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REPORT

**FROM THE FIRST ANNUAL SURVEY
ON MEASURING THE SATISFACTION
OF COURT USERS**



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Published by:
European Policy Institute – Skopje
Association for Development Initiatives – Zenith, Skopje

The data were collected and initially processed by Stevan Tomovski
in cooperation with the ZENIT Association

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Skopje, 2020



This analysis was prepared within the project “Partnership Justitia: Regaining Citizens’ Trust”, funded by the European Union through the Central Financing and Contracting Unit at the Ministry of Finance in the Republic of North Macedonia. The contents of this document are the sole responsibility of the authors and can in no way be taken to reflect the views and opinions of the European Union.

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I. OBJECTIVES AND METHODOLOGY

The survey has the following objectives:

- » To measure the satisfaction of court users and employees with the services provided by and conditions present in the judiciary;
- » To assess the initial effects of the reforms implemented under the Judicial Reform Strategy 2017–2022.

The survey covered the following basic courts, selected according to the number of cases in 2018, the existence of a seat of appellate area and / or legal faculties and studies in the city:¹

- » The Basic Criminal Court in Skopje;
- » The Basic Civil Court in Skopje;
- » The Basic Court in Bitola;
- » The Basic Court in Gostivar, and
- » The Basic Court in Shtip.

The field survey covered the following categories of respondents:

- » Defendants;
- » Plaintiffs;
- » Public prosecutors;
- » Injured parties / victims;
- » Procedure observers (such as civil society organizations);
- » Lawyers;
- » Judges;
- » Court clerks;
- » Expert witnesses.

This report presents the results of the survey of citizens filing lawsuits in the mentioned courts, implemented in December 2019; as well as from the survey of legal professionals (judges, court clerks, lawyers and prosecutors) implemented in February 2020. The starting point in the design of the sample was the number of cases in 2018, with the objective to survey one respondent per every 600 cases in those courts. Judges surveyed represented 20% of the judges in the targeted courts, while the surveyed attorneys represented 5% of the attorneys in the jurisdiction of the mentioned courts.

A total of 415 citizens - parties in a dispute were surveyed, as well as 41 judges, 73 court clerks and 94 lawyers, i.e. more than planned, since 356 citizens, 36 judges, 71 court clerks and 92 lawyers were needed for the sample. Only with regard to prosecutors the number was lower compared to the number planned, i.e. 29 prosecutors were surveyed, instead of 30, which was the original plan.

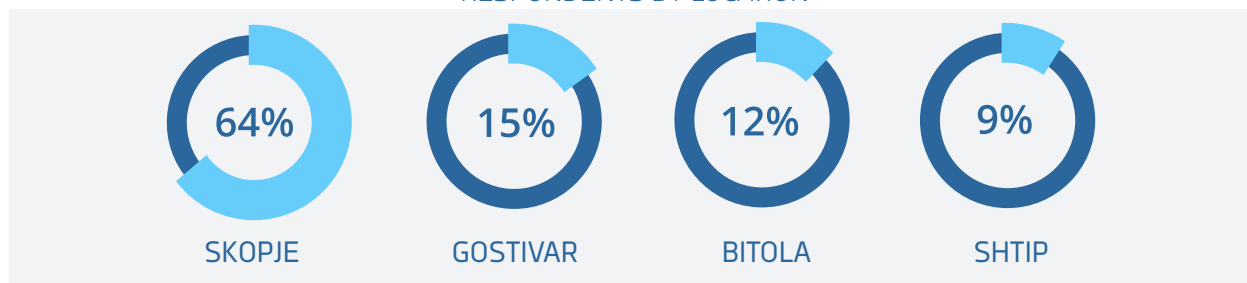
After conducting logical control and in order to preserve the ethnic representation of the respondents in the survey, some respondents from more represented nationalities were excluded in line with the sample planned. Hence, the results presented in this document include the responses of 385 respondents.

1 The existence of legal faculties and studies in the city was taken into account due to the intention of the project to build in the judiciary a culture focusing on quality and customers.

DEMOGRAPHIC CHARACTERISTICS OF THE RESPONDENTS

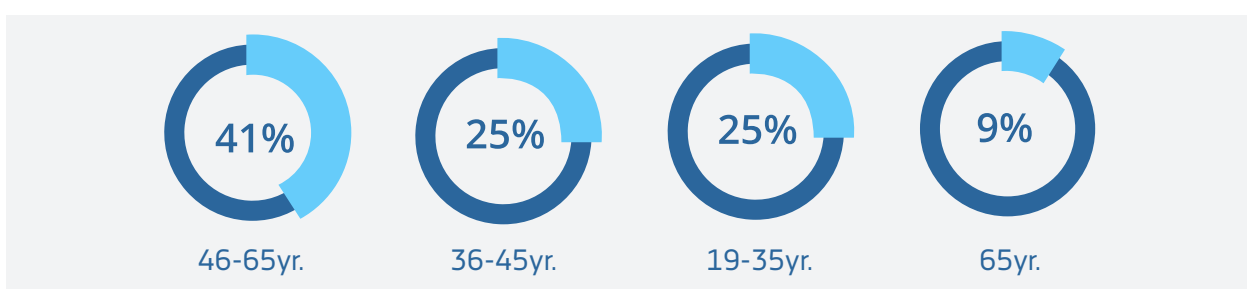
Almost two thirds of the respondents are from Skopje (64%), followed by Gostivar (15%), Bitola (12%) and Shtip (9%). This distribution corresponds to the number of cases in each of the basic courts participating in this survey.

RESPONDENTS BY LOCATION



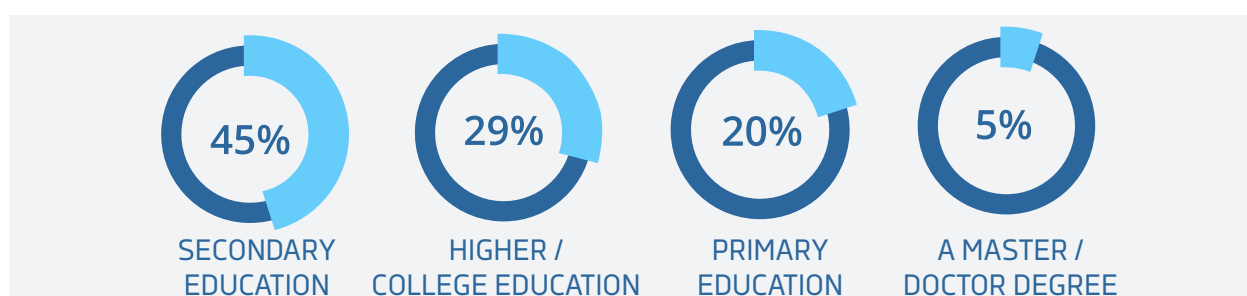
Most of the respondents (41%) are between 46 and 64 years old, about a quarter of the respondents are between 36 and 45 years old and between 19 and 35 years old. Least of the respondents (9%) are 65 and over.

RESPONDENTS BY AGE



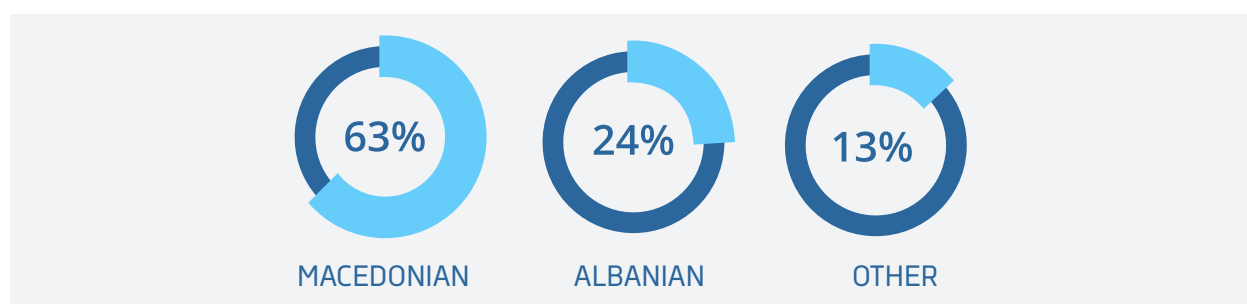
Most of the respondents have secondary education (45%), 29% have higher / college education, a quarter have completed primary education and only 5% of the respondents have a master / doctor degree.

RESPONDENTS BY LEVEL OF EDUCATION

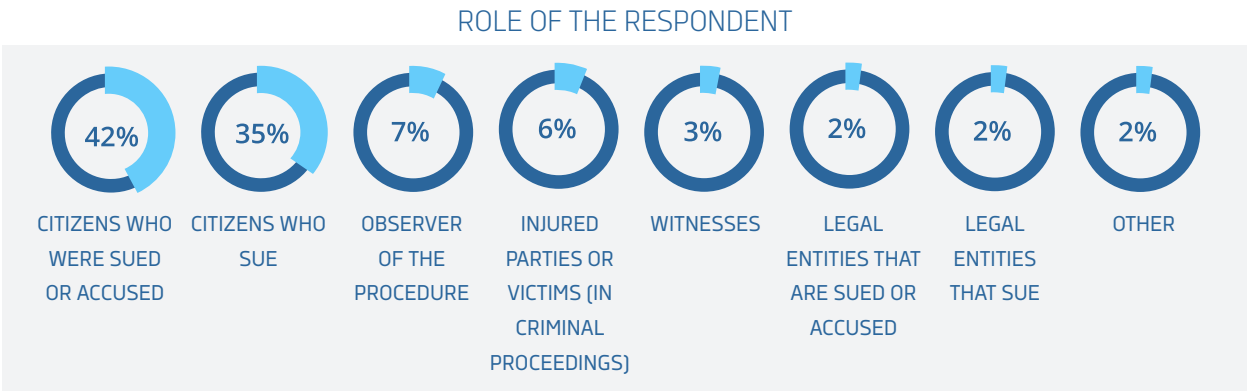


By nationality, 63% of respondents are Macedonian, 24% are Albanian and 13% are of another nationality.

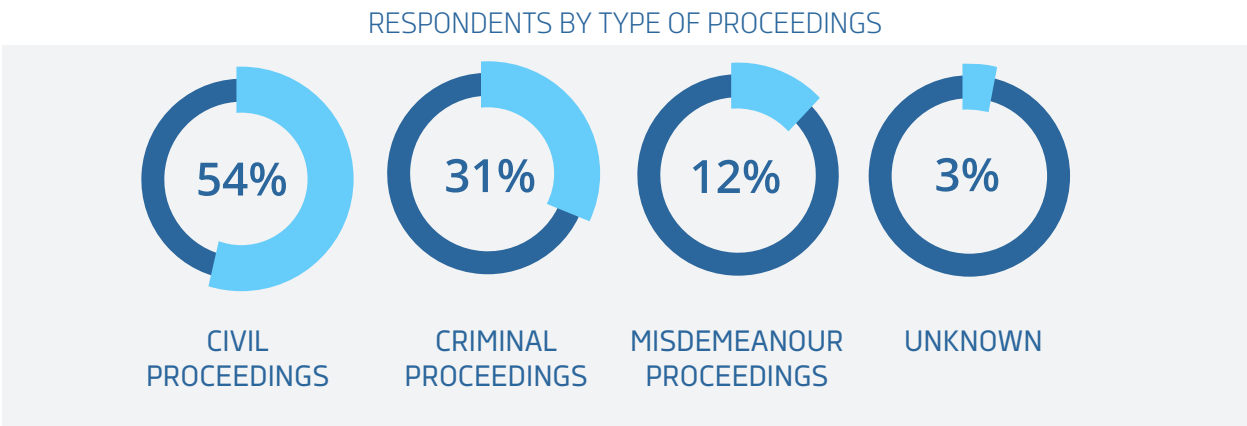
RESPONDENTS BY NATIONALITY



Most of the respondents are defendants / accused (42%), and about a third are plaintiffs (35%). We can also single out the observers in the procedure (7%), as well as the injured parties or victims (6%).



As shown in the chart below, the vast majority of respondents have come to the basic court for civil proceedings (54%), less than one third for criminal proceedings and only 12% for misdemeanour proceedings.



II. TRUST IN JUDICIAL INSTITUTIONS

Citizens' trust in the judiciary is closely linked to the quality of court's operation and impartiality. Citizens will have more trust in judicial institutions, judges, public prosecutors and other participants in court proceedings, if the trials are fair and impartial, and the rights of citizens, deadlines, etc. are respected.

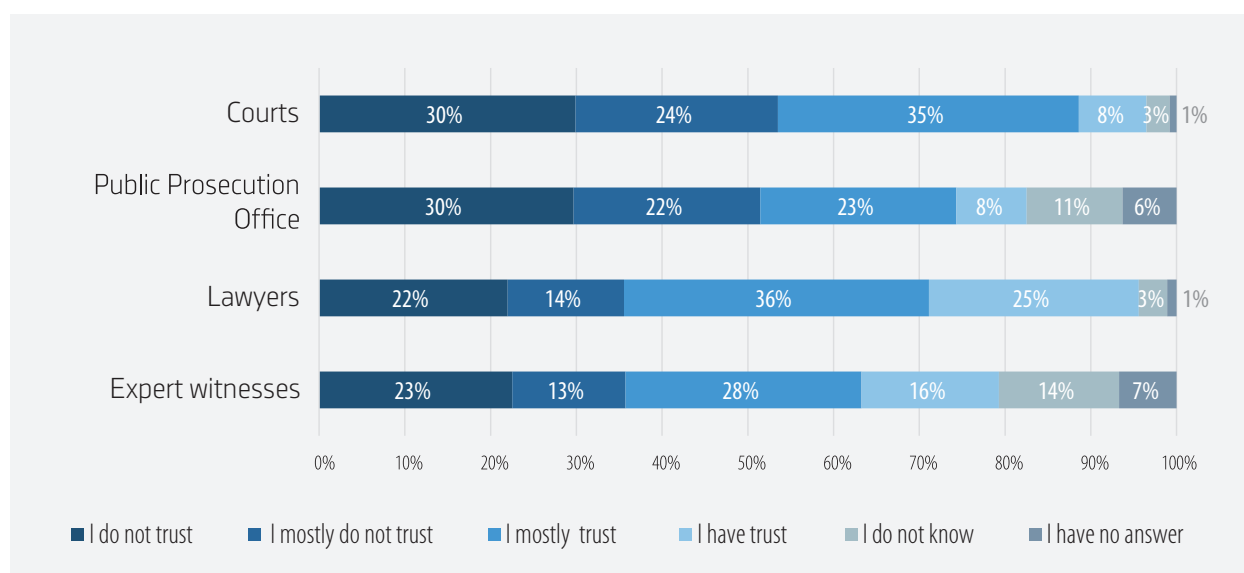
The analysis of the citizens' trust in the judiciary and judicial institutions shows that they basically do not have much trust in the courts and in the Public Prosecution Office, but they trust more lawyers and court experts.

With regard to the courts, the survey shows that 54% of the respondents have reduced trust in the courts (30% do not trust, and 24% mostly do not trust the courts), while 43% of them said that they relatively trust the courts (35% mostly trust, and 8% trust the courts); about 4% do not know, i.e. do not have an answer.

Citizens' trust in the Public Prosecution Office is similar to their trust in the courts. 52% of the respondents stated that their trust in the Public Prosecution Office has deteriorated (30% do not trust, and 22% mostly do not trust it), 31% of them relatively trust the PPO (23% mostly trust, 8% trust) and 17% do not know or gave no answer.

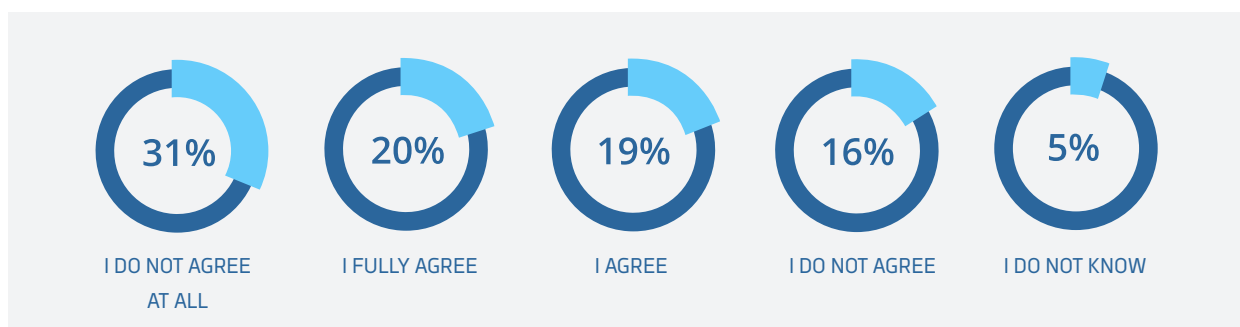
Unlike their trust in the institutions, the citizens participating in the survey expressed greater trust in lawyers and in expert witnesses. 61% of the respondents said that they trust lawyers (36% mostly trust and 25% trust), and 36% of them have lower level of trust in lawyers (22% do not trust, and 14% mostly do not trust).

GRAPH 1: TRUST IN JUDICIAL INSTITUTIONS



When asked "To what extent the judge's behaviour inspired trust during the trial", most of the citizens or 47% (of which 31% do not trust at all and 16% do not trust) said that the judge's behaviour did not inspire trust, while 39% trusted the judge.

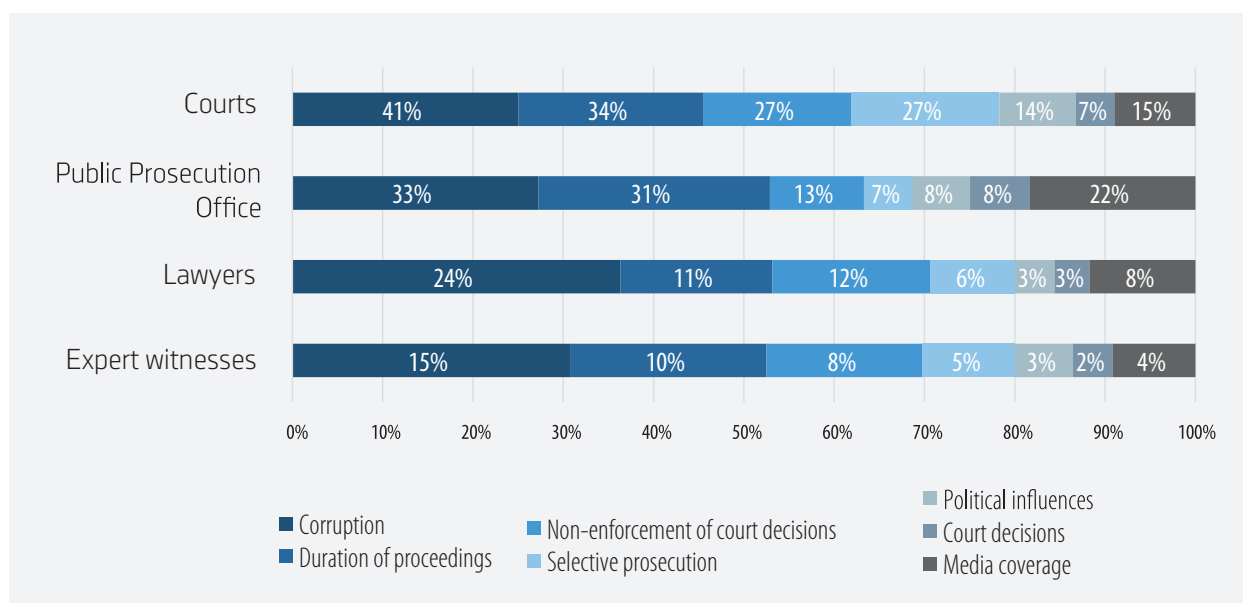
GRAPH 2: TRUST IN THE JUDGE



The factors reducing the level of trust in each of the institutions are numerous, but the respondents mostly state that suspicions of corruption and political influence reduce their trust.

In percentages, the perception of corruption as a reason for distrust stated in the answers of the surveyed citizens is as follows: 41% for the courts,² 33% for the Public Prosecution Office, 24% for the lawyers and 14% for the expert witnesses. The next most important reason reducing the trust of the citizens is political influence: 34% for the courts, 31% for the Public Prosecution Office, 11% for the lawyers and 10% for the expert witnesses. The duration of court proceedings also significantly affects the citizens' trust and confidence in judicial institutions. The results are as follows: 27% in the courts, 13% in the Public Prosecution Office, 12% in lawyers and 8% in expert witnesses. 22% of the respondents stated that selective indictments by the Public Prosecution Office is a factor that affects trust. Court decisions and media coverage is less present in the respondents' answers.

GRAPH 3: FACTORS REDUCING TRUST IN JUDICIAL INSTITUTIONS



The answers of the citizens indicate that the biggest reasons generating distrust among all 4 categories of respondents are the suspicion of corruption and political influence, in a larger percentage with regard to judges and public prosecutors, and in a significantly lesser extent with regard to lawyers and expert witnesses. In addition to these reasons, the distrust in the Public Prosecution Office is largely due to the selective indicting. Respondents believe that the media play a small role in building trust in the judiciary.

² Multiple answers per respondent were allowed.

