



European Network of Councils
for the Judiciary (ENCJ)

Reseau européen des Conseils
de la Justice (RECJ)

Indicators Independence, Accountability and Quality of the Judiciary

Taking stock

ENCJ Report 2025-2026



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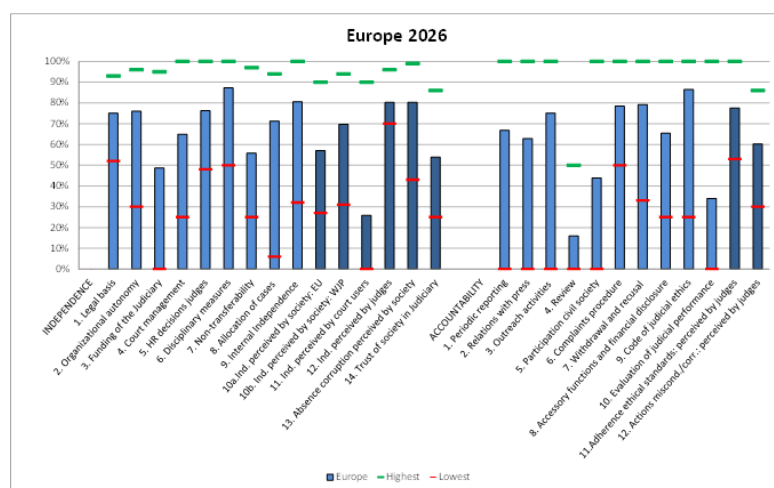
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Executive Summary and Recommendations

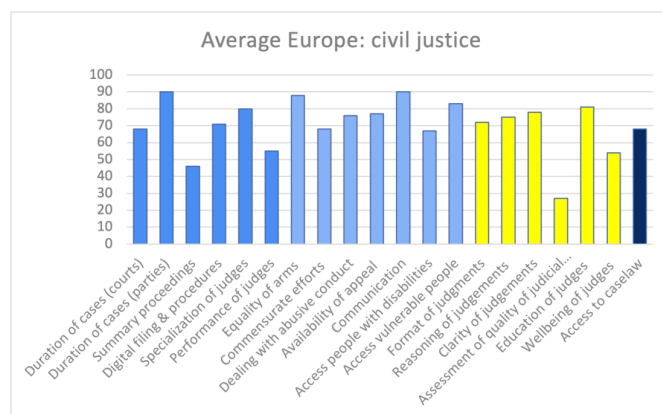
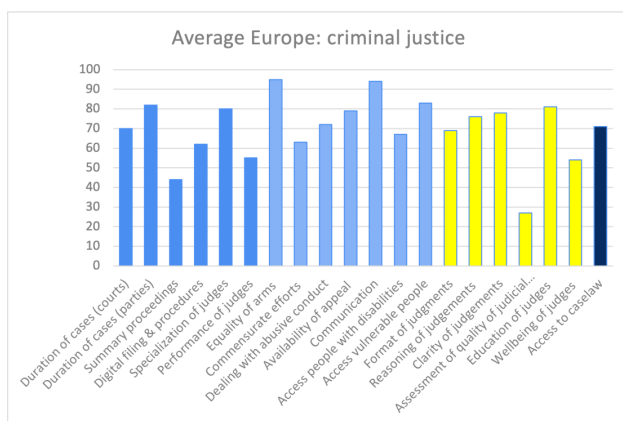
As essential part of the improvement cycle of the judiciary that the ENCJ has initiated, the indicators on independence and accountability and those on quality of justice have been measured anew. The indicators on independence and accountability concern, on the one hand, formal arrangements and safeguards and, on the other hand, perceptions of independence in society. The data has been gathered by means of a questionnaire among Councils for the Judiciary and other governing bodies (formal arrangements) and diverse surveys, including the 2025 ENCJ survey among judges (perceptions). The answers to the questionnaires have been externally validated, where changes were made. Conceptually, the indicator system is evolving, but the main aspects of independence that are covered are kept constant. The indicators on quality of justice focus on the practical arrangements that affect key components of quality and are also measured by means of a questionnaire among Councils for the Judiciary and other governing bodies.



The indicators for each judiciary, in the format presented here for all judiciaries together, are the core of this report. Like in previous years, there is much room for improvement of independence as well as accountability, judging from the difference between the average scores and the 100% scores for the arrangements that conform fully with the standards. With regard to formal independence (1-9), the funding of the Judiciary scores lowest. The funding of

the Judiciary is generally not well arranged, and judiciaries are often dependent on discretionary decisions by the government. However, the scores for legal basis, organizational autonomy and court management show together that judicial self-governance is far from realized. A specific issue is the called non-transferability of judges which is often not fully guaranteed. Perceptions of independence show mixed outcomes. Most judiciaries have not conducted court user surveys. Consequently, the average score on this indicator is still very low. As before, citizens' perception of judicial independence is less favourable than that of judges. The average score on the citizens' perception of judicial corruption is rather favourable, but, as the country profiles show, the differences among judiciaries are large and corruption remains a challenge in a number of judiciaries. As to accountability, the revised indicators on review of court performance and the evaluation of judges get low scores. In particular, the latter highlights the tension between independence and accountability. The low score is not caused by the absence of evaluation but by the evaluation not conforming to the standards. This in combination with low scores on court user surveys and (external) review, shows that the orientation of the judiciary on society is still relatively weak.

The combined indicator on accessory functions and financial disclosure shows improvement.



With regard to the indicators on quality of justice, in most indicators, a distinction is made between criminal justice and civil justice. However, the questionnaire also covers areas of quality which are joint or beyond the strict scope of criminal or civil. On average, the differences between both are small, in cases, where the indicator covers a joint field (e. g. access to courts for vulnerable people, well-being of judges) the same score for both criminal and civil is reflected in the graphs. Four areas of quality are addressed: timeliness and efficiency of procedures (blue), due process from the perspective of accessibility (light blue), quality of judicial decisions (yellow) and public access to the law to guide society (dark blue). While in the previous year substantial differences regarding timeliness and efficiency were seen in criminal and civil procedures, the results from 2026 provide a basis to say that these gaps are closing¹. Use of a format of judgments, which was among the lowest average scores in 2022 has improved in both criminal and civil cases. The on-average lowest scores are found for several aspects of the quality of judicial decisions. In particular, the assessment of judicial decisions outside the process of appeal is rarely used and remains controversial. Also, the average scores for a newly added indicator on the well-being of judgements warrants more attention.

Comparing the outcomes of all judiciaries to the results of 2022, several topics are worth noting. (1) Digitalization still differs highly among the judiciaries, with some being fully digitalized, while others providing only limited digital possibilities to litigants. However, the overall increase in digitalization is visible in nearly all judiciaries indicating that efforts in this regard are increasing. (2) With regard to appeal procedures, the differences among judiciaries remain relatively large. These differences concern the use of filtering mechanism to prevent cases that have no merit to proceed to a full hearing. Further exploration and more content based evaluation of this indicator may be necessary.

Next steps

The indicators and their measurement are part of the improvement cycle that the members of the ENCJ adopted. Accordingly,

1. The outcomes of the indicators on independence and accountability as well as quality of justice will be discussed in small dialogue groups of members and observers in the period from December 2026 until February 2027 with the purpose to analyse the outcomes together, to generate ideas for improvement and to suggest priorities for improvement plans.

¹ When interpreting the average results for Europe regarding the quality between the civil and criminal procedures, attention should be drawn to the fact that the jurisdictions participating in 2026 are not identical to those, which participated in 2022. The average results may therefore be influenced by this difference in participation.

2. Where needed, improvement plans will be developed to address weaknesses and/or to build on strengths in the period from January until June 2027.
3. The next edition of the survey among judges will be held in the first quarter of 2028 and will be prepared in the second half of 2027. In addition, the possibilities and requirements for engaging with the lawyers on the independence and accountability of the judiciary will be examined either within the framework of this project or other ENCJ activities.
4. A specific topic addressed in the Independence and Accountability part of the project will focus on the team assisting judges in carrying out adjudication (its functions, formation and training, limitation of their tasks).
5. A specific topic to be discussed within the Quality part of the project will be: workload of a judge. It will focus on review of the existing arrangements (mechanisms) to assess the workload of a judge and look into possible recommendations for setting optimal workload. To carry out this task, the project team will rely on the information gathered by other international networks and organizations, if available.
6. The schematic overview of quality related activities of Councils for the Judiciary will be updated (Annex of the Quality framework).
7. Survey among the court users. Volunteer jurisdictions will be invited to carry out the ENCJ Court users' survey and share the results. Depending on their experience the ENCJ Court users' survey may be revisited.

Introduction²³

“In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law” (Art 6 ECHR). Article 6, as well as Article 47 of the Charter of Fundamental Rights of the European Union, stipulate the centrality of the person in judicial procedures. Everyone has a right to an effective remedy and a fair trial. Central to the mission of the European Network of Councils for the Judiciary (ENCJ) is the reinforcement of independent, yet accountable judiciaries in the European Union to guarantee access to fair, independent and impartial courts. One of the ways in which the ENCJ strives to protect and promote these rights is by providing support for the independence and accountability of judiciaries in Europe and by promoting understanding and respect for judicial independence. As a network of Councils for the Judiciary, the ENCJ has developed standards for the areas of responsibility of Councils for the Judiciary that are important to the independence and accountability of the judiciary. The ENCJ works systematically to develop standards and guidelines for the governance of the judiciary and the conduct of essential functions such as the appointment, promotion and dismissal of judges, all to guarantee the independence of the judge within an independent judiciary. Setting standards is relevant for judiciaries to be able to benchmark and improve their practices. Many of the standards apply to other governance structures as well as Councils for the Judiciary.

The ultimate goal of the judiciary is to dispense quality justice within a timeframe and through means consistent with the demands of society by judges that are, and are seen to be, independent and impartial in a fully transparent manner. Independence is a pre-condition for quality of justice and, at the same time, the key component of quality. Other quality aspects lose their meaning if independence is compromised. Independence is necessary but obviously not sufficient for quality of justice. Generally, independence, accountability and quality reinforce each other. In some instances, tensions may occur between these aspects and these will need to be reconciled. For this reason, the setting of standards on quality of justice is particularly relevant.

While Councils for the Judiciary have wide-ranging responsibilities for the independence and accountability of the judiciary, these Councils have varying responsibilities for setting standards governing the quality of the judiciary and, through it, the quality of justice. While some Councils have broad responsibilities regarding quality of justice, others may be constrained in this area by lack of core competences. Still, all have a role to play. In all their tasks, Councils for the Judiciary need to take into account the perspective of the person seeking justice. Focus on quality of justice has to be considered from this perspective. It might be the case that some quality standards cannot be enacted and applied by all Councils for the Judiciary. Nevertheless these standards are necessary, irrespective of who is

² The general part of the report was composed, with the input of the project team, by Milda Treige, Aleksandra Switalska, and Frans van Dijk. They, together with Alberto Manicardi and Lucy Coleman (Irish Judicial Council), also processed and analysed the answers provided by the project team members to the questionnaires. Section on Quality: ‘Innovations within the judiciaries’ was contributed by Brian O’Moore (Irish Judicial Council). Part 3 on the perception of Court users was contributed by Madeleine Mathieu (CSM France) and Gabriele Juodkaite-Granskiene (TT Lithuania) respectively. The members of the project team are listed in Annex 1. Meetings of the project team took place on 2-3 October 2025, 28 January 2026, 16-17 April 2026 and 13 May 2026.

responsible, therefore cooperation of all state powers – the judiciary, legislature and the executive is paramount in this case.

It is the view of the ENCJ that it is not sufficient to set standards and guidelines: the extent to which these are realized in practice needs to be systematically assessed. This is particularly important when all the European Institutions are challenged to find more effective ways to better protect and promote the Rule of Law. The ENCJ and the other judicial networks are best placed to take stock of the situation on the ground, assist in understanding the situation and provide a judicial perspective on relevant developments.

To assess the extent to which standards and guidelines are realised a set of indicators on independence and accountability has been developed and implemented over the years. The indicators require regular review and updating to take changes in national judicial systems into account. The last time this happened was in 2025/2026. Minimal changes and adaptations were made to the previous set of indicators on independence and accountability. This allows a possibility of comparison from the perspective of time. The outcomes provide Councils and other governing bodies with insights that they can use to improve their judicial systems and to enable judges to fulfil their essential function in society better, and, where necessary, engage with the other state powers on matters of independence.

The indicators on independence and accountability concern, on the one hand, the formal safeguards and mechanisms that protect judicial independence and provide for accountability and, on the other hand, the perceptions of independence in society. In the European Union, the perceptions of citizens and companies about judicial independence are annually surveyed by the Eurobarometer, commissioned by the European Commission. The data from this survey and related surveys such as those for the Rule of Law Index are included in the indicators on perceived independence and accountability. The perceptions of judges on independence are not part of these Eurobarometer surveys, and the ENCJ has taken upon itself to conduct a survey among judges on a regular basis. In the first quarter of 2025, this survey was conducted for the fifth time.⁴ Part 1 of this report presents the set of indicators on independence and accountability.

A complementary set of indicators on quality of justice has been developed in several iterations. The development of these indicators proved more complicated than that of the indicators on independence and accountability, due to the large impact of differences between legal systems. In its current iteration, the indicators are in the view of the ENCJ informative on quality of justice and can help councils to assess the quality of justice. An additional indicator on judicial well-being was developed in 2025/2026 and tested for the first time. Part 2 of the report presents the indicators on quality of justice and their actual measurement.

It should be stressed that both sets of indicators are not only relevant for Councils for the Judiciary but also for other judicial governance structures. Some countries in the EU such as Austria, Germany and Sweden do not have a council, but, while there a Ministry of Justice at federal and/or state level is responsible for the judiciary, judges are involved and have influence, for instance, on the appointment of judges. The indicators take such arrangements into account.

This report draws heavily on the previous reports on independence, accountability and quality of the Judiciary that the ENCJ has produced annually. Year on year, the indicator system has gradually evolved,

⁴ ENCJ Survey among Judges on their Independence 2025, available at: www.encj.eu.

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encompassing more aspects in a, hopefully better way. This year, for instance, the indicator on external review in the indicators on independence and accountability was extended to other forms of review and the indicator on evaluation of judges was simplified. Also, some changes were made in the indicators on perceptions on independence. The perceptions of lawyers on independence, unfortunately, had to be deleted, because the Survey among Lawyers on the Independence of Judges 2025, organized by the ENCJ in cooperation with the Council of Bars and Law Societies (CCBE) did not result in sufficient responses for most countries. Since the opinions of lawyers are of great importance, other ways of involving them and taking stock of judicial independence will be considered.

As both the indicators on independence and accountability and on quality seem now to be of interest to a broader audience, the report brings together the thinking of the ENCJ in earlier reports to facilitate understanding without the need to refer to these previous reports.



Figure 1 ENCJ improvement cycle

The indicator system is a key part of the improvement cycle that the ENCJ has set up. See Figure 1. The first phase of the cycle is the measurement of the indicators, which has taken place this and the previous year. The next steps are the following.

1. The outcomes of the indicators will be discussed in small dialogue groups of members and observers in the period from December 2026 until February 2027 with the purpose to analyse the outcomes together, to set priorities for improvement plans and to generate ideas for improvement.
2. Improvement plans will be developed to address weaknesses and/or to build on strengths in the period from January until June 2027.
3. The next edition of the survey among judges will be held in the first quarter of 2028 and will be prepared in the second half of 2027.

Part 1. Independence and Accountability

1 Introduction

In the next section, the principles underlying the indicators on independence and accountability and the design of the system are briefly outlined. Section 3 lists the current set of indicators. Switching to actual measurement, Section 4 presents the state of independence and accountability in Europe in 2025/2026, first by giving the average outcomes for all participating judiciaries and highlighting some main findings, second by presenting the outcomes for each judiciary. It should be stressed that the outcomes per judiciary are of prime interest, as the aim of the indicators is to provide each judiciary with insight in its strengths and weaknesses. In the final section, the plans for the next project year are discussed.

2. Principles of independence and accountability

Before turning to the indicators and their measurement, the principles underlying the system of indicators are recapitulated and the system itself is presented.

The vision of the ENCJ can be summarised by five basic notions.

1. Independence and accountability go together: accountability is a prerequisite for independence. A judiciary that does not want to be accountable to society and has no eye for societal needs will not gain the trust of society and will endanger its independence in the short or long run. Accountability without independence reduces the judiciary to a government agency.
2. The existence of formal, legal safeguards of independence (formal independence) is not sufficient for a judge to be independent. Actual independence depends on their behaviour and shows in their decisions, and this is reflected in independence as perceived by society and its constituent groups as well as by the judges themselves (perceived independence).
3. For the judiciary to be independent, the judiciary as a whole must be independent and the individual judge must be independent. A distinction needs to be made between the independence of the judiciary as a whole and the independence of the judge. While the independence of the judiciary as a whole is a necessary condition for the independence of the judge, it is not a sufficient condition. Individual independence can be affected by the external influence of state organisations and private actors, and by internal influences within the judiciary.
4. To be accountable, not only must the formal requirements about accountability be met, but also the population must perceive the judiciary to be accountable. Even if there are formal procedures objectively in place to ensure judicial accountability, the subjective perception of citizens as to judicial accountability is of equal importance. For example, judges and the judicial system may be seen as a 'closed shop', operating for their own benefit rather than for the benefit of society.

5. Accountability, like independence, relates to the judiciary as whole and to the individual judge. At the level of the judiciary as a whole, accountability means to be transparent about performance, while accountability of the individual judge relates in particular to personal aspects that may affect decisions.

As mentioned in the general introduction, the set of indicators consists of indicators about formal aspects of independence and indicators about perceived independence. The indicators on formal aspects are divided into indicators for the judiciary as a whole and for the individual judge. See *Table 1*.

Table 1. Types of indicators

	Independence		Accountability	
Formal safeguards	Judiciary as a whole	Individual judge	Judiciary as a whole	Individual judge
Perceptions	Perceptions of a range of groups in society		Only perceptions of judges are available	

The indicators build upon the standards that the ENCJ has developed over the years, making extensive use of the work that was done by international governmental and judicial networks and organizations, such as the Consultative Council of European Judges (CCJE) of the Council of Europe. The ENCJ standards are summarized in an earlier report⁵, while Van Dijk and Vos give the (initial) reasoning and sources behind the indicators.⁶

3. Indicators on independence and accountability

The current set of indicators consists of the following indicators.

INDICATORS OF THE FORMAL INDEPENDENCE OF THE JUDICIARY AS A WHOLE	
11. Legal basis of independence , with the following sub-indicators: - Formal guarantees of the independence of the judiciary; - Formal assurances that judges are bound only by the law; - Formal guarantees that judges are appointed permanently until retirement - Formal methods for the determination of judges' salaries; - Formal mechanisms for the adjustment of judges' salaries; - Formal guarantees for involvement of judges in the development of legal and judicial reform.	

⁵ ENCJ (2016/2017). Distillation of ENCJ Principles, Recommendations and Guidelines 2004-2027. www.encj.eu.

⁶ F. van Dijk and G. Vos (2018). A Method for Assessment of the Independence and Accountability of the Judiciary. *International Journal for Court Administration* 9/3, 1-21.

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12. Organisational autonomy of the judiciary, with the following sub-indicators where there is a Council for the Judiciary or equivalent independent body:

- Formal status of the Council for the Judiciary;
- Compliance with ENCJ guidelines;
- Responsibilities of the Council.

Sub-indicator when there is no Council for the Judiciary or an equivalent body or the responsibilities of these bodies are limited:

- Influence of judges on a range of decisions.

13. Financial independence, with the following sub-indicators:

- Budgetary arrangements;
- Funding system;
- Resolution of conflicts about budgets.

14. Management of the court system.

- Scope of the management responsibility of the courts.

INDICATORS OF THE FORMAL INDEPENDENCE OF THE INDIVIDUAL JUDGE

15. Human resource decisions about judges, with the following sub-indicators:

- Selection, appointment and dismissal of judges and court presidents
- Selection, appointment and dismissal of Supreme Court judges and the President of the Supreme Court
- Compliance with ENCJ guidelines about the appointment of judges
- Evaluation, promotion and training of judges
- Probationary periods after appointment
- Compliance with ENCJ guidelines about the promotion of judges

16. Disciplinary measures, with the following sub-indicators:

- Compliance with ENCJ standards about procedures re disciplinary measures against judges
- Competent body to make decisions about disciplinary measures against judges
- Formal guarantee that disciplinary measures can not be initiated against a judge (except in cases where there has been malice or gross negligence) for the following reasons: a) interpretation of the law, b) assessment of facts and c) weighing of evidence in determining a case
- Formal guarantee that disciplinary measures can not be initiated against a judge for speaking out when democracy and fundamental freedoms are in peril

17. Non-transferability of judges, with the following sub-indicators:

- Formal guarantee of non-transferability of judges
- Arrangements for the transfer of judges without their consent, when allowed
- Formal guarantee that a judge cannot be taken off a case.

18. Allocation of cases, with the following sub-indicators:

- Existence of a transparent mechanism for the allocation of cases
- Content of the mechanism for the allocation of cases

19. Internal independence, with the following sub-indicators:

- Possibilities for higher ranked judges to influence judicial decisions of judges
- Existence and status of guidelines by judges at the same level
- Possibilities of the management of the courts to influence judicial decisions

INDICATORS OF THE PERCEIVED INDEPENDENCE OF THE JUDICIARY AND THE INDIVIDUAL JUDGE

I10a Independence as perceived by society:

- Flash Eurobarometer 554 (2025), Q1: 'Perceived independence of the national justice systems in the EU among the general public' and Flash Eurobarometer 555 (2025), Q1: 'Perceived independence of the national justice systems in the EU among companies'. Average

I10b - WJP, Rule of Law Index (2025), Q1.2: 'Constraints on government powers: government powers are effectively limited by the judiciary', Q7.4: 'Civil justice: civil justice is free of improper government influence' and Q8.6: 'Criminal justice: criminal justice is free of improper government influence. Average

I11. Independence as perceived by courts users

- National surveys if available

I12. Independence as perceived by judges

- ENCJ survey 2025, Table 1 of Annex 3

I13. Judicial corruption: absence of as perceived by citizens, average

- Special Eurobarometer 561 (2025), Citizens attitudes towards corruption in the EU in 2025, QD7 Courts⁷
- WJP, Rule of Law Index 2025, Q2.2⁸

I14 Trust in justice/legal system

Standard Eurobarometer 104 (2025) 'Public Opinion in the European Union', Table QA6.2 ⁹

⁷ Q: 'Do you think that the giving and taking of bribes and the abuse of power for personal gain are widespread among any of the following: the Courts (tribunals)'. 100% - percentage affirmative answer.

⁸ Q: 'Government officials in the judicial branch do not use public office for private gain'. Percentage affirmative answer.

⁹ Q: 'How much do you trust in certain institutions? For each of the following institutions, do you tend to trust it or tend not to trust it? Justice – the (Nationality) legal system (%)'.

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INDICATORS OF THE FORMAL ACCOUNTABILITY OF THE JUDICIARY AS A WHOLE

Transparency about the functioning of the judiciary

A1. Periodic reporting on the judiciary, with the following sub-indicators:

- Availability of annual reports
- Responsibility for publishing of annual reports
- Scope of annual reports
- Periodic and public benchmarking of the courts

A2. Relations with the press and outreach activities, with the following sub-indicators:

- Explanation of judicial decisions to the media
- Availability of press guidelines
- Authorisation to broadcast court cases

A3. Outreach activities aimed at civil society

- Open-door days of the courts
- Educational programmes conducted at schools
- Development of television/radio/social media programme formats to give insight in the work of the judge

A4. Comprehensive review of the performance of the judiciary, with the following sub-indicators:

- Type of review: external, internal within the judiciary or by/under government or parliament
- Publication of outcome of review
- Status of outcome: advise to judiciary or mandatory advise to judiciary
- Frequency of review

INDICATORS OF THE FORMAL ACCOUNTABILITY OF THE JUDICIARY AS A WHOLE

Transparency about the functioning of the judiciary: involvement of civil society in judicial governance

A5. Participation of civil society in governance bodies of the judiciary charged with:

- Selection and appointment of judges
- Disciplinary measures against judges
- Complaints against judges and the court(s) in general

INDICATORS OF THE FORMAL ACCOUNTABILITY OF THE INDIVIDUAL JUDGE AND STAFF:

Mechanisms to evaluate performance and to promote and maintain ethical standards of the judiciary

A6. Complaints procedure, with the following sub-indicators:

- Availability of a complaints procedure
- Scope of the complaints procedure
- Appeal against a decision on a complaint

A8. Admissibility of accessory functions and disclosure of interests, with the following sub-indicators:

- Policy on admissibility of external functions
- Requirement of authorisation for the exercise of accessory functions (if allowed);
- Authority that decides on the exercise of accessory functions
- Availability of a (public) register of external functions of judges
- Availability of a (public) register of financial interests of judges

A9. Code or guidelines of judicial ethics, with the following sub-indicators:

- Availability of a code of judicial ethics
- Availability of training on judicial ethics
- Responsible body to provide judges with guidance or advice on ethical issues

A10. Evaluation of judicial performance

- Existence of performance evaluation
- Formalisation of the purpose of evaluation
- Protection of independence per type of evaluation

INDICATORS OF THE PERCEIVED ACCOUNTABILITY OF THE JUDICIARY AND THE INDIVIDUAL JUDGE

A11. Adherence to ethical standards, as perceived by judges

ENCJ survey 2025, Table 24 of Annex 3

A12. Adequacy of actions by judicial authorities to address judicial misconduct and corruption, as perceived by judges, average

ENCJ survey 2025, Table 25 and 26 of Annex 3

Several remarks on the changes made in this edition of the indicators are in order. With regard to independence, the changes concern the perception indicators.

1. Perception of lawyers about judicial independence. In the previous edition of the indicators (2022/2023), no new data were available on the perceptions of lawyers. In this edition, it was intended to remedy this by conducting a survey among the lawyers in cooperation with the CCBE. However, the response rate was too low for most countries to be representative. The indicator, therefore, had to be dropped also in this edition. Alternative approaches to involve the lawyers need to be explored.
2. Separation of Eurobarometer and World Justice Project Rule of law index on the perceptions in society of judicial independence. The Eurobarometer survey is the preferred source, but more countries than before did not participate, as it is confined to EU-members. The UK, Norway, Moldova, Ukraine and BiH are not represented. In the previous edition of the indicators an average of the Eurobarometer and the WJP was used. In this edition, separate indicators are presented.
3. The perception indicators cover also related topics such as absence of corruption and trust. In the 2022/2023 edition, the indicator on trust in the judiciary was defined as a relative measure: trust in the judiciary compared with trust in government and parliament. In all countries, trust in the judiciary was higher than in the other state powers and all judiciaries had the maximum score. As this is not informative, in this edition, trust in the judiciary stands on its own.

