

**X Congresso do Ministerio Publico
Vilamoura, Portugal
6 March 2015**

“Public Prosecutor’s Organization and quality of Justice”

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Organizzazione

Struttura

Persone

Relazioni

Visiting scholars

CTLab

Aree

- [Governance, assetto della giustizia e ruoli processuali](#)
- [Organizzazione e innovazione nel settore giustizia](#)
- [Qualità e valutazione dei sistemi giudiziari](#)



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Temi



Separazione delle carriere, tempi della giustizia, case management, processo telematico, restorative justice e tanti altri sono gli argomenti su cui abbiamo riflessioni **da condividere**.

[vai alla pagina ...](#)

Risultati



Mettere in evidenza alcune attività, eventi e prodotti che caratterizzano ed identificano il nostro lavoro è un modo concreto per descrivere non solo ciò che facciamo ma anche chi siamo.

[vai alla pagina ...](#)



L'Istituto di Ricerca sui Sistemi Giudiziari (IRSiG-CNR) è stato creato nel 1992, per iniziativa del Prof. Giuseppe Di Federico, al fine di studiare il concreto funzionamento della giustizia utilizzando un approccio di ricerca prevalentemente empirico, comparato e interdisciplinare. L'obiettivo è di promuovere lo sviluppo di un campo della conoscenza di crescente rilievo politico, sociale ed economico generalmente trascurato. Le attività di ricerca dell'Istituto hanno finalità non solo teoriche ma anche applicative. Per il loro contenuto ed il metodo utilizzato possono essere una risorsa utile nei processi di innovazione legislativa, organizzativa e tecnologica del settore giustizia.

[leggi tutto ...](#)

NEW! [JOINT VISITING SCHOLARS AND VISITING FELLOWS PROGRAMME IN THE ADMINISTRATION OF JUSTICE](#)

Commenti

ISTITUZIONI E GOVERNANCE

[Riforma della giustizia: dal fallimento alla devoluzione?](#)

ORDINAMENTO

[La nuova geografia giudiziaria: un processo alle intenzioni](#)

GIUSTIZIA IN EUROPA

Relazioni

- [UNODC Nazioni Unite](#)
- [CEPEJ Consiglio d'Europa](#)
- [CeSROG DSP UniBo IT](#)
- [NCSC Research Ctr. USA](#)
- [LIRC University Ctr. AUS](#)
- [AIJA Research Inst. AUS](#)
- [Montaigne Centre Uni. NL](#)
- [LSE University UK](#)
- [IDT University Ctr. ES](#)
- [..... vai alla lista completa](#)

Progetti ...

Studio

Assistenza tecnica

Formazione



... in primo piano!

[Vai subito alla pagina](#)

Pubblicazioni

- [Libri](#)
- [Capitoli di libri](#)
- [Articoli su riviste](#)
- [Atti di convegno](#)
- [Saggi brevi](#)

IRSIG MISSION

To carry out research in the field of justice, both as a scientific endeavour and as a service for policies and measures to be undertaken for a better administration of justice

At the European level, IRSIG's scientific effort is also directed at facilitating the convergence of basic features of justice systems

AGENDA

- **Brief conceptual framework**
- **Some “quality” examples**
- **An organizational perspective for public prosecutors’ offices**
- **Discussion**



Degree of excellence or work
the standard of something
superiority, high grade, or
essential characteristic of

THE KEYSTONE

- **To do better what is done**
- **To improve what is delivered by the organization**
- **How**