CONCLUSIONS

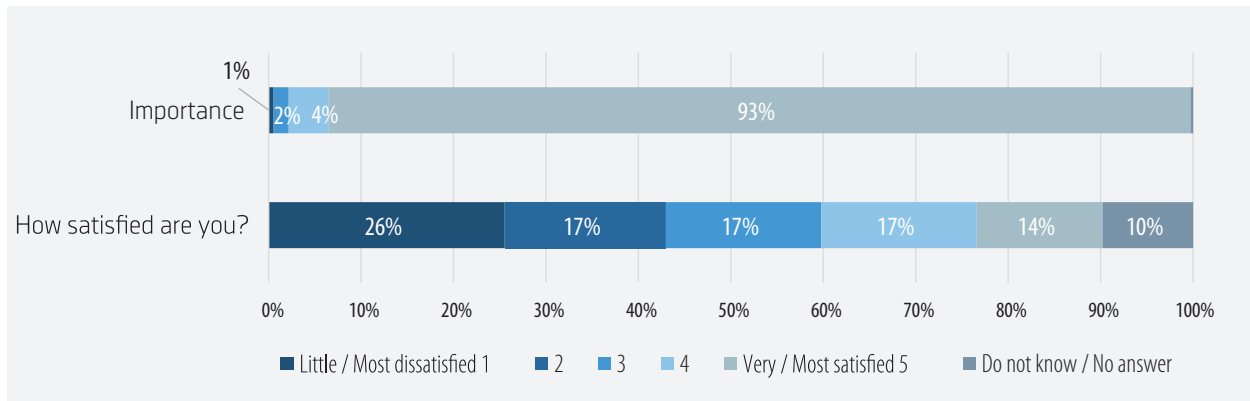
The following can be concluded from the answers:

- » There are a significant number of citizens who do not trust the courts and public prosecution offices.
- » The behaviour of judges during the trial does not instil trust in many citizens.
- » Citizens' trust in lawyers and experts is greater than their trust in judges and public prosecutors, but the level of distrust in them is still high.

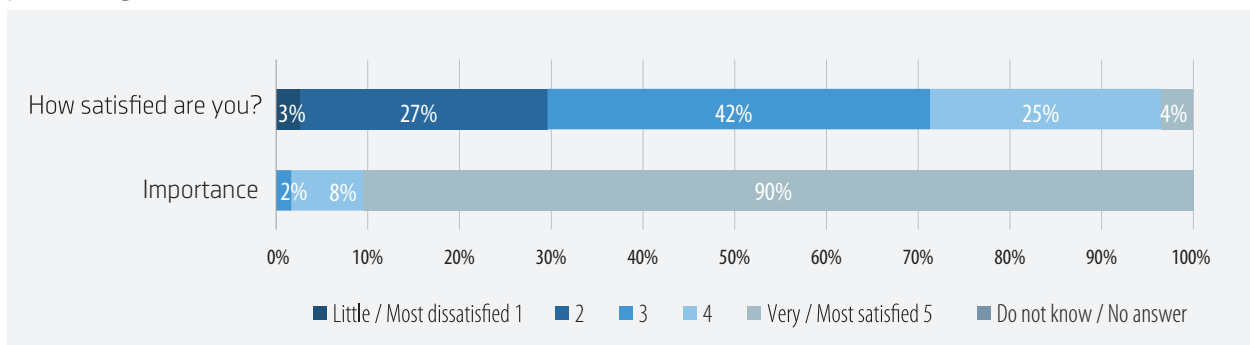
III. EFFICIENCY

31% of the citizens surveyed are satisfied with the duration of the proceedings, and as many as 43% are dissatisfied.

DURATION OF THE PROCEEDING

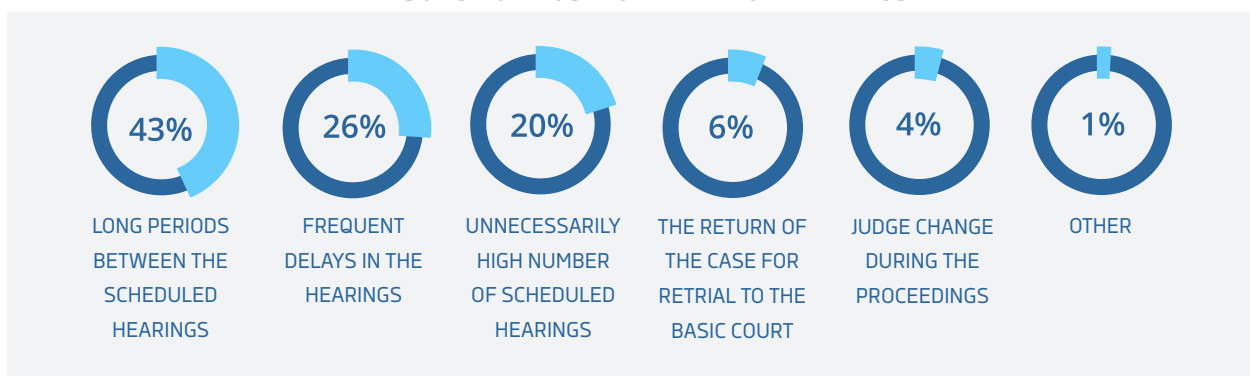


Less than a third of lawyers and public prosecutors are relatively satisfied with the length of the proceedings in which they are involved. Most of the respondents (42%) rated their satisfaction with the duration of court proceedings on a scale of 1 to 5 with 3.



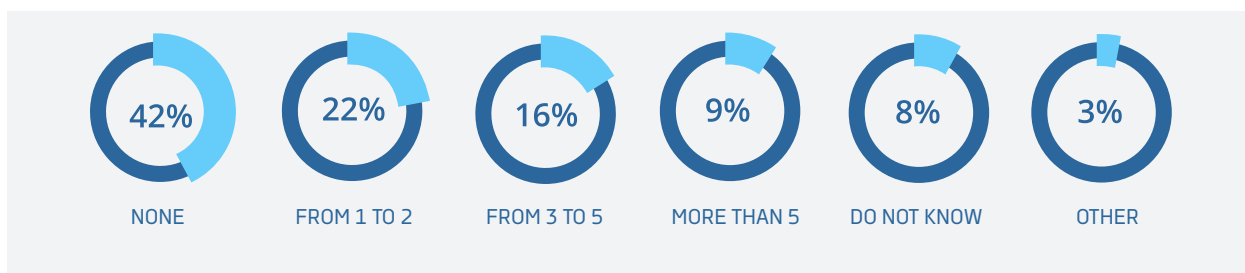
The main reason for those citizens who expressed dissatisfaction is the long period of time between the scheduled hearings (43%). 26% are dissatisfied due to the frequent postponement of hearings, and 20% because of the unnecessarily large number of hearings.

REASONS FOR POSTPONEMENT OF HEARINGS



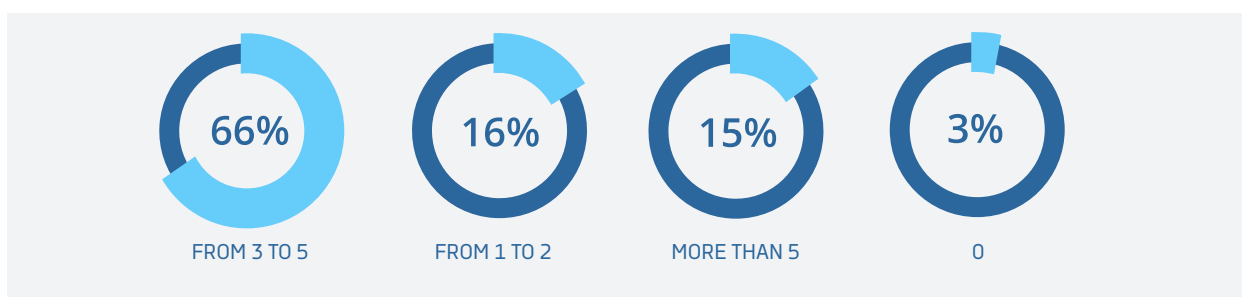
22% of the respondents attended 1 to 2 adjourned hearings, 16% attended 3 to 5 adjourned hearings, and 9% had more than 5 adjourned hearings. 3% do not know how many and whether their hearings were postponed, and 42% did not have any postponed hearings.

NUMBER OF HEARINGS ON THE CASE THAT WERE ADJOURNED



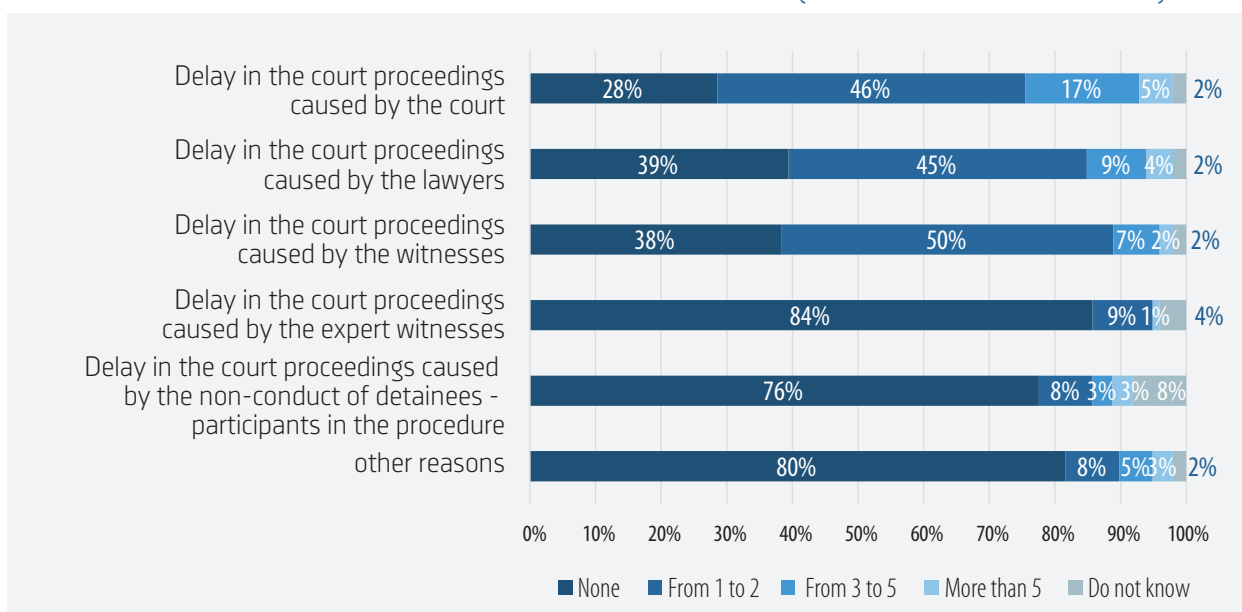
As many as 66% of the examined lawyers and public prosecutors had 3 to 5 postponed or cancelled hearings during their last civil / misdemeanour case trial in the basic court. 15% of respondents had more than 5 delays or cancellations of court hearings. Only 3% of lawyers and prosecutors surveyed did not have any delays/cancellations in their most recent trial.

HEARINGS POSTPONED



As shown in the chart below, most often the hearings are cancelled or postponed due to reasons related to the court itself (69% of the answers),³ reasons caused by lawyers (59%), and by the witnesses (60%). Rare are the cases when hearings were cancelled due to absence of the detainees or experts witnesses (15% each).

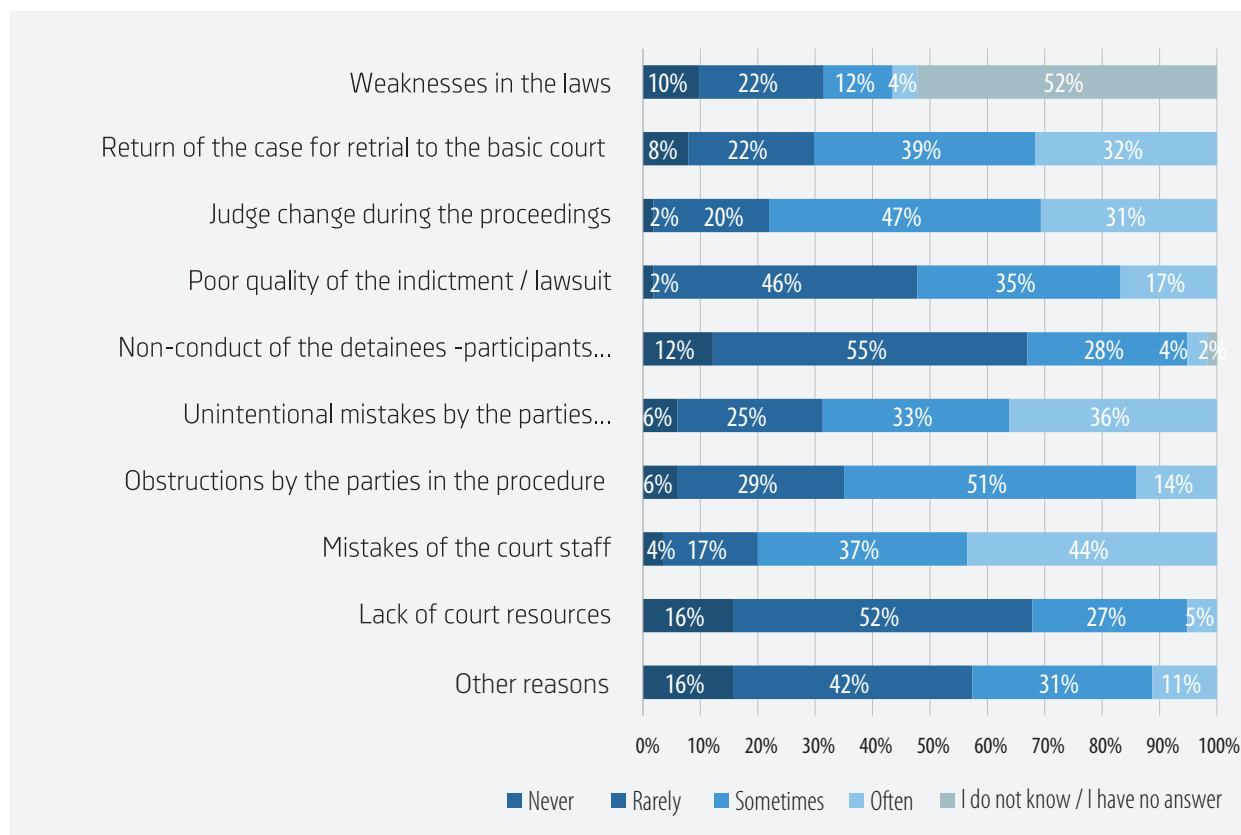
REASONS FOR POSTPONEMENT OF COURT PROCEEDINGS (ACCORDING TO THE CITIZENS)



3 Multiple answers were allowed.

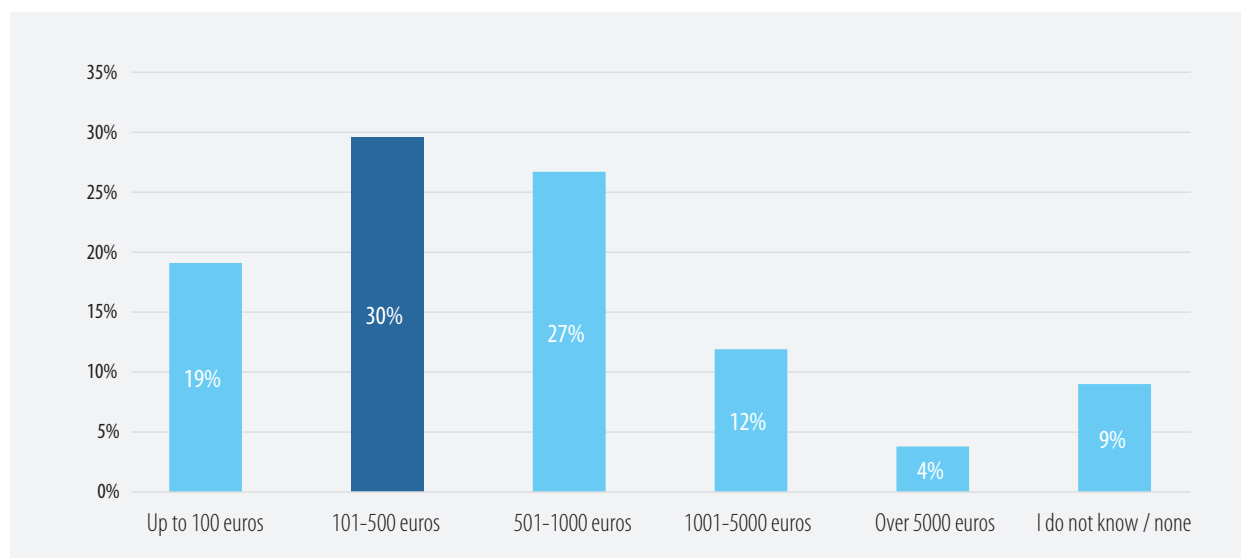
Lawyers and prosecutors were also asked about the most common reasons for delaying court proceedings. The top three reasons that often or occasionally lead to delays are mistakes of the court staff (81%), change of the judge (78%), and return of cases for retrial to the basic court (71%).

REASONS FOR POSTPONEMENT OF COURT PROCEEDINGS (ACCORDING TO LAWYERS AND PUBLIC PROSECUTORS)



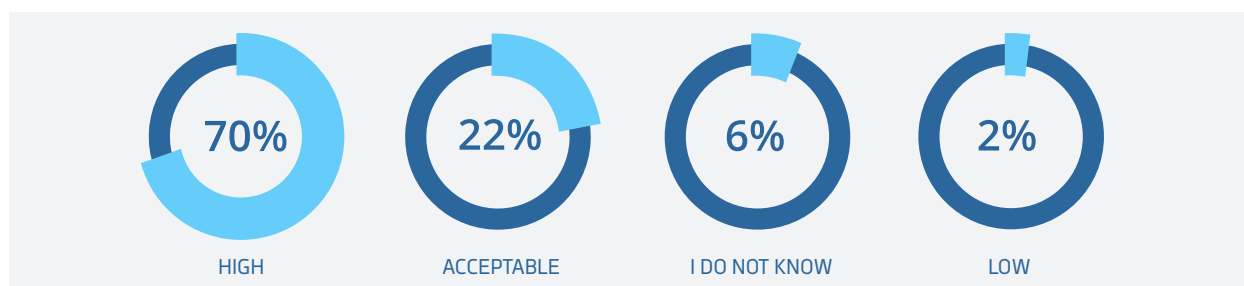
30% of the surveyed citizens have so far spent between 101 and 500 euros for their case, 27% have spent 501–1000 euros, 19% have so far spent up to 100 euros, 12% of the respondents have spent 1001–5000 euros and 3% of the respondents have spent over 5000 euros. 9% of respondents do not know the exact amount of total costs or did not have an answer.

TOTAL PROCEDURAL COSTS UP TO THE SURVEY



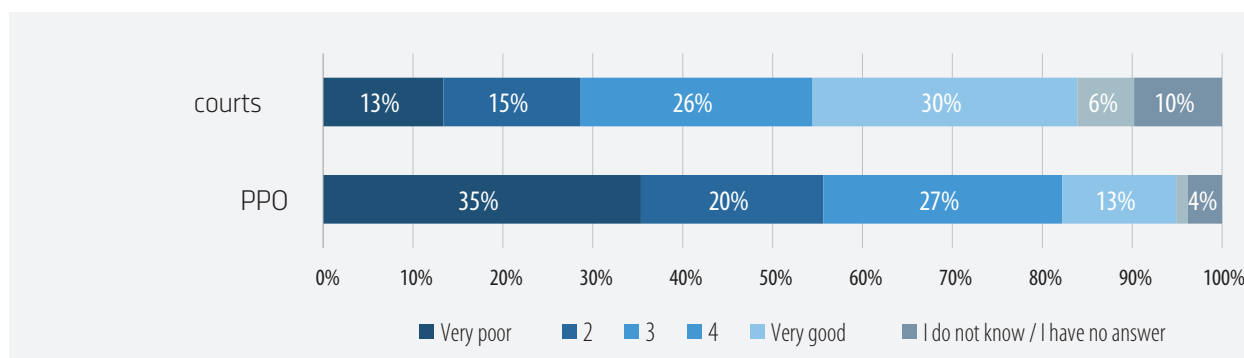
70% of the surveyed citizens think that the costs for the proceedings are high, 22% of the respondents think that they are acceptable, and only 2% think that they are low.

PROCEDURAL COSTS



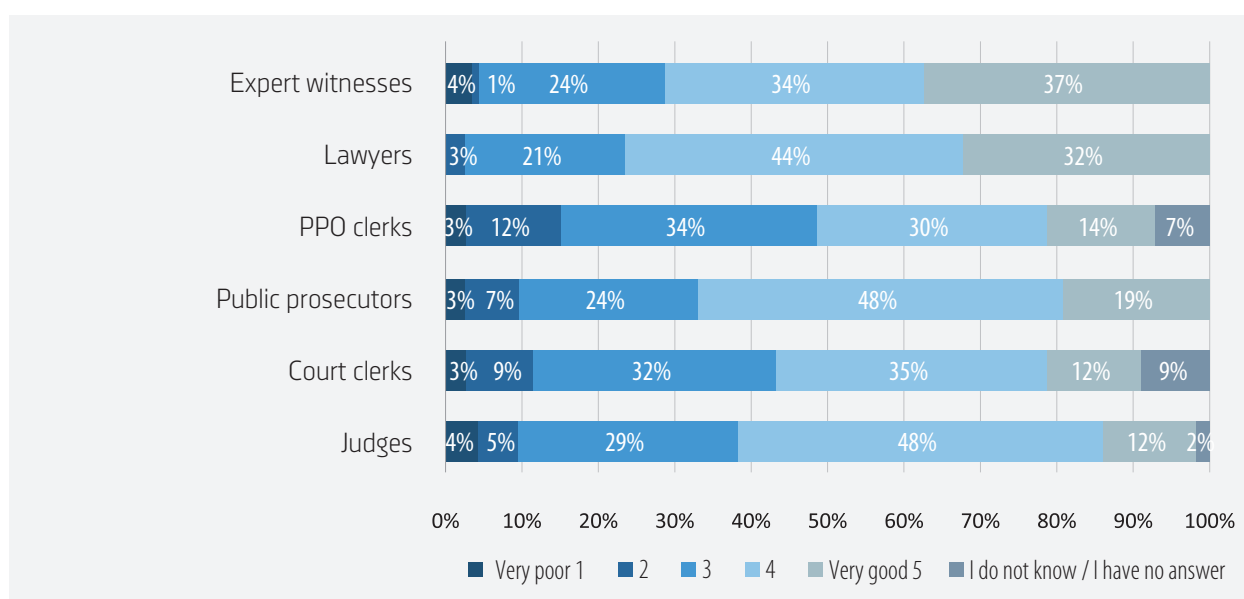
Only 14% of lawyers and prosecutors surveyed believe that the Public Prosecution Office has a solid capacity for efficient budgeting, and 55% assess their capacity as bad or very bad. With regard to the courts, more than a third of the respondents think that they have the capacity for efficient budgeting, and 28% rated their capacity as bad or very bad.