With regard to accountability, two changes were made in the formal indicators.

1. The indicator on external review and evaluation of the judiciary was extended to review in general. It includes now internal review within the judiciary and review by or commissioned by government or parliament. While external review commissioned by the judiciary itself is most valuable, the other forms of review are also relevant, in as far as these result in advice to the judiciary and not mandatory recommendations.
2. The indicator on evaluation of judges was simplified, as one of the categories was not used in practice. Evaluation of judges remains a complex area, as evaluation mechanisms can easily come in conflict with the independence of the judge. As a result, scores on this indicator are low.

The indicators and their constituent parts are described in detail in the questionnaire that has been filled out by the Councils of the Judiciary and, where these do not exist, other governing bodies. The format of the questionnaire, including the scoring of the answers (see next section), is published separately on the website of the ENCJ. The questionnaires with the answers for each judiciary are also available on the website of the ENCJ. The answers give a detailed insight in the formal arrangements in each country.

4. Normative evaluation of outcomes

The indicator system consists of the set of indicators just presented and a methodology to uniformly quantify the results. This requires a normative evaluation of what is good and what is bad practice for each (sub)indicator. This is done by means of a points system using scoring rules, based on the following principles:

1. With respect to all formal safeguards, the key issue is the ease with which such safeguards can be removed or altered. A safeguard embedded in the constitution offers more protection than one contained

in normal legislation. Legislative safeguards are more effective than those contained in subordinate legislation, general jurisprudence or tradition.

2. Judicial self-government, balanced by accountability, is desirable. This may be in the form of a Council for the Judiciary or of other governance arrangements that give judges a decisive voice in (specific) decisions. Where other state powers have the authority to make decisions about the judiciary, decisions based on objective criteria (e.g. on the funding of the judiciary) are to be preferred to discretionary decisions.

3. Decisions about the judiciary based upon transparent rules are to be preferred to *ad hoc* reactions to particular situations.

4. Judicial decisions and procedures, including complaints procedures, should all be formalised, public and transparent.

5. Transparency requires active dissemination of information and efforts to make the public familiar with the judiciary, rather than simply making information available in documents on a website.

6. Accountability arrangements must not detract from the independence of the judges.

These principles are also reflected in the ENCJ standards on key aspects of judicial independence. Most indicators consist of several aspects, captured by sub-indicators. With each sub-indicator, points can be 'earned', and a total score for an indicator is reached by combining the scores per sub-indicator. Some sub-indicators weigh heavier than others. The actual scores and the way the scores are aggregated to calculate the indicators are given in detail in the format of the questionnaire, available on the ENCJ website.

5. Method of measurement and external validation

As to the assessment of the formal aspects by means of the questionnaire, the categorisation is done by the participating Councils for the Judiciary or, in the absence of a Council, other governance bodies. This is a form of self-evaluation that, however, can be checked by anybody who is knowledgeable about the legal system concerned, as it concerns the description of formal arrangements. At the General Assembly 2019 of the ENCJ it was decided to introduce external validation of the answers to the questionnaire in view of the reliability and credibility of the indicators.

External validation of the answers to the questionnaire about formal independence and accountability has meant that all judiciaries (with a few exceptions) established small validation committees that generally consisted of two or three members. Most members had a scientific background, but also knowledgeable judges were involved. *Table 2* gives an overview of the validation committees and their composition, as used in this round. Some Members and Observers did not establish an external validation committee. This is in particular justified if the judicial system has not undergone changes since the previous round.

The indicators of perceived independence consist of the perceptions on independence in society (citizens in general), the users of the courts and the judges themselves, and on related topics such as perceptions on corruption and trust. External surveys are available about perceptions in society. The main sources are Eurobarometer reports, but also components of the Rule of Law index of the World Justice Project are used. Unfortunately, insight in the experience of court users is still rare. Few judiciaries have conducted

satisfaction surveys among court users, and, if they did, questions about independence were rarely included.

As to the perceptions of judges, the ENCJ regularly conducts a survey among the professional judges of Europe about their independence and it has also conducted a survey among lay judges in the past.¹⁰ The survey among judges includes some questions that can be related to accountability and these have been incorporated in the indicators. Still, in the coming years perceived accountability needs to be further developed, conceptually and practically.

Table 2. Size and composition of the external validation committees

		Composition			
		Only academics	Only judges	Combination	None
Number of members	0				9
	1	1	1		
	2	8		2	
	3	1		3	
	4	1			

¹⁰ ENCJ (2022). Survey among judges on judicial independence, ENCJ (2017/2018). Data ENCJ Survey on the Independence of Lay Judges.
ENCJ Report on Independence, Accountability and Quality of the Judiciary 2025-2026 – Adopted on 3 June at the General Assembly 2026, Paris, www.encj.eu

6. State of Independence and Accountability in Europe 2025/2026

The outcomes of the indicators are presented in the figures below for each judiciary separately. In total 25 judiciaries¹¹ participated, including within a country those of England and Wales and Northern Ireland. It must be stressed that the indicators should be seen in the light of the normative vision on the independence and accountability of the Judiciary and the analytical framework identifying the essential constituents of the independence and accountability of the Judiciary. The indicators have been developed to analyse and discuss the strengths and weaknesses of judicial systems in the context of the improvement cycle, mentioned in the Introduction. The indicators have not been developed to create a ranking of judicial systems. Consequently, no overall indicators of independence and accountability are calculated. It should be stressed that a weakness in one independence indicator cannot be compensated by the particular strength of another. The calculation of an average across all indicators has little meaning. Readers are advised to treat the comparison of data for different countries with various geographical, economic and legal backgrounds with caution.

Annex 2 gives the indicators for each participating judiciary in table format for 2026 and for three previous years, 2016, 2019 and 2022, for which the indicators were also measured. The table shows that most but not all judiciaries participated in these three editions. The table also makes explicit that the indicators have undergone some changes. Some new indicators were introduced, foremost to improve upon existing indicators.

The table shows substantial differences in the outcomes over time. These differences are caused by actual changes in the formal arrangements and in perceptions but it cannot be ruled out that some arrangements are evaluated differently over time. While the indicators are descriptive, some leave room for interpretation. The validation by external experts reduces subjectivity but not fully. In many countries, the external validation, in particular the first time that it took place (2020), led to discussions about the correct answers to the questionnaire, and in some instances this has resulted in changes in the answers, compared to the previous edition. Consequently, caution is also required when comparing outcomes over time.

6.1 Method of presentation

The indicators on formal independence explicitly contain a standard about what formal arrangements should look like. The higher the score on an indicator, the more it is in line with the principles discussed in Section 4 and detailed in the ENCJ standards. The outcomes for each indicator are presented as a percentage of the maximum score that reflects arrangements that comply with the standards for formal independence and accountability.¹² The perception indicators give percentages of opinions. Statistics such as average and standard deviation can be calculated for each (sub) indicator across judiciaries.

In the graphs per judiciary, the score per indicator for a judiciary is presented in combination with the minimum and maximum score achieved by any of the participating judiciaries. The indicators are depicted horizontally. The indicators on independence consist of indicators 1 – 9 about formal independence (light blue) and indicators 10 – 15 on perceived independence (dark blue). Likewise, the indicators on

¹¹ Not counting double representation of jurisdictions in Greece (civil courts and administrative law tribunals).

¹² As interval scales are used (per sub indicator points can be earned on a scale with equal intervals: the distance between 1 and 2 is the same as between 2 and 3), taking percentages is allowed.

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accountability consist of indicators 1 – 10 on formal accountability (light blue) and indicators 11 – 12 on perceived accountability (dark blue).

Before turning to the indicators for each judiciary, the mean results are given for all judiciaries together.

6.2 State of independence and accountability in Europe: outcomes in general

As to the availability of data, most indicators could be measured for all countries, except for the independence of the Judiciary as perceived by court users. As noted, surveys among court users that survey perceptions of independence are rarely performed on the national level. As a result, most countries have a minimum score of 0 (no survey) on this indicator. Given the importance of court user feedback, there is no reason to drop the indicator due to lack of interest.

Figure 1 gives the average score per indicator over all members and observers of the ENCJ that answered the questionnaire in this edition. The red dash gives the lowest score of any judiciary and the green dash the highest score. Given the differences between the judiciaries, the average scores only give a rough indication of common issues in Europe. In particular, the formal accountability indicators show a wide variation. Nevertheless, some general conclusions can be drawn from the averages in combination with a global inspection of the outcomes for each judiciary.

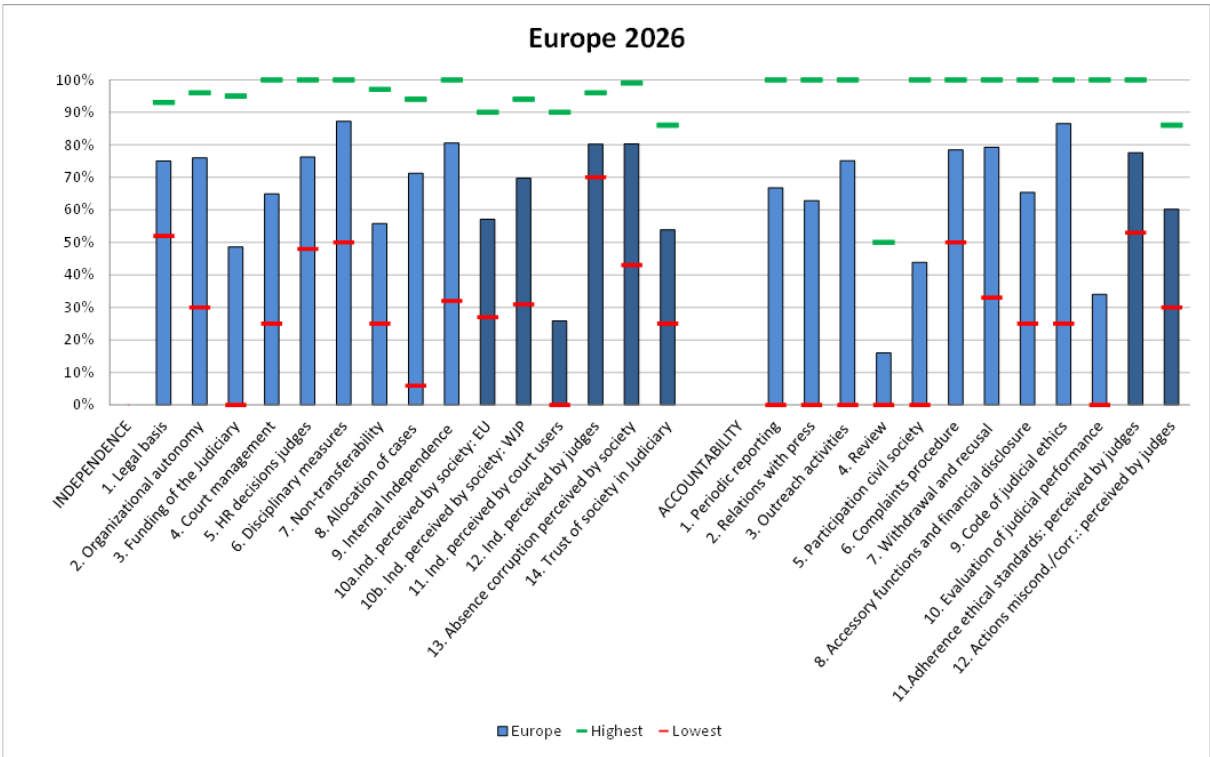


Figure 2 Indicators on Judicial Independence and Accountability, average of all judiciaries

Independence and accountability in Europe

Like in previous years, there is still much room for improvement of independence as well as accountability, judging from the difference between the average scores and what are considered to be good arrangements that comply with the standards (100%). For most indicators at least one Judiciary reaches a 100% score (green dash), showing that these good arrangements are achievable. On the other hand, very low scores also occur (red dash), especially in the area of accountability. It should be stressed with regard to the indicators about independence that a 100% score is not a distant objective but actually needs to be realized to safeguard independence. With regard to most of the perception indicators a 100% score is not realistically achievable. Even so considerable progress can be made. It should be stressed that formal arrangements about the safeguards of independence are often less well arranged in North-Western Europe than in Central Europe, while the scores on perceived independence are generally higher. State of the art formal arrangements do not guarantee independence in practice, and much effort is needed to achieve improvement that is visible to the population.¹³ In the following, a number of topics that are of particular interest are highlighted.

Governance of the Judiciary

Indicator 2 of independence concerns the organizational autonomy of the judiciary. This indicator allows for (the combination of) various governance institutions. Governance institutions only contribute to organizational autonomy of the judiciary if judges have decisive influence on decisions. Focusing on Councils for the Judiciary themselves, two aspects can be distinguished. The first aspect is the degree of compliance of a Council with the - jointly agreed - ENCJ guidelines on independence and the second is the scope of its tasks. The compliance with the guidelines is relatively high but incomplete in many judiciaries, allowing influence of the other state powers. The variety of tasks is very large. There are Councils that do not perform any of the listed tasks. In essence, these are advisory bodies (e.g. in the UK). Also, there are Councils with a broad range of tasks. In addition, the familiar distinction is found between Councils that are directly tasked with the appointment and dismissal of judges and Councils with a focus on the governance of the judiciary and its funding. It follows that the governance of the judiciary differs very much across countries, and is still fragmented in many countries. This stands in the way of the integral governance of the judiciary. The situation is aggravated by lack of influence of the governance institutions on finance (see the next item), but also by the low scores on court management (I4). If court management is firmly in the hands of the judiciary itself, this could compensate for limited functions and imperfect independence of Councils or other governance institutions. However, court management, including the increasingly important area of IT and AI, is often in the hands of the Minister of Justice.

Low scores for funding arrangements

With regard to formal independence (indicators 1-9), the arrangements about the funding of the Judiciary score lowest, as was the case in earlier editions of the indicators. The funding of the Judiciary is generally not well arranged, and judiciaries are often dependent on discretionary decisions by the government. The

¹³ This is in line with the general finding in the empirical literature that *de iure* and *de facto* independence are weakly related: e.g. J. Melton and T. Ginsburg (2014), 'Does De Jure Judicial Independence Really Matter: a reevaluation of explanations for judicial independence'. *Journal of Law and Courts* 2 (2): 187. This should not be taken to imply that formal safeguards are not important but as an incentive to strengthen the implementation of safeguards in practice.

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indicator consists of two elements: the division of decision-making authority between judiciary, government and parliament, including the possibility for the judiciary to involve parliament in case of a conflict with government, and the objectivity of the criteria of funding. On both aspects scores are low. As a result, budgets are often inadequate.

Table 3 provides data on the perception of Councils for the Judiciary and other governing bodies about the adequacy of the budget of the judiciary. 13 out of 25 judiciaries state that the budgets are insufficient. Of these 13 judiciaries, 8 report that the budget is insufficient to handle the caseload and 11 that the budget for IT-systems and buildings is inadequate.

The outcomes in this area underline the relevance of the ENCJ report from 2016 on the funding of the judiciary.¹⁴ The main recommendations of that report are:

1. The creation of the budget should be systemically and practically free from inappropriate political interference, so that courts are financed on the basis of objective and transparent criteria;
2. The Council for the Judiciary or equivalent body should be closely involved at all stages in the budgetary process, and courts must be resourced to a level which provides an effective and efficient justice system;
3. Budgetary priorities must be defined in collaboration with the relevant judiciary according to transparent criteria, and must not themselves dictate the court procedures to be followed.

These recommendations are still very relevant.

¹⁴ See ENCJ (2015-2016). Funding of the Judiciary. See www.encj.eu.

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Table 3. Sufficiency of the funding of the Judiciary, as perceived by Councils and other governing bodies

Is the funding of the Judiciary sufficient as to allow the courts to cover the following activities					
	To handle their caseload	To engage experts/translators /etc in cases when necessary if fees paid by court	To keep the knowledge and skills of judges up to date	To keep the knowledge and skills of court staff up to date	To facilitate judges and other personnel in matters of IT-systems, buildings etc.
Austria	yes	yes	yes	yes	yes
Belgium	not sure	not sure	not sure	not sure	not sure
BiH	no	no	yes	no	no
Bulgaria	yes	yes	yes	yes	no
Finland	yes	yes	yes	yes	yes
France	no	no	no	no	no
Germany	yes	yes	yes	yes	yes
Greece CC	no	no	no	no	no
Greece AD	no	no	yes	no	no
Hungary	yes	yes	yes	yes	yes
Ireland	yes	yes	yes	yes	yes
Italy CPGA	yes	yes	yes	yes	yes
Latvia	yes	yes	yes	no	yes
Lithuania	no	yes	yes	no	no
Luxembourg	yes	yes	yes	yes	yes
Moldova	no	no	yes	yes	no
Netherlands	yes	yes	yes	yes	yes
Norway	yes	yes	yes	yes	yes
Portugal	no	yes	yes	yes	no
Romania	no	no	no	no	no
Slovakia	yes	no	no	no	no
Slovenia	yes	yes	yes	yes	yes
Sweden	yes	yes	yes	yes	yes
Spain	no	yes	yes	yes	yes
England&Wales	yes	no	yes	no	no
Northern Ireland	yes	yes	yes	no	yes

Ambivalent outcomes about appointment and promotion of judges

In previous reports on the measurement of the indicators, it was noted with regard to human resource decisions (appointment and promotion of judges) that a high score on the indicator does not generally coincide with a high score on the questions in the judges' survey about whether judges are appointed and promoted solely on the basis of merit and experience.¹⁵ Apparently, full compliance with the standards does not guarantee a high opinion of the judges about the outcome of the appointment and promotion procedures. Also, some judiciaries that are valued positively by judges in this respect are not fully in compliance with the standards. *Figure 3* illustrates both observations. The horizontal axis gives the scores on the indicator that captures the arrangements for human resource decisions about judges, and the vertical axis the outcomes of the judges' survey. If indicator and survey answers were consistent, outcomes would be on the diagonal. In this edition, again a large cluster of countries lies below the diagonal, and

¹⁵ See ENCJ 2019 and ENCJ 2023.

also many countries lie above it. Thus, many judiciaries perform substantially worse than their formal arrangements would indicate and also many substantially better.

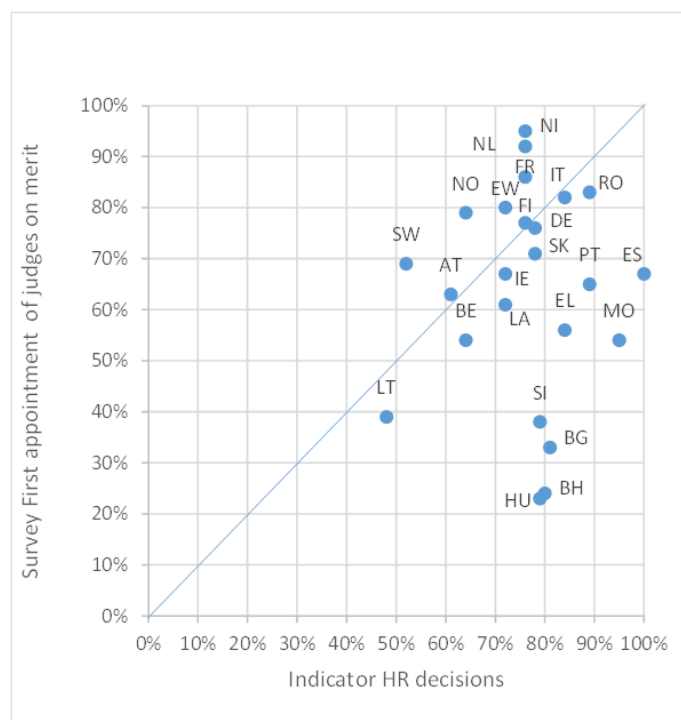


Figure 3 Indicator HR decisions vs agreement on first appointment of judges only on merit in judges survey (Survey 2025)

Lack of external orientation of the Judiciary

The indicators show that the external orientation of the judiciary is still rather weak. Staying in touch with society is important for the judiciary to know what citizens expect from the courts and how they view the performance of the courts. Staying in touch also allows the judiciary to explain its role in society. While many judiciaries engage in outreach activities, on other indicators the scores are low. While the number is increasing, still few judiciaries conduct systematically court user surveys (I11). Also, external review, as part of the indicator on review in general (A4), is rare. The same holds for the participation of civil society in governance bodies of the judiciary, such as those concerning the selection and appointment of judges.

Non-transferability of judges

A relatively weak point in several judiciaries is the transfer of judges to other courts without their consent, leading to a low score on average across countries. Weak protection against transfers allows influence over judges. Apparently, this area is often not well-regulated.

Evaluation of judicial performance: tension between independence and accountability

The indicator regarding the evaluation of judges scores low on average across judiciaries. This has not so much to do with the absence of evaluation, as with the tension between evaluation and independence, in particular when evaluation is the basis of career decisions. Evaluation mechanisms need to comply with

standards to protect independence. These standards include the following. Evaluation in itself can not lead to the dismissal (demotion/transfer) of a judge. The body that conducts the evaluation must consist of a majority of judges. The executive or legislative powers must not take part in the evaluation. All information on which the evaluation is based needs to be documented and available to the judge. The judge must have the right to respond to any findings on him/her. A procedure of appeal needs to be in place which allows for an independent review of all materials. With the current weights attached to these standards, many judiciaries score zero on this indicator. As the standards seem to be valid, these safeguards need to be applied more strictly.

Accessory functions/financial disclosure

The score on the indicator on accessory functions and financial disclosure has improved on average since the previous measurement of the indicators (from 52% to 65%). There is still room for improvement. The relatively low score is primarily caused by the absence of financial disclosure in many judiciaries. Financial disclosure is found systematically in Central Europe with the exception of Hungary.

Perceived independence

Perceptions of independence show mixed outcomes. Citizens' perception of judicial independence is less favourable than that of judges. Earlier editions of the indicators (2017, 2019) could use the results of a survey among lawyers. Their perception score of judicial independence was between that of citizens and judges. As noted above, the survey 2025 among lawyers did not reach sufficient response in most countries. For the countries with a sizeable response the same outcome was found with the score of the lawyers closer to that of the public than of the judges.

As to related phenomena, the mean score of the citizens' perception of judicial corruption is rather favourable, but, as the country profiles will show, the differences among judiciaries are large and corruption remains a major challenge in a number of judiciaries.

As mentioned already, most judiciaries do not conduct court user surveys. Consequently, there is no insight into the experience of the court users. The average score on indicator 11 is low. This is the result of the absence of surveys, and not the result of low satisfaction about independence. It is within the mandate of judiciaries to conduct court user surveys, and this would help to get a better understanding of the experience and perceptions of them.

Trust of citizens in the judiciary warrants specific attention. In the previous editions, the indicator provided a within-country comparison of trust of citizens in the judiciary relative to trust in the other state powers. In all countries, the trust in the Judiciary is higher than the trust in the other branches of the state with two exceptions where trust is at the same level (Bulgaria, Portugal). While the three state powers fulfil very different functions, it is remarkable that nearly everywhere judges are trusted more than directly elected officials. However, this does not imply that trust in the judiciary is high in all judiciaries. The current indicator shows this.

Perceived accountability

In its current edition, the perception indicators are confined to the perceptions of judges. As noted earlier, the comparison with the perceptions of lawyers could not be realized in 2026. The current indicators concern adherence to ethical standards and the adequacy of actions by judicial authorities to address judicial misconduct and corruption. More than 80% of the responding judges are content with the adherence of judges to the ethical standards. Between 60% and 70% expressed the opinion that misconduct and corruption are effectively addressed by the judicial authorities. It should be noted that the perceptions of judges and lawyers differed very much in earlier edition, and this could still be cause for concern. The measurement of the perceptions of accountability is currently limited and requires a further conceptualization.

6.3 State of independence and accountability per judiciary

The country profiles are presented in alphabetical order for all participating judiciaries, members of the ENCJ as well as observers. An asterisk denotes the observers. Where a Judiciary did not participate in the questionnaire, its country profile for 2022 or 2023 is included. Observers are indicated by *.

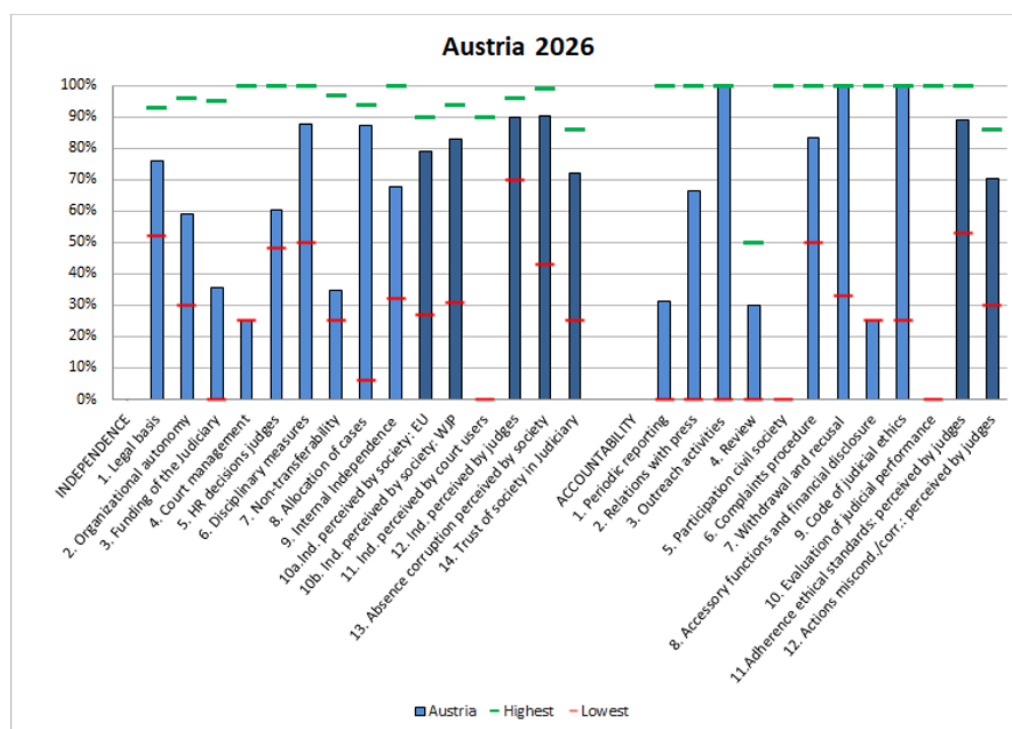


Figure 4 Indicators on Judicial Independence and Accountability, Austria*

Note: In Austria the administration of courts falls under the responsibility of the executive i.e. of the competent minister, that is the Minister of Justice. Court administration is handled at each court by the court president. The court president is a judge and is supported by his/her vice-presidents, being judges as well. When performing their administrative duties (but only then), judges who work in court administration do not enjoy judicial independence but act within the hierarchy of the executive.