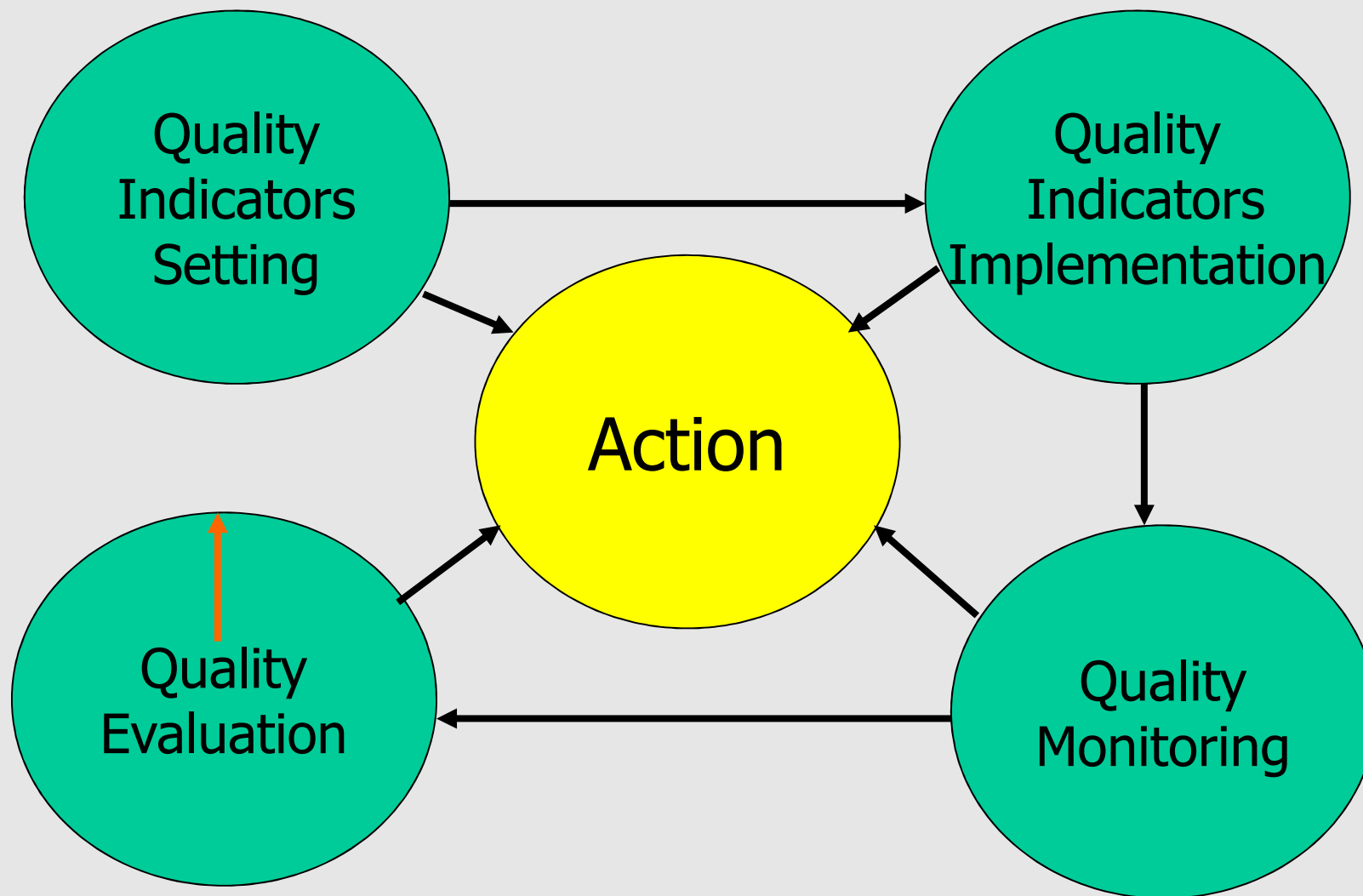
QUALITY “APPROCHES”

- **European Foundation for Quality Management**
- **Common Assessment Framework**
- **Six Sigma**
- **Lean Management**
- **Court Tools**
- **The International Framework for Court Excellence**
- **CEPEJ Quality Working Group**

QUALITY BUILDING PROCESS

- **Setting quality objective**
- **Continuos improvement**
- **Mutual vision**
- **Decisions fact based (data gathering)**
- **Monitoring**
- **Strong committment**