ASSESS THE CAPACITY FOR EFFECTIVE BUDGETING



Expert witnesses also received the highest praise and ratings when lawyers and public prosecutors evaluated court actors in terms of efficiency. As many as 37% of the surveyed lawyers and prosecutors assessed that the efficiency of the expert witnesses is very good. Next on the list are lawyers with 32% of respondents who rate them as very effective.

ASSESS THE EFFICIENCY



IV. NON-DISCRIMINATION, IMPARTIALITY, ETHICS AND QUALITY OF THE JUDICIARY

In order to determine the quality of the judiciary there has to be a system for measuring the performance of courts from year to year and assessing different areas requiring improvement, in order to compare them to the previous year or to other specific time interval. In order to determine the quality of each area, indicators and specific quality assessment instruments are determined for each and every area.

1. NON-DISCRIMINATION

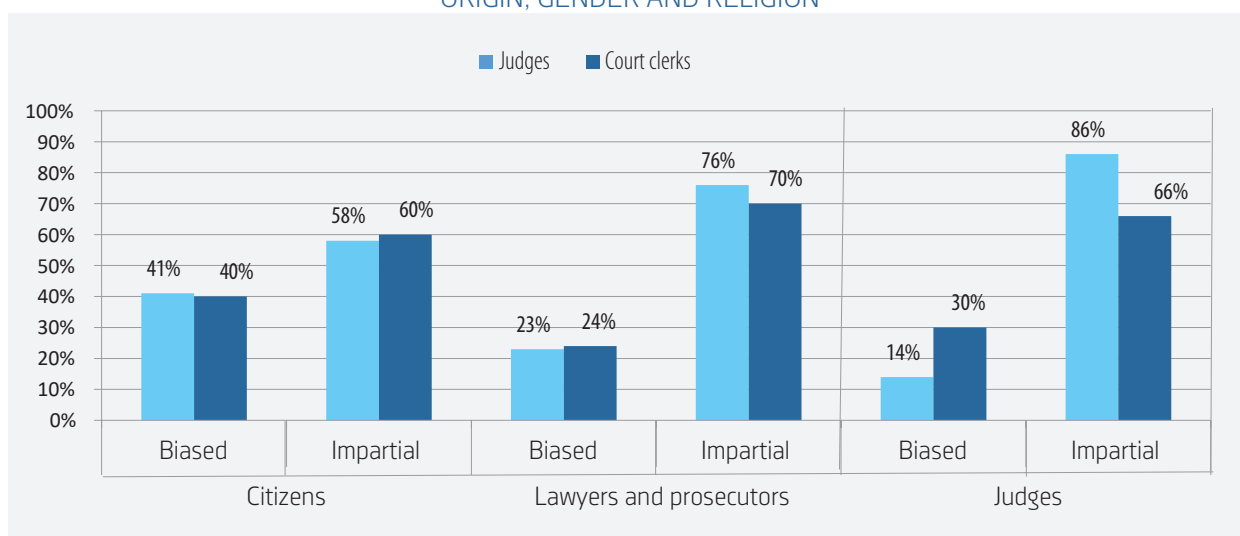
One of the indicators of a quality and impartial judiciary is the treatment of the parties in court proceedings. To the question “To what extent do you agree that judges and court clerks treat people equally regardless of their income, national or social background, gender or religion”, citizens, lawyers, prosecutors and judges answered differently, in line with the perceptions of each group.

The following graph shows the opinion of each of the groups on the attitude of judges towards the parties. The difference in the perception of each of the groups is obvious, shown on a scale of 1 to 4, where 1 is strongly disagree, 2 - disagree, 3 - agree, to 4 - completely agree with the given statement. Grades are grouped into biased, where answers under 1 and 2 are included, and impartial, where grades under 3 and 4 are included.

58% of the surveyed citizens fully or partially agree that judges treated people equally regardless of their income, origin, gender and religion, and 41% disagree with this.

60% of the surveyed citizens agree that the court clerks treated people equally regardless of their income, origin, gender and religion, and 40% disagree.

GRAPH 4: EQUAL TREATMENT OF PEOPLE REGARDLESS OF THEIR INCOME, ORIGIN, GENDER AND RELIGION



Most judges consider that they (86%) and court staff (66%) treat the parties without discrimination. The opinion of the lawyers and the prosecutors is similar, and 76% of them think that judges and 70% think that the court clerks treat the parties in a non-discriminatory manner. Unlike them, the opinion of the citizens is different and only 58% of them stated that judges and 60% said that court clerks treat the parties without discrimination, while a high percentage of them (41% for judges and 40% for courts clerks) consider that judges and court clerks treat equally all the parties. It is interesting to note that the judges consider that they less discriminate against the parties than the court clerks.

Citizens' perception of the attitude of judges and court clerks towards the parties, regardless of their income, origin, gender and religion is similar, and 58% of the surveyed citizens fully or partially agree that judges treated people equally regardless of their income, origin, gender and religion, and 41% disagree with this. 60% of the surveyed citizens agree that the court clerks treated people equally regardless of their income, origin, gender and religion, and 40% of the respondents disagree with this statement.

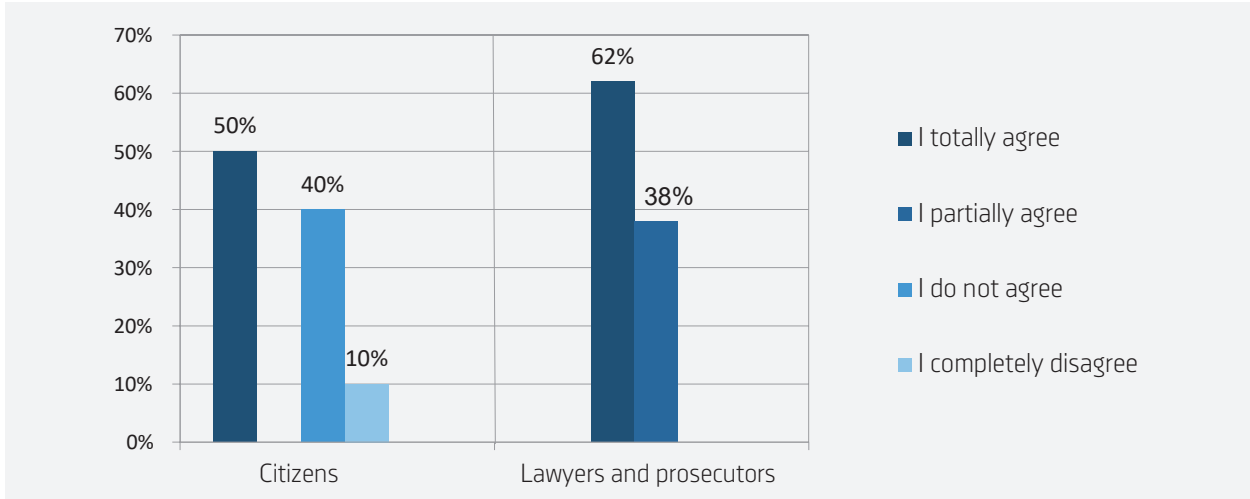
2. FAIR TREATMENT OF WOMEN VICTIMS OF SEXUAL VIOLENCE

Another indicator of non-discriminatory attitude in the judiciary is the attitude of judges, prosecutors and others involved in court proceedings towards women who are victims of sexual and other gender-based violence. In this regard, half of the surveyed citizens stated that women in these procedures were treated fairly.

When asked how many women victims of sexual and other gender-based violence were treated fairly during the proceedings, half of them think that women were treated fairly, but a high per cent (40%) do not agree with that, and 10% do not agree at all with the statement that women victims were treated fairly.

Lawyers and prosecutors who have worked on such cases were further asked if they agree that women who are victims of sexual and other gender-based violence are treated fairly in the proceedings. Most of them, 62%, completely agree that women were treated fairly in the procedure.

GRAPH 5: FAIR TREATMENT OF WOMEN VICTIMS OF SEXUAL AND OTHER GENDER-BASED VIOLENCE



It can be seen from the graph that although for the most part both target groups fully agree with the statement that women victims of sexual and other gender-based violence are treated fairly, the opinion of lawyers and prosecutors differs from that of citizens, who in a high percentage (50%) disagree with the statement and believe that women were not treated fairly during the proceedings.

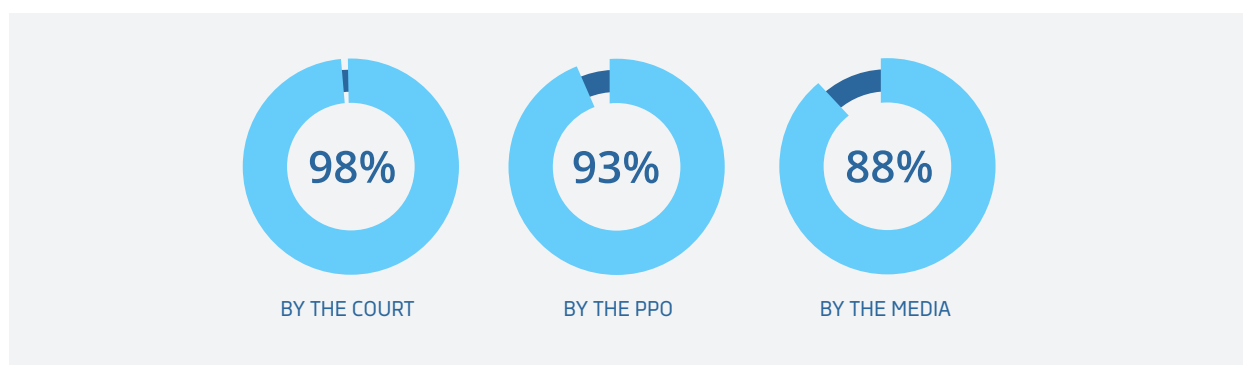
3. PRESUMPTION OF INNOCENCE

Respect for the presumption of innocence by the court is very important for the respondents, because the violation of this right violates basic human rights. In the survey this question was posed to two respondent groups: citizens and lawyers and prosecutors.

The citizens think that respecting the presumption of innocence is extremely important, but they are not satisfied with the court, the prosecution, and they are most dissatisfied with the media, which most often violate this right.

The following graph shows the importance of respecting the presumption of innocence. Namely, 92% of the surveyed citizens believe that the presumption of innocence should be respected by the court, 86% thing that this should be done by the Public Prosecution Office, and 81% by the media.

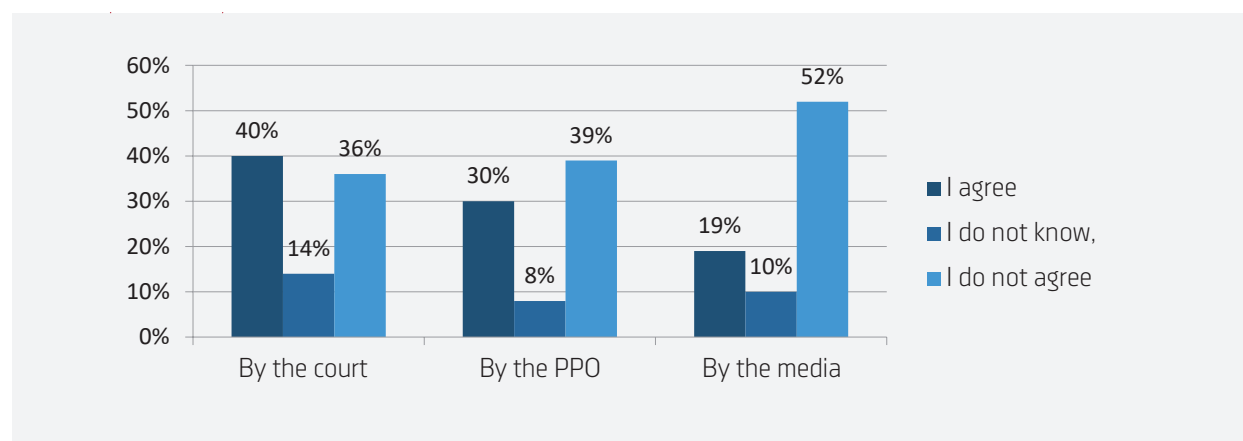
GRAPH 6: IMPORTANCE OF RESPECTING THE PRESUMPTION OF INNOCENCE



Contrary to the level of importance given to respecting the presumption of innocence by the surveyed citizens, they are much more dissatisfied with the presumption of innocence provided by the court, the Public Prosecution Office and the media.

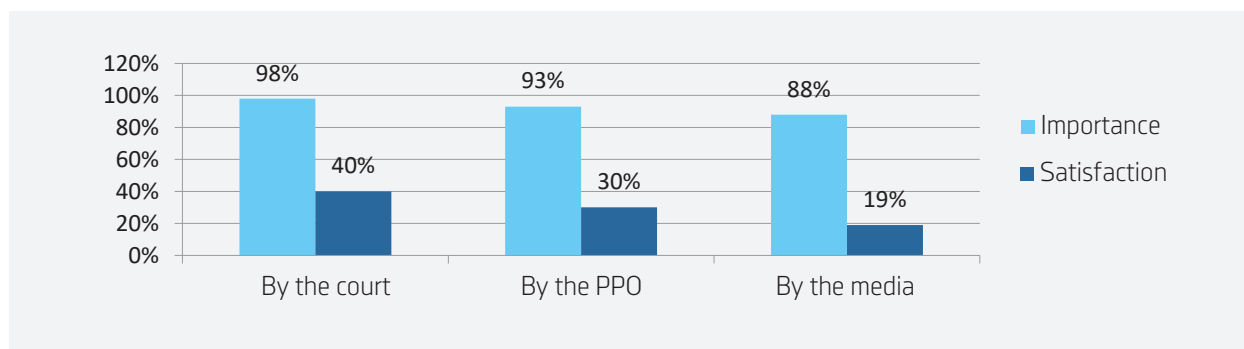
40% of the citizens surveyed, stated that they were satisfied with the observance of the presumption of innocence by the court, while 36% stated that they were not satisfied; 30% of them were satisfied with the Public Prosecution Office respecting the presumption of innocence, and 39% were dissatisfied, while only 19% of the surveyed citizens were satisfied with how the media respect the presumption of innocence, and 50% were dissatisfied. 10% are neither satisfied nor dissatisfied.

GRAPH 7: SATISFACTION WITH THE RESPECT FOR THE PRESUMPTION OF INNOCENCE



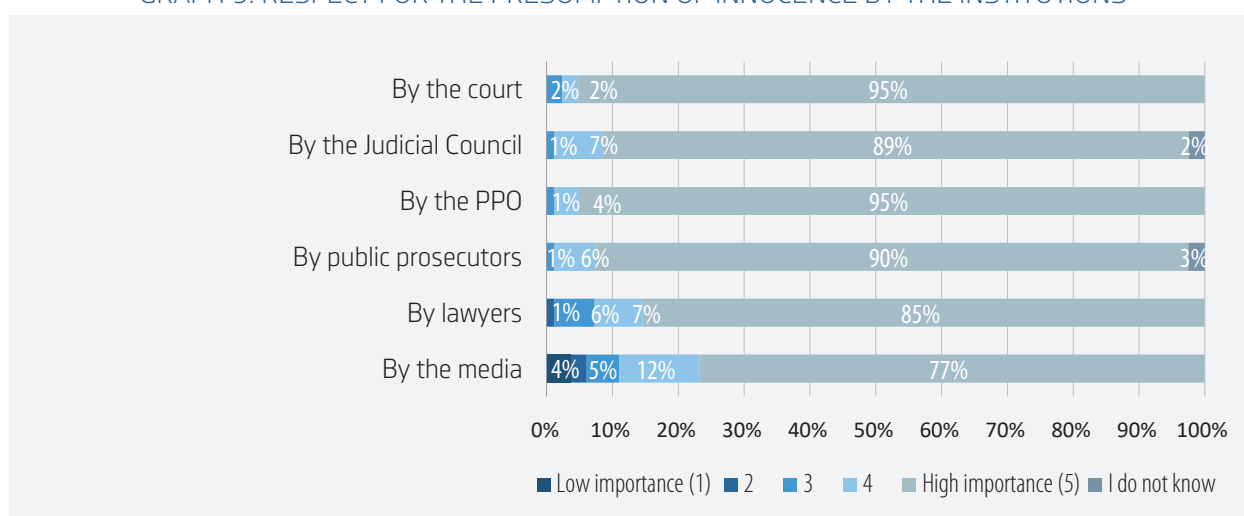
The following graph provides a comparative overview of the importance given and satisfaction of citizens with regard to respect for the presumption of innocence by courts, public prosecution offices and the media. The difference between the importance of this principle and the dissatisfaction with its application in practice is evident.

GRAPH 8: COMPARISON OF THE IMPORTANCE AND SATISFACTION FROM RESPECTING THE PRESUMPTION OF INNOCENCE



Lawyers and public prosecutors believe that the presumption of innocence is respected by judges, the Judicial Council, the Prosecution Office and public prosecutors; mostly by judges (95%) and prosecutors (90%), while the media have the least respect (77%) for the right to the presumption of innocence.

GRAPH 9: RESPECT FOR THE PRESUMPTION OF INNOCENCE BY THE INSTITUTIONS

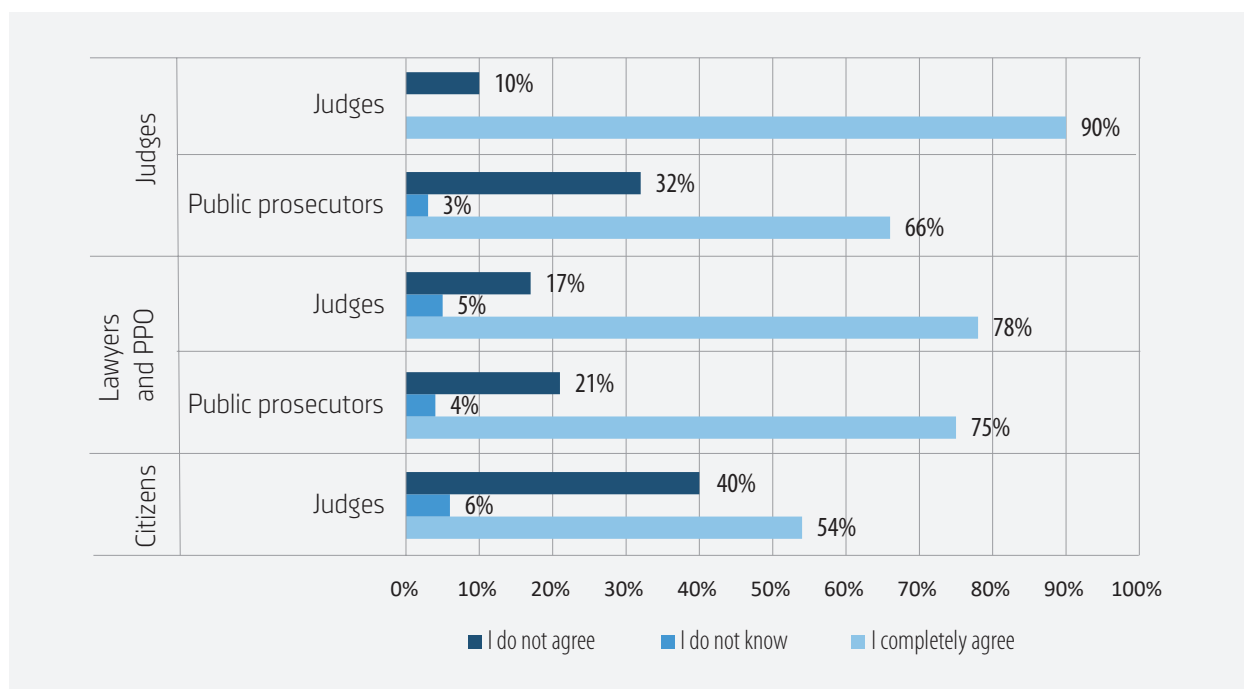


4. IMPARTIAL JUDGE

The impartiality of judges during the proceedings is an important indicator of the quality and independence of the judiciary. More than half (54%) of the citizens who answered this question agree that the judge was impartial, while 40% do not agree with this and think that the judge was biased in handling the case.

Unlike the citizens, the majority of lawyers and public prosecutors (78%) think that judges are impartial in their work, and 17% of them think that they are biased. Three-quarters of lawyers and prosecutors consider public prosecutors to be impartial during court proceedings, and as many as 21% of them consider them to be biased.

GRAPH 10: TO WHAT EXTENT DO YOU AGREE THAT JUDGES ARE IMPARTIAL IN THEIR WORK



Regarding the impartiality of judges, 90% of them answered that they consider themselves impartial, and only 10% that they are biased. Two-thirds of judges (66%) agree that public prosecutors are impartial, while less than one-third disagree with such a statement.