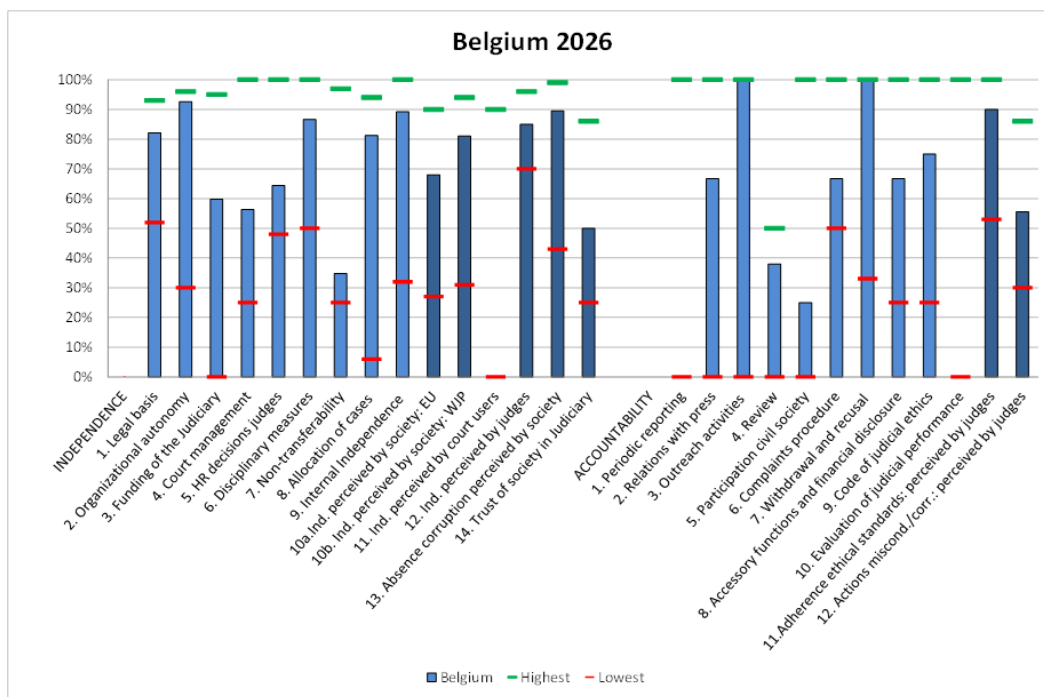


Figure 5 Indicators on Judicial Independence and Accountability, Belgium

Note: The Belgian Council is not part of the judiciary. It is, however, in conformity with the ENCJ guidelines for Councils.

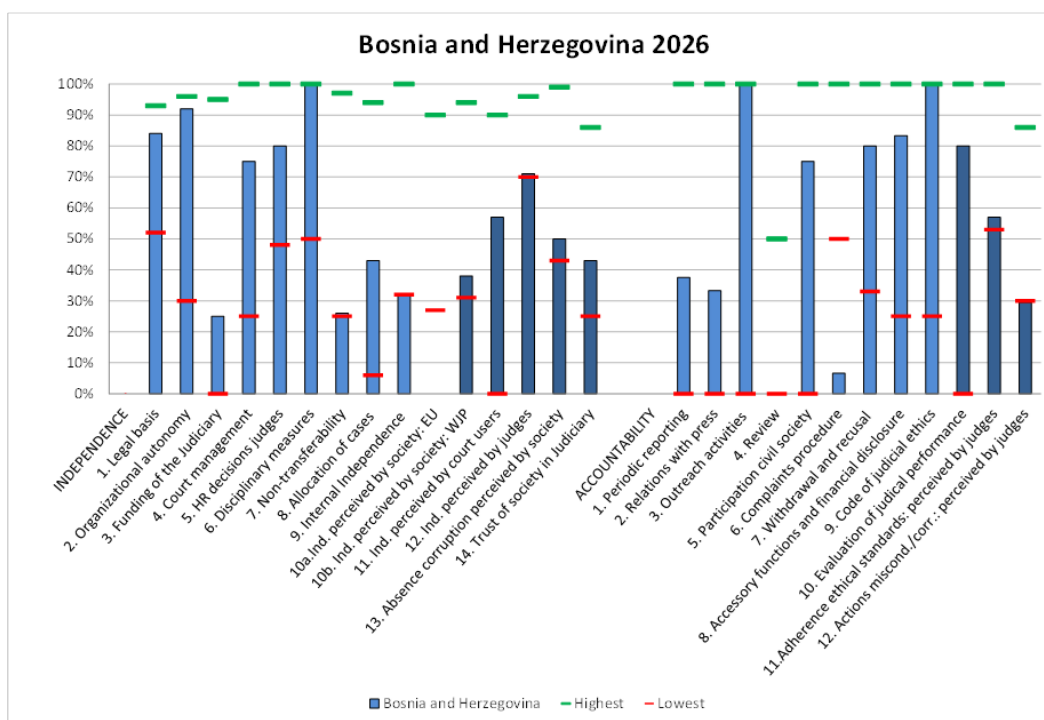


Figure 6 Indicators on Judicial Independence and Accountability, Bosnia and Herzegovina

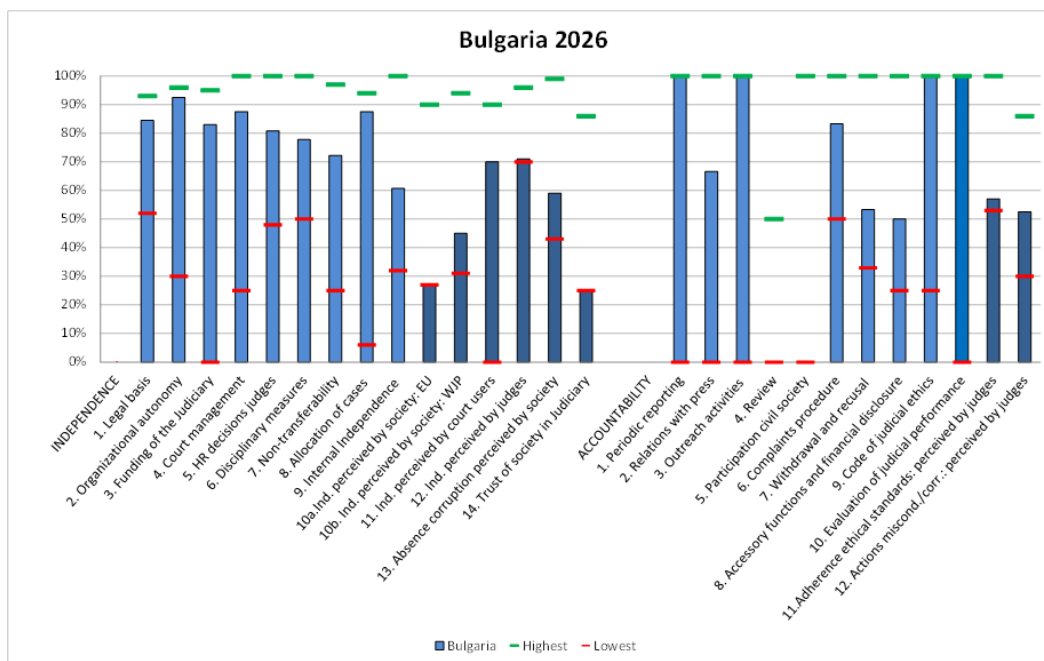


Figure 7 Indicators on Judicial Independence and Accountability, Bulgaria

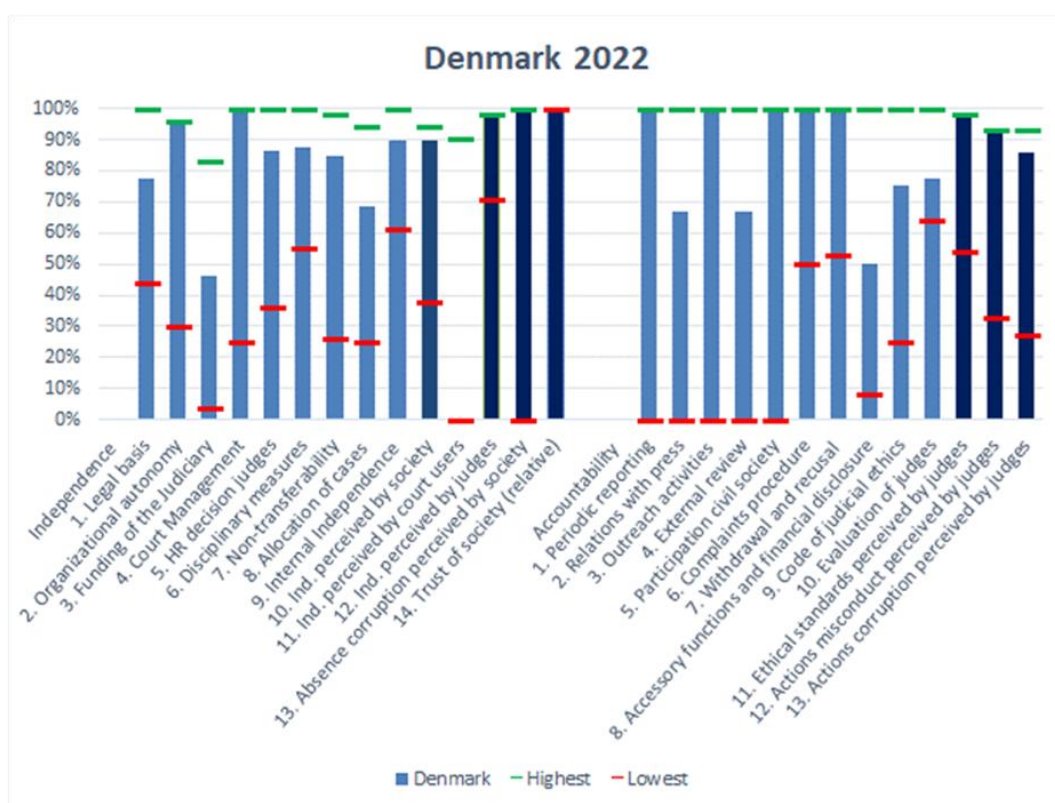


Figure 8 Indicators on Judicial Independence and Accountability, Denmark 2022

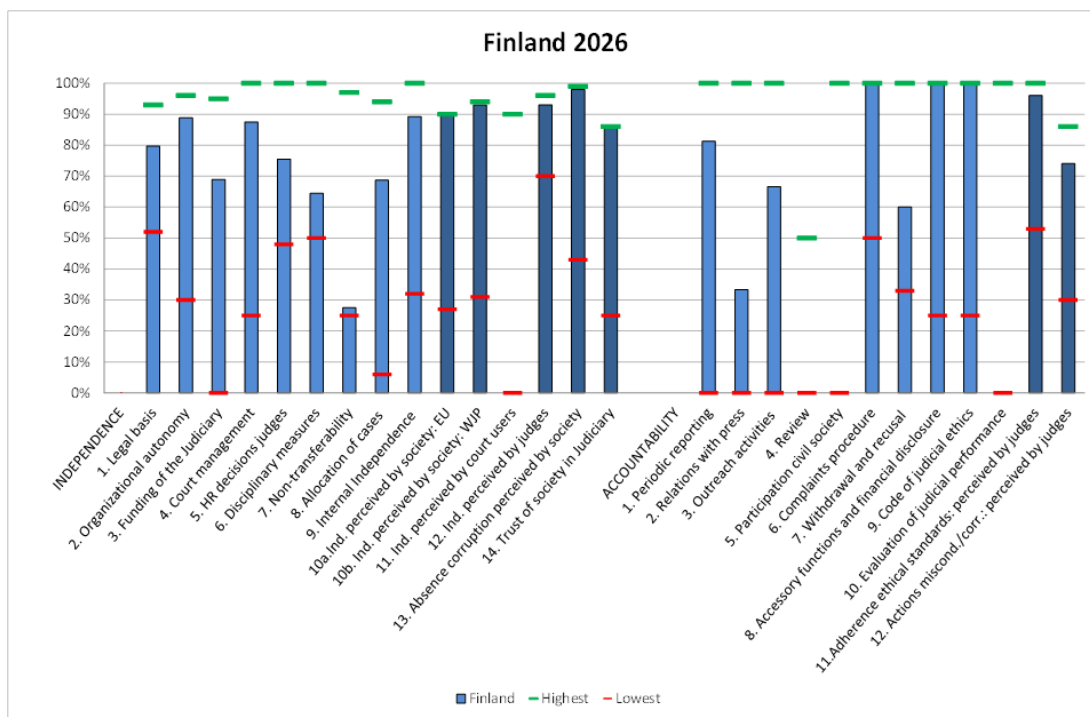


Figure 9 Indicators on Judicial Independence and Accountability, Finland

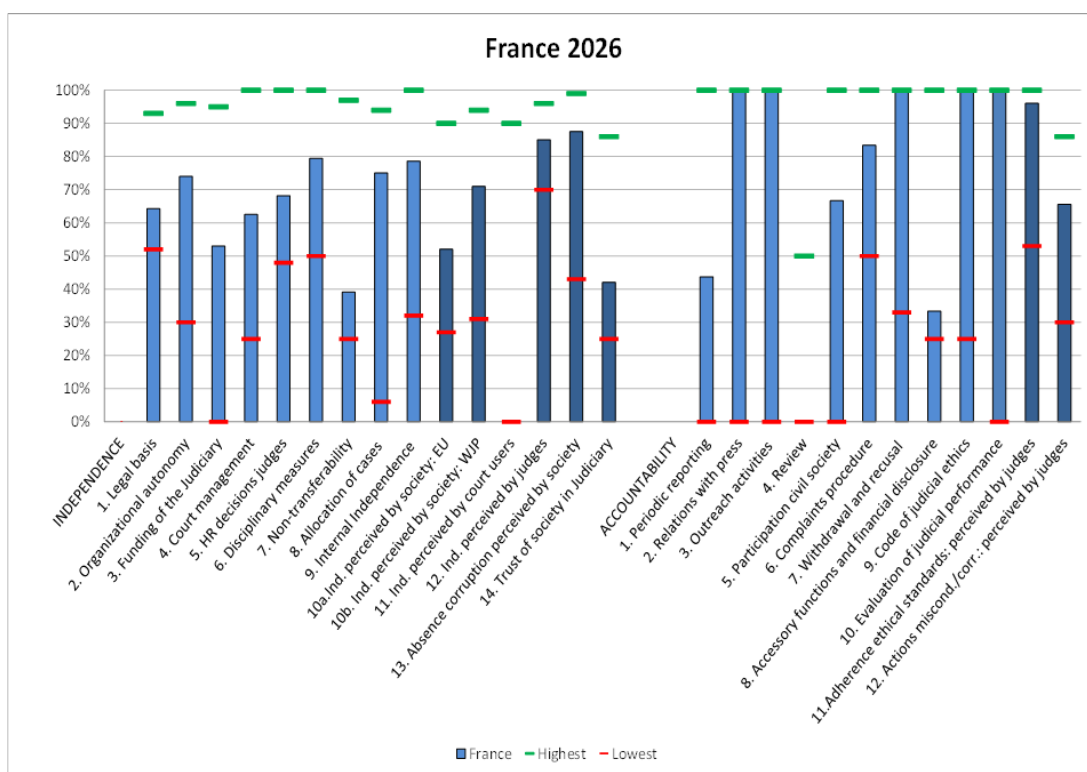


Figure 10 Indicators on Judicial Independence and Accountability, France

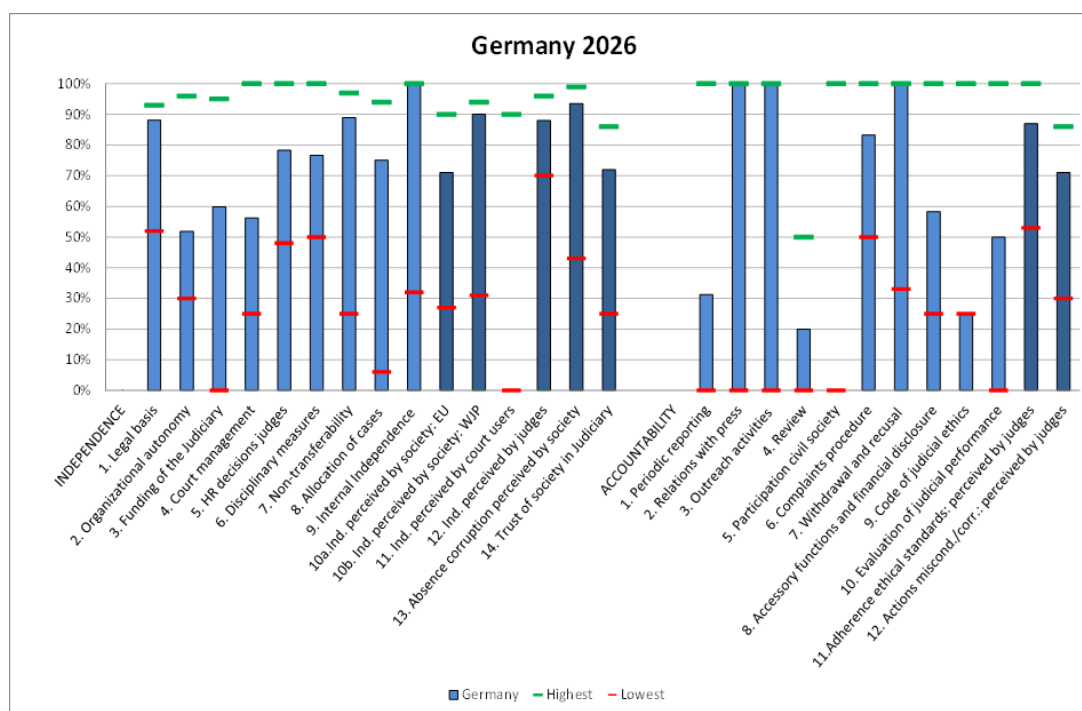


Figure 11 Indicators on Judicial Independence and Accountability, Germany*

Note: While judges work on and decide their cases independently, the administration of courts in Germany falls under the responsibility of the executive i.e. of the competent minister, usually the Minister of Justice of the respective Land or the Federation. Court administration is handled at each court by the court president. The court president is a judge and is supported by other judges in his or her administrative duties. When performing their administrative duties (but only then), judges who work in court administration do not enjoy judicial independence but act within the hierarchy of the executive. While German court administration is therefore handled by judges in close contact with their peers, the executive, not the judiciary is responsible for court administration.

Judges both at federal level and at the level of the Länder are appointed by the competent minister, usually the Minister of Justice. However, at the federal level and in roughly half of the Länder, the respective parliament participates in the selection. Though judges do not participate directly in the selection and promotion of judges, they have considerable indirect influence.

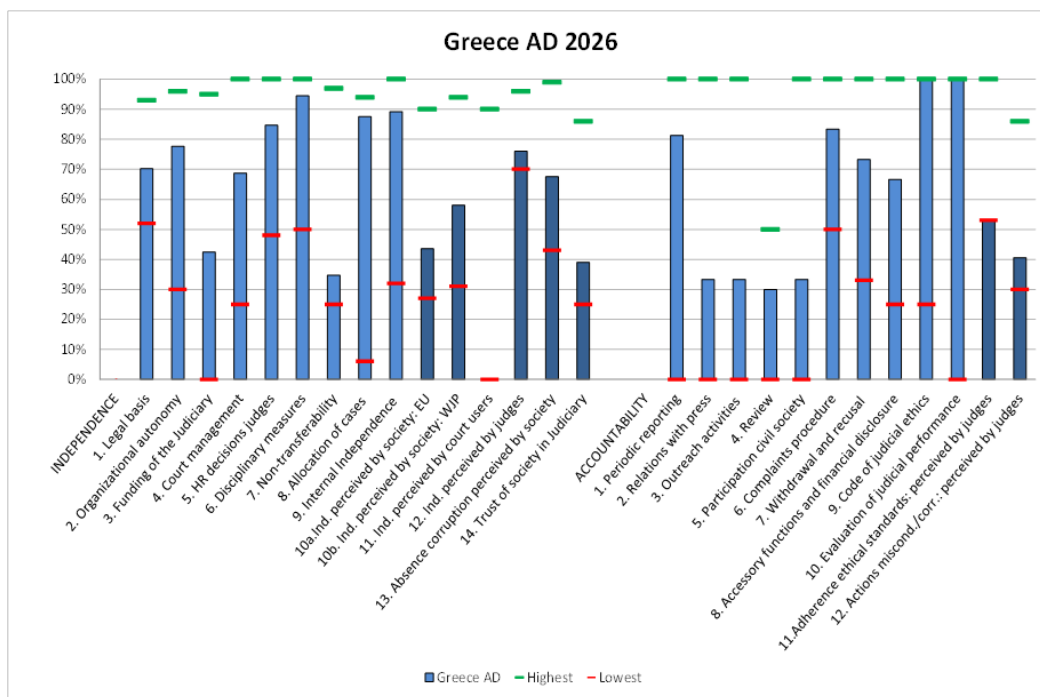


Figure 12a Indicators on Judicial Independence and Accountability, Greece

Note: Greece has two Councils. One Council (AD) is responsible for the administrative courts, the other for the criminal and civil courts (CC).

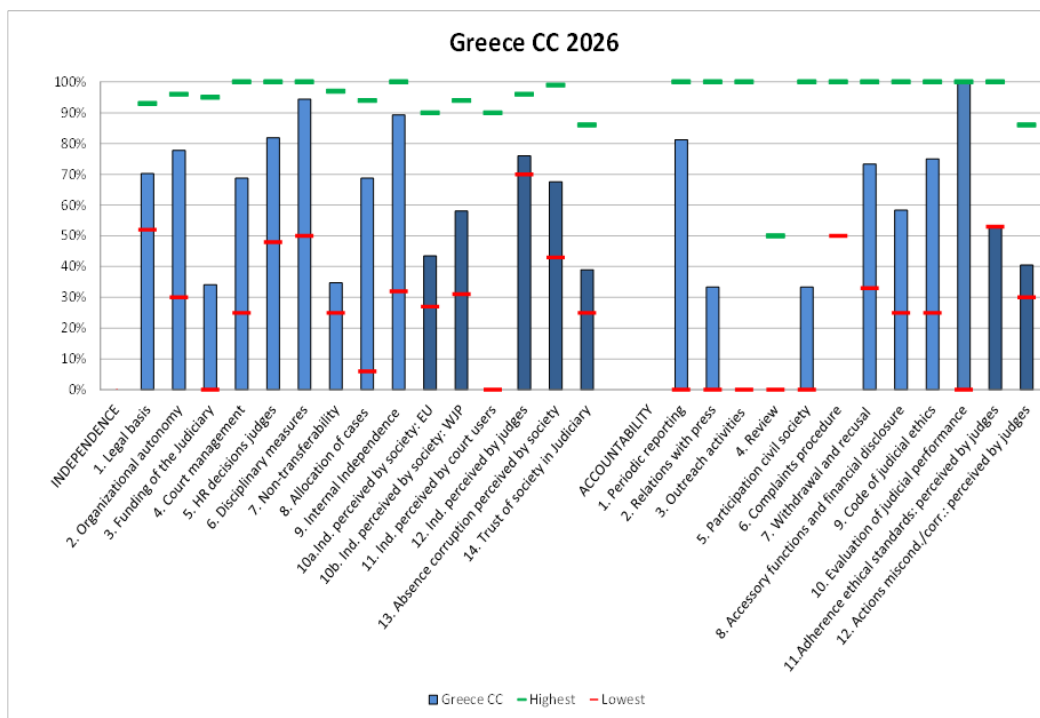


Figure 12b Indicators on Judicial Independence and Accountability, Greece

Note: the low score on non-transferability is mainly caused by the possibility to take a judge off a case without his/her consent. This can only occur if (s)he fails to render a judgment within 8 months after deliberation without good reason.

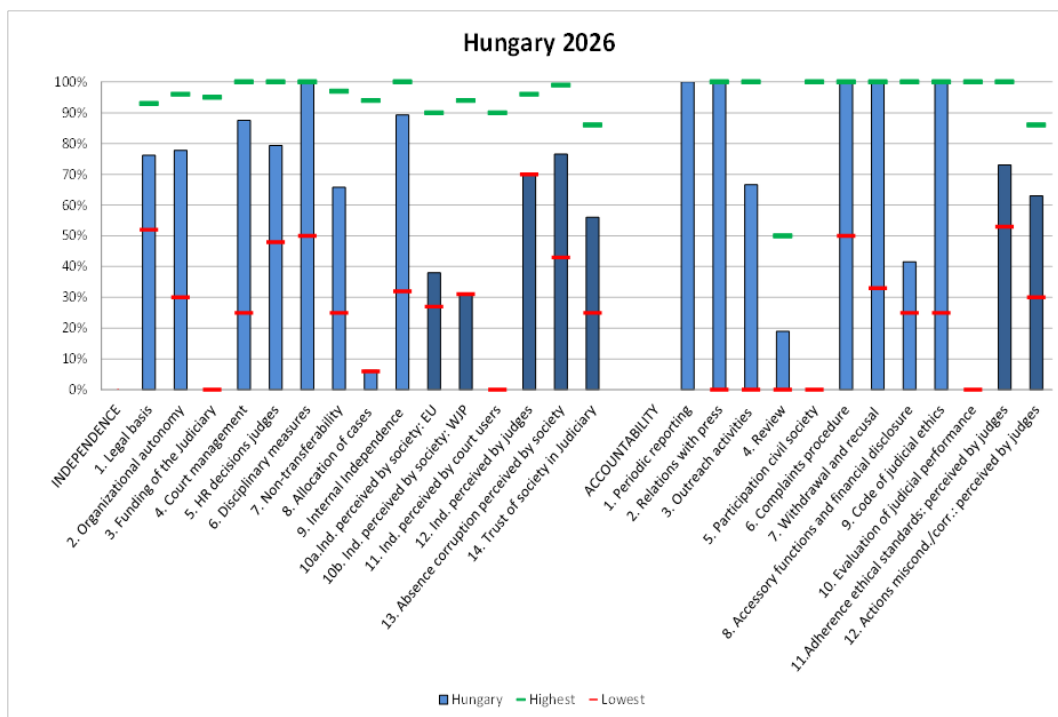


Figure 13 Indicators on Judicial Independence and Accountability, Hungary

Note: the organization of the judiciary is complicated, as in addition to the Council for the judiciary, there is the National Office of the Judiciary which has broad responsibilities. Its president is not elected by the judges.