QUALITY BUILDING PROCESS



EXAMPLES NEEDED PLEASE

- **None available/known for PPO**
- **Some available for courts**
- **The Netherlands**
- **Finland**
- **Sweden**
- **UK & Wales**
- **Australia – New Zealand**

THE NETHERLANDS

- **Developed by judges**
- **Cooperation with the Ministry of Justice**
- **Facilitated by the Council for the Judiciary**

FIVE INDICATORS

- **Impartiality and integrity**
- **Expertise**
- **Comportment**
- **Uniformity of jurisprudence**
- **Timeliness of justice**

DUTCH QUALITY CRITERIA 1

**Impartiality, integrity
of judges**

Registering judges' side jobs

Successful challenges

Case allocation

Complaints procedure

Satisfaction of the litigants

Satisfaction of the professionals

DUTCH QUALITY CRITERIA 2

Expertise of judges

Perceived expertise (litigants)

Perceived expertise (professionals)

Percentage of appeals

Percentage of annulments

Applying a method of peer review

DUTCH QUALITY CRITERIA 3

Comportment

Satisfaction of litigants

Satisfaction of professionals

Percentage of appeals

Explaining rules

Explaining decisions

Comprehensibility of decision

Legibility of decision

DUTCH QUALITY CRITERIA 4

**Uniformity of
Jurisprudence**

Experienced by professionals

Tools to promote uniformity

Implementing policies

DUTCH QUALITY CRITERIA 5

Timeliness of Proceedings

Average time: filing to disposition

Percentage of adjournments

Average time between key events

Judges' productivity

Starting cases on time

FINLAND

- **Process (9 indicators)**
- **Decision (7 indicators)**
- **Treatment of parties and public (4 indicators)**
- **Promptness of the proceedings (4 indicators)**
- **Competence and professional skills (6 indicators)**
- **Organization and management of adjudication (8 indicators)**

FINNISH QUALITY CRITERIA 1

The Process

Open and Transparent

Judges act independently & impartially

Organized in expedient manner

Settlement encouragement

Managed effectively and actively

Arranged to minimize parties' costs

Flexible (case assignment)

Open to the public

Interactive

FINNISH QUALITY CRITERIA 2

The Decision

Just and Lawful (law accordance)