5. INTERFERENCE IN DECISION-MAKING

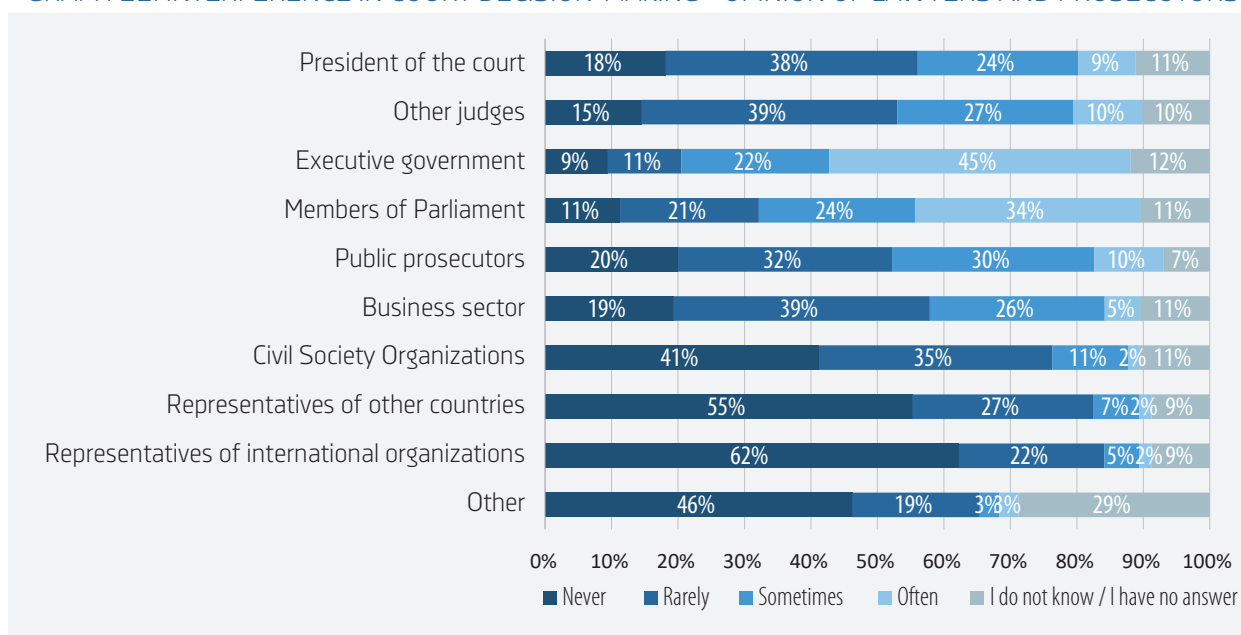
The independence of the judiciary is also measured by the degree of interference of other actors in the court decisions. The survey showed that the respondents believe that there is no significant interference in courts' work and decisions.

Namely, the surveyed lawyers and public prosecutors believe that the executive branch (67%) and the legislature (58%) interfere the most in court decisions, and foreign countries (82%) and international organizations (84%) interfere the least. Lawyers and prosecutors reported that 37% of judges and 40% of public prosecutors sometimes or often interfere in decision-making.

For all the above categories of potential stakeholders who interfere in court decisions, some lawyers and prosecutors answered "I do not know" or did not answer this question (7% and 11%).

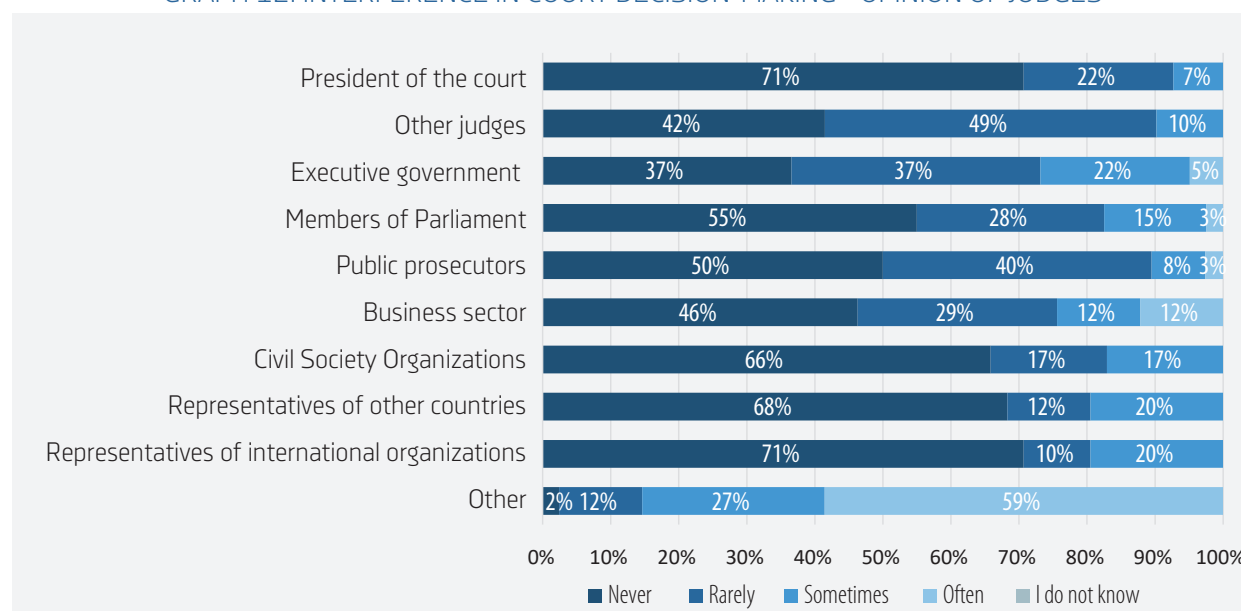
The opinion of lawyers and public prosecutors on who and to what extent interferes in the courts' administration of justice is shown in the graph below.

GRAPH 11: INTERFERENCE IN COURT DECISION-MAKING - OPINION OF LAWYERS AND PROSECUTORS



The surveyed judges stated that most often they do not face interference when making decisions and they make them independently. However, sometimes they have interference, mostly from the executive branch of government (27%), the legislature (18%) and from other states and international organizations (20%). The business sector (24%) sometimes or often influences court decisions, while the influence of civil organizations was reported by 17% of respondents. In making decisions, judges find that the president of the court (7%), other judges (10%) and public prosecutors (8%) the least interfere with the decisions. It is interesting to note that 86% of judges stated that other actors mostly interfere in court decisions.

GRAPH 12: INTERFERENCE IN COURT DECISION-MAKING - OPINION OF JUDGES

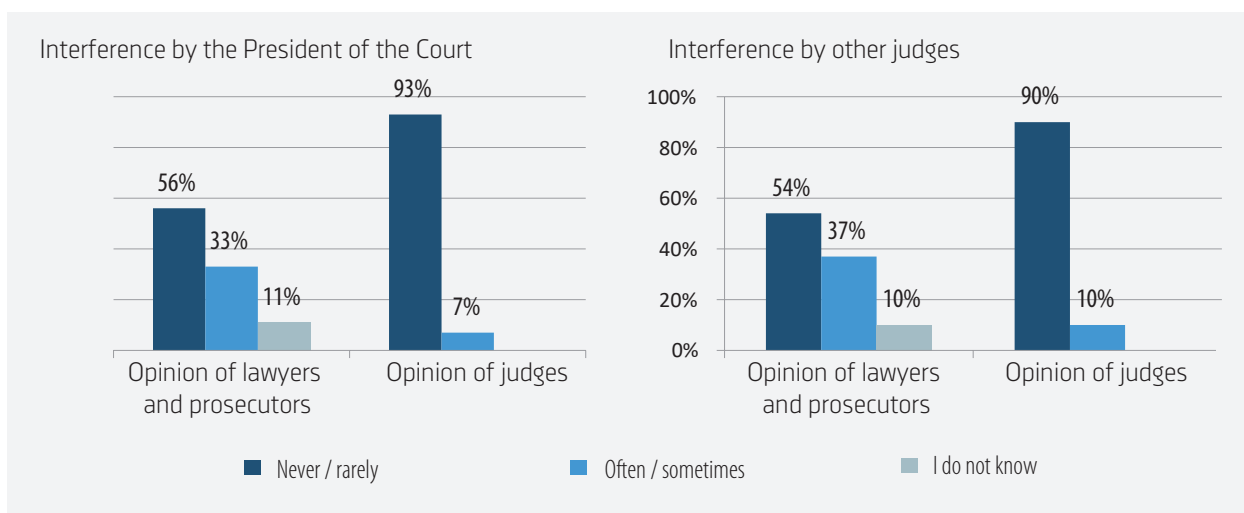


ANNEX - THIS CAN BE ADDED TO AN ANNEX IF THIS IS THE IDEA OF THE WHOLE REPORT

The following is a comparative overview of the opinions of lawyers and prosecutors and those of judges on the degree of interference in court decisions.

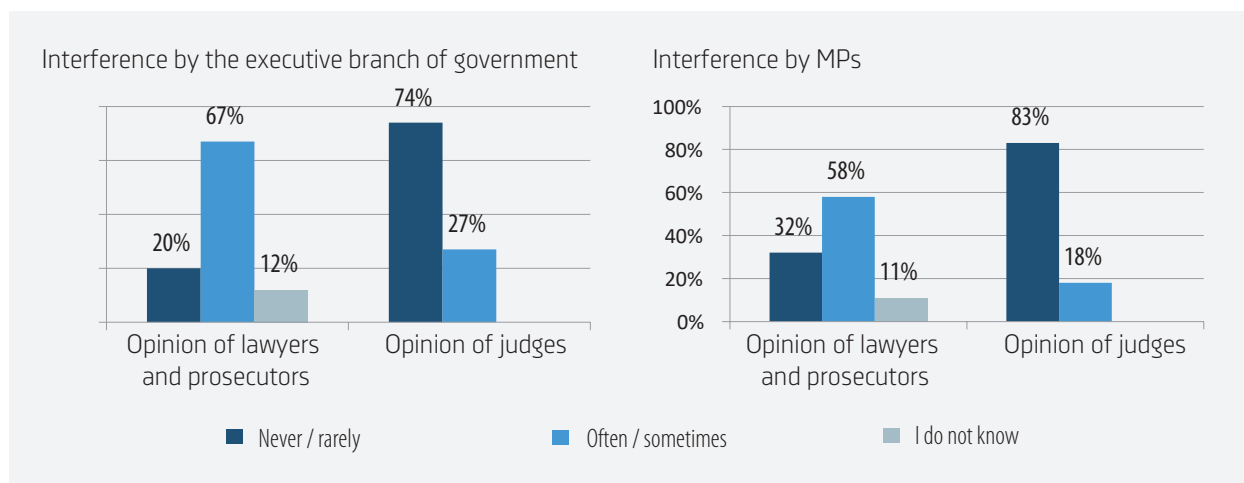
The opinion of lawyers and prosecutors on the interference of the president of the court and other judges in court decisions differs from the opinion of judges. A high percentage of judges believe that they never or rarely interfere in court decisions (93% have said so for the president of their court and 90% for other judges), while lawyers and prosecutors believe that the president of the court (56%) and other judges (54%) do not interfere in court decisions. The situation is similar with judges, who according to the answers of lawyers and prosecutors often or sometimes interfere (37%).

INTERFERENCE OF THE JUDICIARY IN MAKING COURT DECISIONS



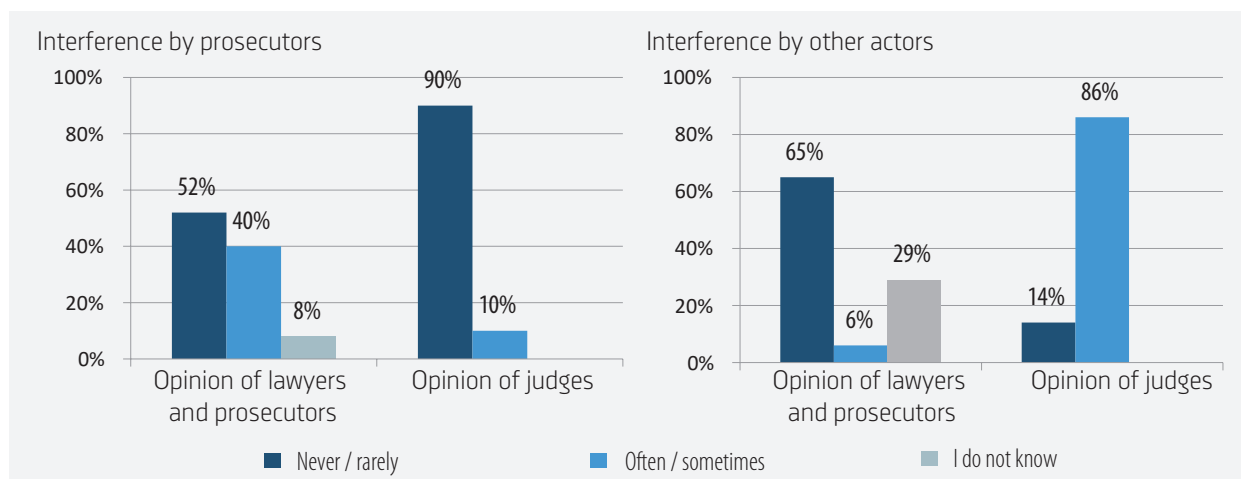
In the opinion of both groups of respondents, the executive branch and the legislature still interfere the most in making decisions.

INTERFERENCE OF THE EXECUTIVE BRANCH AND THE LEGISLATURE IN COURT DECISIONS



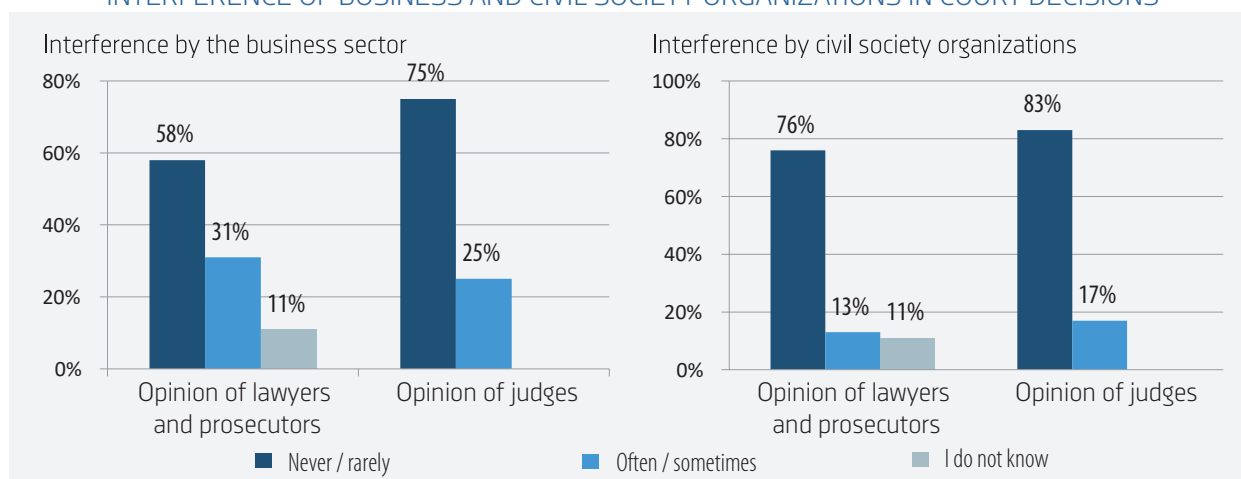
The opinion of lawyers and prosecutors with regard to the interference of prosecutors in court decisions differs from that of the judges, i.e. the judges think that the prosecutors interfere very little, while the lawyers and the prosecutors think that they interfere more often. The opinion on who interferes the most in the adoption of court decisions is different in the category of "other stakeholders".

INTERFERENCE OF PROSECUTORS AND OTHER ACTORS IN COURT DECISIONS



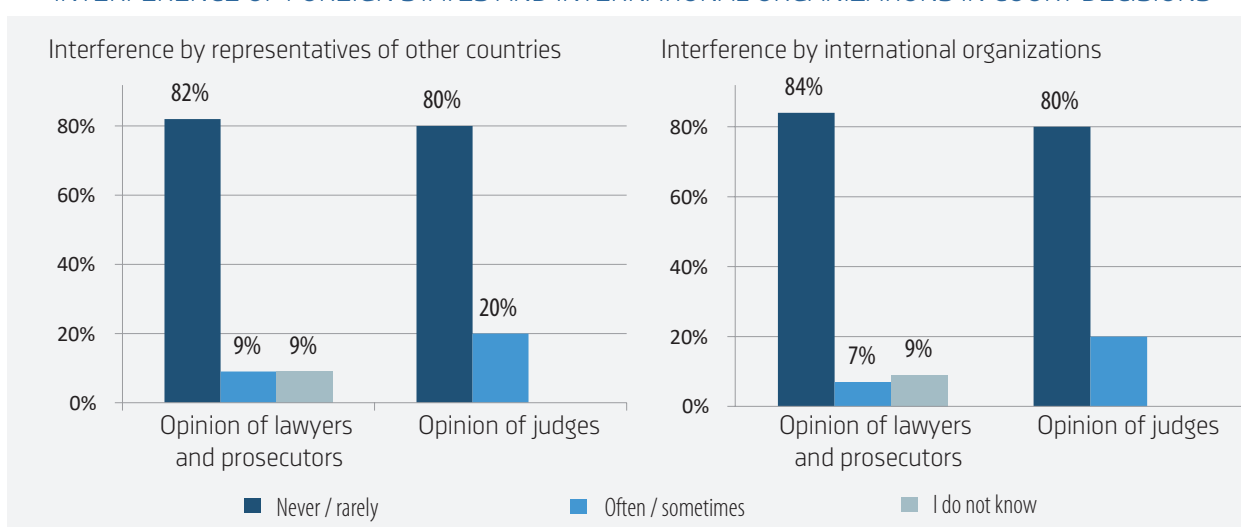
The opinion of both judges and lawyers and public prosecutors is similar when assessing the interference of the business sector and civil society organizations in court decision-making.

INTERFERENCE OF BUSINESS AND CIVIL SOCIETY ORGANIZATIONS IN COURT DECISIONS



CSOs, representatives of other countries and international organizations interfere the least in decision-making, and 20% of judges believe that they interfere in court decisions, while lawyers and prosecutors to a lesser extent (9%) said that they interfere.

INTERFERENCE OF FOREIGN STATES AND INTERNATIONAL ORGANIZATIONS IN COURT DECISIONS

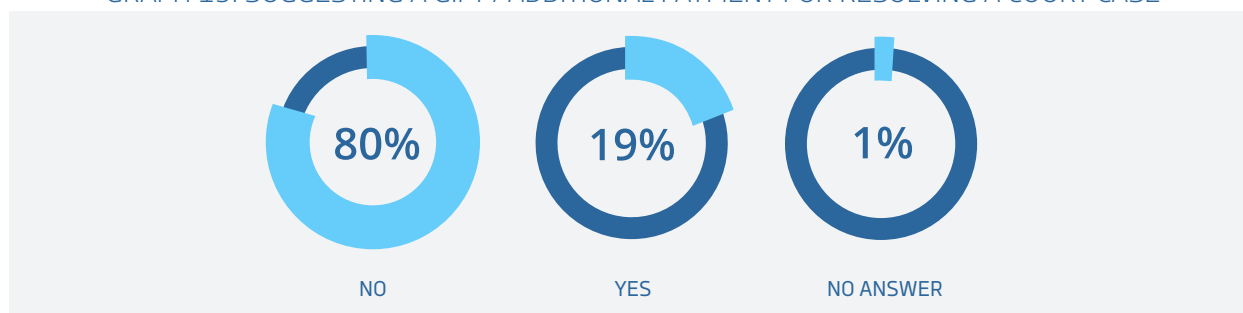


6. CORRUPTION

Citizens were asked for their opinion on the extent of corruption present during the court proceedings. The question was as follows “During the proceedings, did anyone (lawyer, employee of the court or prosecution office) suggest that your case will be successfully resolved if an additional payment / reward, gift is offered or connections are found...? Who did suggest this? “.

The majority of the citizens surveyed (80%) stated that there was no suggestion for additional payment for resolving their case, while 18% of the respondents said that there received a suggestion for a gift / additional payment.

GRAPH 13: SUGGESTING A GIFT / ADDITIONAL PAYMENT FOR RESOLVING A COURT CASE



The respondents who were suggested additional payment, stated that the suggestion was made by a judge (39%), a friend (25%), a public prosecutor (11%), a lawyer (3%). We should also mention that 5% of the respondents did not want to answer this question.

GRAPH 14: WHO SUGGESTED THAT?

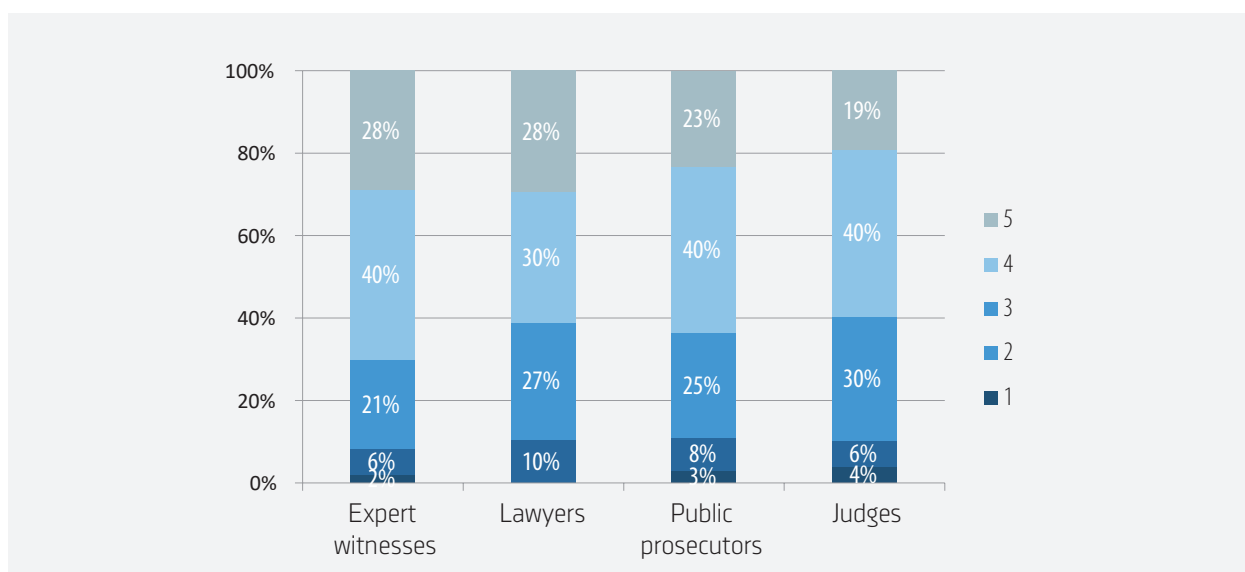


7. ETHICS AND INTEGRITY

Lawyers and prosecutors and judges were asked to rate the ethics of expert witnesses, lawyers, public prosecutors and judges. The following graphs show the opinion of each of the groups on the ethics of each category. The difference in perception and in the level of agreement with the statement of each of the groups is evident, shown on a scale from 1 to 5, where 1 is very bad and 5 - very good.