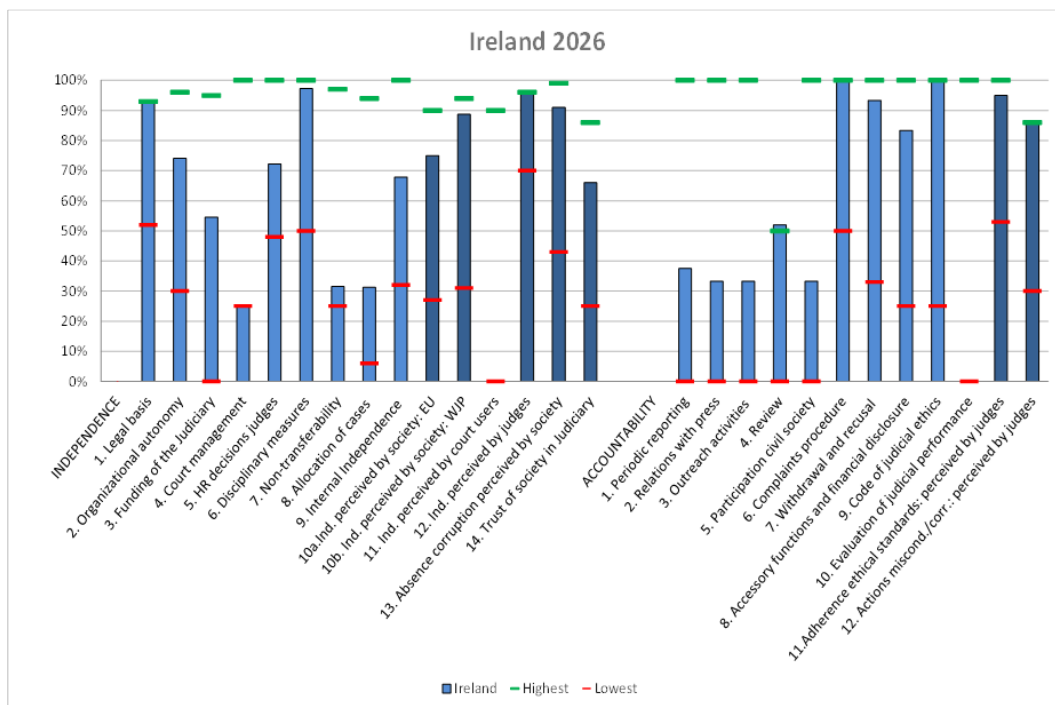


Figure 14 Indicators on Judicial Independence and Accountability, Ireland

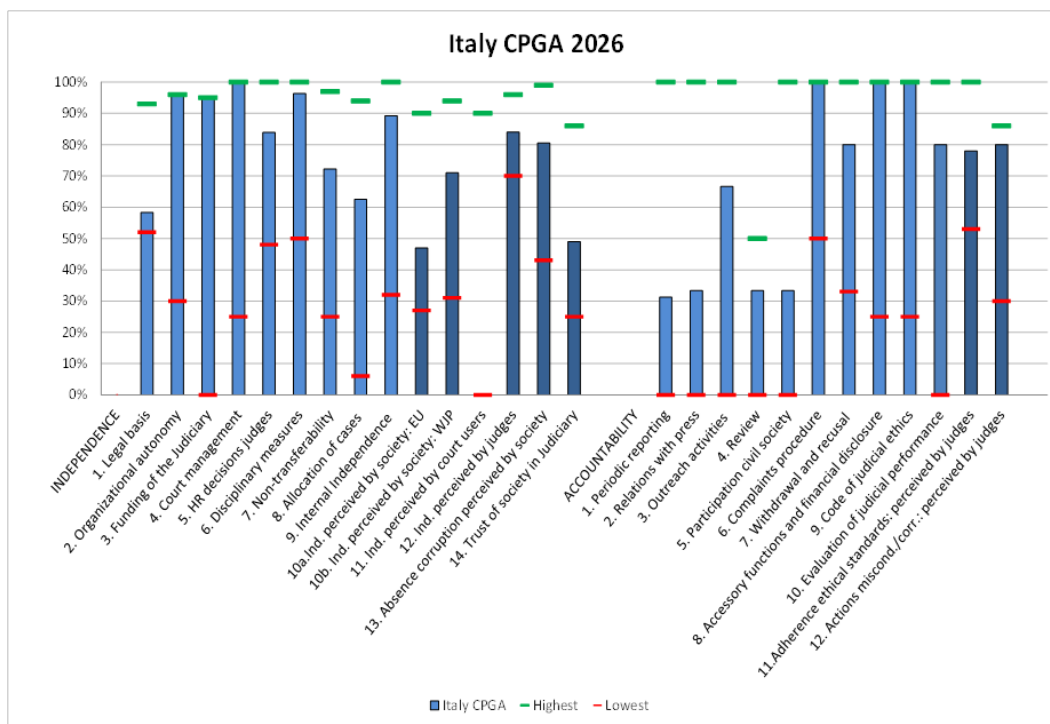


Figure 15a Indicators on Judicial Independence and Accountability, CPGA Italy

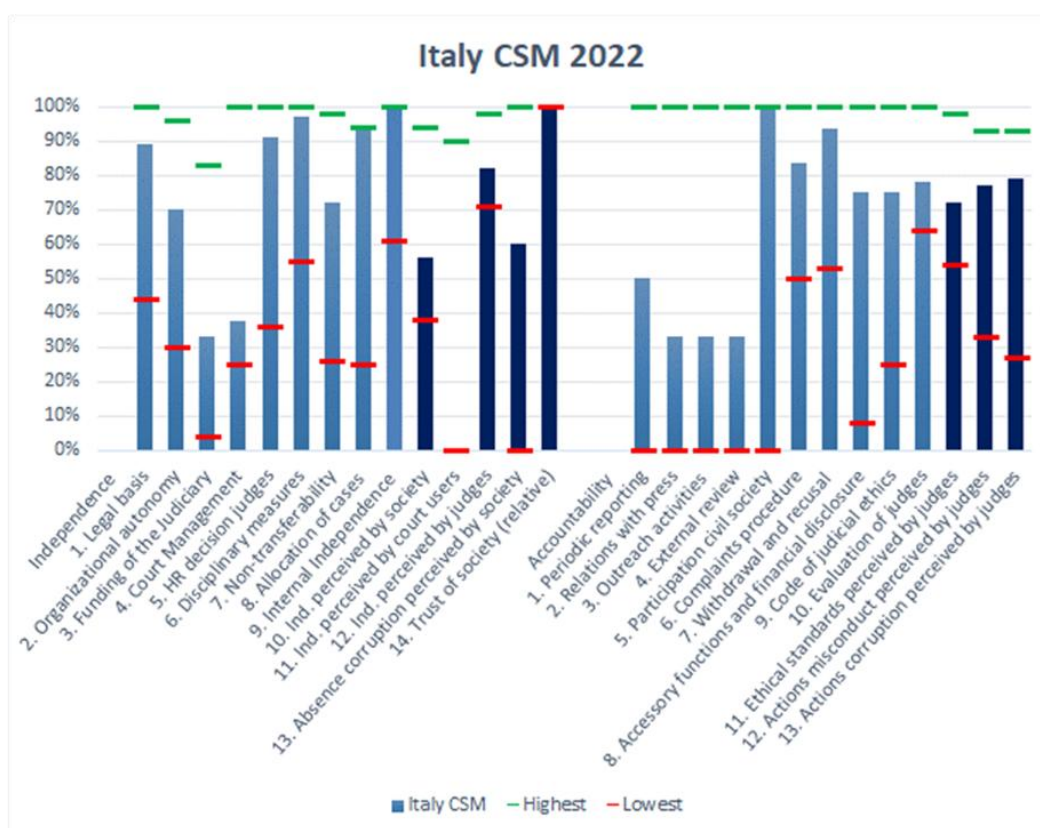


Figure 15b Indicators on Judicial Independence and Accountability, CSM Italy

Note: there are two Councils in Italy. One Council is responsible for the administrative courts (CPGA) and the other for criminal and civil courts (CSM).

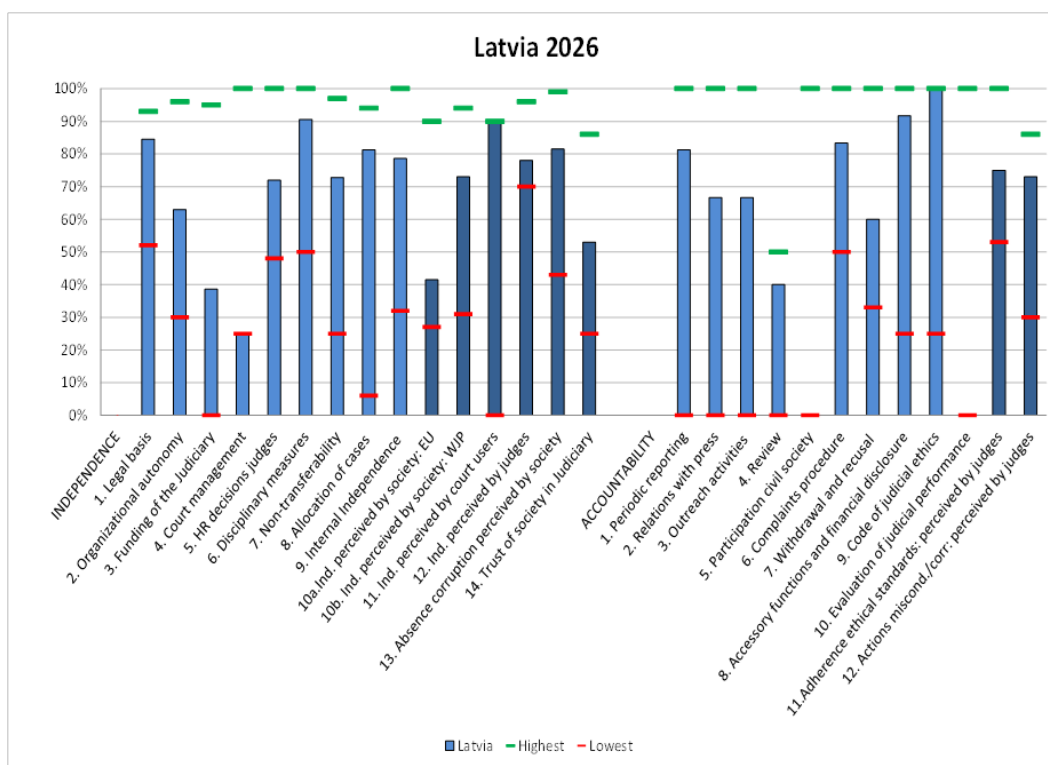


Figure 16 Indicators on Judicial Independence and Accountability, Latvia

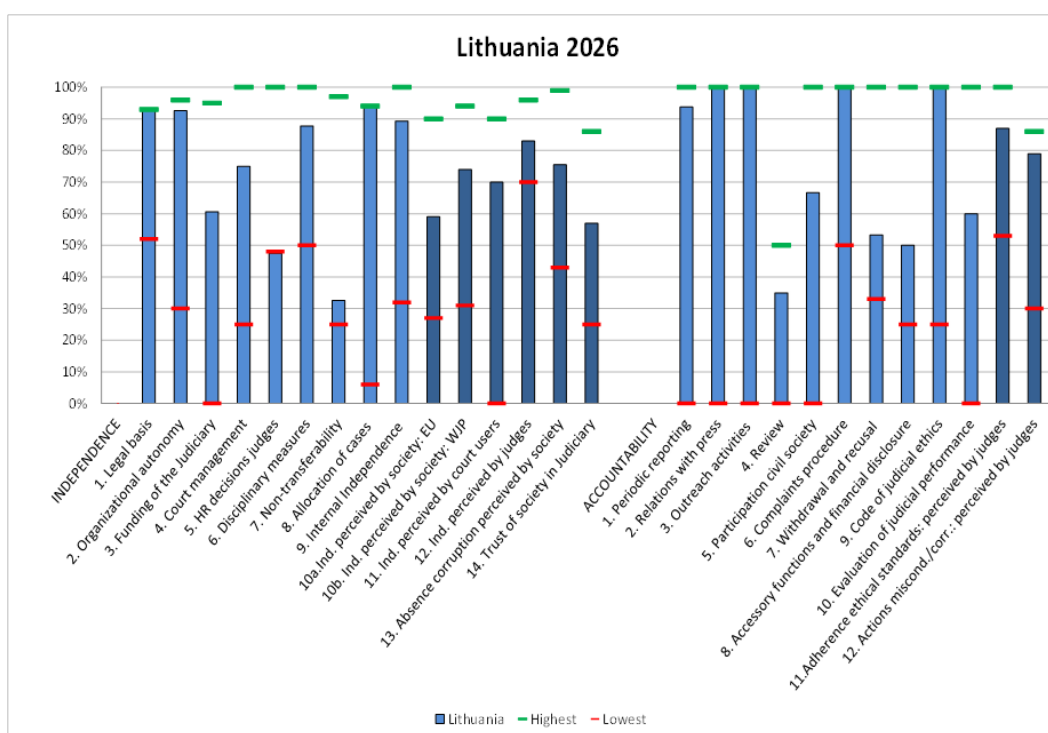


Figure 17 Indicators on Judicial Independence and Accountability, Lithuania

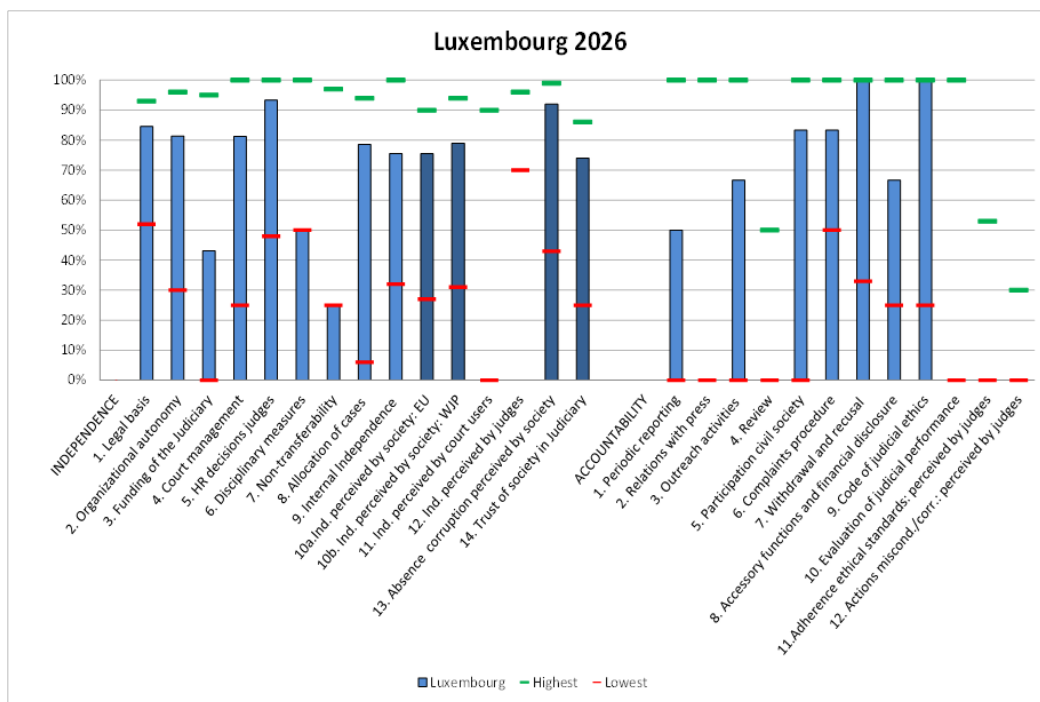


Figure 18 Indicators on Judicial Independence and Accountability, Luxembourg

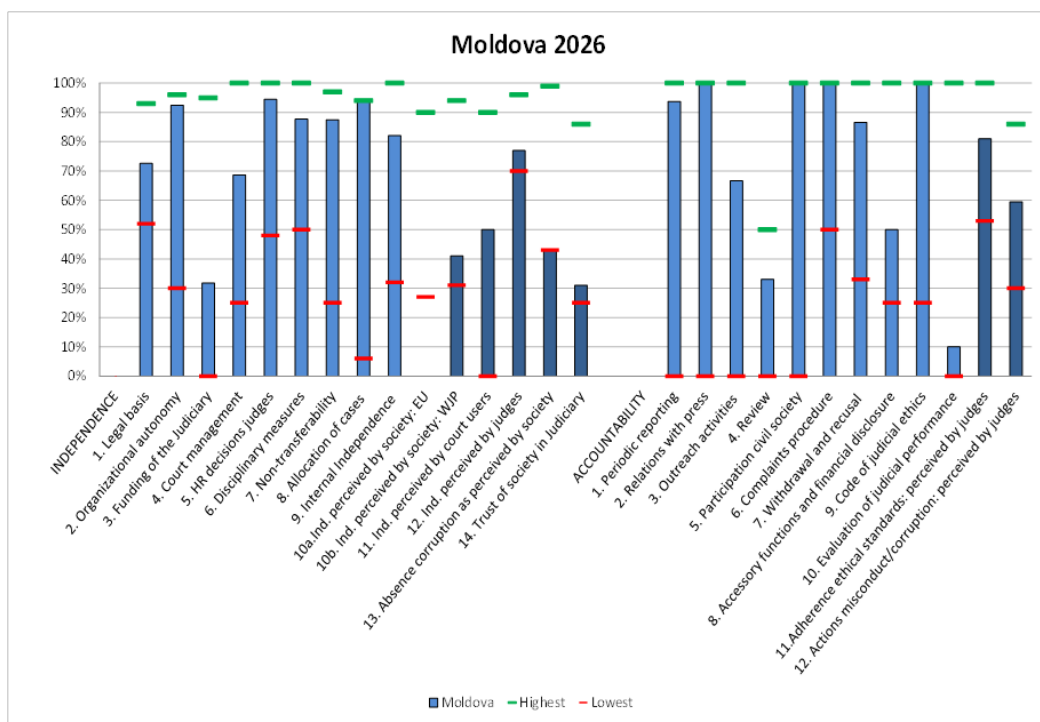


Figure 19 Indicators on Judicial Independence and Accountability, Moldova

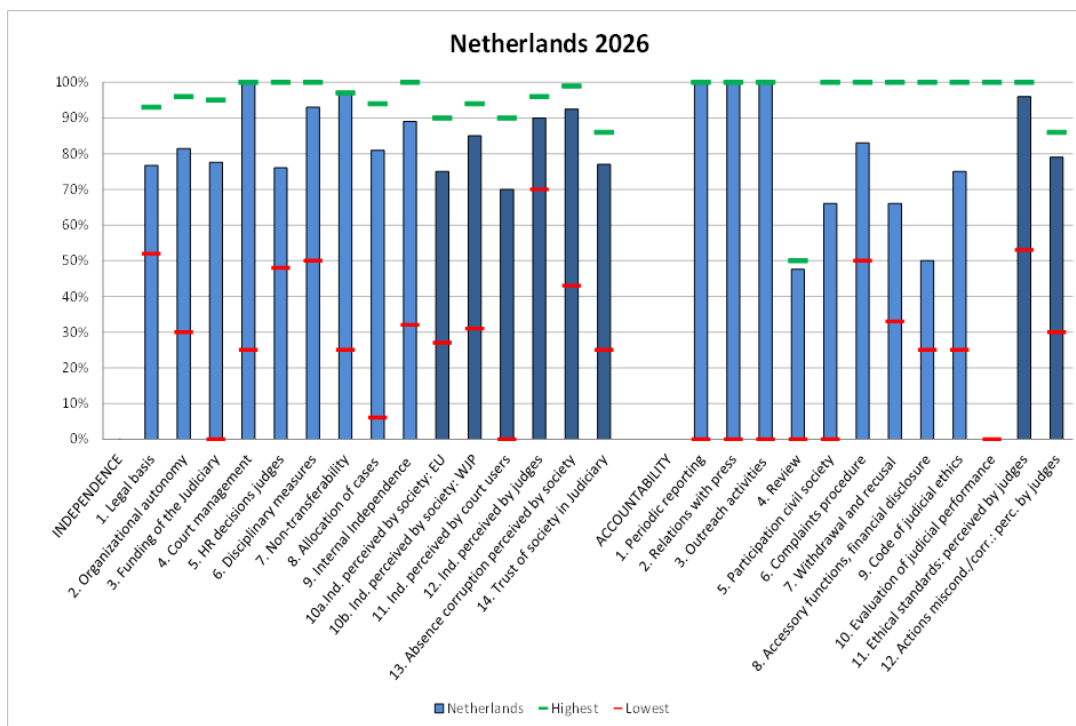


Figure 20 Indicators on Judicial Independence and Accountability, the Netherlands

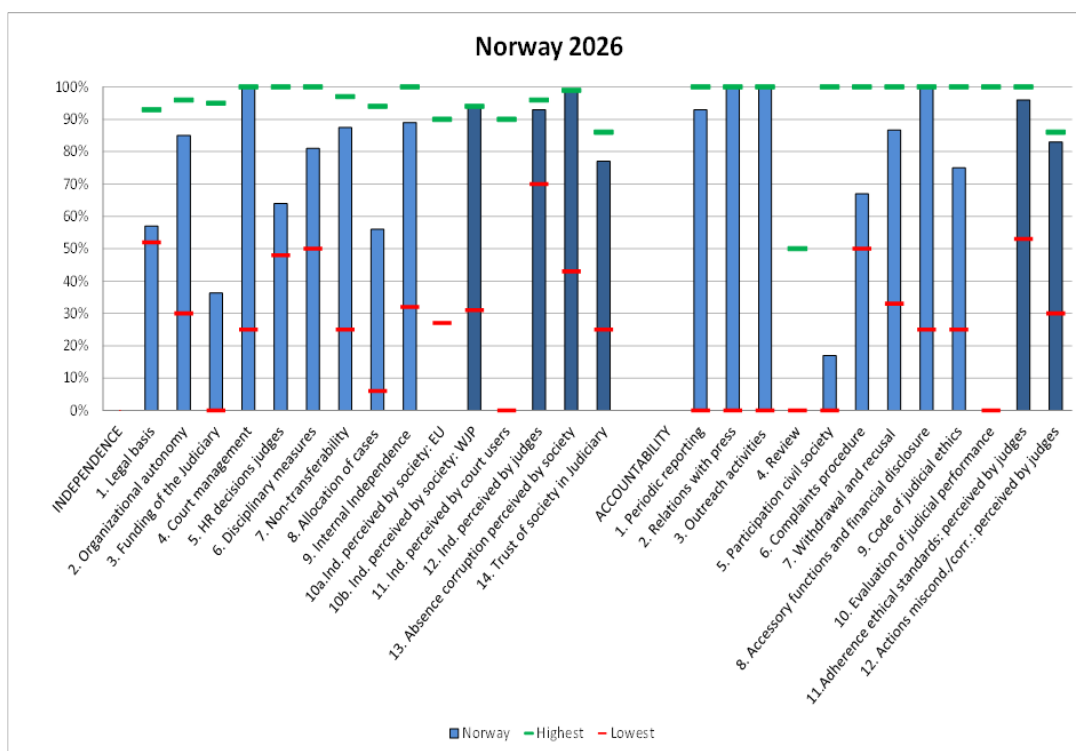


Figure 21 Indicators on Judicial Independence and Accountability, Norway*

Note: as Norway is not part of the EU, indicator 10a cannot be measured.