Convincing reasons

Transparent reasons

Detailed and systematic reasons

Comprehensible reasons

Clear, linguistically an typo. correct

Pronounced to be understood

FINNISH QUALITY CRITERIA 3

Treatment of the parties and the public

Respect to their human dignity

Appropriate advice

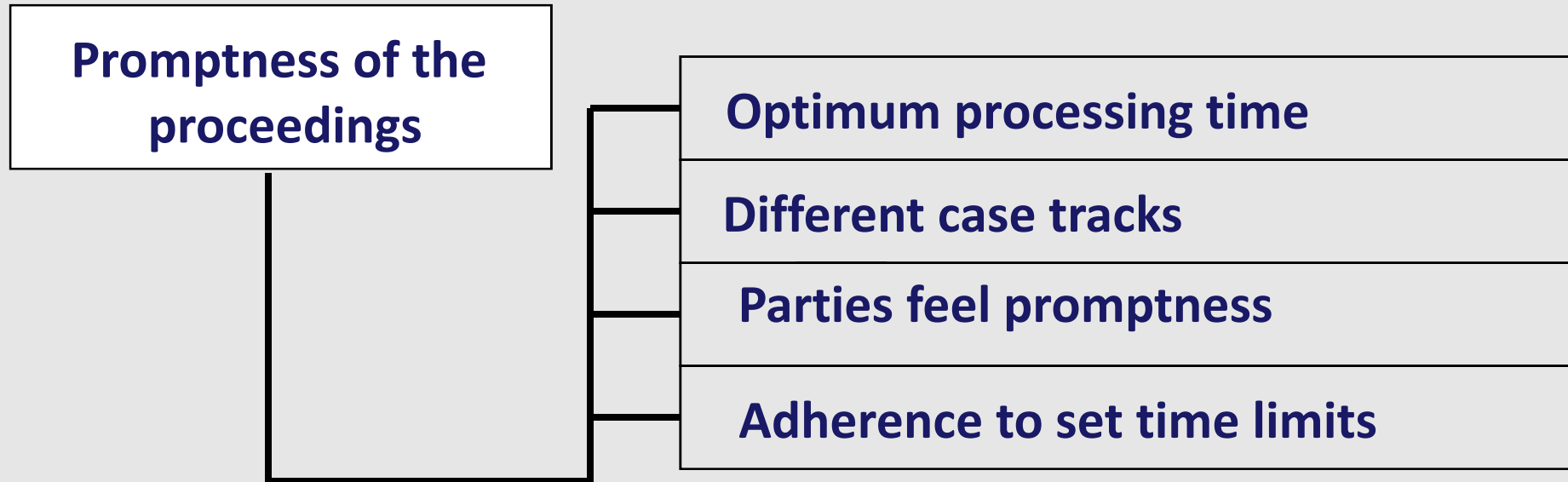
Service as they arrive at the venue

All necessary information

Public relation

Lobby arrangements as needed

FINNISH QUALITY CRITERIA 4



FINNISH QUALITY CRITERIA 5

Competence and skills of the judges

Maintenance skills and competence

Attendance continued training sessions

Organized in expedient manner

Personal development talks

Impression of case careness

FINNISH QUALITY CRITERIA 6

Organization and management

Professionalism (objective – actions)

Case assignment (credible, pre-defined)

Judge specialization used

Reinforced composition (complicated cases)