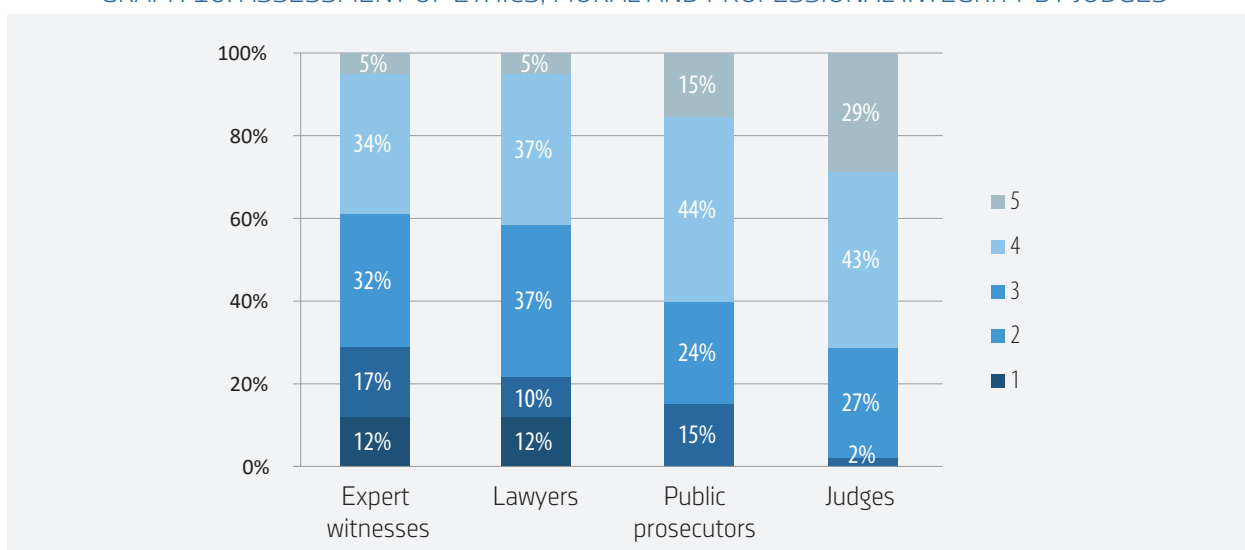
Lawyers and prosecutors have the highest opinion of expert witnesses (68% of respondents rated them as good and very good) who they consider to be of high quality and with high moral and professional integrity, followed by prosecutors (63%) and judges (59%), and the lowest rated by layers and prosecutors are lawyers (58%). As very bad and bad, lawyers and prosecutors equally assessed all categories: 10% for lawyers, 11% for public prosecutors, 10% for judges and 8% for expert witnesses.

GRAPH 15: ASSESSMENT OF ETHICS, MORAL AND PROFESSIONAL INTEGRITY BY LAWYERS AND PROSECUTORS



Unlike them, the judges rated themselves best, i.e. 72% of them think that they are very good and good, while judges have a different opinion for the other categories of respondents. So, 42% of the judges think that the lawyers are good and very good, and 39% of them answered that the expert witnesses are good and very good. Judges' opinions of lawyers and expert witnesses are similar.

GRAPH 16: ASSESSMENT OF ETHICS, MORAL AND PROFESSIONAL INTEGRITY BY JUDGES



Judges have the lowest opinion on ethical qualities and integrity of public prosecutors. Only 18% of judges rated these qualities in public prosecutors as good and very good, and as many as 38% of them think that public prosecutors have bad and very bad ethics and integrity.

CONCLUSIONS

The answers received from the survey on non-discrimination, impartiality, ethics and quality of judges, prosecutors and other actors involved in court proceedings, lead to the following conclusions:

- » The perception of the attitude of judges and court clerks towards the parties is satisfactory and more than two thirds of them think that judges and court clerks treat the parties impartially regardless of their income, nationality or social background. At the same time, judges have a high opinion of themselves and believe they are impartial. The perception of the citizens is different, as most of them think that judges and court clerks are biased towards the parties.
- » The attitude towards women victims in sexual and other gender-based violence proceedings is not satisfactory.
- » The presumption of innocence is largely respected by the court, to a lesser extent by the public prosecutors office, and to an even lesser extent by the media, which often violate this right. Respect for the presumption of innocence is extremely important for the citizens.
- » Opinions about the bias of judges and public prosecutors are divided and about 50% of respondents consider them to be biased, and two thirds of judges and prosecutors consider themselves to be impartial.
- » Opinions of lawyers, prosecutors and judges differ on who interferes in court decisions. While lawyers and public prosecutors believe that the executive and the legislature interfere the most in making court decisions, the judges stated that other actors interfere the most, and the influence of civil society, representatives of other countries and international organizations is not small.
- » Most of the citizens consider that corruption, i.e. the request for additional payments does not exist, and in the cases where it was requested, the payment was allegedly suggested by judges, friends or employees in the prosecution offices.
- » Most judges, lawyers and prosecutors consider each other to be highly ethical and with integrity.

V. QUALITY OF COURT PROCEEDINGS

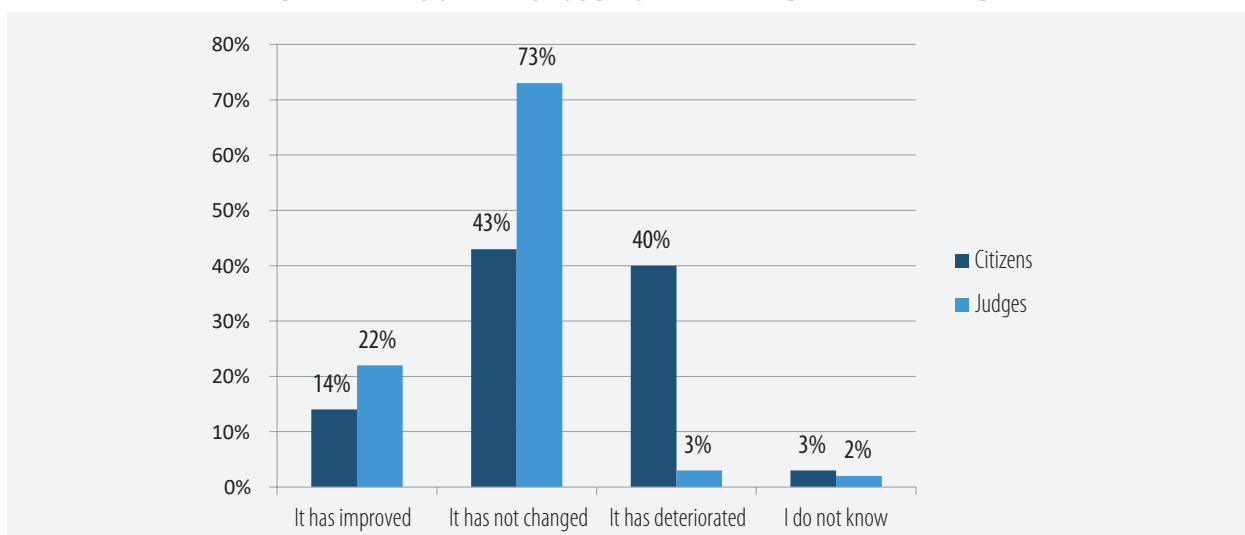
1. QUALITY OF JUSTICE IN THE LAST THREE YEARS

One of the indicators of the quality of the judiciary is the general perception of how the quality of judicial justice has evolved. In the survey, the perception of the quality of court practice in the last 3 years differs significantly between citizens and judges.

The impression of 43% of the surveyed citizens is that the quality of justice in the last three years is unchanged, 40% of the respondents believe that it has deteriorated and 13% of the respondents believe that it has improved.

Unlike the citizens, the opinion on justice among judges is different and 73% of them believe that the quality of justice in the last 3 years is unchanged, 22% that it has improved, and only 2% believe that the quality of justice has deteriorated.

GRAPH 17: QUALITY OF JUSTICE IN THE LAST THREE YEARS

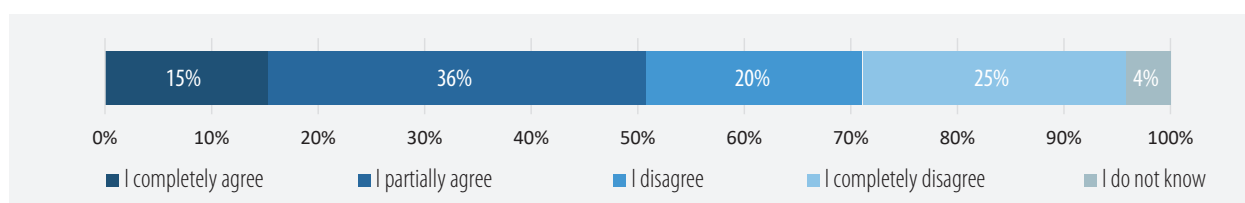


2. RESPECT FOR THE RIGHTS IN THE PROCEEDINGS

The question “To what extent do you agree that judges and prosecutors generally respect the rights of defendants or injured parties in cases” is answered only by citizens who have come to court for criminal proceedings.

About half of the surveyed citizens (45%) disagree or do not agree at all that judges and prosecutors respected the rights of the defendants or the injured parties. More than half of the respondents (51%) fully or partially agree that the rights of the defendants were respected.

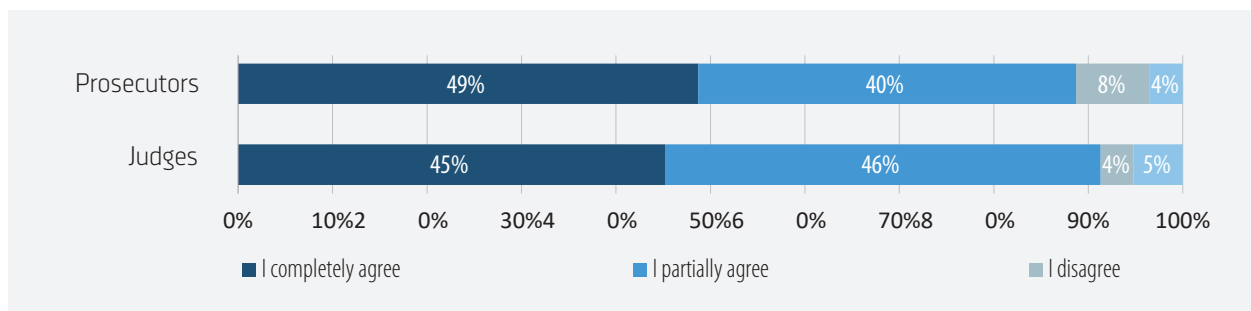
GRAPH 18: RESPECT FOR THE RIGHTS OF THE DEFENDANTS IN THE CASE



The question “To what extent do you agree that the rights of defendants / and injured parties in proceedings are generally respected by judges and prosecutors”, was answered by all lawyers and prosecutors, regardless of the type of case (civil, criminal, administrative).

In terms of respect for rights during court proceedings, about 90% of lawyers and prosecutors fully or partially agree that prosecutors and judges respect the rights of defendants and injured parties in proceedings, and 10% disagree.

GRAPH 19: RESPECT FOR THE RIGHTS OF THE DEFENDANTS AND THE INJURED PARTIES IN THE PROCEEDINGS

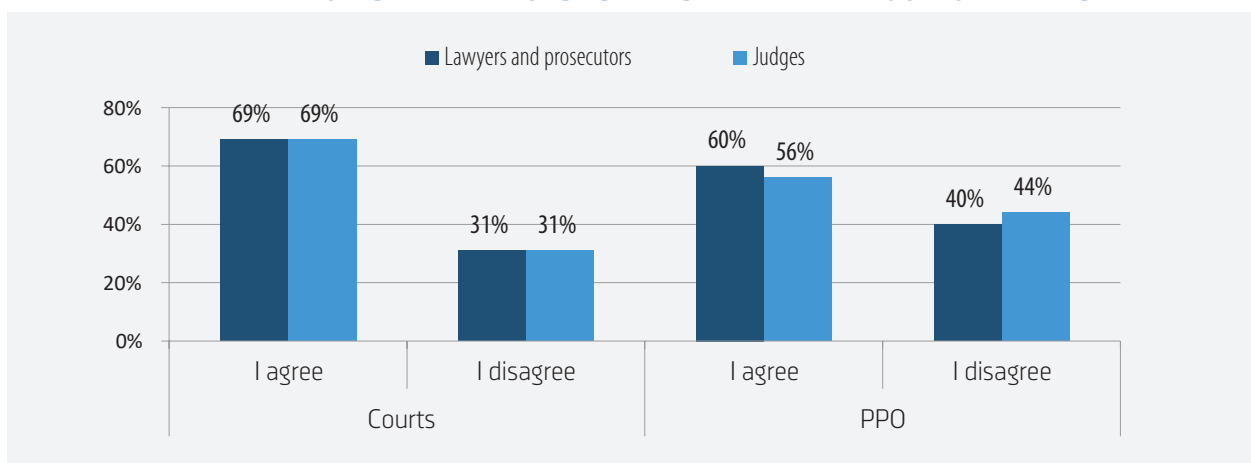


3. RESOURCES OF COURTS AND PUBLIC PROSECUTION OFFICES

In order for the courts and public prosecution offices to work in accordance with the rules and methods set out in the procedural laws, they need to be provided with optimal resources (human, technical and material). From the previous reports and analyses, in almost all courts, and especially in the public prosecution offices in the country, there is a lack of professional staff, space problems, recording equipment, ICT equipment and other materials and equipment, and also lack of material resources. The court budget depends on the central budget, and the public prosecution does not have its own budget.

The court clerks and the clerks in the prosecution offices, as well as lawyers and expert witnesses gave their opinion regarding the resources available to the courts and prosecution offices in order to comply with the rules set out in the procedural laws. According to the survey, the opinions of lawyers and prosecutors and judges are equal, i.e. the opinion of lawyers and prosecutors on the equipment of courts and public prosecution offices is almost the same as the opinion of the surveyed judges.

GRAPH 20: COURTS AND PUBLIC PROSECUTION OFFICES HAVE SUFFICIENT RESOURCES TO COMPLY WITH THE RULES AND METHODS ESTABLISHED BY THE PROCEDURAL LAWS

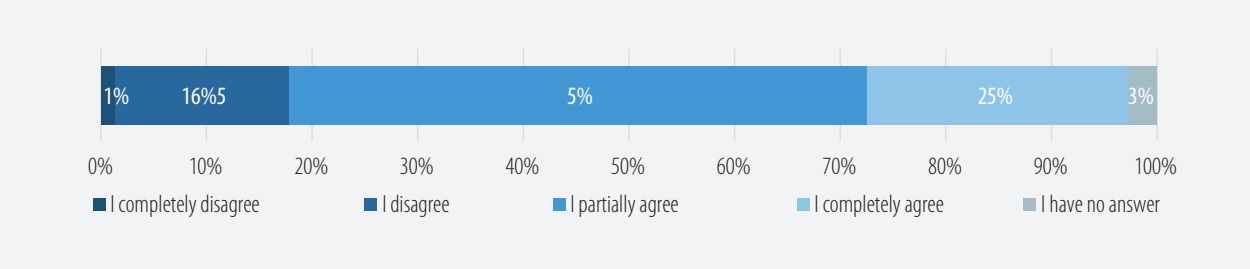


The state of resources in the courts was assessed identically by both groups of respondents, i.e. 69% of the lawyers and prosecutors and the judges stated (“I fully or partially agree”) to the statement that courts have resources.

The opinions of the two groups of respondents on the situation with the resources in the public prosecution offices are similar. Namely, 60% of lawyers and prosecutors and 56% of judges fully or partially agree that prosecution offices have sufficient resources to comply with the rules of procedural law, as opposed to 60% or 44% who do not agree.

The court clerks also mostly agree that the courts have the material resources needed to access laws, record proceedings, schedule cases, and keep records. Namely, 75% of the surveyed court clerks believe that the courts have sufficient resources, 17% of them do not agree with that, and 3% did not answer the question.

GRAPH 21: COURTS HAVE THE MATERIAL RESOURCES NEEDED TO ACCESS LAWS, RECORD PROCEEDINGS, SCHEDULE CASES, AND KEEP RECORDS

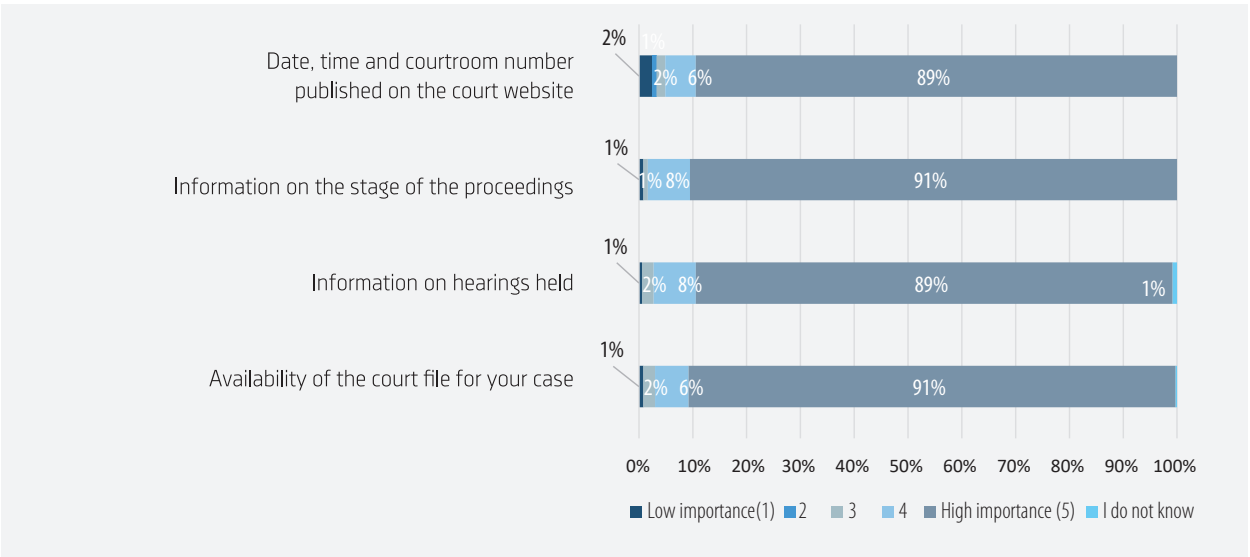


4. AVAILABILITY OF INFORMATION

The availability of information is also an important indicator of the quality of courts' work and shows how well the courts are organized. The surveyed citizens were asked to assess the importance of several aspects of the work of the courts, and to assess their own satisfaction with the performance of the courts in those aspects.

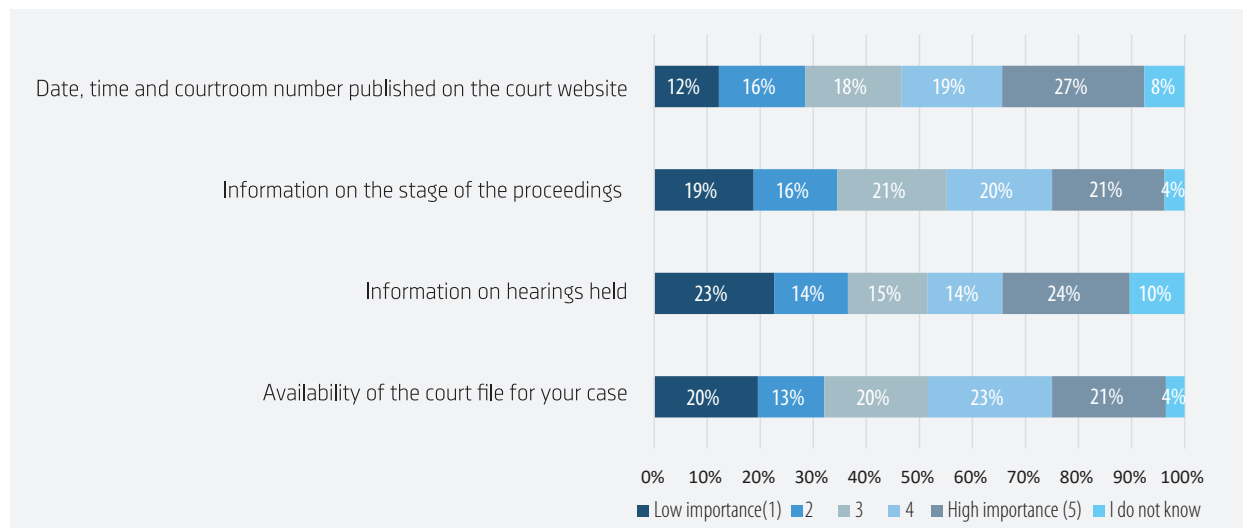
Regarding the information that the courts should provide to the parties, the respondents consider that all four types of information are of great importance to them. They are as follows: 89% of the respondents consider it very important the court to announce the date, time and number of the courtroom where the hearing will take place, as well as information on the postponement of hearings, while 91% of the respondents consider it very important to have information concerning the stage of the procedure, as well as concerning the availability of case documents.

GRAPH 22: IMPORTANCE OF THE CASE INFORMATION IN THE BASIC COURT



About 46% of the surveyed citizens are satisfied with the information provided by the court on the date, time and number of the courtroom where the hearing will take place for their case, and about 28% are dissatisfied and 18% are neither satisfied nor dissatisfied. 41% are partially or completely satisfied with the information provided on the stage of their case procedure, about 35% are dissatisfied, and 21% are neither satisfied nor dissatisfied. Regarding the information for postponement of the hearing, 38% of the respondents are satisfied with the information received, 37% are dissatisfied with it and 15% are neither satisfied nor dissatisfied. 44% of the respondents are satisfied with the availability of the court documentation for their case, while 33% are dissatisfied with the availability, and 20% are neither satisfied nor dissatisfied.