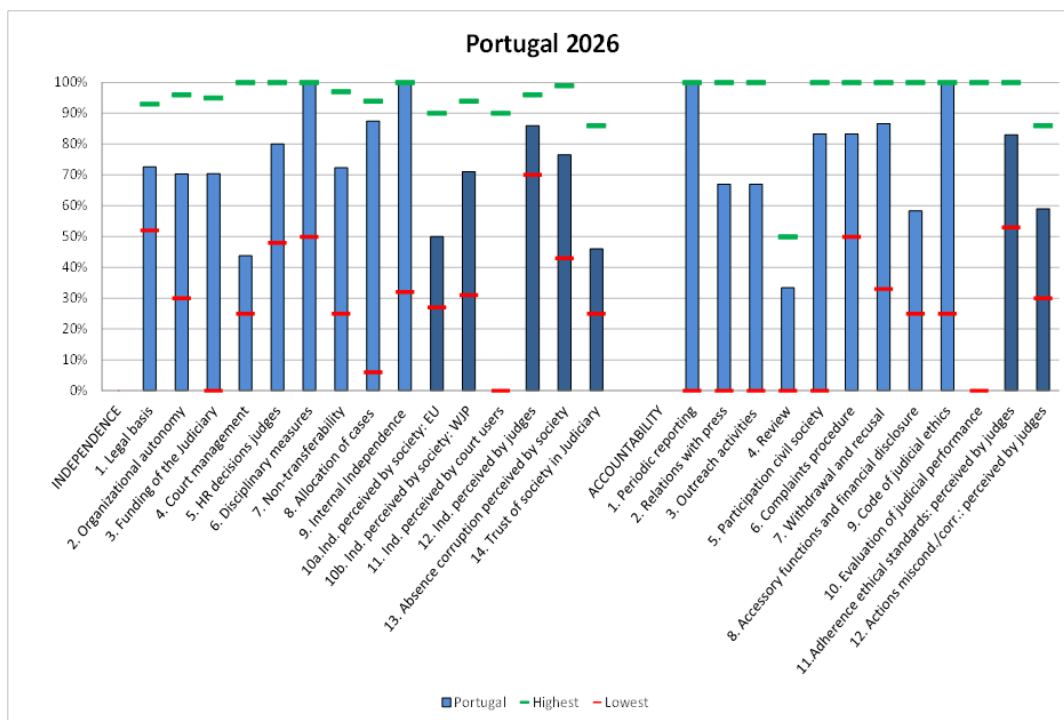


Figure 22 Indicators on Judicial Independence and Accountability, Portugal

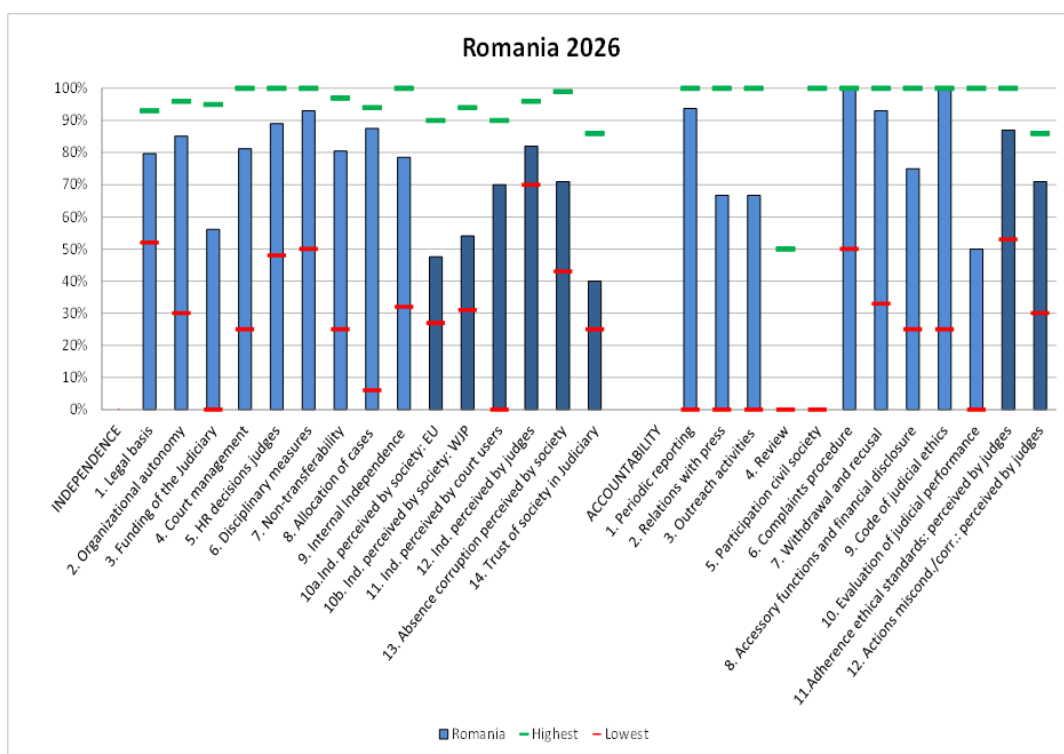


Figure 23 Indicators on Judicial Independence and Accountability, Romania

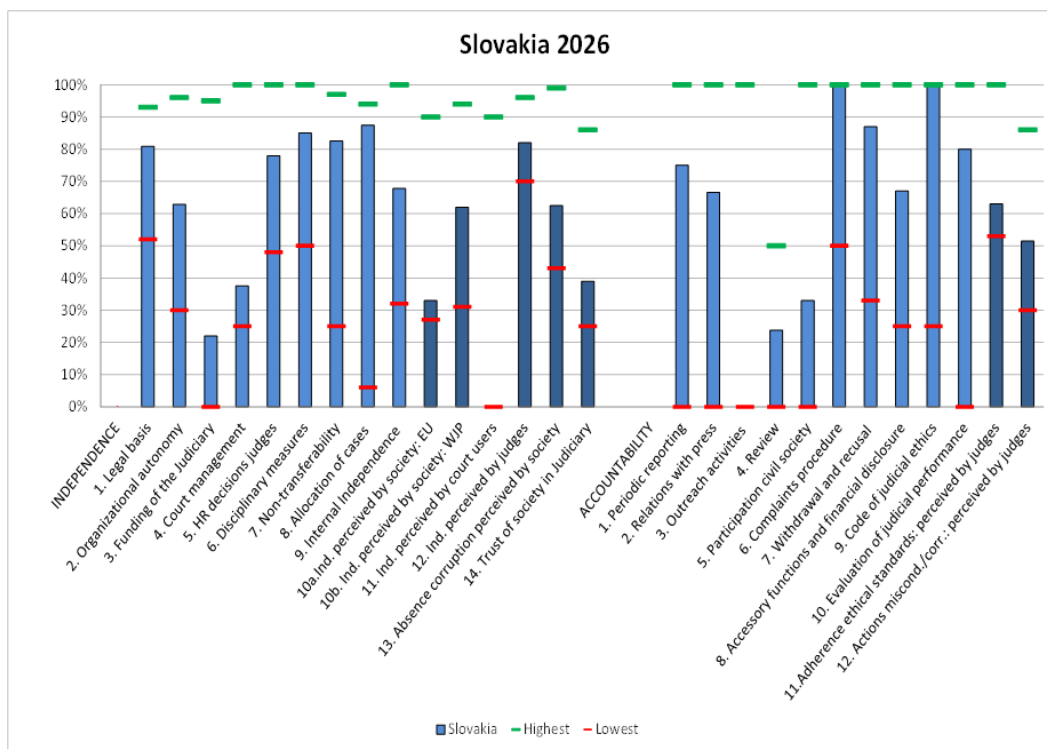


Figure 24 Indicators on Judicial Independence and Accountability, Slovakia

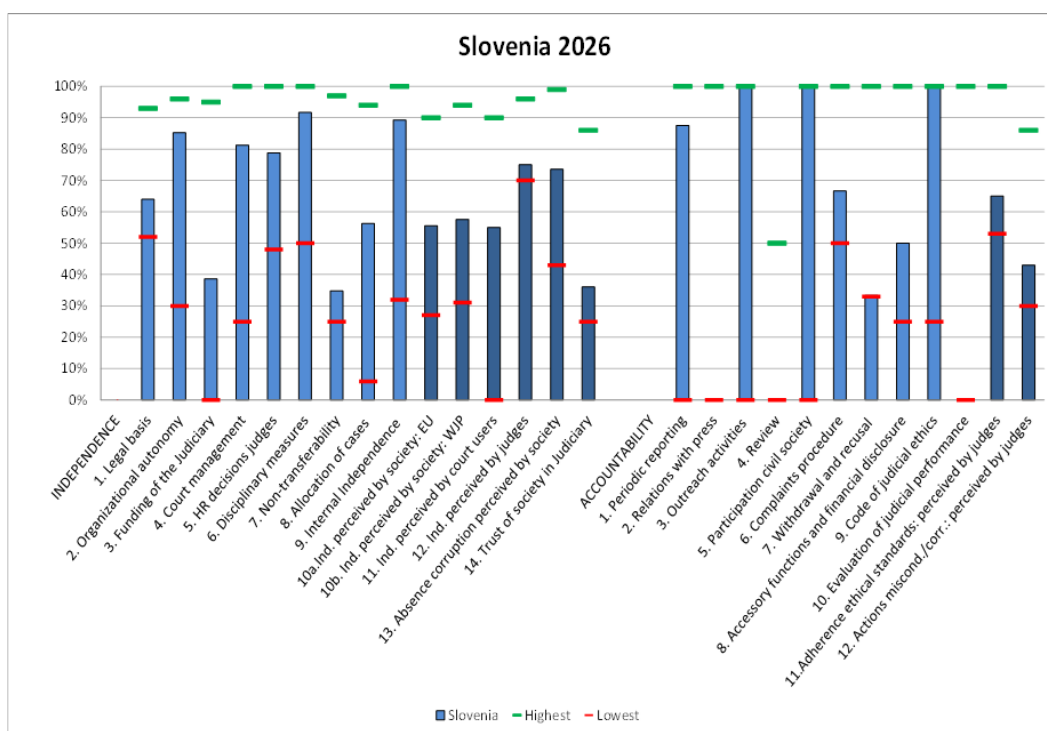


Figure 25 Indicators on Judicial Independence and Accountability, Slovenia

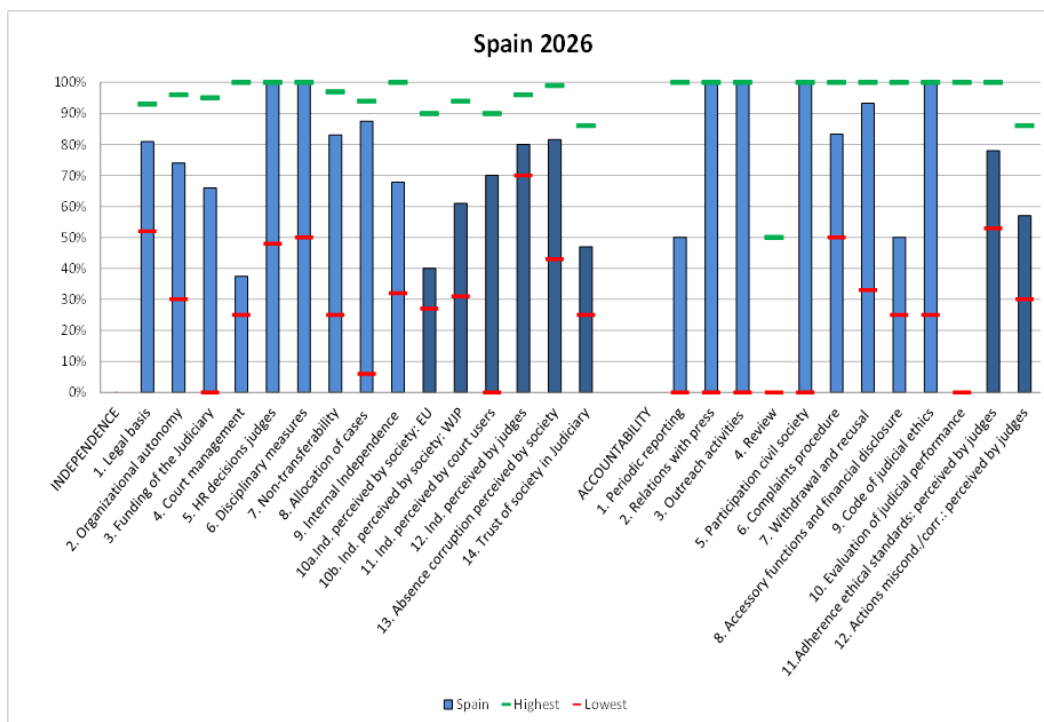


Figure 26 Indicators on Judicial Independence and Accountability, Spain

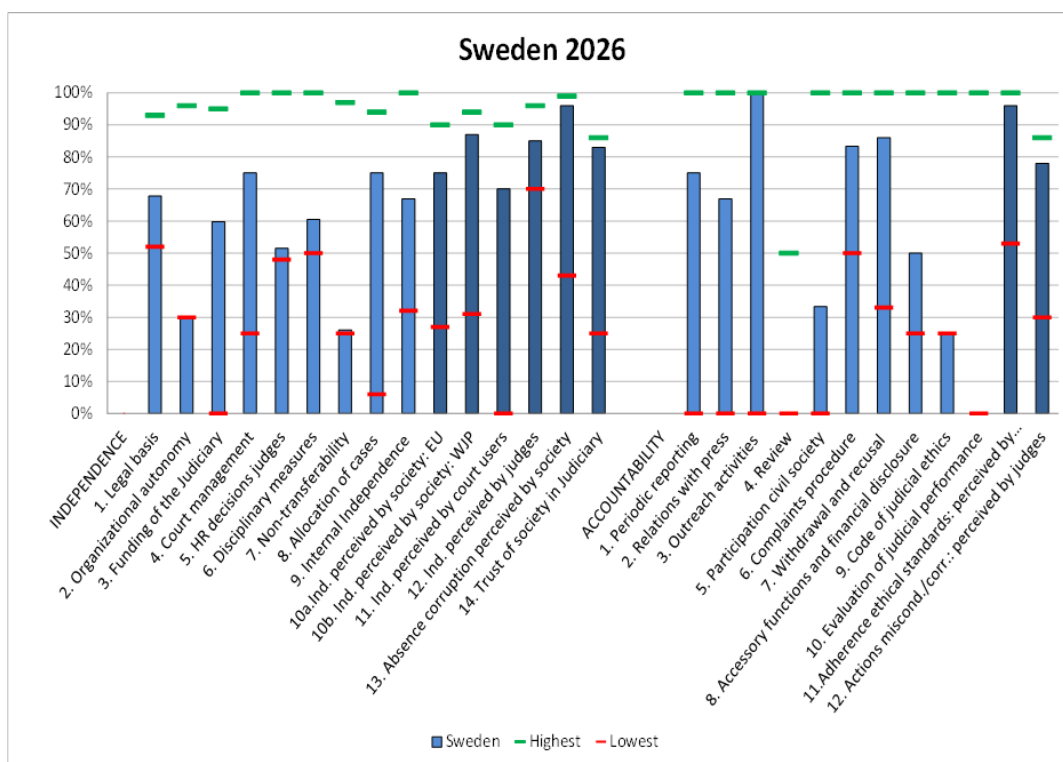


Figure 27 Indicators on Judicial Independence and Accountability, Sweden*

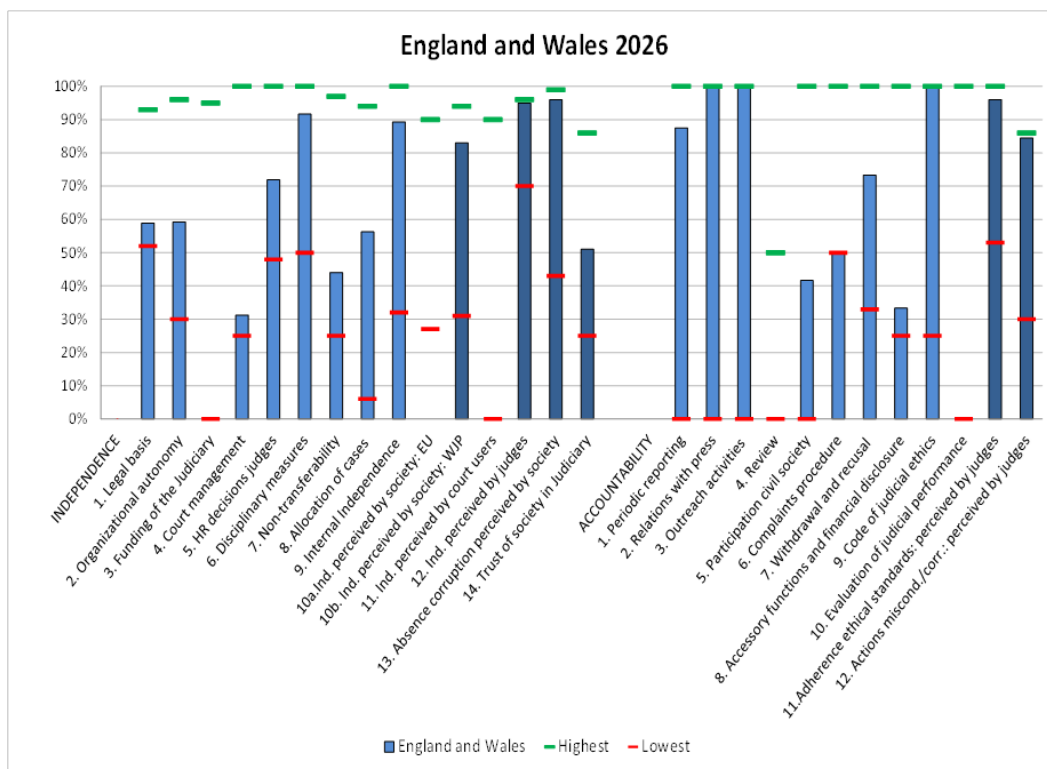


Figure 28 Indicators on Judicial Independence and Accountability, England and Wales*

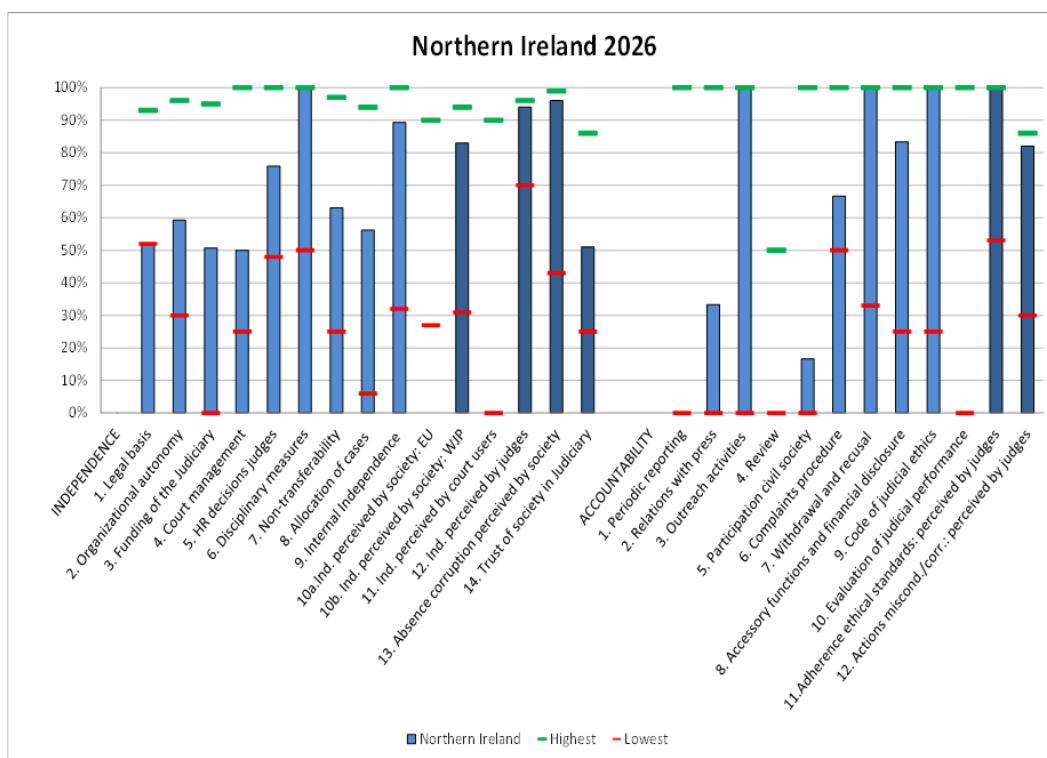


Figure 29 Indicators on Judicial Independence and Accountability, Northern Ireland*

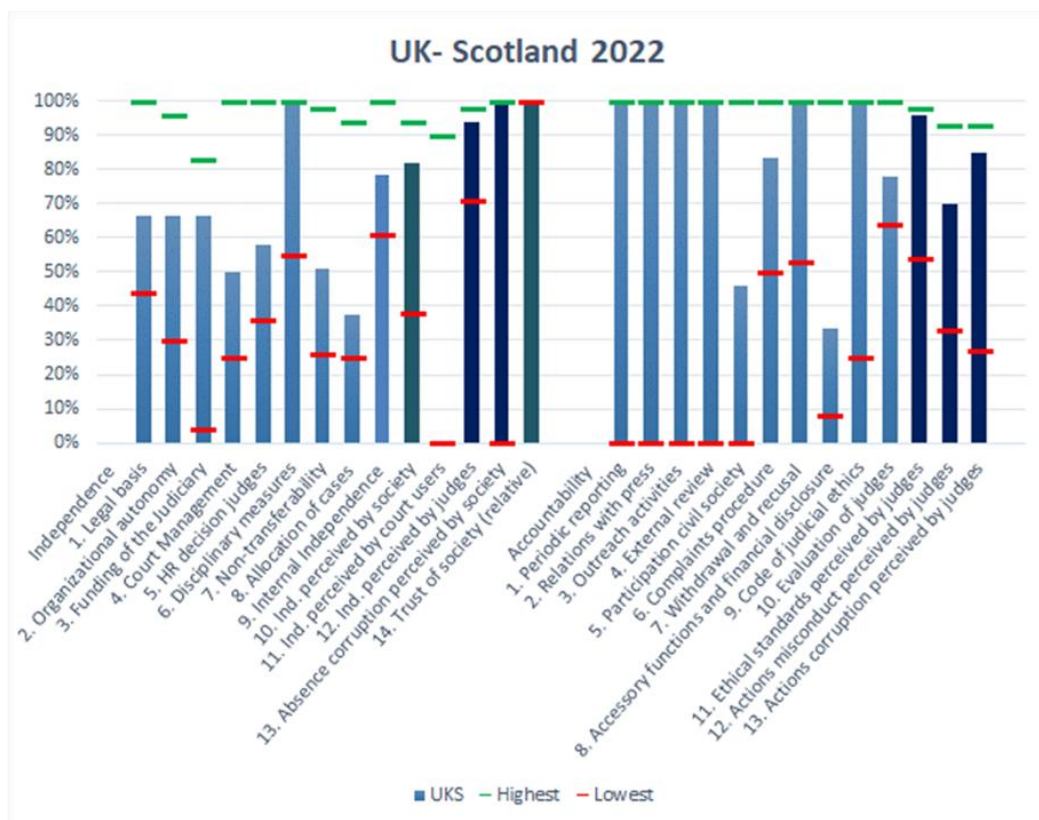


Figure 30 Indicators on Judicial Independence and Accountability, Scotland*

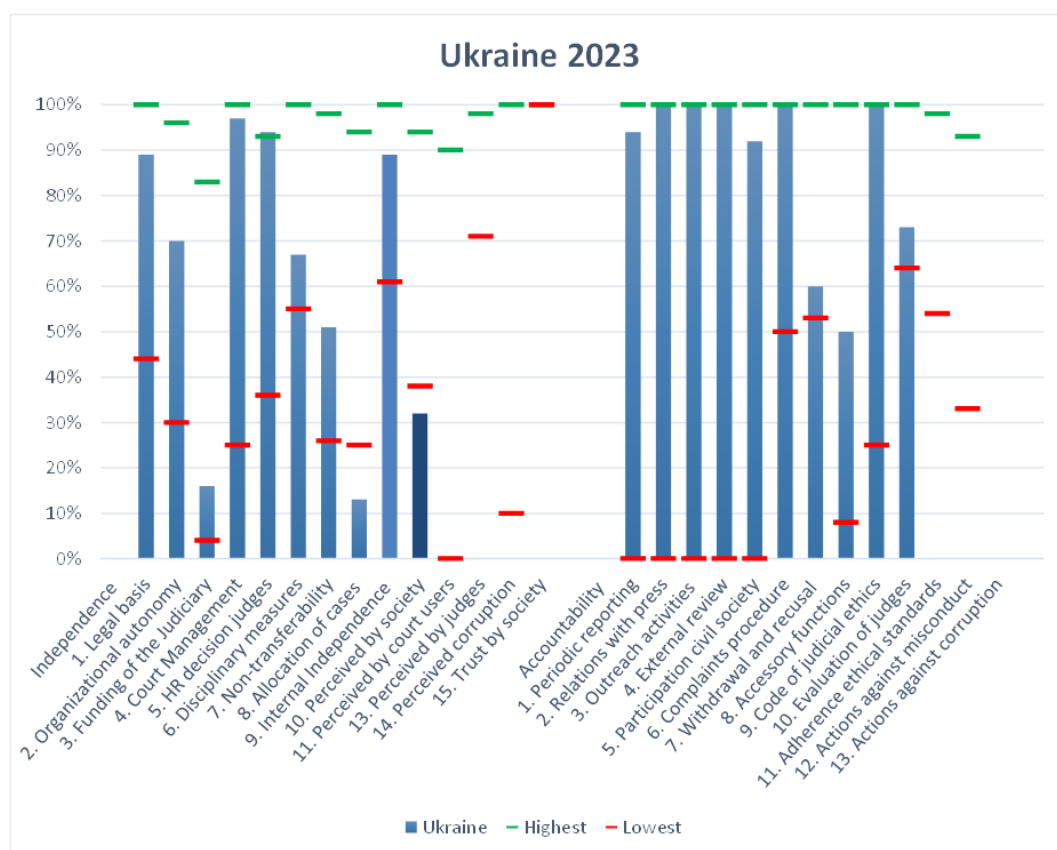


Figure 31 Indicators on Judicial Independence and Accountability, Ukraine*

7. Next Steps on Independence and Accountability

The indicators and their measurement are part of the improvement cycle that the members of the ENCJ established and which extends to independence and accountability and also quality (see Part 2). *Figure 1* in the Introduction sets out the stages. In the next period, the steps to be taken are the following.

1. The outcomes of the indicators will be discussed in small dialogue groups of members and observers in the period from December 2026 until February 2027 with the purpose to analyse the outcomes together, to generate ideas for improvement and to suggest priorities for improvement plans.
2. Where needed, improvement plans will be developed to address weaknesses and/or to build on strengths in the period from January until June 2027.
3. The next edition of the survey among judges will be held in the first quarter of 2028 and will be prepared in the second half of 2027. In addition, the possibilities for engaging with the lawyers on the independence and accountability of the judiciary will be examined.

Part 2. Quality of Justice

9. Introduction

The objective of an independent and accountable judiciary is quality justice for society. As noted earlier, Article 6 of the European Convention of Human Rights and Fundamental Freedoms (ECHR) as well as Article 47 of the Charter of Fundamental Rights of the European Union state that everyone has a right to an effective remedy and a fair trial. When carrying out their tasks, Councils for the Judiciary need to take into account the perspective of the person seeking justice and focus on quality of justice from this angle, including its timeliness. Therefore, as a logical follow-up to the establishment of indicators on judicial independence and accountability, the extension of the indicators to quality of justice was undertaken. With the approval of the quality indicators at the ENCJ General Assembly in 2022, they were first measured in the project year 2022-2023.

To provide a complete overview of the work carried out in this area, this part of the report is structured in the following manner. Building on the work previously carried out by this project group, Section 10 discusses the role of Councils for the judiciary with respect to quality of justice. Section 11 gives an overview of the principles that the ENCJ has developed in this area throughout the years and that need to be reflected in standards and indicators. While Section 12 briefly highlights methods to measure quality of justice, Section 13 lists the areas of quality that can be distinguished and sets priorities. This leads to in section 14 providing the set of indicators, with the scoring of these indicators discussed in Section 15. Section 16 is the core of this part of the report and presents the outcomes of the indicators, for Europe as a whole and for each judiciary. Section 17 is dedicated to innovation as a separate overarching topic discussed by the group in the project year 2025/2026, while Section 18 outlines the next steps.

In Sections 10-15, this part of the report quotes extensively from earlier reports of the ENCJ to bring together all information that is needed to clarify the choice of the indicators.

10. Role of Councils for the Judiciary¹⁶

At its General Assembly in 2017, the ENCJ agreed that Councils for the Judiciary should make their responsibility explicit for standard setting on the quality of justice for the sake of quality, but also because of the links, and sometimes trade-off, between quality, independence and accountability. In the Riga Declaration of 2025, the ENCJ General Assembly also underlined that the judiciary has to contribute to upholding the Rule of Law through high-quality decisions, timely justice and openness to society.

The mandates of Councils vary greatly in the area of quality of justice. They range from integral responsibility for the quality of the Judiciary and its contribution to quality of justice to implicit responsibility derived from operational tasks. Quality depends on many matters for which Councils for the Judiciary and equivalent governing bodies can be responsible. Selecting and promoting judges and support staff, securing budgets, digitalizing the courts and innovating to seek efficiency are examples. Consequently, even if their responsibilities in the area of quality have not been made explicit in the law,

¹⁶ This Section quotes from ENCJ (2020). Independence, Accountability and Quality of the Judiciary: Measuring for Improvement, ENCJ Report 2019-2020.

