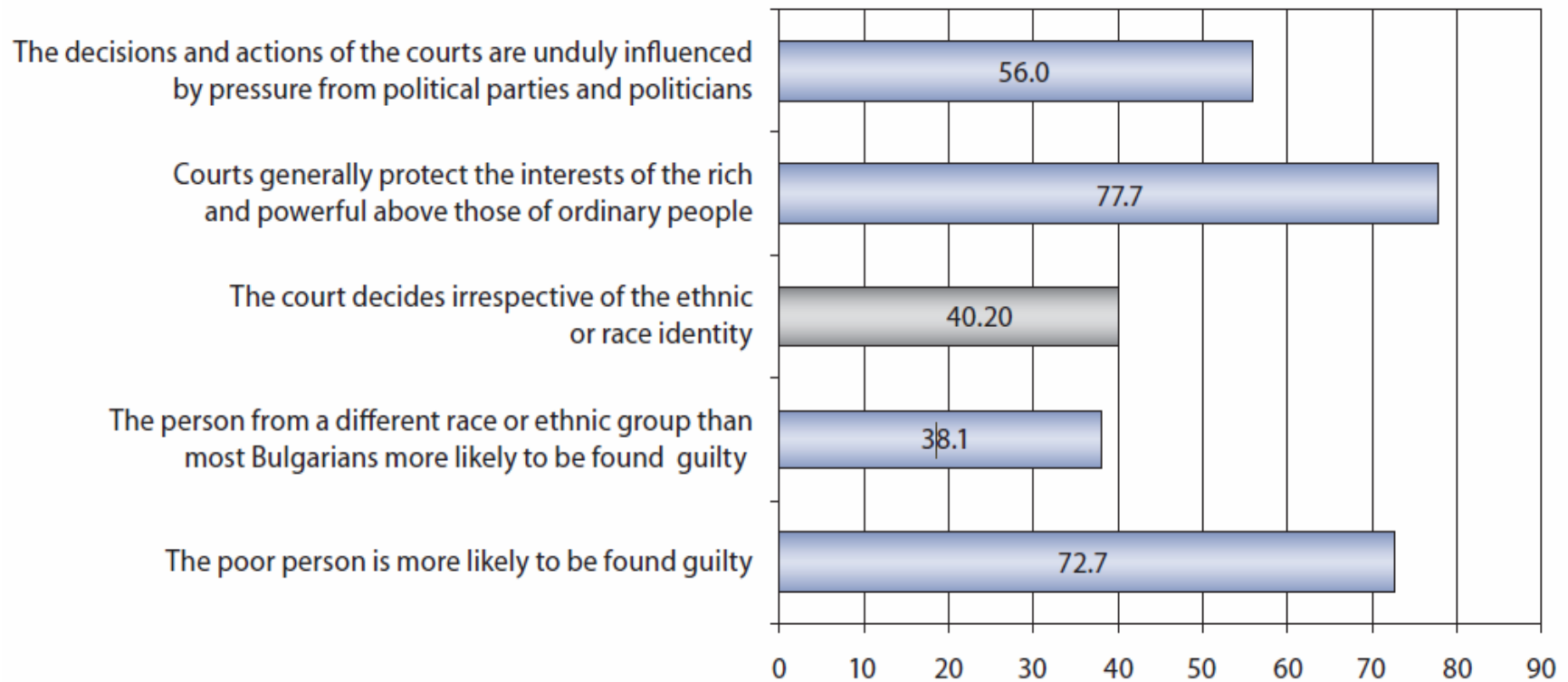
Assessments of police / court performance in Bulgaria (%)



Source: EURO-JUSTIS Pilot Survey, October 2010

Public confidence in justice: selected findings

Fairness of the court (%)



Source: EURO-JUSTIS Pilot Survey, October 2010

For more information

www.csd.bg

www.e-tools-project.org