GRAPH 23: SATISFACTION WITH THE CASE INFORMATION PROVIDED BY THE BASIC COURT



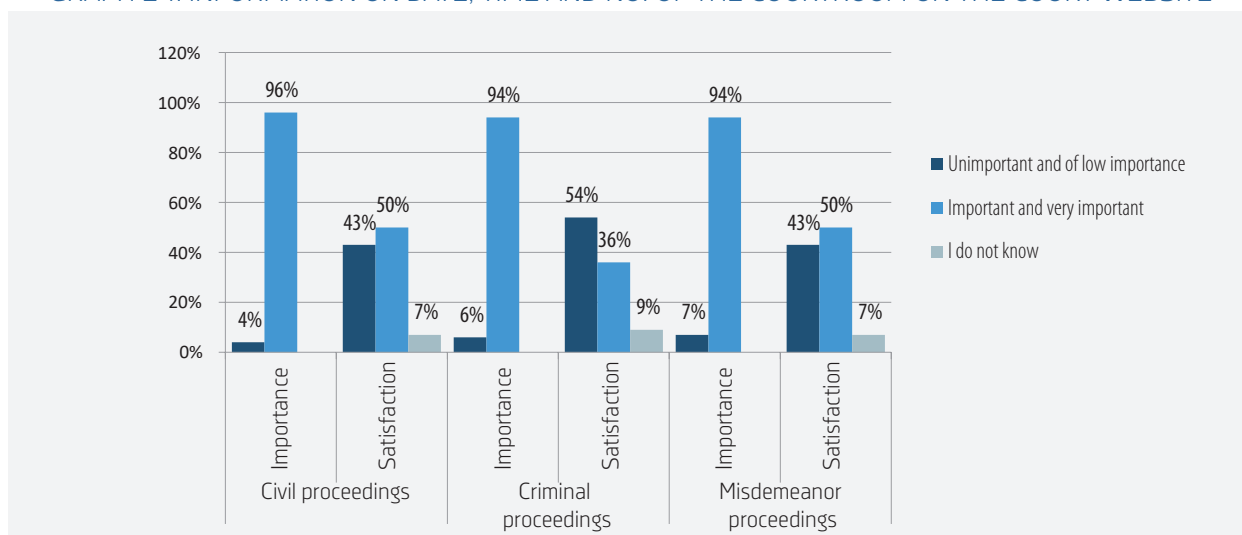
If we analyse the satisfaction and importance of the information by types of proceedings, we can see that the importance of the information for all types of proceedings (civil, criminal, misdemeanour) is very high for the respondents and the satisfaction with the availability of information in court is lower.

The citizens assessed the announcements on the court's website for the date, the time and courtroom for the hearing as very important (94% -96%) in all proceedings. Citizens' satisfaction with the announced date, time and number of the courtroom published on the court's website is 50% in civil and misdemeanour proceedings, and 36% in criminal proceedings.

As shown in the graph below, for 94% - 96% of the surveyed citizens the time period between the invitation and the hearing is very important, i.e. the time they have for proper preparation. The importance is high regardless of the type of procedure.

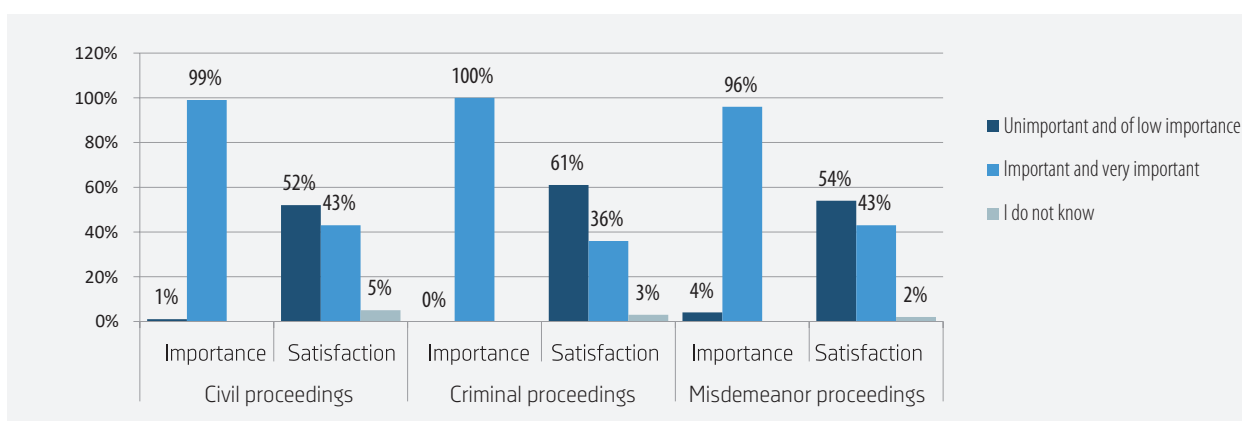
Satisfaction with the time period between the summons and the hearing is much lower and ranges between 36% in criminal proceedings, up to 50% in civil and misdemeanour proceedings. 54% of the respondents are not satisfied with the time given to them by the court in the criminal procedure and 43% were not satisfied with the time in civil and misdemeanour procedure.

GRAPH 24: INFORMATION ON DATE, TIME AND NO. OF THE COURTROOM ON THE COURT WEBSITE



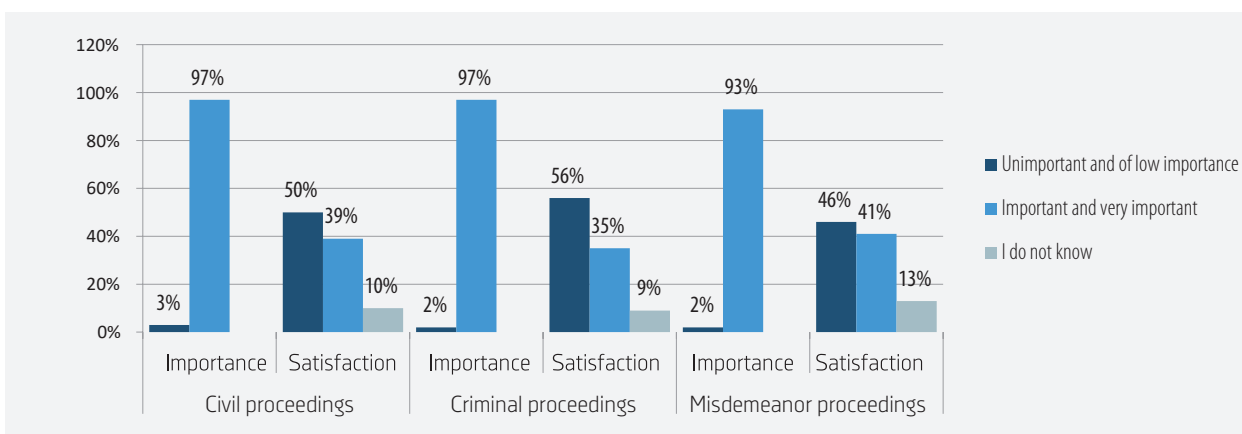
Regarding the information on the stage of the case published on the website of the court, almost 100% of the citizens think that this information should be published, but they are less satisfied with the publication of this information. In criminal procedures only 36% of the citizens are satisfied with the published information and 43% are satisfied with the information published on the stage of the case in civil and misdemeanour procedure.

GRAPH 25: INFORMATION ON THE STAGE OF THE PROCEDURE/CASE



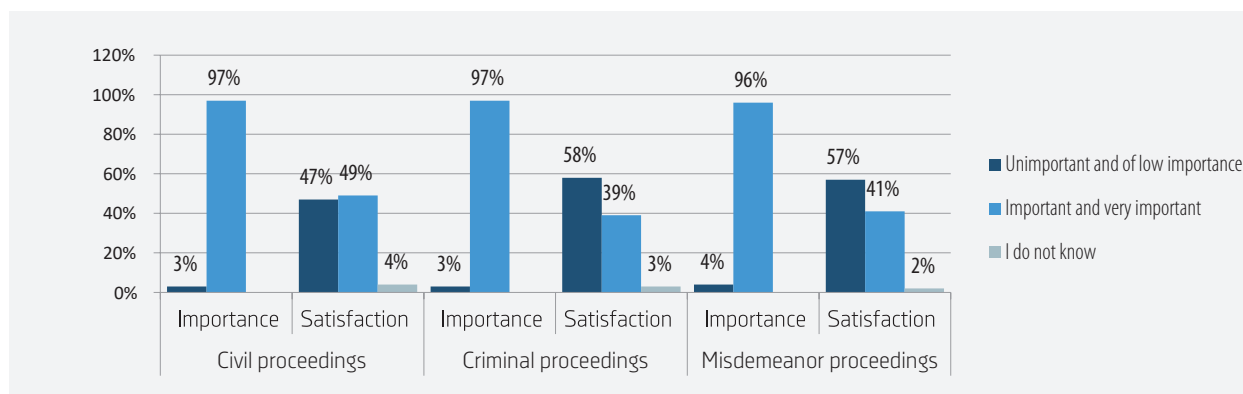
The citizens gave similar answers with regard to the information published about the postponement of the hearings. Only 35% of the respondents stated that the information on the postponement of hearings in criminal proceedings is important and very important for them, while 39% of the respondents said this for civil and 41% for misdemeanour proceedings.

GRAPH 26: INFORMATION ON POSTPONEMENTS OF THE HEARINGS



The citizens said that their satisfaction with the availability of the case documents in the court as important and very important and 39% said so for criminal cases, 41% for cases in misdemeanour procedure and 49% for civil cases.

GRAPH 27: AVAILABILITY OF CASE DOCUMENTATION IN THE COURT

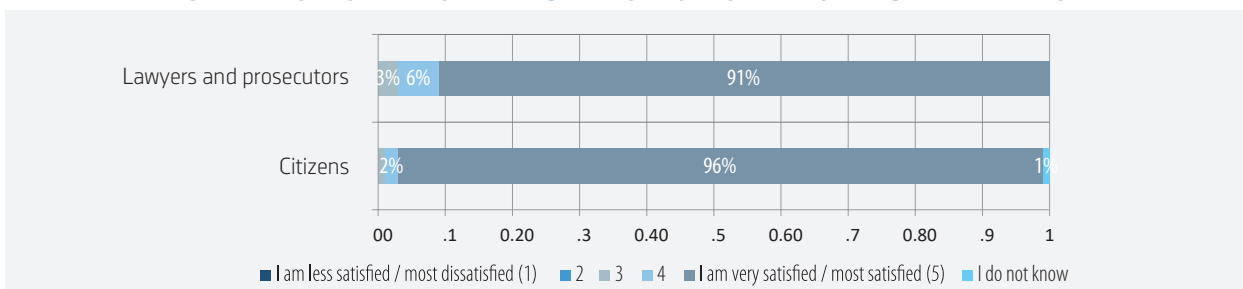


5. PRESENTATION OF EVIDENCE

The opportunity to present evidence is very important to all parties and can greatly influence the respective court decision. Because of that, all respondents stated that the opportunity to present evidence is very important (96% of citizens, 91% of lawyers and public prosecutors) for all types of proceedings.

Thus, 96% of the surveyed citizens consider it very important to present their evidence in the case, while only about 0.6% consider it to be of little importance.

GRAPH 28: HOW IMPORTANT IS THE OPPORTUNITY TO PRESENT EVIDENCE

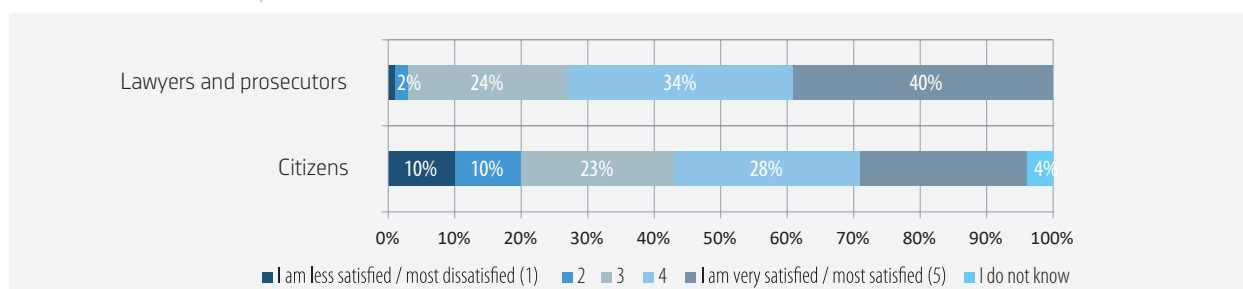


Unlike the opinion of both groups of respondents on the importance of presenting evidence during the court proceedings, citizens are less satisfied with the opportunity to present evidence given by lawyers and prosecutors.

About 54% of the surveyed citizens are satisfied with the given opportunity to present their evidence before the court, 20% are dissatisfied, and 23% are neither satisfied nor dissatisfied.

The opinion of lawyers and prosecutors is similar. Namely, 74% of them stated that they are satisfied, 23% are neutral and 3% are not satisfied with the opportunity given to them by the court to present or challenge the evidence.

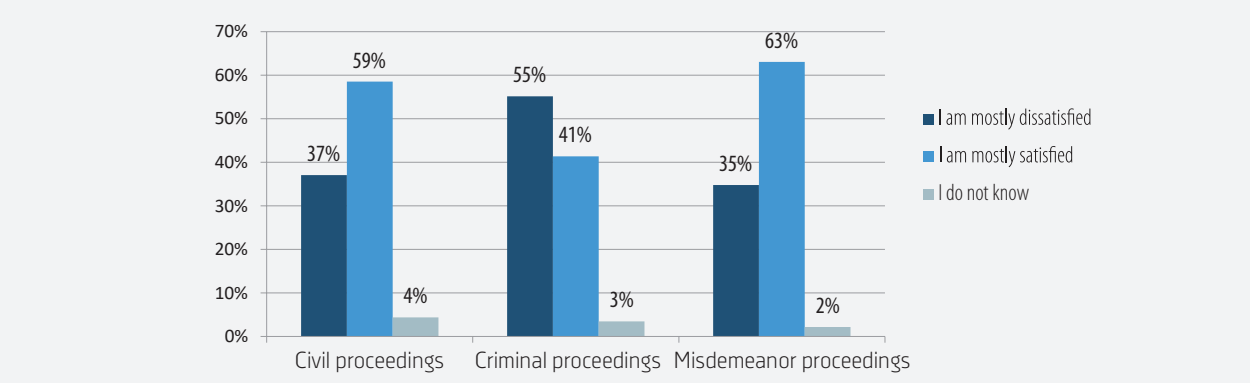
GRAPH 29: HOW SATISFIED ARE YOU WITH THE OPPORTUNITY TO PRESENT EVIDENCE



Analysed by type of procedure, the possibility of presenting evidence is very important for the surveyed citizens and for each of the procedures, 98% of the respondents stated that it is very important for them to have the opportunity to present evidence. However the satisfaction from the opportunity given for this is significantly lower.

Citizens are most dissatisfied with the opportunity to present evidence in criminal proceedings, as stated by 55% of them, and they are most satisfied with the opportunity to present evidence in misdemeanour proceedings (as stated by 63% of respondents).

GRAPH 30: OPPORTUNITY TO PRESENT EVIDENCE BY TYPE OF PROCEDURE

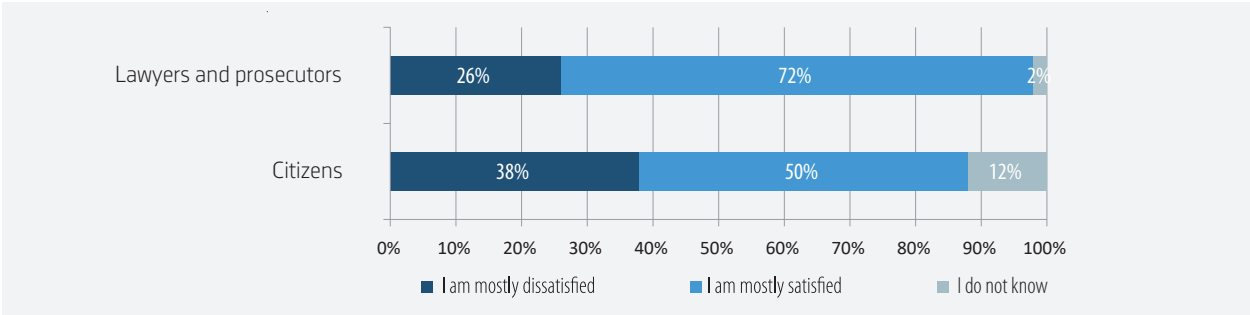


6. HEARING OF WITNESSES

The hearing of witnesses is another part of the court proceedings which is an indicator of quality and is assessed by the surveyed citizens and lawyers and prosecutors as very important (as stated by 92% of both groups of respondents).

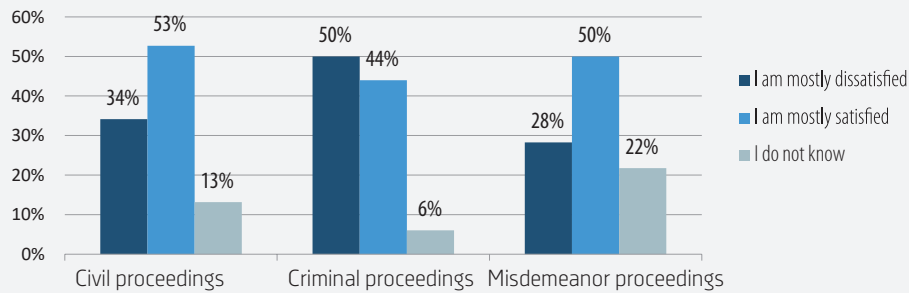
However, both citizens and lawyers and prosecutors are not so satisfied with how the judge questioned witnesses in court. And as in all other cases, citizens are less satisfied than lawyers and prosecutors. Namely, half of the surveyed citizens are satisfied with how the judge heard witnesses, and 72% of the lawyers and prosecutors stated that they are mostly satisfied.

GRAPH 31: HEARING OF WITNESSES



Citizens expressed different levels of satisfaction with hearing of witnesses in different types of proceedings, but basically about half of them are mostly satisfied. The citizens expressed the lowest level of satisfaction from the hearing of witnesses in criminal procedures where only 44% of them stated that they are mostly satisfied, while 53% are mostly satisfied in the misdemeanour procedure and 50% are mostly satisfied in the civil procedure. There is a high percentage of respondents who do not know how satisfied they are with the hearing of witnesses, of which the largest percentage (22%) is in the misdemeanour proceedings.

GRAPH 32: HEARING OF WITNESSES BY TYPE OF PROCEDURE

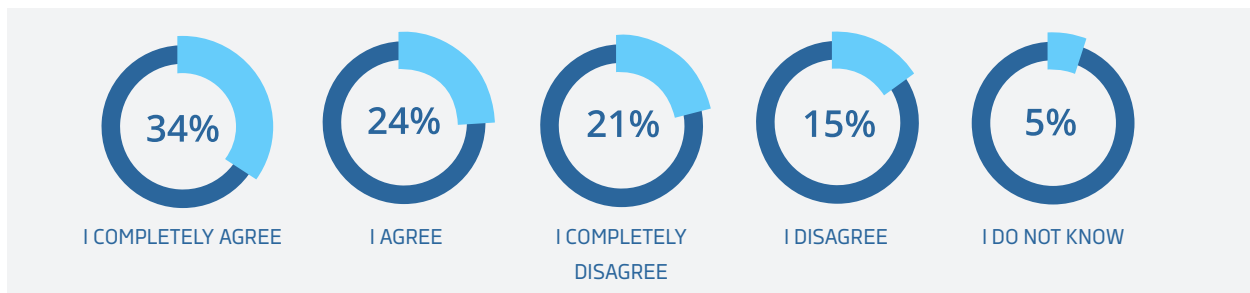


7. JUDGE'S KNOWLEDGE ABOUT THE CASE

The knowledge of the judge about the case is the basis for a good and fair trial. Only citizens were asked this question and they were asked to express their perception of the judge's knowledge of the case, from their own experience.

The majority of surveyed citizens (58%) partially or completely agree that the judge knew the details of the respective case, but there is a high percentage of citizens (37%) who do not agree with this.

GRAPH 33: JUDGE'S KNOWLEDGE ABOUT THE CASE

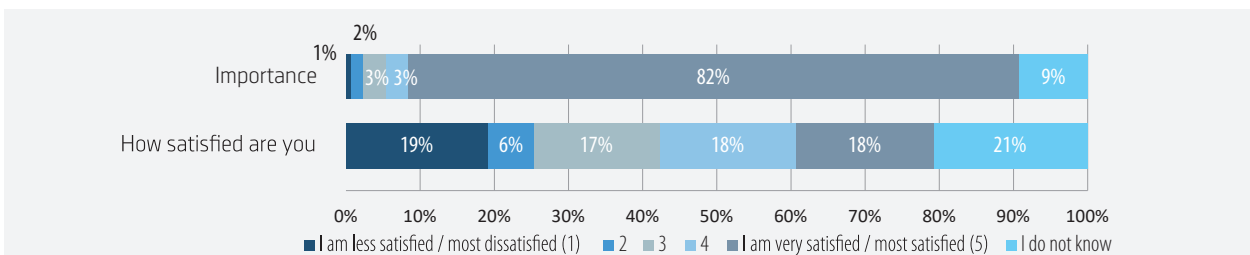


8. CLARITY OF COURT DECISIONS

Concise and clearly written court decisions indicate competence, expertise and eloquence of the judge. Court decisions must meet the basic standards with regard to the content, but they also should be clear and understandable for professionals and citizens involved in the proceedings.

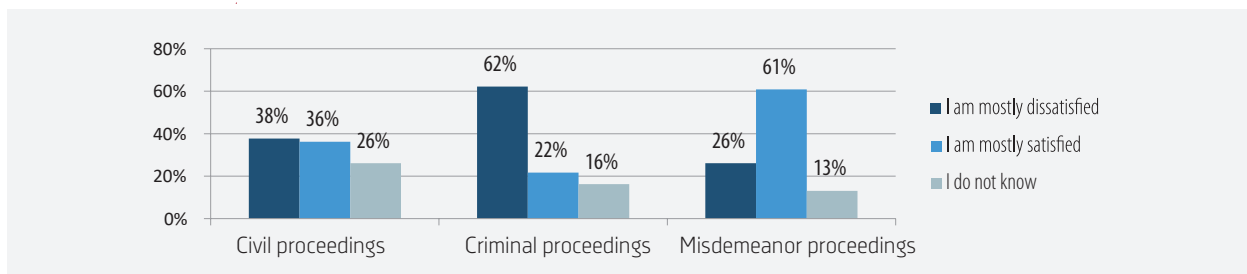
For 85% of the surveyed citizens, the clarity of court decisions is very important, but only about 37% of the respondents are satisfied with the clarity of court decisions. A quarter of the respondents are dissatisfied, and 17% of the respondents are neither satisfied nor dissatisfied.