ENCJ Report on Independence, Accountability and Quality of the Judiciary 2025-2026 – adopted on 3 June at the General Assembly 2026, Paris, www.encj.eu

Councils affect the quality of justice in many ways and, therefore, need to define and maintain quality standards, together with and respecting the professional role of the judges and in consultation with the users of the courts.¹⁷ Councils should be in a position to secure appropriate funding of the courts to allow the courts to implement these standards, again efforts should be made whether or not this falls within the statutory tasks of Councils. Standards that cannot be implemented in practice create expectations with courts users that cannot be fulfilled.

Quality standards can be part of approaches such as:

Integral quality systems:

- Quality systems that incorporate quality standards, processes (PDCA cycles) and measuring instruments.
- Funding systems that incorporate aspects of quality and associated reporting systems, such as annual reports of the judiciary, that include quality measures.

Standards for judges:

- Selection, promotion and evaluation of judges: all these actions require criteria. These criteria should be based on a quality framework, including quality standards.
- Principles of ethics: these principles, whether in the form of codes of ethics or ethical guidelines, incorporate many quality aspects related to the proper functioning of judges. Again, an implicit or explicit quality framework underpins these codes. It is advisable to make this framework explicit.

Depending on its formal responsibilities, each Council should adopt an approach that fits within its mandate, but, in the view of the ENCJ, all should develop quality standards and quality indicators to measure performance against the standards. Councils should make sure that any interference with judges' and judiciary's independence by mechanisms to evaluate quality of justice is avoided. It should be emphasized that quality justice is not only created by judges, but also by the contributions of all employees of the courts. For instance, the way parties are received, assisted and, if necessary, protected is very important for their experience.

Although this is obviously a difficult task, Councils for the Judiciary should take responsibility for developing standards and indicators for the quality of justice, delivered by the courts, as does the ENCJ on the international level. In parallel with the measurement of indicators, a Quality framework was developed in 2023, providing guidance for the Councils of the Judiciary to develop their own strategy on quality. An inventory of functions (instruments) actually used to promote quality of justice was set out in 2023, to be reviewed in the project year 2026/2027.

11. Principles for quality standards and indicators

In previous reports, the ENCJ has given its vision on quality of justice.¹⁸ This vision concerns the content of standards and indicators, but also the process to arrive at standards and indicators. Unlike independence and accountability, quality is less amenable to absolute standards. Often, there is a trade-

¹⁷ See also CCJE: « *it is very important that, in each Member State, the Council for the Judiciary holds a vital role in the determination of the criteria and standards of Quality of the judicial service on the one hand, and in the implementation and monitoring of the qualitative data provided by the different jurisdictions on the other.* » (CCJE Opinion 10, paragraph 53).

¹⁸ E.g. ENCJ (2018). Independence, Accountability and Quality of the Judiciary; Validation of methodology, exploring quality of justice and promoting judicial change, ENCJ Report 2017-2018. ENCJ (2020).

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off between aspects of quality. As a result, several standards reflect the search for an equilibrium and are therefore not absolute. For some indicators the consequence is that the scoring scale is non-linear. For instance, the right of appeal is an important protection, and a wider scope leads to a higher score. However, appeal can become a hindrance when applied excessively in cases that have no merit. The score should then be lower. This complicates the indicators and their scoring, but it also affects the process of deriving agreed standards and indicators. Much discussion is needed at national and international level. The previous reports can be summarized in the following principles.

1. There is a tension between independence and some important aspects of quality, in particular the uniform application of the law and consequently, the consistency and predictability of judicial decisions that benefit from a common approach by judges. A similar situation arises with respect to timeliness: while a judge is autonomous in her or his handling of specific cases, court users are entitled to know which procedure the courts normally follow in categories of cases and how long this will take. In this respect, internal independence is not absolute, and a balance needs to be achieved between judicial autonomy and predictable procedures. The articulation of this balance in general is a governance issue and thus, Councils for the Judiciary are in the lead, while the judges are autonomous in their cases.
2. Quality standards (including on timeliness) that relate to aspects for which judges are responsible, cannot be binding. These standards provide aspiration levels. Judges should, however, be expected to explain their reasons to the parties when they diverge from the standards.
3. To guarantee the acceptance of standards by the judges, the standards need to be developed in a process involving the judges of a jurisdiction and taking into account the needs of society. Broad support by the judges is essential for standards to be effective.
4. The choice of standards and indicators needs to be based on shared concepts among Councils and other governing bodies, reflecting the views of the judges of Europe. These shared concepts can only be developed by intense debate. It needs to be accepted that quality indicators remain open for debate, as legal cultures differ and conditions may change over time. Given the subjective nature of the concepts, the process by which indicators are developed is important.
5. Judicial decisions are at the heart of what independence is about. At the same time, the quality of decisions is the most important aspect of the quality of justice and the judiciary. Promoting and guarding the quality of decisions foremost by the judges themselves, but also by others involved, is, therefore, essential. Training, especially, of new judges, but also permanent education to keep knowledge and skills state of the art, is an important tool and should be used by judges to learn from each other. The methodical assessment of the quality of actual judicial decisions, outside of appeal, can be useful, if done properly. The assessment should never be about the merits of the judgments (whether judgments are 'correct'), as this would fundamentally interfere with judicial independence. It should be confined to their professional quality (sometimes called "craftsmanship").
6. In many countries, appeal rates are used as a proxy of the quality of judgments. The ENCJ is critical about using appeal rates for this purpose, as reversals are often based on aspects other than quality, such as new evidence.¹⁹
7. The timeliness and efficiency of procedures are important dimensions of quality of justice. Excellent judicial decisions often lose much of their relevance if they take a long time to arrive at, relative to the societal processes the decisions are about. In many instances, there is not a real contradiction between timeliness/efficiency and other aspects of quality, such as the quality of the decision, as the

¹⁹ In its opinion number 17 (2014) upon the evaluation of judges' work the CCJE states that it is "problematic to base evaluation results on the number or percentage of decisions reversed on appeal, unless the number and manner of the reversals demonstrates clearly that the judge lacks the necessary knowledge of law and procedure" (paragraph 35). If appeal rates are used, the percentage of judgments left standing is probably the most relevant criterion. This combines appeal rate and reversal rate.

duration of cases is largely determined by waiting times and generally only marginally by the time the judge works on the case.

8. Final resolution of disputes is delayed when cases are appealed, in particular if these are subsequently referred back to the first instance court. The finality of judicial decisions is a major issue, and appeal courts need to decide cases swiftly and finally, whenever possible. While appeal is a fundamental right, applying to legal as well as factual matters, it should be used in appropriate cases and not to delay or frustrate procedures. This implies that selection mechanisms for appeal are acceptable and even necessary. These mechanisms should take into account the interests of all parties and that of society, which eventually foots the bill.

12. Measurement of Quality²⁰

While some believe that the quantitative measurement of quality contradicts the essence of quality, many aspects of quality are observable, if not in objective data then by the professionals and others involved. In this field, indicators can take the following forms:

1. Quantitative scoring of the formal characteristics and arrangements of judicial systems. This requires a normative framework of what is good and what is bad practice.
2. Quantitative data on quality delivered, such as the length of procedures. This is less dependent on normative considerations, as data can be compared across jurisdictions. Still, a normative framework is required: shorter is often, but not always, better.
3. Quantitative survey data about opinions and experiences of judges, parties, their lawyers and the population in general. As above, a normative framework is needed.

The present approach is primarily based on the first method.

13. Areas of Quality to be covered by the Indicators²¹

The previous reports of the ENCJ link quality with the essential tasks the judiciary is deemed to fulfil under the Rule of Law. These tasks range from maintaining fundamental rights to practical matters, such as the services provided to the public. The following areas that were distinguished at the initial stages of the development of methodology, are still relevant. Essential aspects of these areas are briefly enumerated and explained. Obviously, each aspect would require an extensive discussion to do it justice and can merit a separate document. The aim of the list below is to provide an overview of the key aspects considered when developing current indicators.

Maintaining the Rule of Law

Key aspects: constraints by judiciary on government, upholding human rights, upholding the constitution and the division of power.

²⁰ This section quotes from ENCJ report on Independence, Accountability and Quality of the Judiciary: Measuring for Improvement (2020).

²¹ Sections 13 and 14 are based on and to a large extent replicate Part 2, Sections 3 and 4 of ENCJ report on Independence, Accountability and Quality of the Judiciary: Measuring for Improvement (2020).
ENCJ Report on Independence, Accountability and Quality of the Judiciary 2025-2026 – adopted on 3 June at the General Assembly 2026, Paris, www.encj.eu

Explanation: the judiciary is one of the three state powers, and needs to play its role in upholding the constitution, international covenants and national laws in individual cases in which the interests of the other state powers or other major interests are at stake.

Providing public access to the law to guide society

Key aspects: precedence, shadow of the law (impact of a judgment on behaviour, beyond the case), knowledge of law, access to legal and court information, also in minority languages.

Explanation: the judiciary is not just concerned with conflict resolution in individual cases. It provides guidance to society how to apply the law, thereby clarifying the rules for economic and social interaction. The better it succeeds in this function, the less reason for conflict. At the same time the law must be re-interpreted to allow for changes in society. This, and the previous function, set the judiciary aside from private mechanisms for conflict resolution.²² The provision of information is increasingly important due to the rise of “big data”, while the provision of information about court procedures in general, and for groups in society, remains important.

Guaranteeing due process from the perspective of accessibility

Key aspects: hearing parties, giving voice, justice for vulnerable groups, equality of arms, proportionality, effective and efficient appeal process.

Explanation: this aspect covers the extent to which the courts can provide for a fair trial (Art. 6 ECHR, Art. 47 of the Charter of Fundamental Rights of the EU and Art. 13 of the UN Convention on Fundamental Rights of Disabled People), and, together with the actual decision, constitutes the legal core of the work of the courts. Accessibility is a major concern, as citizens cannot avail of even an excellent court if access to that court is not assured. Accessibility can only partly be guaranteed by the courts themselves, as, for instance, court fees and the judicial map are generally determined by government and parliament and not the judiciary. Still, other aspects are under the remit of the judiciary.

Adjudicating cases in a timely and effective manner

Key aspects: no unnecessary delay, length of procedures proportionate to the importance/complexity of the case, active monitoring and control of process, pre-trial conferences, policy re delay tactics, size limits to presentations from lawyers/parties.

Explanation: “Justice delayed is justice denied.” The ENCJ leaves the measurement of the duration of cases to CEPEJ, in particular. It focuses on the methods to control the duration of procedures. For that purpose, case management can be distinguished from due process. The crucial issue is whether or not the judge leads the trial and by what means.

Delivering judicial decisions

Key aspects: fairness, knowledge, uniformity, predictability, well-reasoned, resolves conflict, judgments reflect views in society, appropriate sentences.

Explanation: the decision is central to any court case. The way in which a decision is delivered is crucial: reasoning, clarity, length and enforceability are all important topics in this regard.

Providing services to the court users

²² See: John Thomas (2015). The Centrality of Justice: its contribution to society, and its delivery. The Lord Williams of Mostyn Memorial Lecture.

Key aspects: court rooms, administrative procedures, waiting rooms, waiting times.

Explanation: the experience of people going to court is also determined by practical aspects such as the way they are received on entering the court, the time they have to wait and the adequacy of waiting rooms (have victims and defendants to wait in the same room?).

Enforcement of judicial decisions

Key aspects: enforceable judgments.

Explanation: obviously for litigants it is vital to assess whether judgments can, in practice, be enforced. It is not advised to go to court if a favourable judgment has no practical effect. However, enforcement is generally not within the power of the judiciary, and the judiciary is dependent on other parties to enforce. Courts do play a role by providing clear, enforceable decisions.

The ENCJ aims to develop indicators for all these areas. For some areas, this is easier than for others, as areas differ in conceptual complexity and also in the work that has been done already. The choice has been made to focus on four of these areas in this version of the indicators. These areas were seen as the most pressing ones, either because they come first (for instance, without high quality decisions the other areas lose much of their meaning) or because performance falls evidently short. The other areas of quality can be addressed at a later stage. The next table sets the scene.

Table 4 Areas of quality and planning of the design of indicators

	Description of formal characteristics	Subjective assessment of performance
Maintaining the Rule of Law	Mainly covered by the I&A indicators	Mainly covered by the I&A indicators
Providing public access to the law to guide society	Included	Next phase
Guaranteeing due process from the perspective of accessibility	Included	Some aspects
Adjudicating cases in a timely and effective manner	Included	Some aspects
Delivering high-Quality judicial decisions	Included	Some aspects
Enforcement of decisions	Next phase	Next phase
Providing services	Next phase	Next phase

In this table, a distinction is made between the description of objective characteristics/actual arrangements and the subjective assessment of performance, perceived performance. Quality is, in part, determined directly by the arrangements stipulated by law. In addition, some aspects of quality, such as the duration of cases, are objectively measurable. However, there are also many aspects that can only be assessed subjectively. Subjective assessments can be given by the councils/courts/judges and by court users/lawyers/observers. Therefore, subjective assessment is limited to the views from within.

14. Indicators of quality of justice

The current indicators are the following.

A. INDICATORS OF TIMELINESS AND EFFICIENCY OF PROCEDURES

A1. Standards for judges about the duration of cases:

- Existence of time standards in first instance and in appeal courts
- Scope of the standards (is the total procedure covered?)
- Realisation of standards in practice at first instance and appeal courts
- Public access to information on the realisation of standards

A2. Standards for parties about the duration of cases:

- Existence of time standards for parties in first instance and in appeal courts, e.g. to present documents
- Power of the court to impose sanctions on parties who fail to comply with time standards
- Authority of judges to issue case management directions (to fit the procedure to the case) in first instance and appeal courts
- Authority of judges to enforce the determined procedure if a party does not conform

A3. Summary procedures:

- Existence of summary procedures in appropriate cases in first instance and appeal courts

A4. Digital case filing and digital procedures:

- Possibility of commencing a case digitally
- Possibility of digital procedures, in the sense that all communications are digital except for the hearing
- Possibility of hearings being conducted remotely
- Possibility for litigants to inform themselves digitally about the progress of their cases
- Availability and development of online dispute resolution mechanisms

A5. Specialisation of judges:

- Existence of specialised judges in first instance and appeal courts in particular areas.

A6. Performance evaluation of judges:

- Are the competences of a judge evaluated on a regular basis in a manner that respects the independence of judges
- Is the individual performance of a judge evaluated with respect to: number of cases, duration, professional quality of decisions, conduct at hearings and judicial ethics in a manner that respects the independence of judges
- Is the conduct of a judge part of a court user satisfaction, if any

B. INDICATORS OF DUE PROCESS FROM THE PERSPECTIVE OF ACCESSIBILITY

B7. Equality of arms (funding and costs):

- Existence of a system under which public funding is provided to litigants without means to fight litigation themselves
- Whether the system provides for adequate representation for such litigants at public expense;
- Is there adequate public funding
- Existence of a system to shift the costs of litigation of the successful litigant to the unsuccessful litigant

B8. Commensurate effort of judges:

- Existence of powers to direct the amount of time set aside for hearing a case, depending on its complexity, in first instance and appeal courts
- Existence of powers to reduce complexity before the hearing at first instance and appeal

B9. Dealing with abusive conduct:

- Authority of the judge to take action to prevent abuse by parties and/or their lawyers
- Instruments available to the judge to intervene:
 - o Stop or stay the proceedings
 - o Speed up the proceedings
 - o Make adverse costs orders
 - o Impose fines
 - o Report to a disciplinary body

B10. Availability of appeal:

- Existence of right of appeal for an unsuccessful litigant
- Existence of filtering system to prevent appeals which are without merit from proceeding to a full hearing
- Impact of appeal on the execution of the first instance court decision

B11. Communication:

- Existence of procedures in all official languages of the country
- Existence of facilities at the court to provide translation (interpretation) when necessary
- Existence of system to ensure standard of translation (interpretation) is adequate

B12. Access for people with disabilities:

- Existence of special procedural and physical arrangements for people with disabilities in first instance and appellate courts

B13. Arrangements for vulnerable people:

- Existence of special procedural and physical arrangements for vulnerable people in first instance and appellate courts

C. INDICATORS OF QUALITY OF JUDICIAL DECISIONS

C14. Format of judgments:

- Existence of non-binding templates for judgments in standardised types of cases

C15. Reasoning of judicial decisions:

- Existence of the requirement to reason judgments dealing with substantive issues in civil cases and verdicts in criminal cases
- Possibility for judges to give only summary reasons where appropriate (e.g. to speed up procedures)
- Requirement for oral judgments (if permitted) to be recorded and made available to parties

C16. Clarity of judicial decisions:

- Primary recipients for whom judicial decisions are to be understood by:
 - o The parties
 - o Public in general
 - o Other judges (such as appeal courts or Supreme Court)
 - o Academia
- Existence of an obligation to use language which is clearly understandable
- Existence of system (outside appeal) for ensuring judicial decisions are clearly understandable

C17. Assessment of Quality of judicial decisions:

- Existence of an instrument to assess the quality of judicial decisions on a regular basis outside the appeal process

C18. Education of judges:

- Existence of initial training of judges on writing judicial decisions
- Availability of high standard training courses designed to assist judges in carrying out their duties effectively
- Existence of the requirement for judges to participate in training courses regularly

C19. Well-being of judges:

- Existence of governance framework regarding judicial well-being on the level of Council for the judiciary or courts;
- In absence of governance framework, existence of other tools or initiatives to address specific aspects of judicial well-being;
- Identification of areas, where such measures exist;
- What is covered by the governance framework or specific tools.

D. INDICATORS OF PUBLIC ACCESS TO THE LAW TO GUIDE SOCIETY

D20. Access to case law:

- Degree to which judicial decisions in civil, criminal and family law are published at first instance and appeal courts
- Efforts of to point out decisions that have high impact to the public
- Efforts court to make statistical information available about the outcome of cases
- Degree to which the information provided is free of charge

The indicators and their constituent parts are described in the format of the questionnaire that has been filled in by the councils and other governing bodies. The questionnaire, including the scoring of all possible answers, is published on the website of the ENCJ.

15. Normative evaluation of outcomes

The indicator system consists of the set of indicators just presented and of a methodology to uniformly quantify the results. This requires a normative evaluation of what is good and what is poor practice for each (sub)indicator. The evaluation takes the form of a points system using scoring rules. The scoring rules follow the reasoning of Section 13.

16. Quality of Justice in Europe 2025/2026

16.1 Quality of Justice in Europe in general

In the *Figure 29* below you may see the results of the indicators on the quality indicators across all judiciaries that participated. In the next section, results are presented for each judiciary individually. At that level, the outcomes are most informative. The averages give only a rough indication of overall tendencies. As discussed earlier, the objective is learning and not to develop an index of judicial quality with which to compare countries. As to learning, the ENCJ is very conscious that this remains a work in progress. The results reveal for each judiciary areas where there is scope for improvement. Some of these are likely to be difficult to achieve from the position of a Council for the judiciary but some are more realizable. For instance, the publication of case law is extremely important, and it is an area where positive improvements can be achieved.

Figure 29 distinguishes between criminal justice and civil justice. In the averages the differences between both are small. Only with respect to timeliness and efficiency of procedures substantial differences emerge. Civil procedure makes more use of summary proceedings as well as digital filing and digital procedures, compared to criminal procedure. The on-average lowest scores are found for some aspects of the quality of judicial decisions. In particular, the assessment of judicial decisions, even from the perspective of craftsmanship, is rarely used and apparently controversial. Also the formatting of judgments

to improve, where possible, uniformity and to reduce the risk of making mistakes is not applied systematically.

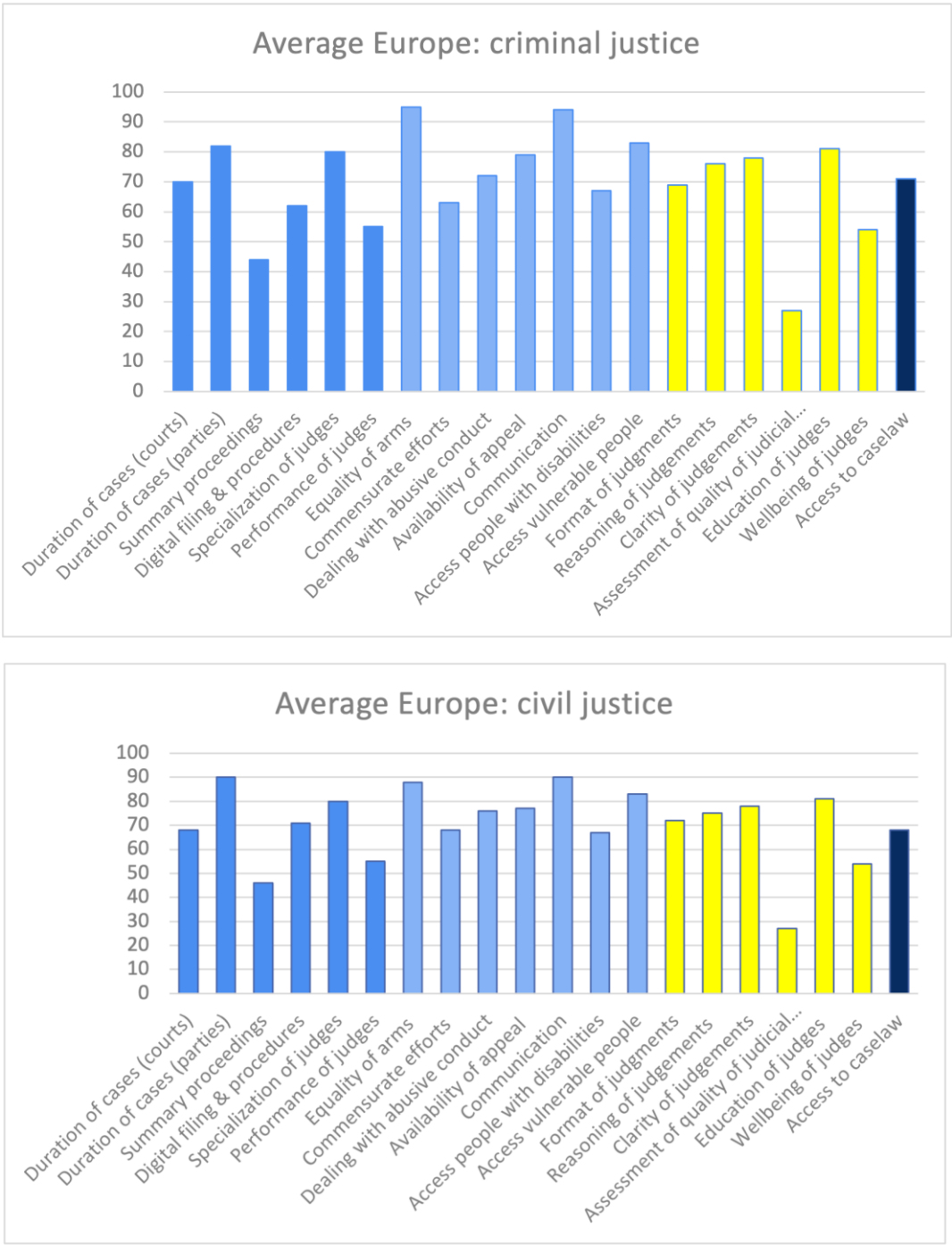


Figure 29 Indicators on quality of criminal and civil justice, averages for 22 participating judiciaries, 2026

Note: the indicators concern timeliness and efficiency of procedures (blue), due process from the perspective of accessibility (light blue), quality of judicial decisions (yellow) and public access to the law to guide society (dark blue) in this Figure and in Figures 37-57.

In the benefit of tracking the overall developments in particular areas, providing an overview of all jurisdictions on developments in digitalization and the newly developed indicator on judicial well-being is worthy.

It is also worth noting that neither the indicators nor the scoring of the Quality questionnaire underwent any changes since the version in 2022, which provides an opportunity for comparison in the timeframe.

Digital case filing and digital procedures

The indicator tests in criminal and civil procedures alike the following aspects: possibility to commence judicial proceedings digitally (in the first instance and appellate courts); possibility to commence all procedures digitally up to the hearing (in the first instance and appellate courts); possibility to conduct the hearings remotely (in the first instance and appellate courts) and possibility for the litigants to inform themselves digitally about the progression of their case.

In Figure 30 below you may see the cumulative scores for all the aspects of the digitalization among the judiciaries in 2022. The picture provided is one of fragmentation. With certain judiciaries being very far advanced in this process, while other only at the outset. In 2022 a possibility that this might be an issue of timing was considered, but the argument in the report was also made that it may be a matter of legal principle.



Figure 30 Digital case filing and procedures in the participating judiciaries (2022)

In 2026 (see Figure 31 below) we see changes in the process of digitalization of justice. The scores in numerous jurisdictions are significantly higher, with many more of the jurisdictions being ranked 80 per cent or higher in this indicator. Thus, significant efforts were undertaken to provide for a digital access to courts and the possibility to digitally inform oneself about proceedings. Differences between the civil and criminal procedures are still visible, with less opportunities available in the criminal ones. This difference is to be attributed to the difference in the procedures themselves.

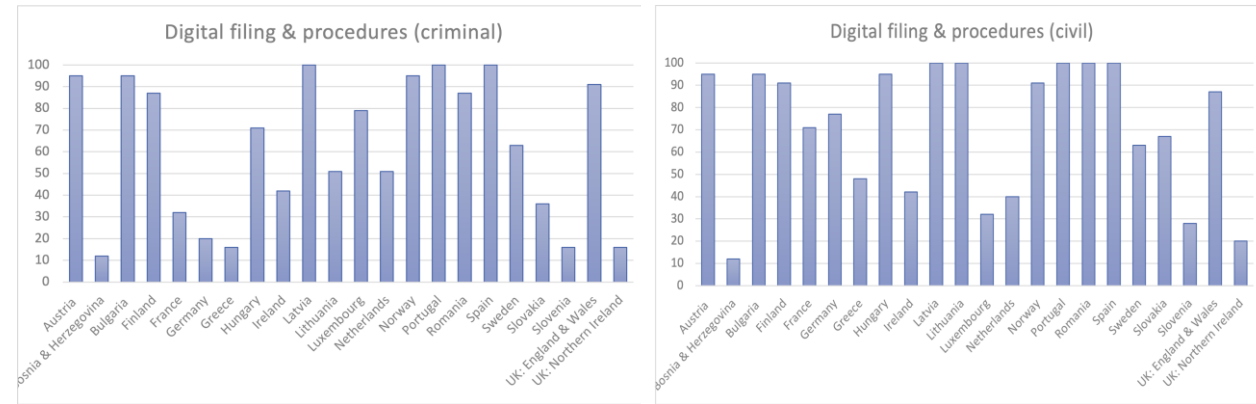


Figure 31 Digital case filing and procedures in the participating judiciaries (2026)

Appeal procedures

With regard to appeal procedures, the differences among judiciaries were relatively large in 2022 (Figure 32).