Personal development talks

Active monitoring of cases

Security plan

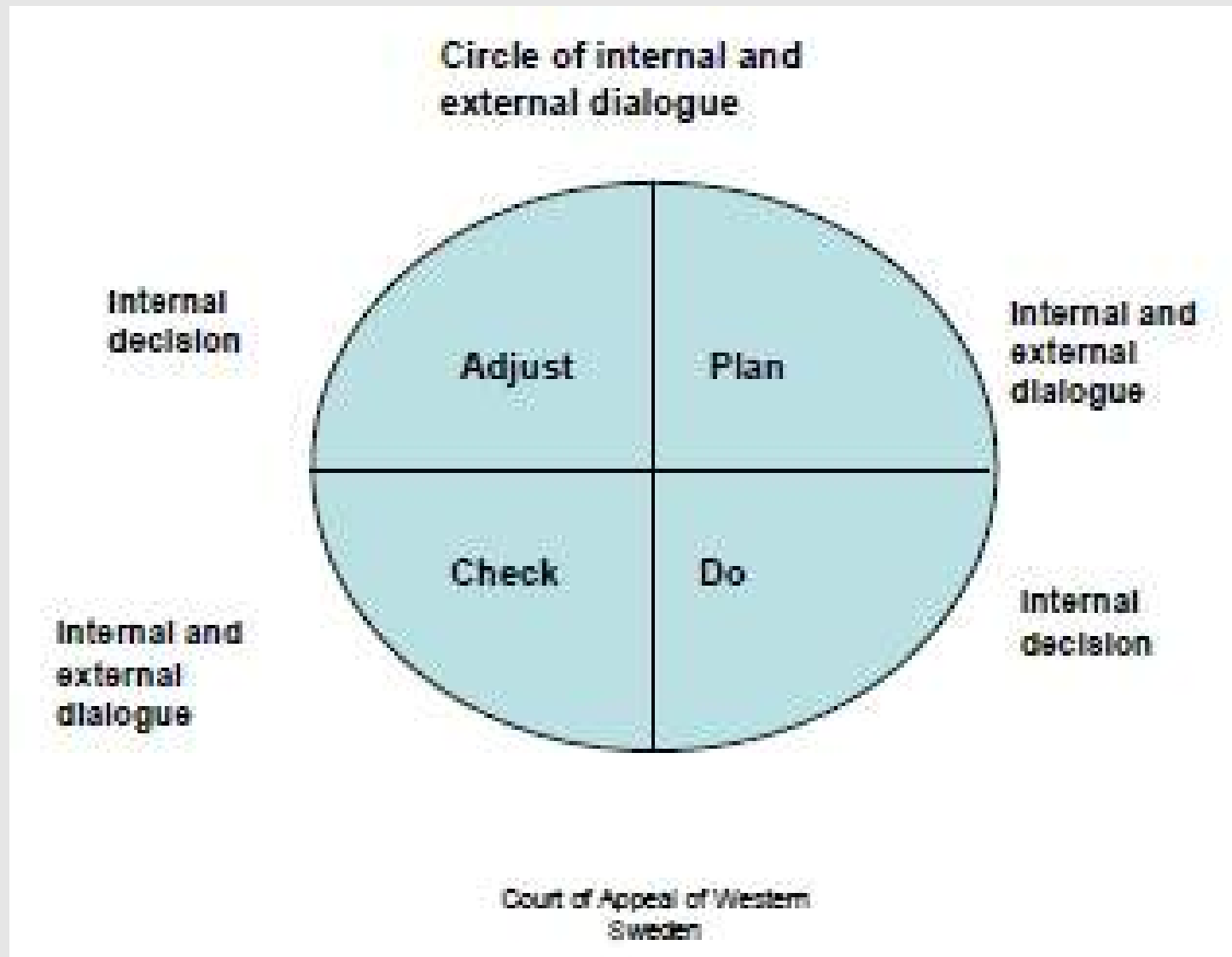
Not overloading with work

ASSESSMENT TOOLS

- **Self evaluation**
- **Survey (internal and external)**
- **Expert groups**
- **Statistics**
- **Supervisor/Office Head opinion**

*“Not everything that counts
can be counted. Some matters
can only be judged, that is to
say that can only be assessed
in a qualitative way”*

SWEDEN



[CPS UK&WALES](#)

Crown Prosecution Service

**Annual Report and Accounts
2013–14**

(for the period April 2013–March 2014)

CPS QUALITY PRIORITIES

- **Victim (right to review)**
- **Witnesses and communities**
- **Legal decision-making casework**
- **Presentation in court**

Independent assessor of complaints

CPS UK&WALES

- **14,000 cases review each year by the managers**
- **Assessment discussed in quarterly «Area Performance Review»**
- **Early warnings for poor performance**
- **Sharing «best» practices**

CPS UK&WALES

Measure	13/14-Q4	14/15-Q1
Magistrates' Court - Conviction Rate	84.4%	84.3%
Magistrates' Court - Percentage of GPs at 1st hearing	68.0%	70.7%
Magistrates' Court - Prosecutions dropped at 3rd or subsequent hearing	34.3%	35.7%
Crown Court - Conviction Rate	79.8%	80.1%
Crown Court - Timely Compliance with Judges' Order and Court Directions	81.2%	82.8%
Violence against Women - Conviction Rate	74.4%	74.2%
Hate Crime - Conviction Rate	84.7%	84.6%
Sickness Absence - Average Working Days Lost (days per person)	9.4	9.6
Employee Engagement Index*	53.0%	53.0%