GRAPH 34: CLARITY OF COURT DECISIONS



With regard to the types of proceedings, the satisfaction with the clarity of court decisions is greatest in misdemeanour proceedings, as stated by 61% of the surveyed citizens, while significantly less satisfied with the clarity of court decisions are the citizens involved in civil proceedings, where 36% said they are satisfied, and 38% are dissatisfied. The citizens are most dissatisfied with the clarity of court decisions in criminal proceedings, where as many as 62% of them stated that they are not satisfied, and only 22% are satisfied with the clarity of court decisions.

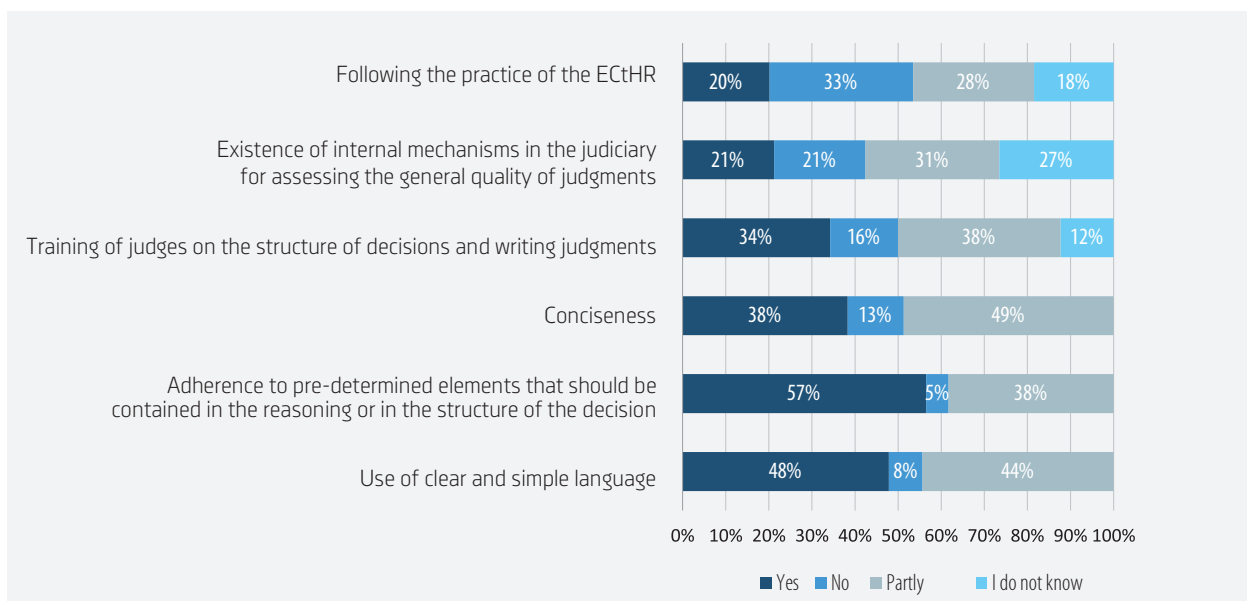
GRAPH 35: CLARITY OF COURT DECISIONS PER TYPE OF PROCEEDINGS



9. DECISION MAKING STANDARDS

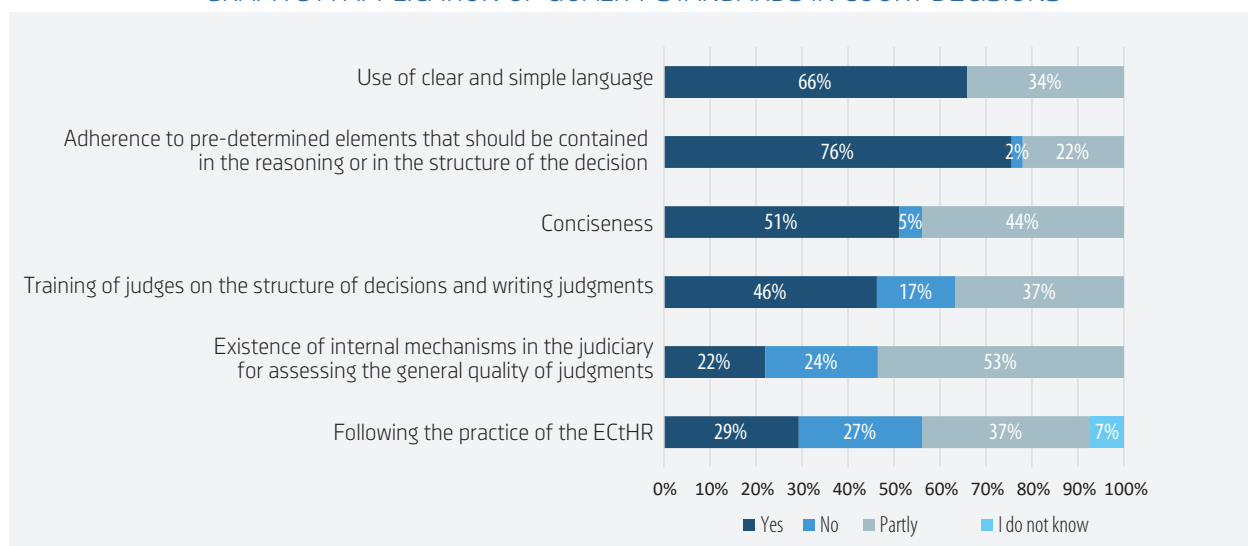
Regarding the application of quality standards for court decisions and judgments, the weakest results are observed in terms of following the practice of the ECtHR, for which one third of the respondents stated that it is not followed and 28% that it is only partially followed. 21% of the respondents are not familiar with the existence of internal mechanisms in the judiciary for assessing the general quality of judgments, and 16% are dissatisfied with the training of judges on the structure of decisions and writing judgments.

GRAPH 36: STANDARDS FOR DECISION MAKING



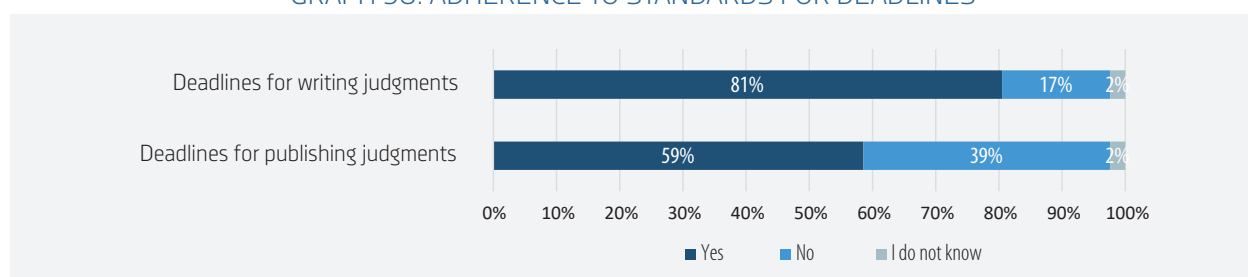
The surveyed judges (66%) answered that the courts use clear and simple language in court decisions. The majority (78%) answered that the pre-determined elements that should be contained in the reasoning or in the structure of the decision are adhered to. 55% of the respondents answered that the decisions are mostly concise. 63% answered that there is training for judges on decisions structure, reasoning style and writing judgments, while 17% think that this is not the case. Although three quarters believe that there are internal mechanisms in the judiciary for assessing the general quality of judgments, one quarter do not think so. Two-thirds think that the case law of the European Court of Human Rights is being followed, while 27% think that this is not the case.

GRAPH 37: APPLICATION OF QUALITY STANDARDS IN COURT DECISIONS



The majority, i.e. 81% of the surveyed judges, think that the standards with regard to deadlines for writing judgments are met, and 17% think that this is not the case. Regarding the observance of the standards with regard to the deadlines for publishing the judgments, 59% think that they are respected, and 39% that this is not the case..

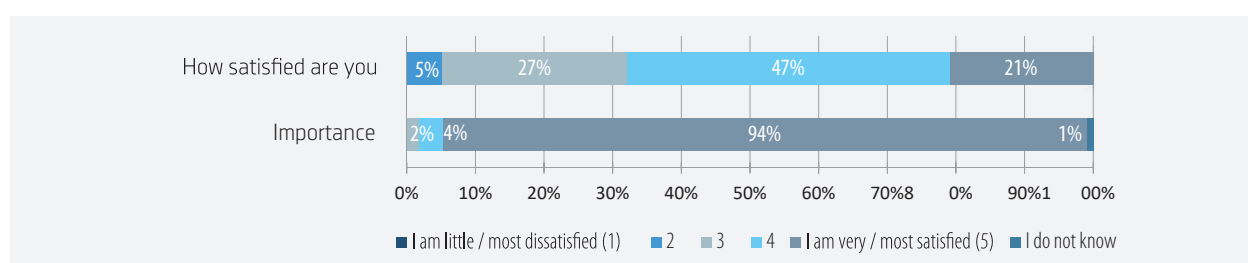
GRAPH 38: ADHERENCE TO STANDARDS FOR DEADLINES



10. QUALITY OF THE REASONING

According to 94% of the surveyed judges, the quality of the reasoning in the judgment of the basic courts is very important, but a high 27% chose a medium grade for the quality of the reasoning in court decisions, and 5% of judges are dissatisfied with the quality of the reasoning.

GRAPH 39: QUALITY OF REASONING IN THE JUDGMENTS OF THE BASIC COURTS



CONCLUSIONS

The following can be concluded from the answers provided in the survey:

- » The general perception with regard to the quality of court practice in the last 3 years is that the situation is unchanged, while many citizens believe it has deteriorated.
- » Citizens, lawyers and prosecutors believe that judges and prosecutors generally respect the rights of defendants or victims during proceedings.
- » All respondents largely agree that courts and public prosecutors have sufficient resources to comply with the rules and methods established by procedural law.
- » The availability of information on court proceedings is very important in every court proceedings. Citizens think that the availability of information is extremely important for them, but they are not very satisfied with the availability of specific information related to their case.
- » Regarding the possibility of presenting evidence during the court proceedings, they also think that it is extremely important for them, but they are not very satisfied with the opportunity given to them during the court proceedings.
- » The citizens have the same perception for the hearing of witnesses during the court procedure.
- » Regarding the judge's knowledge of the case, most of the citizens agree that judges generally have knowledge of the respective case, but there are also those who do not have that opinion and who think that the judge was not well informed about the case.
- » Most of the citizens think that the court decisions are not clear to them, and they consider the court decisions in criminal proceedings to be the most unclear.
- » The quality standards for court decisions are largely respected, but many judges are dissatisfied with the manner the ECtHR's case law is followed, with the internal judicial procedures for assessing the overall quality of judgments, and with the training in the structure of decisions and writing of judgments.
- » The quality of the reasoning of judgments is not on a satisfactory level.

VI. EXPERTISE AND PROFESSIONALISM

The expertise and professionalism of judges, public prosecutors and all other actors involved in court proceedings is based on professional ethics, moral rules and norms of conduct. Judges act in accordance with the Code of Ethics, which is based on the Declaration of Human Rights, where it is said that everyone has full and equal right to be heard in public, all persons are equal before the courts and before justice, and that everyone has a right to a fair, direct and public hearing. The court should be competent, independent and impartial, judges should have a status that should ensure impartiality and independence and should work according to the standards for ethical conduct of judges, as well as according to the ethical rules and principles for judicial conduct.

Expertise and conscientiousness are basic preconditions for proper performance of the judicial function, but judges should constantly improve their professional competence, knowledge and skills, through continuous professional training and education.

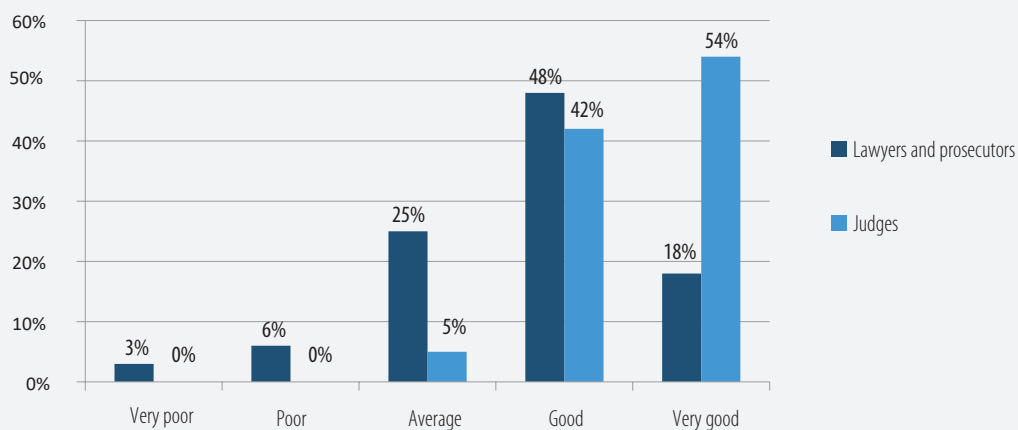
Based on this, the survey contained questions related to the expertise, impartiality and ethical work of judges, prosecutors, their services, as well as of lawyers and expert witnesses, which were answered by citizens and other groups of respondents.

1. EXPERTISE AND COMPETENCE OF JUDGES

The expertise and competence of judges was assessed in the survey, and they are assessed as relatively high by lawyers and by prosecutors and judges, which indicates that all groups of respondents are satisfied with the expertise and performance of judges.

The expertise and competence of judges is assessed differently by lawyers and public prosecutors and by judges. On a scale of 1 to 5, where 1 is very poor and 5 is very good, both categories of respondents have a similar opinion that judges are experts in their area (42% of lawyers and prosecutors and 48% of judges) and rated them with a score of 4 (good), while in other assessments their opinions differ. The judges rated themselves with higher grades: 54% with a grade of 5 (very good level of expertise) and only 5% rated themselves with a grade of 3 (good). Unlike this, the grades for the expertise of judges given by lawyers and prosecutors are lower: 18% have assessed judges' expertise with a grade of 5 (very good), 25% with a grade of 3 (good), 6% with a grade of 2 (poor) and 3 % with a grade of 1 (very poor).

GRAPH 40: EXPERTISE AND COMPETENCE OF JUDGES

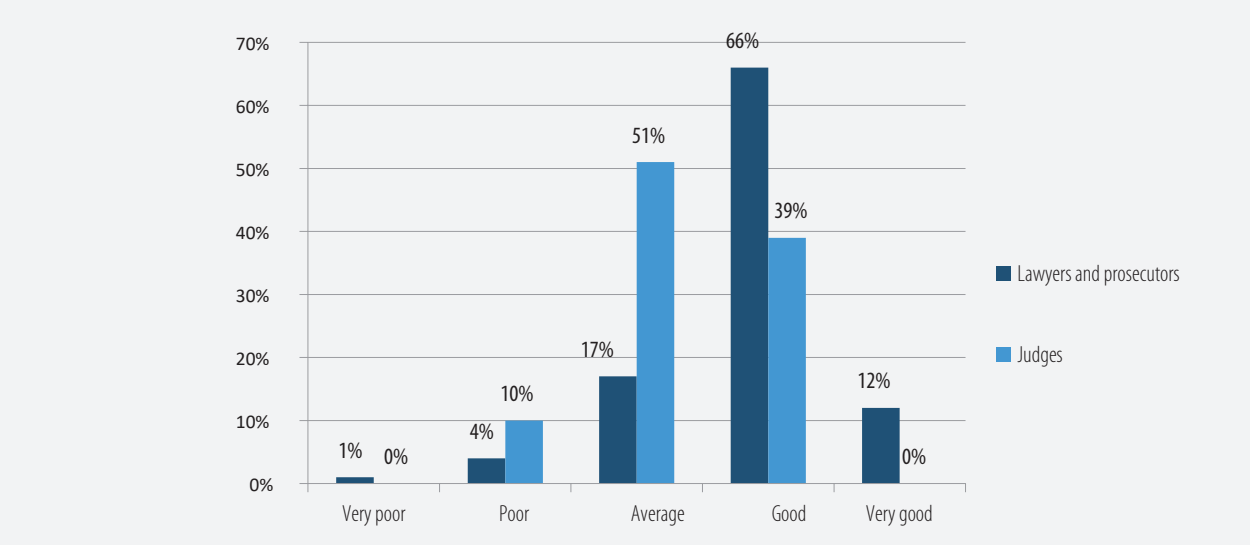


Although the two groups of respondents have different opinions about the expertise of judges, a high percentage i.e. 66% of lawyers and prosecutors and 96% of judges assess the expertise and competence of judges as good or very good, and only 9% of lawyers and prosecutors consider that judges have poor or very poor expertise.

In terms of judges' performance, lawyers and prosecutors believe that judges do their job well and very well in 78% of cases, and only 5% think that judges perform poorly and very poorly. In contrast, judges rated themselves with a lower percentage, i.e. 51% of them considered that they perform moderately well, 39% well and 10% poorly. Obviously, the judges themselves think that they can improve their own performance.

Respondents mostly agree that judges do their job well (90% said that this is the situation often or very often), that prosecutors also perform well (73% would say that often or very often this is the case).

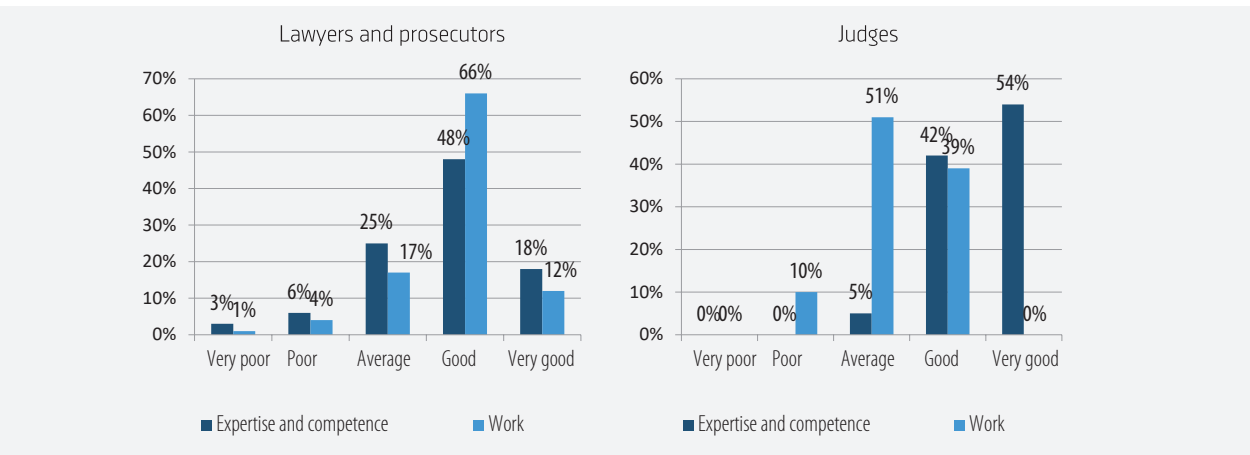
GRAPH 41: HOW WELL THE JUDGES PERFORM



The answers show that judges think that they perform moderately well, and lawyers and prosecutors think that judges perform well and very well.

The comparative analysis of the expertise and performance of judges shows that lawyers and prosecutors are more satisfied with the performance of judges than with their expertise. 80% of them think that judges perform well and very well, 66% think that they are experts in their work, and 5% think that judges perform poorly, as opposed to 9% who think that judges have poor or very poor level of expertise.

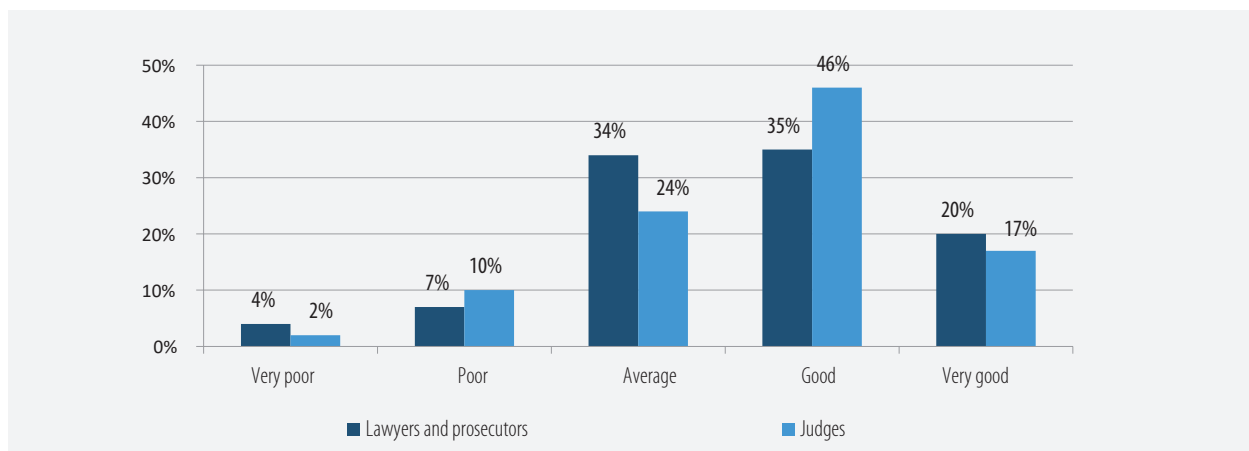
GRAPH 42: EXPERTISE AND PERFORMANCE OF JUDGES



2. EXPERTISE OF COURT CLERKS

The level of expertise of court clerks in the courts is assessed by judges, lawyers and prosecutors as follows: 63% of judges believe that court clerks do their job well and very well, 24% well, and only a small part of them (12%) believe that court clerks performs poorly.