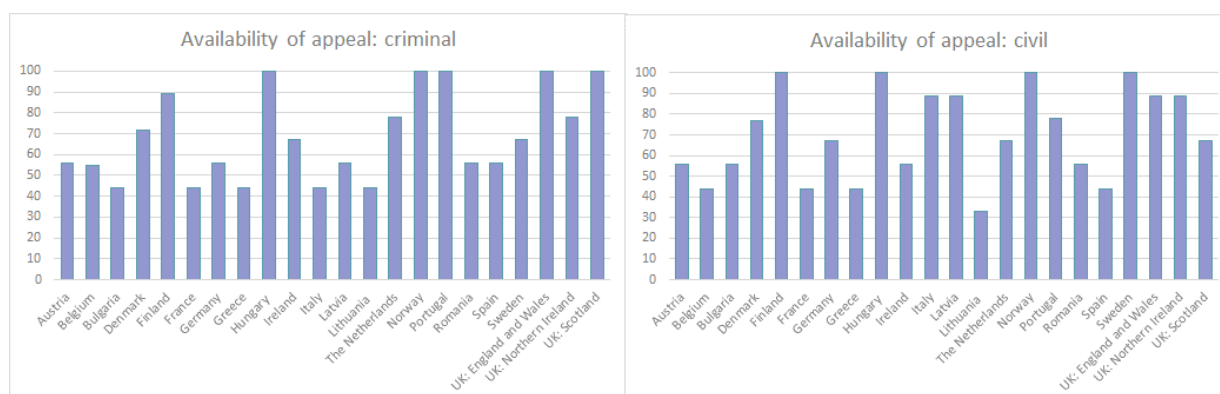


Figure 32 Availability of appeal in the participating judiciaries (2022)

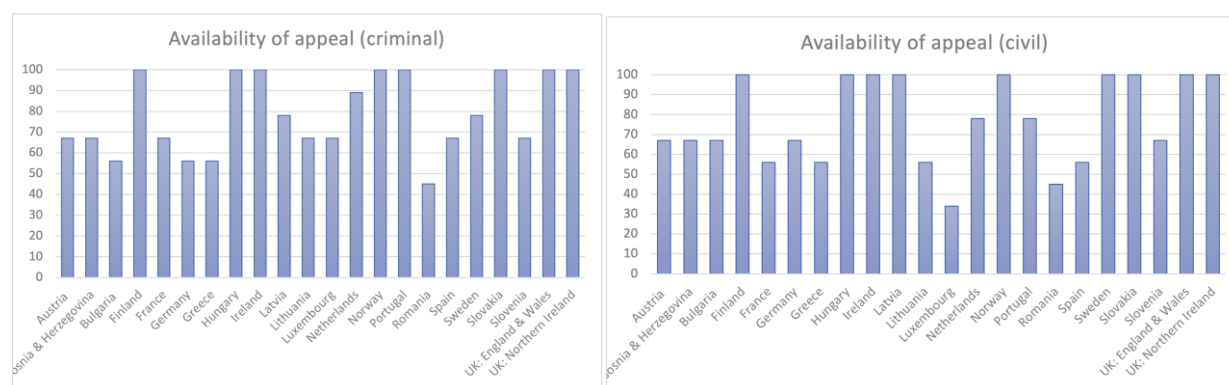


Figure 33 Availability of appeal in the participating judiciaries (2026)

While there is some improvement, the scores seem to remain very close to previous, main changes being brought by the change in participating judiciaries in 2026 (Figure 33). When evaluating the results for this indicator, it must be noted that the indicator consists of three elements: (1) possibility to bring an appeal, (2) existence of a filtering mechanism to prevent cases that have no merit to proceed to a full hearing and (3) stay of execution of the first instance judgment in case of an appeal.

There is near uniformity on the broad possibility of appeal, in particular in criminal cases but also in civil cases, as well as on the stay of execution. The major differences in the scoring of this indicator depend on the availability of the filtering mechanism. A relatively low score therefore does not mean that the right to appeal is restricted. On the contrary, in the absence of a filtering mechanism appeal is allowed, in principle in all cases, to the disadvantage - in cost and time - of the parties that won in first instance, but also to the judicial system.

The availability and use of the filtering system warrant further discussion, as it is the intersection between judicial protection, timelessness and efficiency. When undertaking this discussion, special attention must be paid to the requirements set out in the European Convention of Human Rights and the jurisprudence of the European Court of Human Rights. While there is no guarantee of an appeal under Article 6 of the

European Convention of Human Rights in civil cases, Article 2 of Protocol 7 requires that everyone convicted of a criminal offence has the right to have their conviction or sentence reviewed by a higher tribunal²³.

Well-being of judges

Recent years mark growing attention to the topic of judicial well-being. The ENCJ supported an initiative to declare 25 of July 'International Day for Judicial Well-being' and in March 2025 the United Nations General Assembly adopted Resolution A/RES/79/266²⁴, officially proclaiming 25 July as the International Day for Judicial Well-being.

Several documents of European and international organizations have recently explored the link between the judicial wellbeing and quality of judicial work, including the ENCJ Report on the Attractiveness of the Judicial Career (2024)²⁵, the recent CCJE opinion No. 28 'On the importance of judicial well-being for the quality of justice'²⁶, and the Report of UNDOC 'Exploring linkages between Judicial Well-being and Judicial Integrity'²⁷.

The CCJE opinion outlines the position that mounting pressures may compromise a judge's ability to engage with the impartial assessment of evidence and interpretation of the law to make well-reasoned decision judgments. Too heavy workloads, excessive time pressure, and fatigue can lead to cognitive depletion, potentially impairing the quality of judicial decision making and the ability of judges to manage their workload effectively and maintain efficiency in courtroom proceedings. When judges are well and able to function at their best, the judiciary is seen as competent and fair, which in turn strengthens public trust and confidence in the justice system (para. 5). The results of the survey presented in the UNDOC report provide that in the view of respondents, lack of optimal well-being of judges creates limitations to the efficiency of justice and court administration (80 % of the survey participants), quality of decisions and judgments (68 %), public trust and confidence in the judiciary (47 %), access to justice (40 %), integrity of judges and the judiciary (35 %) and procedural fairness (31 %)²⁸.

Taking into consideration the link between judicial well-being and quality of justice that the abovementioned documents outline, the project group decided to add an indicator on the well-being of judges to the Quality questionnaire. The starting point to gather insights into this issue, was a broad understanding that the judiciary should take ownership of developing and maintaining a robust governance framework that recognizes and takes into consideration judicial well-being. Inspiration was drawn from those documents that awareness of judicial wellbeing should be raised, that seeking assistance should be destigmatized and that judges should be involved in designing and assessing processes and tools, proposed for monitoring, maintaining and increasing judicial well-being.

The new indicator was added to part C of the Quality questionnaire 'Quality of judicial decisions' and its improvement. The indicator follows the general logic of the questionnaire, first assessing whether a framework on judicial wellbeing exists either at the level of the Council or at the level of courts. If the

²³ Protocol No.7 to the European Convention of Human Rights and Fundamental Freedoms: https://www.echr.coe.int/documents/d/echr/Library_Collection_P7postP11_ET5117E_ENG. See also the Guide on Article 2 of Protocol No. 7 to the European Convention on Human Rights https://ks.echr.coe.int/documents/d/echr/ks/guide_art_2_protocol_7_eng.

²⁴ Text of the resolution available at: <https://docs.un.org/en/A/RES/79/266>.

²⁵ Available at: <https://pgwrk-websitemedia.s3.eu-west-1.amazonaws.com/production/pwk-web-encj2017-p/2024-07/ENCJ%20Report%20Judicial%20Attractiveness%20update%202024.08.09.pdf>

²⁶ Available at: <https://rm.coe.int/opinion-no-28-2025-of-the-ccje-published-/4880296bfa>.

²⁷ Available at: https://www.unodc.org/res/ji/resdb/data/2022/exploring_linkages_between_judicial_well-being_and_judicial_integrity_html/Global_Report_Judicial_Well-being.pdf

²⁸ UNDOC report, p. 8

answer as to the existence of a comprehensive framework was negative, the indicator tests for the existence of any initiatives. Further on the indicator asks to enumerate the specific areas covered by those instruments and what the specific tools encompass.

In the *Figure 34* below you see the cumulative results for this indicator from the participating jurisdictions. The results show a great fragmentation among jurisdictions on this topic. While some jurisdictions are well advanced, others are at the very beginning of the journey to dedicate explicit tools to this topic.

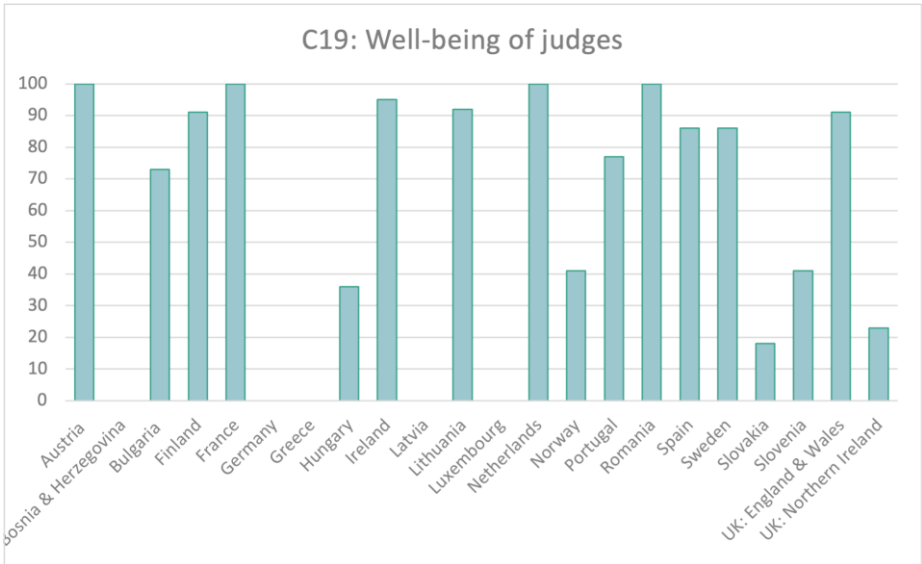


Figure 34 Availability of appeal in the participating judiciaries (2026)

When answering the questionnaire, out of 22 jurisdictions 13 answered that a governance framework either at the level of the Council for the Judiciary or at the level of particular courts existed; 4 answered that in absence of an overarching governance framework certain initiatives in this regard existed and 5 maintained that at the time being neither was true.

Among those 17 jurisdictions, where either a governance framework or certain initiatives existed *Figure 35* below provides insight into what areas were addressed in the framework or specific initiatives and *Figure 36* on the tools the framework or initiatives encompass.

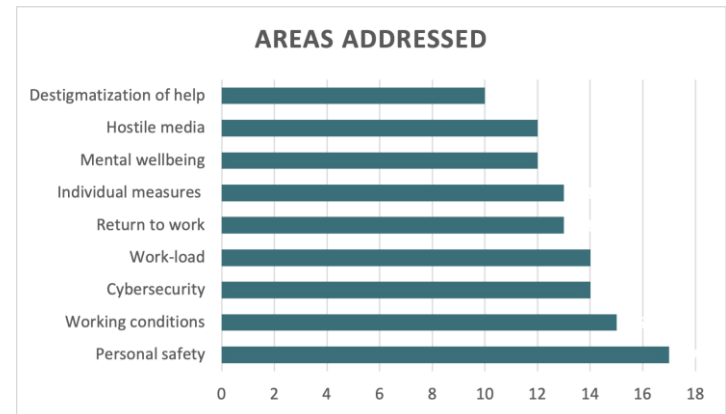


Figure 35. The values indicate number of jurisdictions.

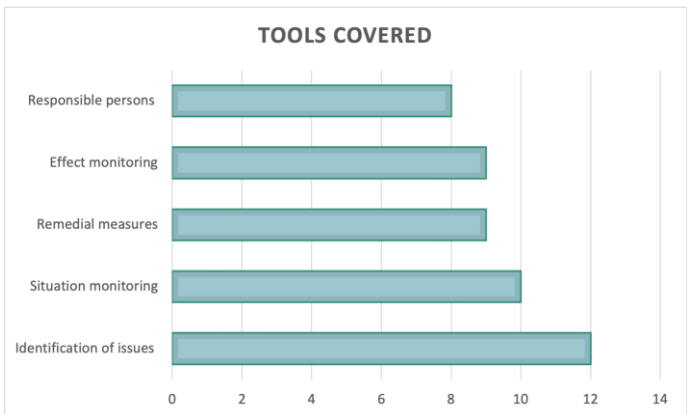


Figure 36. The values indicate number of jurisdictions.

This data provides us with an insight into existing arrangements, but also into possibilities to take action and develop in this area. This may also be an inspiration and opportunity for mutual learning.

16.2 Quality of justice per judiciary

In the following the indicators are presented for each judiciary.

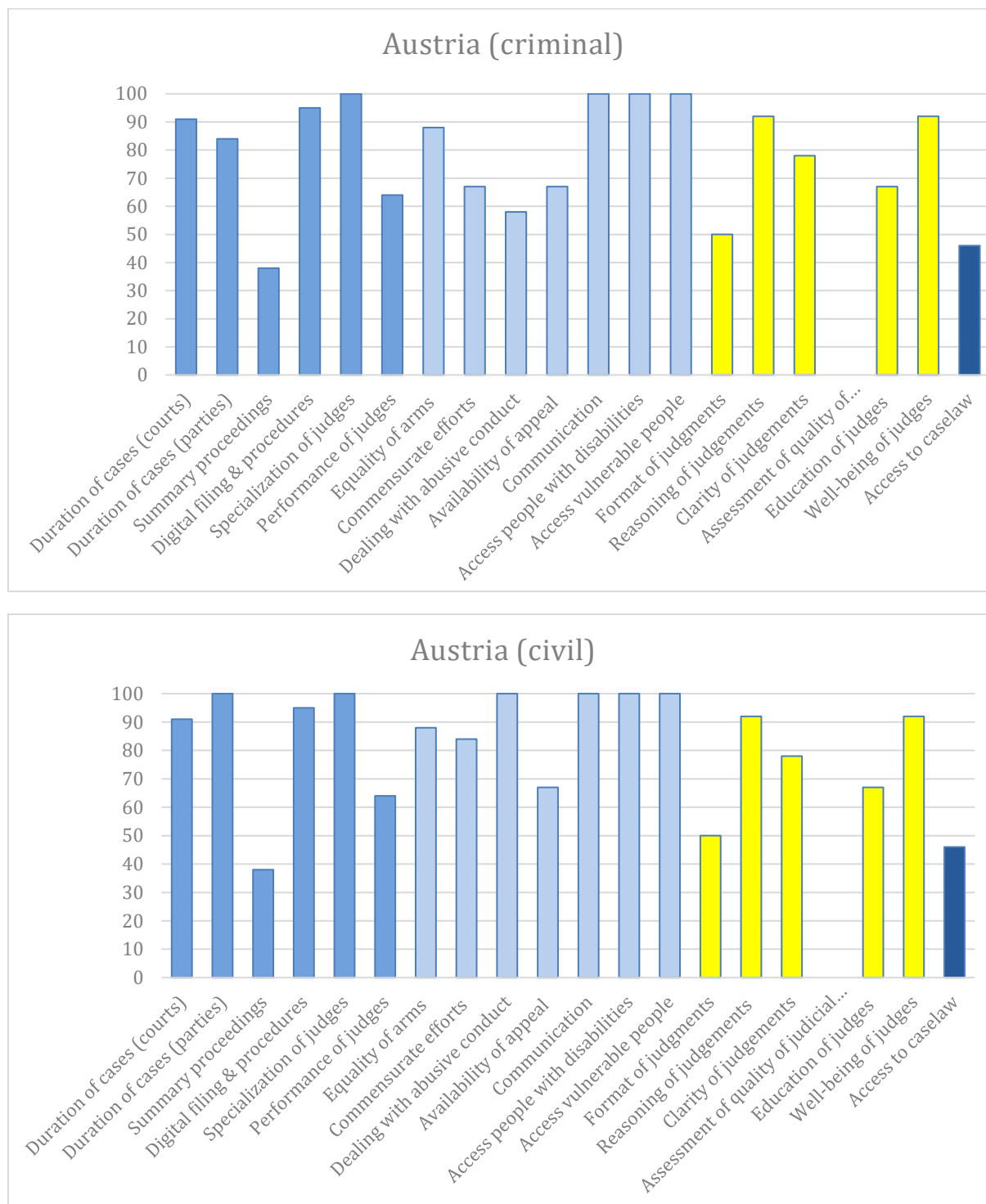


Figure 37 Indicators on quality of criminal and civil justice Austria, 2026

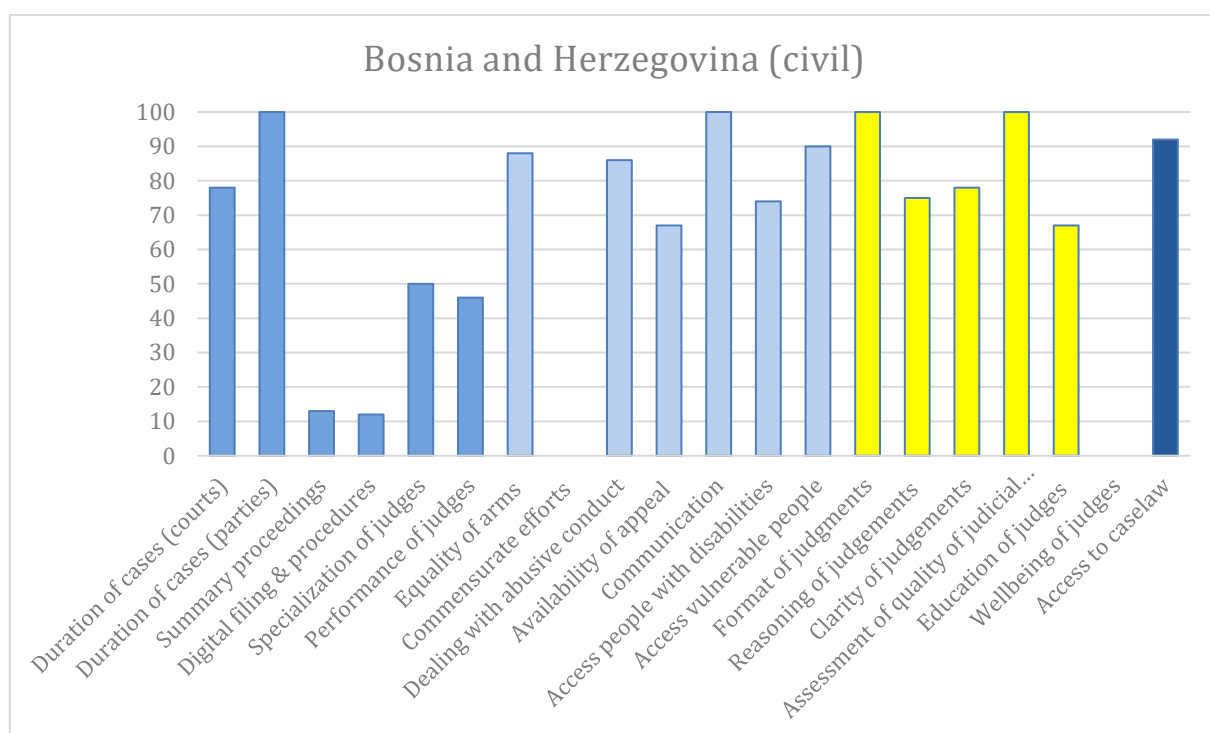
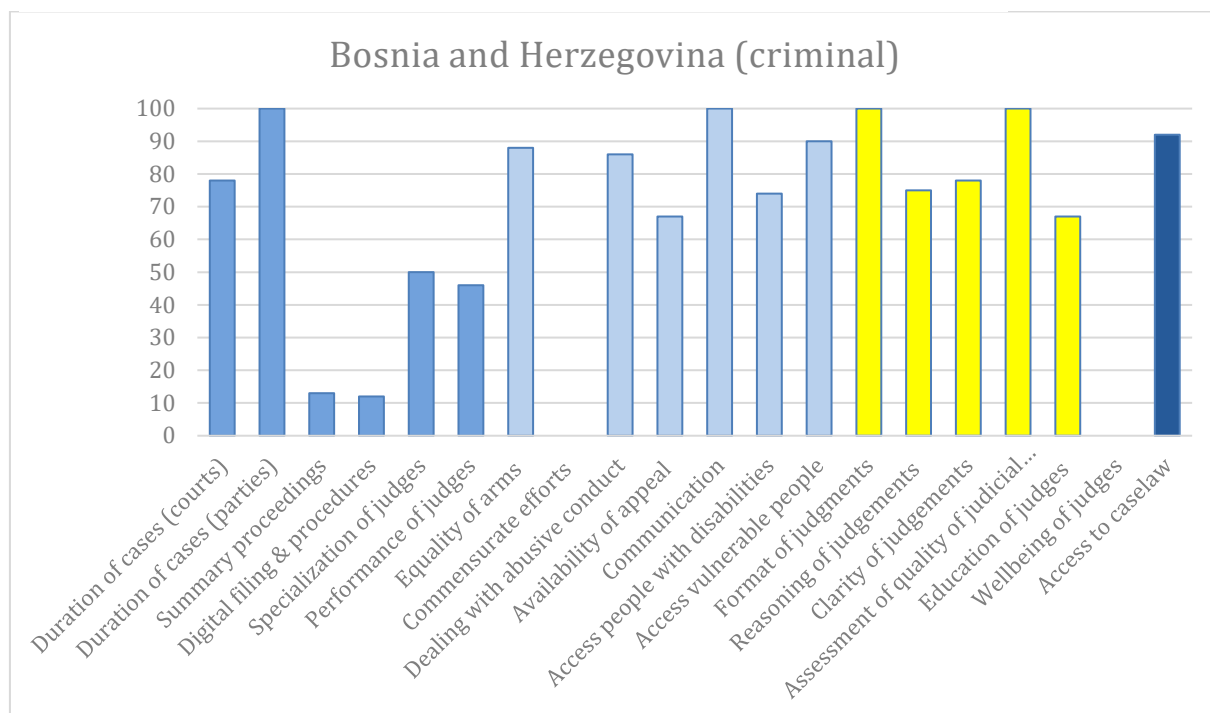


Figure 37 Indicators on quality of criminal and civil justice Bosnia and Herzegovina, 2026