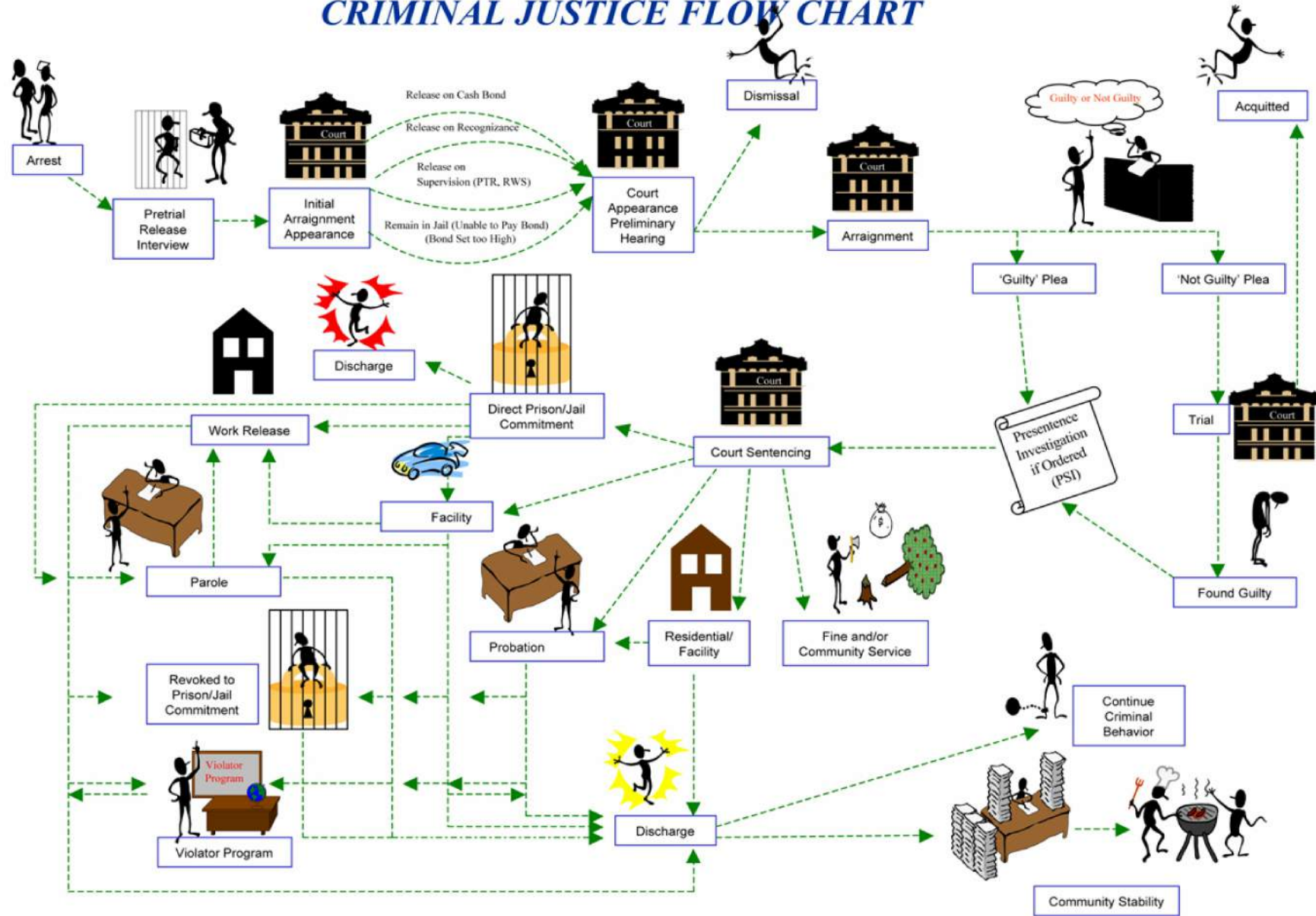
Employee engagement is shaped by experience at work, as measured by nine themes in the survey shown below.



THE CRIMINAL JUSTICE CHAIN-FIELD

- **Police**
- **Prosecutors**
- **Judges**
- **Probation**
- **Prisons**
- **Lawyers**
- **Other stakeholders – actors**

CRIMINAL JUSTICE FLOW CHART



A FIRST PROPOSAL FOR PPO ...

- **Start from Your values, principles, functions but ... CITIZENS' PERSPECTIVE**
- **Integrity**
- **Fairness**
- **Equality before the law**
- **Consistency in prosecutorial policies**
- **Consistent use of resources for investigation (time, money, people, tech. forensic)**

QUALITY OF THE ORGANIZATION NOT OF THE SINGLE

- **Performance (output) assessment**
- **Timeliness**
- **Communication and reporting**
- **Collaborative/Joint approach within the Criminal justice chain**

WHAT IS QUITE CLEAR ...

- **If you do not take the lead and make proposals someone else may do it for you, and it may be neither pleasant nor useful**

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