GRAPH 43: EXPERTISE AND COMPETENCE OF THE COURT CLERKS



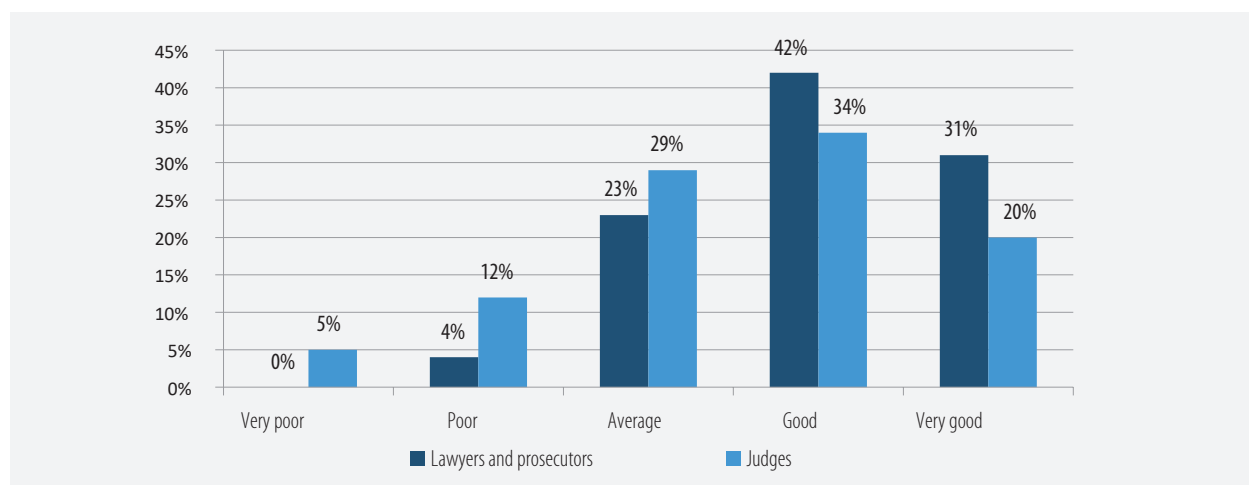
In contrast, lawyers and public prosecutors rated the performance of court clerks with a lower grade, i.e. 55% of them believe that they perform well and very well, 34% believe that they perform well, and 11% rated their performance as poor.

3. EXPERTISE AND PERFORMANCE OF LAWYERS

The expertise of lawyers as seen by judges, lawyers and prosecutors is as follows: judges rated the expertise of lawyers with lower grades than the lawyers and prosecutors did, i.e. 54% of judges think that lawyers are experts and very professional, 29% think that they have moderate level of expertise, and 17% of the judges assessed that lawyers are not experts in their area of work.

Lawyers and prosecutors assessed the expertise of lawyers more favourably than judges, which is of course due to their self-assessment. Namely, 73% of them think that lawyers are experts and very professional, 23% that they have moderate level of expertise, and only 4% assessed the expertise of lawyers as poor.

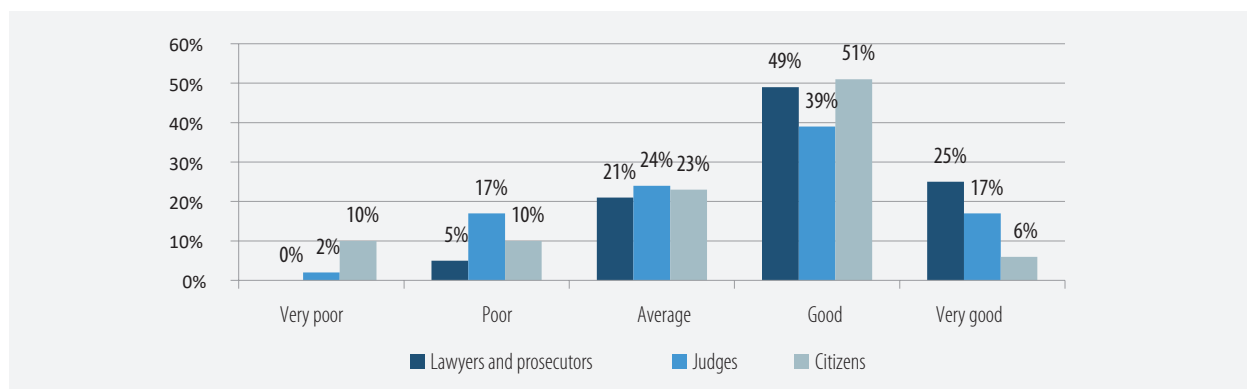
GRAPH 44: EXPERTISE AND COMPETENCE OF LAWYERS



The assessments on the performance of lawyers are similar. Judges believe that lawyers perform well and very well, which was the answer given by 53% of judges, 24% believe that lawyers work moderately well, and as many as 19% of judges believe that lawyers work poorly.

In contrast, lawyers and prosecutors rated the work of lawyers more favourably and 74% of them believe that lawyers perform well and very well, 24% moderately well and only 5% rated the performance of lawyers as poor.

GRAPH 45: HOW WELL THE LAWYERS PERFORM

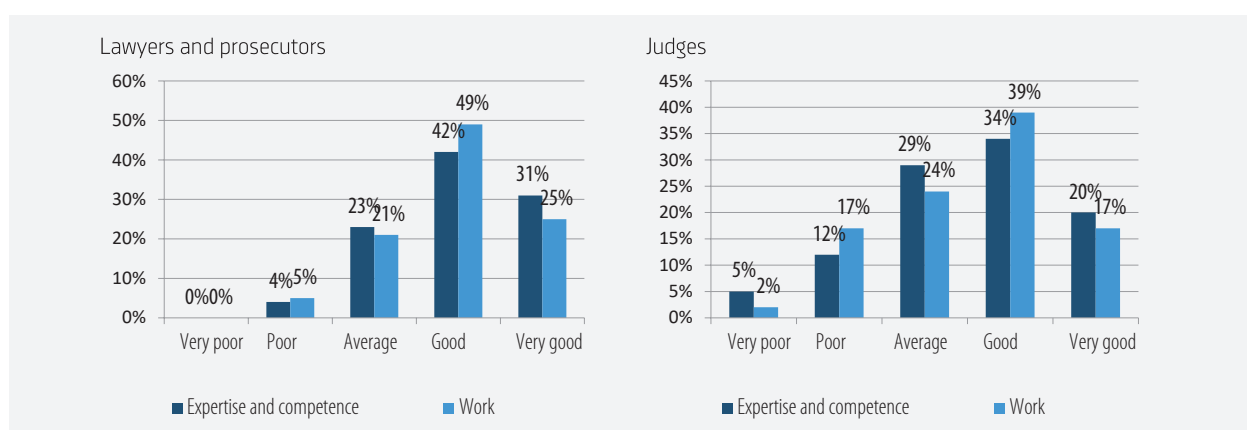


Citizens also had the opportunity to evaluate the work of lawyers and 74% of respondents fully or partially agree that their lawyer did a good job, and 20% completely or partially disagree with this.

A comparison of the results of the evaluations of the lawyers' performance shows that 74% of their clients, citizens and lawyers together with the prosecutors think that the lawyers perform well and very well, while 53% of the judges rated their work as good and very good. Such assessments indicate that judges are less satisfied with the work of lawyers, unlike themselves and their clients.

A comparative analysis of the expertise and performance of lawyers shows that lawyers and prosecutors, as well as judges, are equally satisfied with the expertise and performance of lawyers. About 5% of lawyers and prosecutors rated the expertise and performance of lawyers negatively. Unlike them, most of the judges (22%) rated the expertise of lawyers as poor, and 19% of them rated their performance as poor.

GRAPH 46: EXPERTISE, COMPETENCE AND PERFORMANCE OF LAWYERS

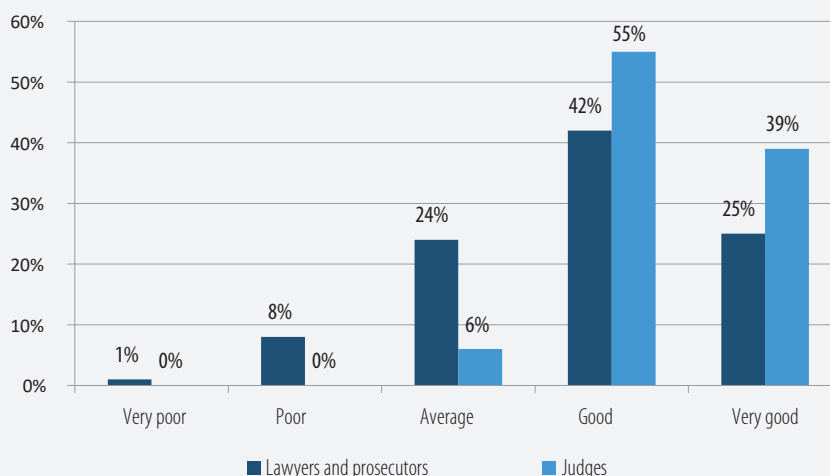


4. EXPERTISE AND PERFORMANCE OF PUBLIC PROSECUTORS

The expertise of prosecutors was evaluated by judges, lawyers and prosecutors, and similarly to judges, prosecutors rated themselves with lower grades, as opposed to judges who rated their expertise and competence with higher grades.

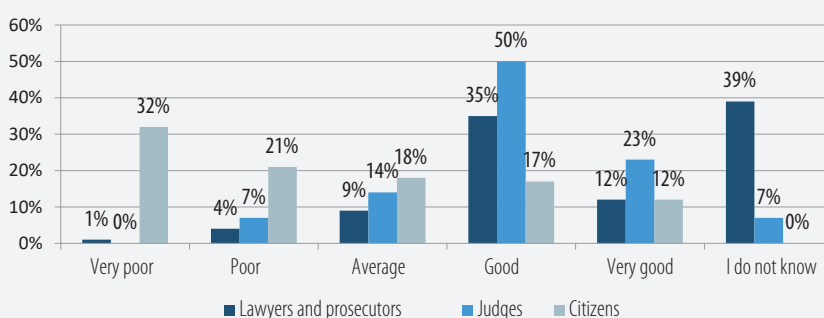
High percentage of judges (96%) consider prosecutors to be very professional and to have expertise, and the remaining 6% consider that they have moderate level of expertise. In contrast, 77% of lawyers and prosecutors rated the expertise of prosecutors as very good and good, 24% considered prosecutors to have moderate level of expertise, and as many as 9% considered that they lack expertise.

GRAPH 47: EXPERTISE AND COMPETENCE OF PUBLIC PROSECUTORS



The evaluations of prosecutors by judges, lawyers and prosecutors with regard to their performance are slightly different from the grades they were given for their expertise. 73% of judges graded the performance of prosecutors as good and very good, and 21% of the judges think that the prosecutors perform poorly.

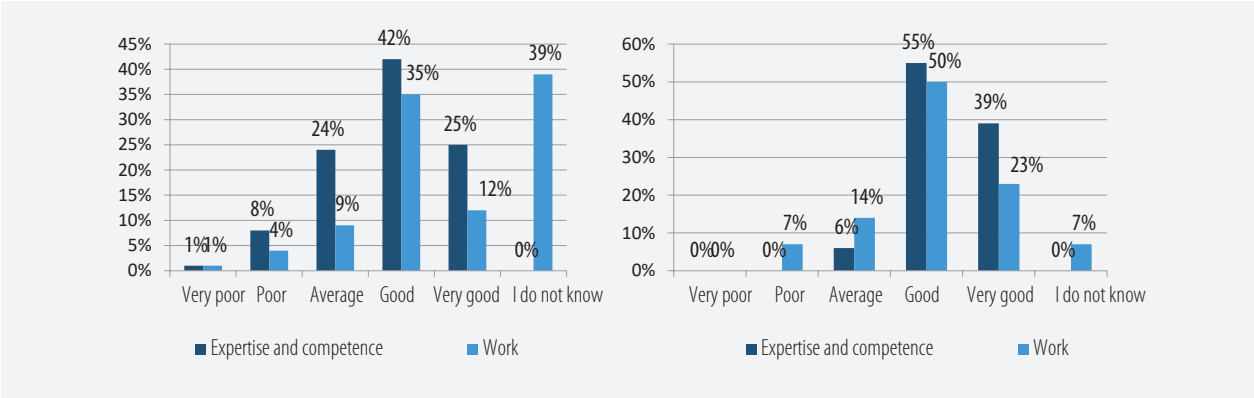
GRAPH 48: HOW WELL PUBLIC PROSECUTORS PERFORM



The citizens surveyed do not think that prosecutors perform well. More than a third (35%) of the citizens responded that the prosecutor in their case did a good job, and more than half (53%) do not agree with this.

The comparative analysis of the expertise and performance of prosecutors, unlike the one for the judges, shows that lawyers and the prosecutors are more satisfied with the expertise of prosecutors, than with their performance. 67% of the lawyers and prosecutors surveyed and 94% of judges consider prosecutors to be experts and have a high level of expertise, while 47% of the lawyers and prosecutors and 73% of the judges stated that they perform well and very well.

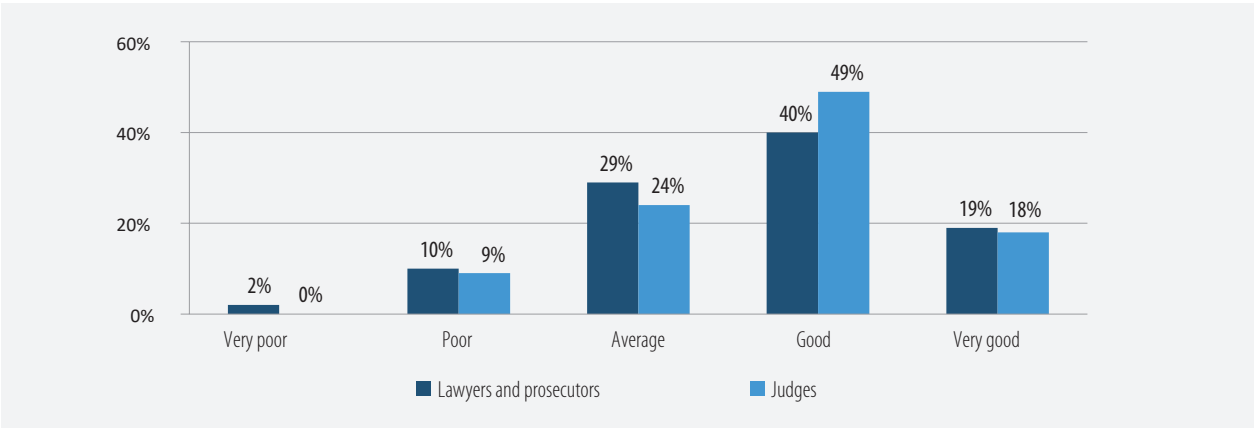
GRAPH 49: EXPERTISE, COMPETENCE AND PERFORMANCE OF PUBLIC PROSECUTORS



5. EXPERTISE OF PROSECUTION CLERKS

Prosecution clerks were assessed by lawyers and prosecutors and by judges. Thereby, 67% of judges and 59% of lawyers and prosecutors consider that the employees in the public prosecution offices are professional and competent, 24% of judges and 29% of lawyers and prosecutors surveyed consider that they have moderate level of expertise, and only 9% of the judges and 11 % of lawyers and prosecutors consider that they have no expertise

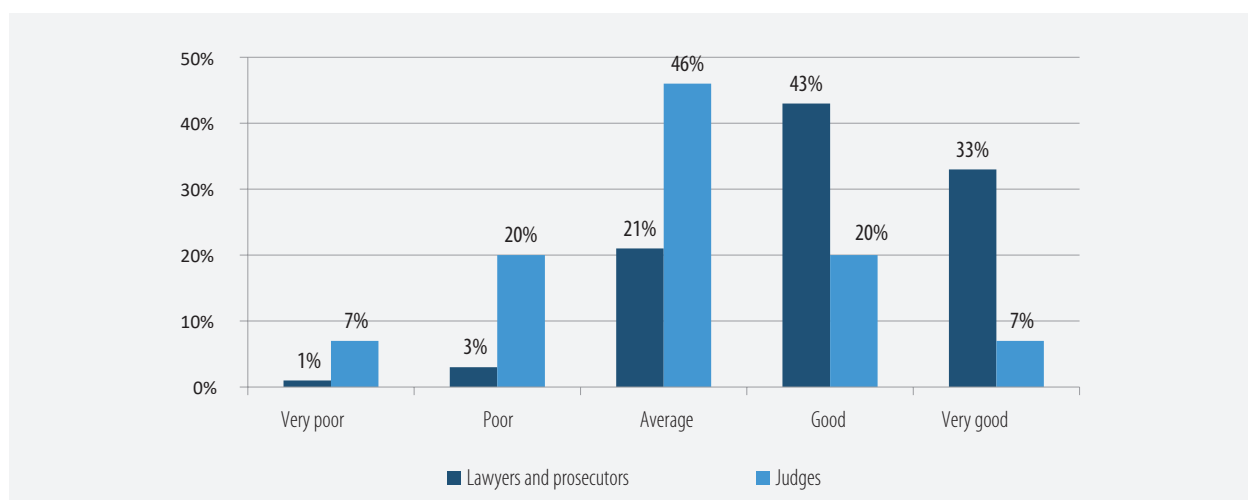
GRAPH 50: EXPERTISE AND COMPETENCE OF PROSECUTION CLERKS



6. EXPERTISE AND PERFORMANCE OF EXPERT WITNESSES

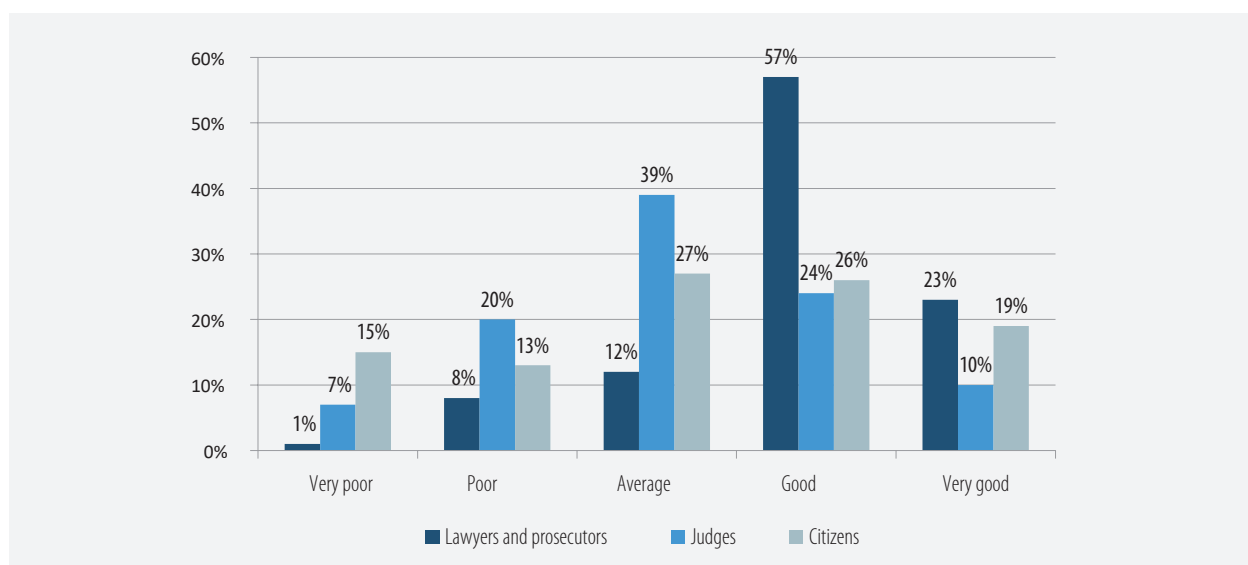
The opinion of lawyers and prosecutors on the expertise and performance of expert witnesses is different from the opinion of judges. 77% of lawyers and prosecutors think that the expert witnesses are very professional and have expertise, 21% that they have moderate level of expertise and 4% are not satisfied with their expertise. In contrast, 27% of judges believe that expert witnesses are very professional and have expertise, 46% that they have moderate level of expertise and even 27% believe that expert witnesses have no expertise.

GRAPH 51: EXPERTISE AND COMPETENCE OF EXPERT WITNESSES



The opinion of lawyers and prosecutors and judges on the work of expert witnesses is similarly assessed by them as well. Thus, 80% of lawyers and prosecutors believe that expert witnesses perform well and very well, and 9% that they perform poorly. Unlike them, 34% of judges rated the performance of expert witnesses as good and very good, 39% as good and even 27% said that the expert witnesses perform badly.

GRAPH 52: HOW WELL THE COURT EXPERTS PERFORM



45% of surveyed citizens rated the work of court experts as good and very good, 27% of them as moderately good, and 28% of respondents believe that court experts perform poorly.

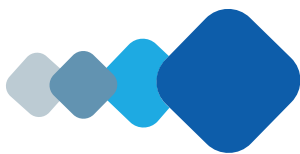
The comparative analysis of the expertise and of the performance of expert witnesses shows that lawyers and prosecutors evaluated their performance better than their expertise. 80% rated their performance as very good and 76% of them rated the expertise of court experts as very good. 21% of them evaluated their work as good, and 12% of them rated them as experts.

Judges also consider that experts perform better compared to their level of expertise, so 34% of them assessed that expert witnesses perform well and very well, and 27% that their expertise is good and very good. Most of the judges (46%) think that experts are skilled and competent and 39% that they work well, but 27% of them stated that they are not satisfied with the level of expertise and performance of the experts.

CONCLUSIONS

The answers received during the survey on expertise and professionalism of judges, prosecutors and other actors involved in court proceedings, lead to the following conclusions:

- » Expertise and competence, as well as performance of judges, court clerks, public prosecutors and prosecution clerks are generally assessed as good, but there is a need for further improvement and promotion of their expertise and performance.
- » The expertise and performance of lawyers are also well evaluated, especially by the citizens, while they are evaluated with lowest grades by the judges.
- » The expertise and the performance of expert witnesses are also positively evaluated, but there is also a certain level of dissatisfaction expressed by all respondents.



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