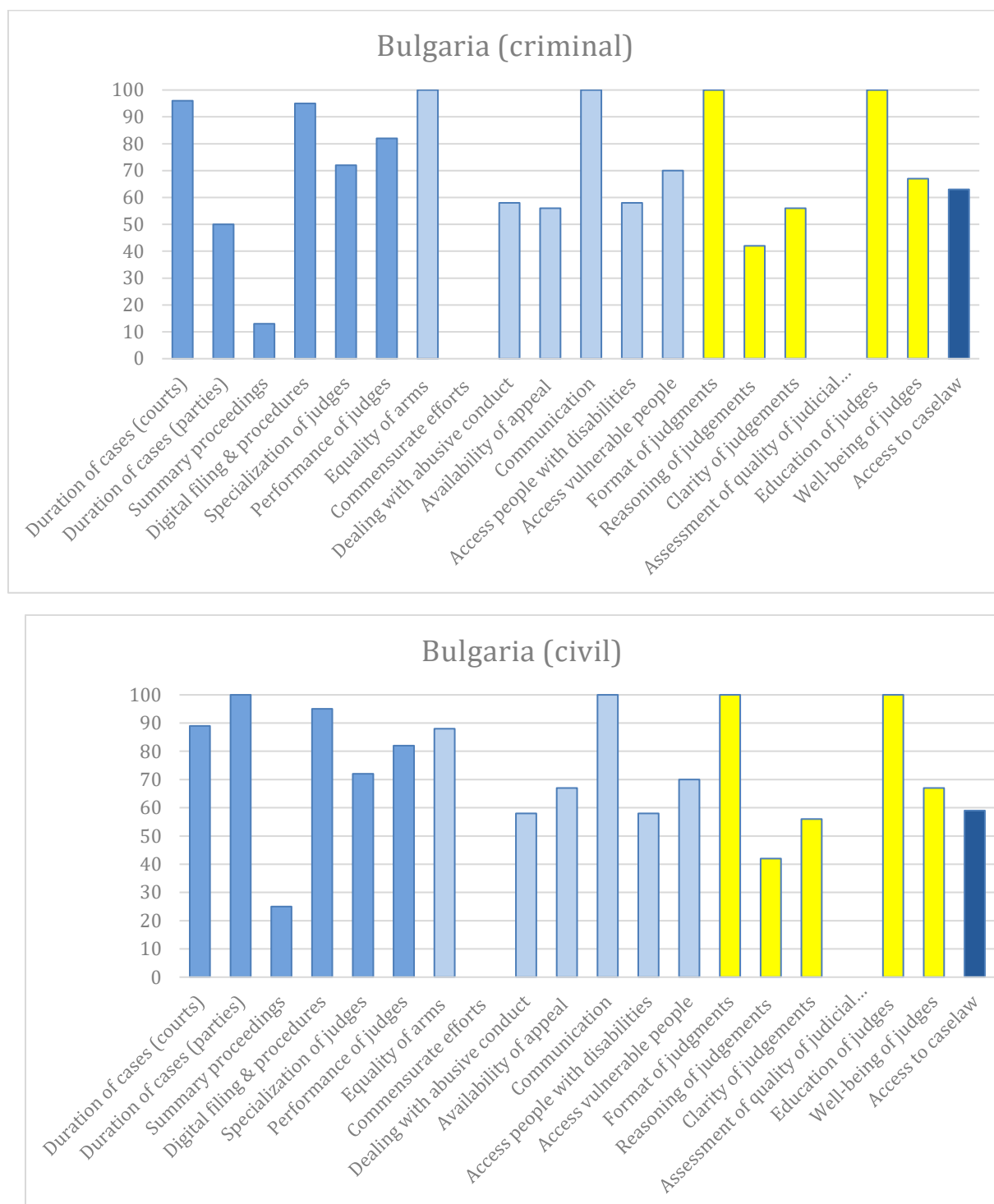


Figure 38 Indicators on quality of criminal and civil justice Bulgaria, 2026



Figure 39 Indicators on quality of criminal and civil justice Finland, 2026

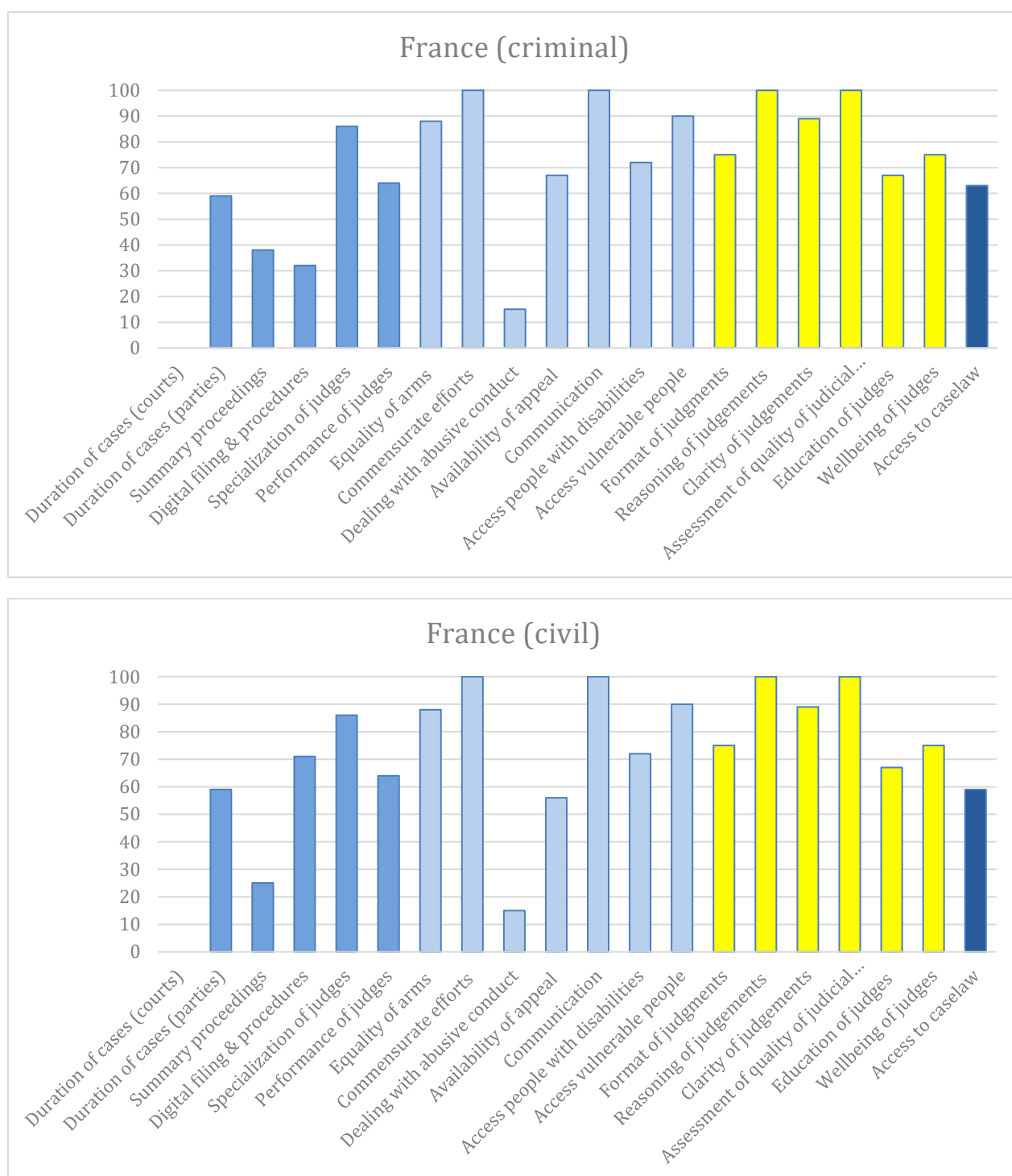


Figure 40 Indicators on quality of criminal and civil justice France, 2026

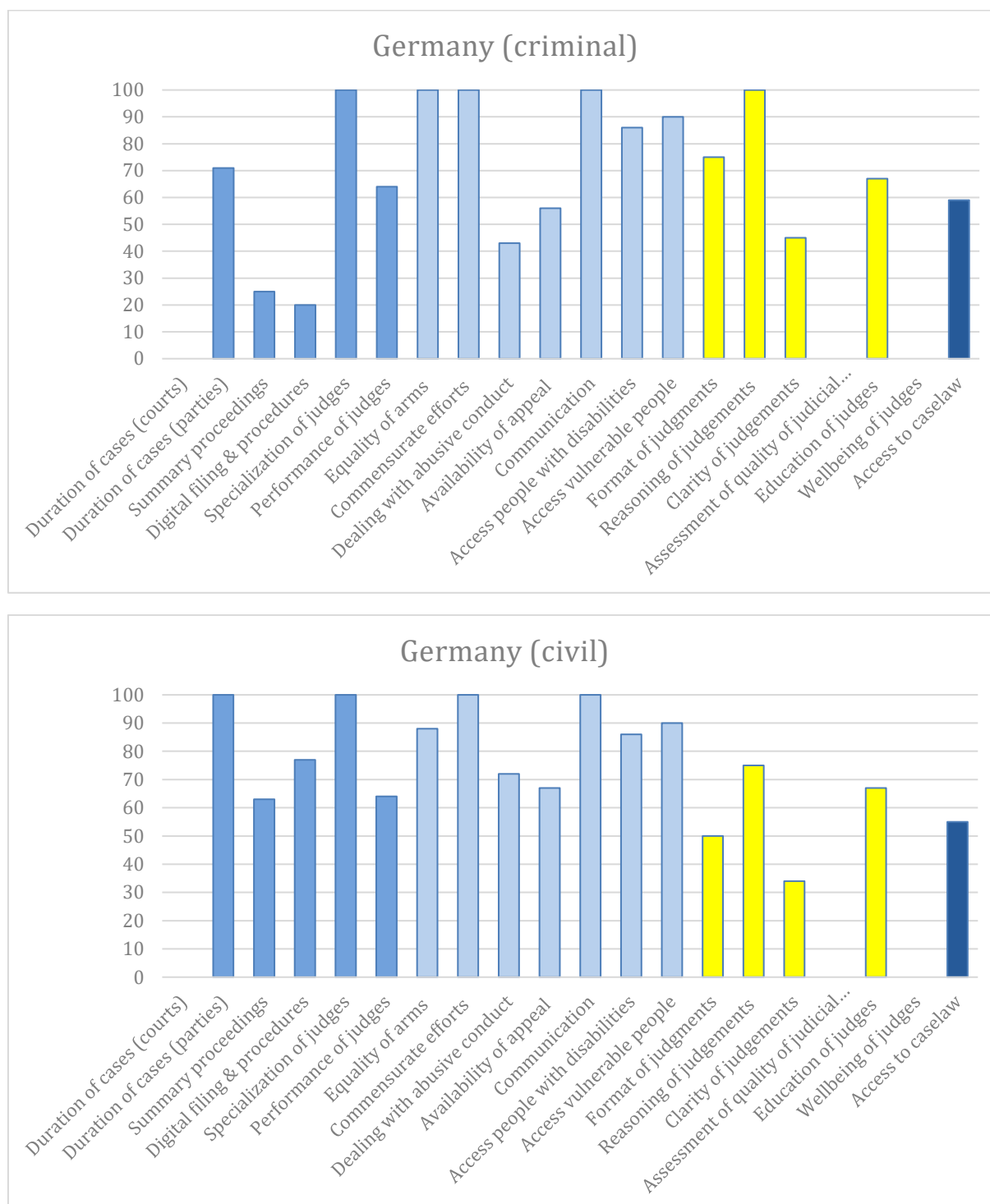


Figure 42 Indicators on quality of criminal and civil justice Germany, 2026

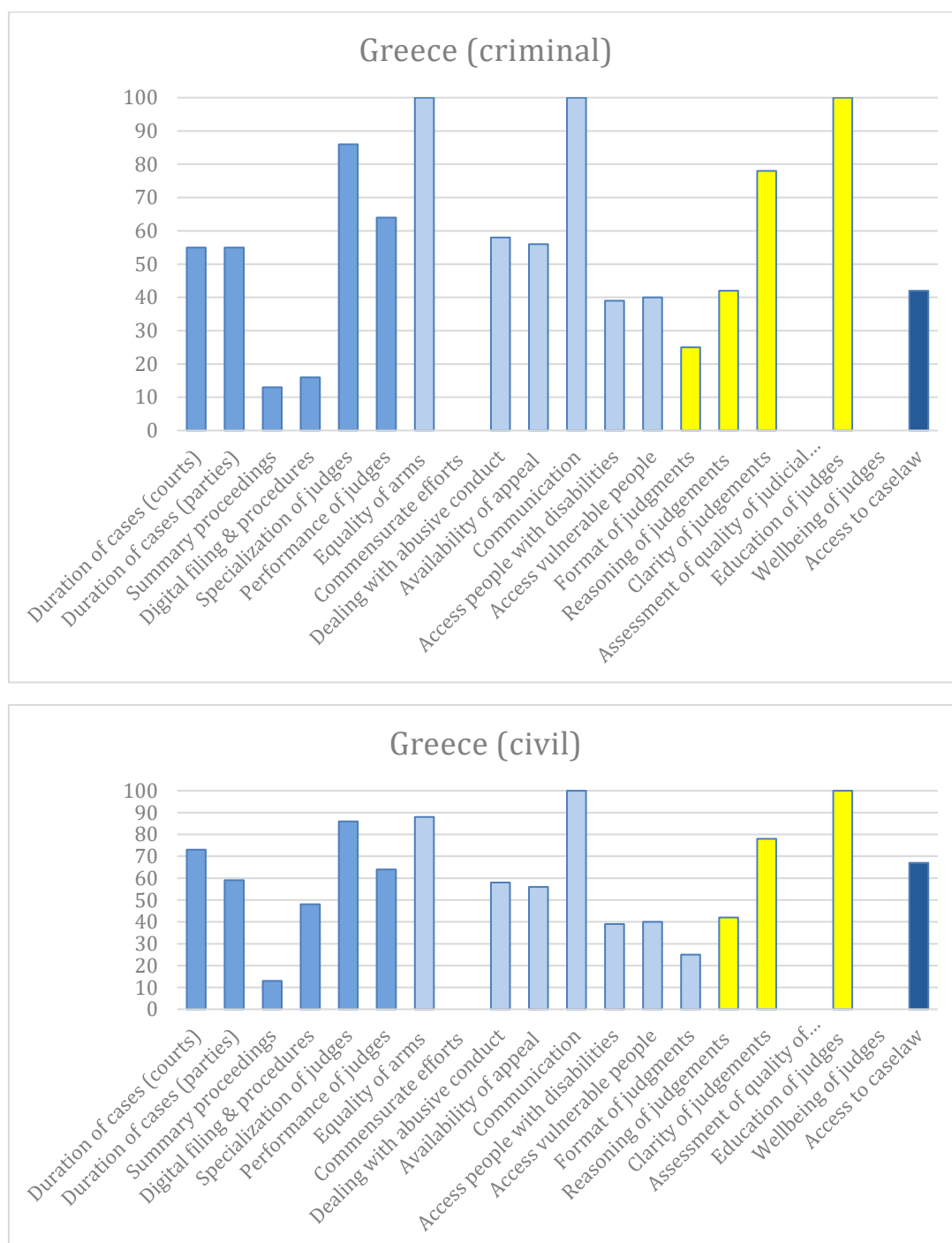


Figure 43 Indicators on quality of criminal and civil justice Greece, 2026

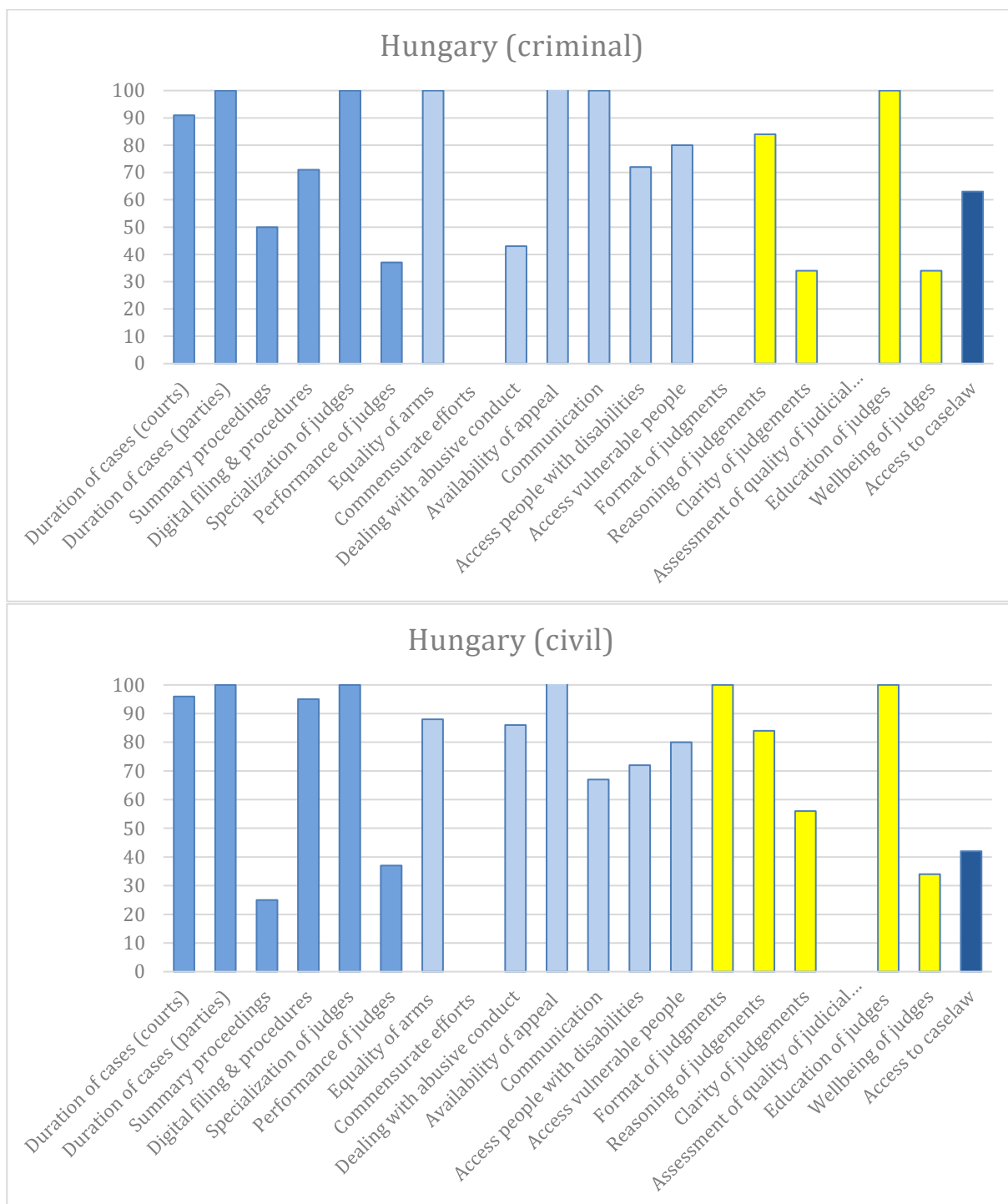


Figure 43 Indicators on quality of criminal and civil justice Hungary, 2026

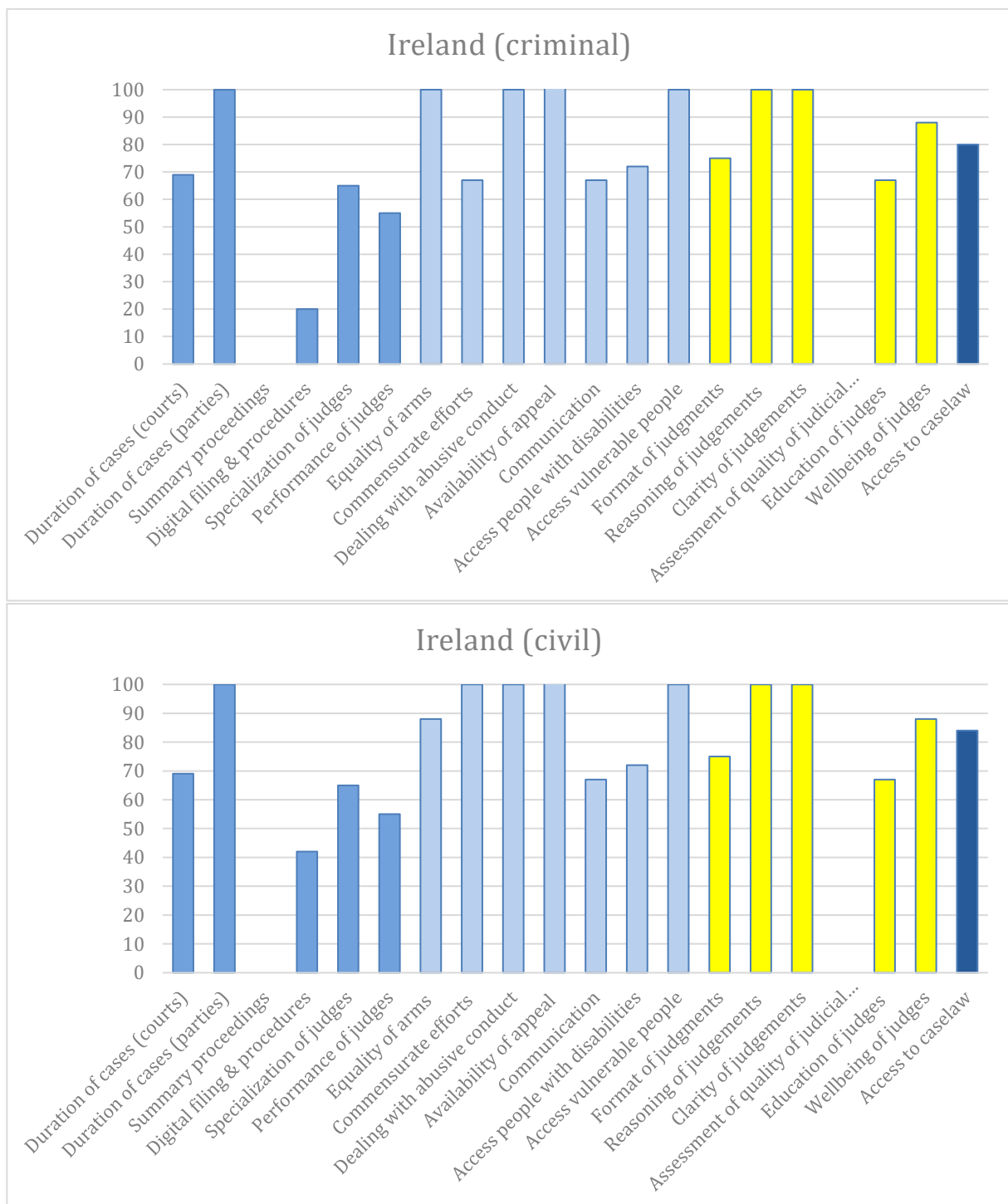


Figure 44 Indicators on quality of criminal and civil justice Ireland, 2026

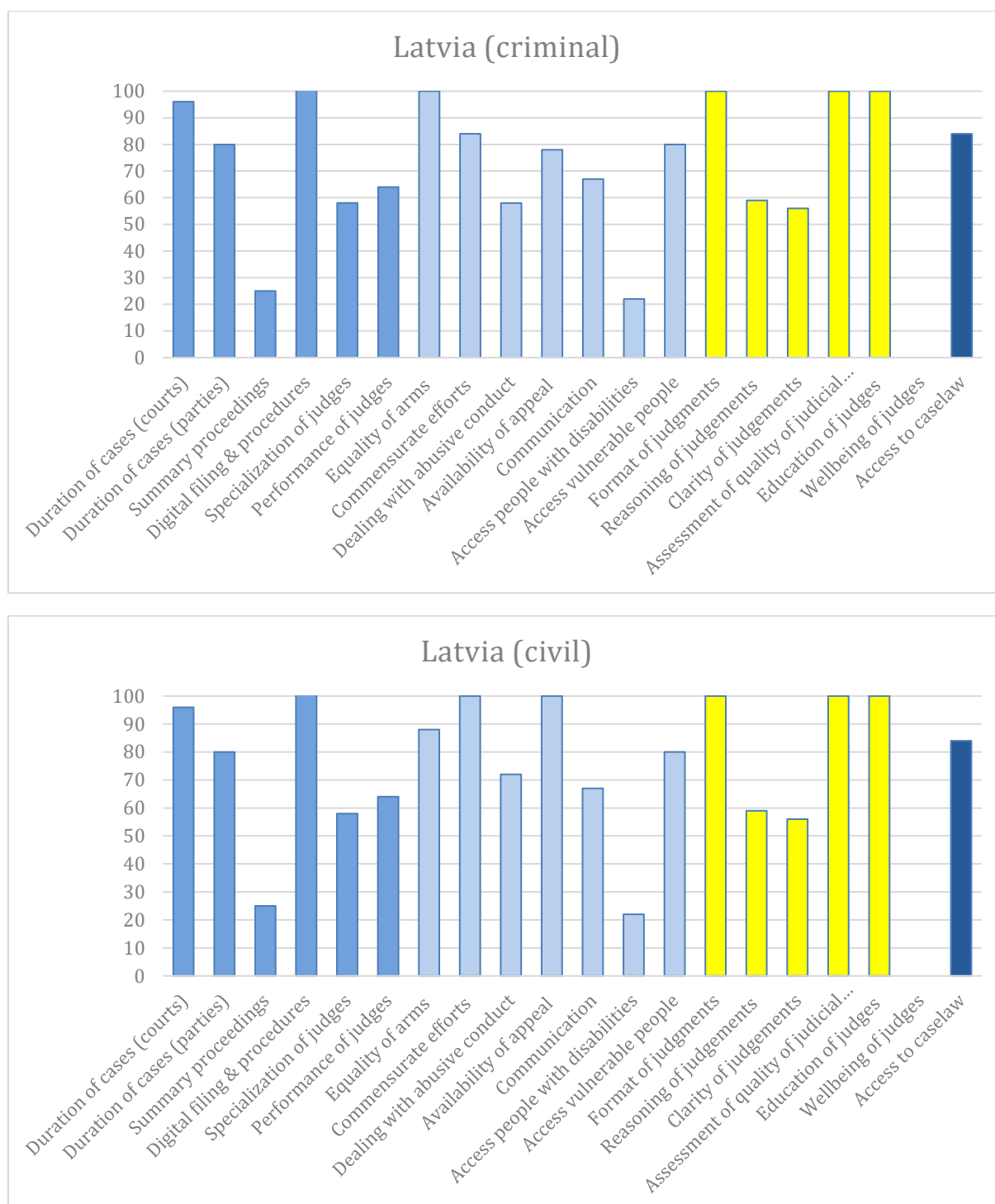


Figure 45 Indicators on quality of criminal and civil justice Latvia, 2026

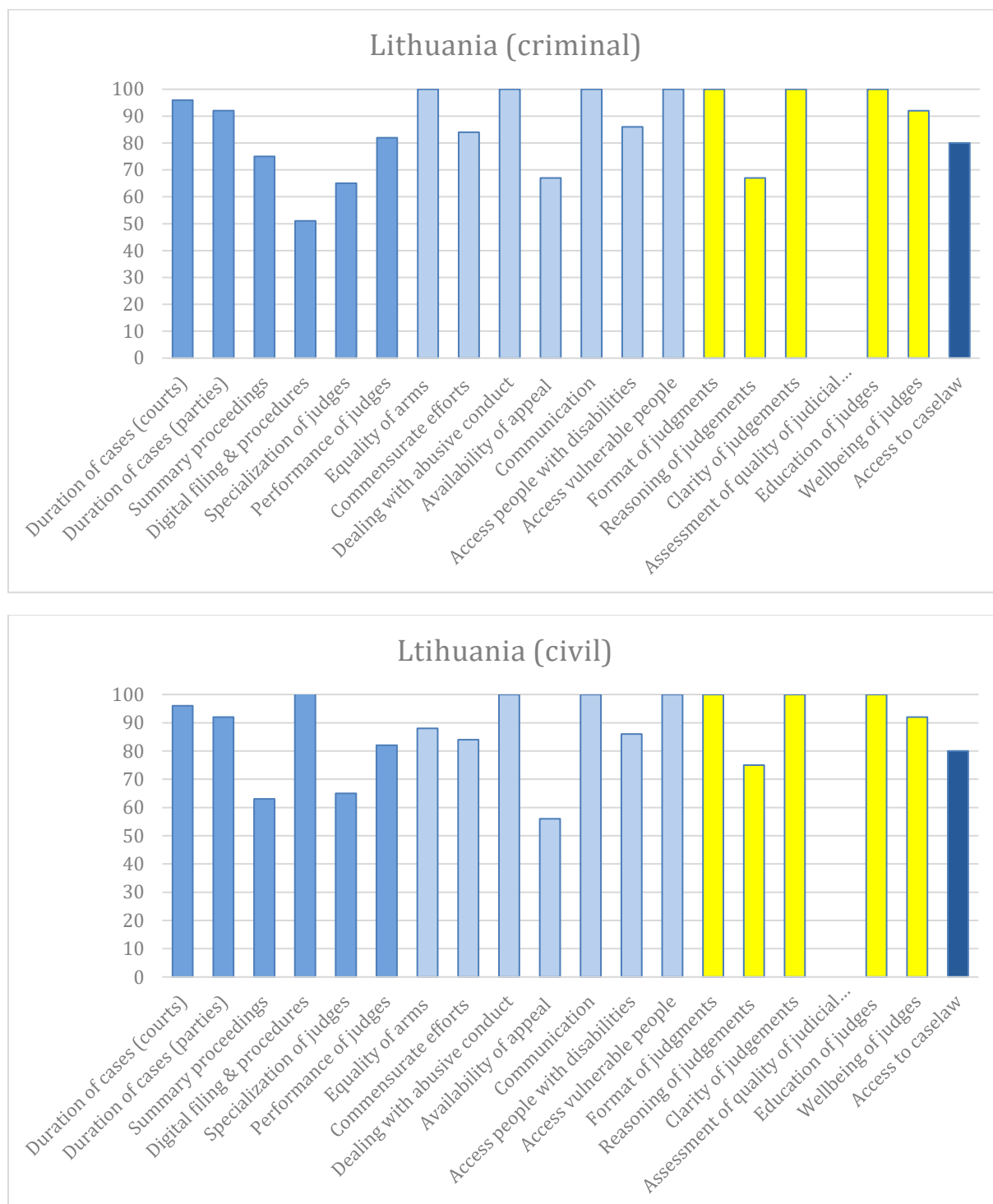


Figure 46 Indicators on quality of criminal and civil justice Lithuania, 2026

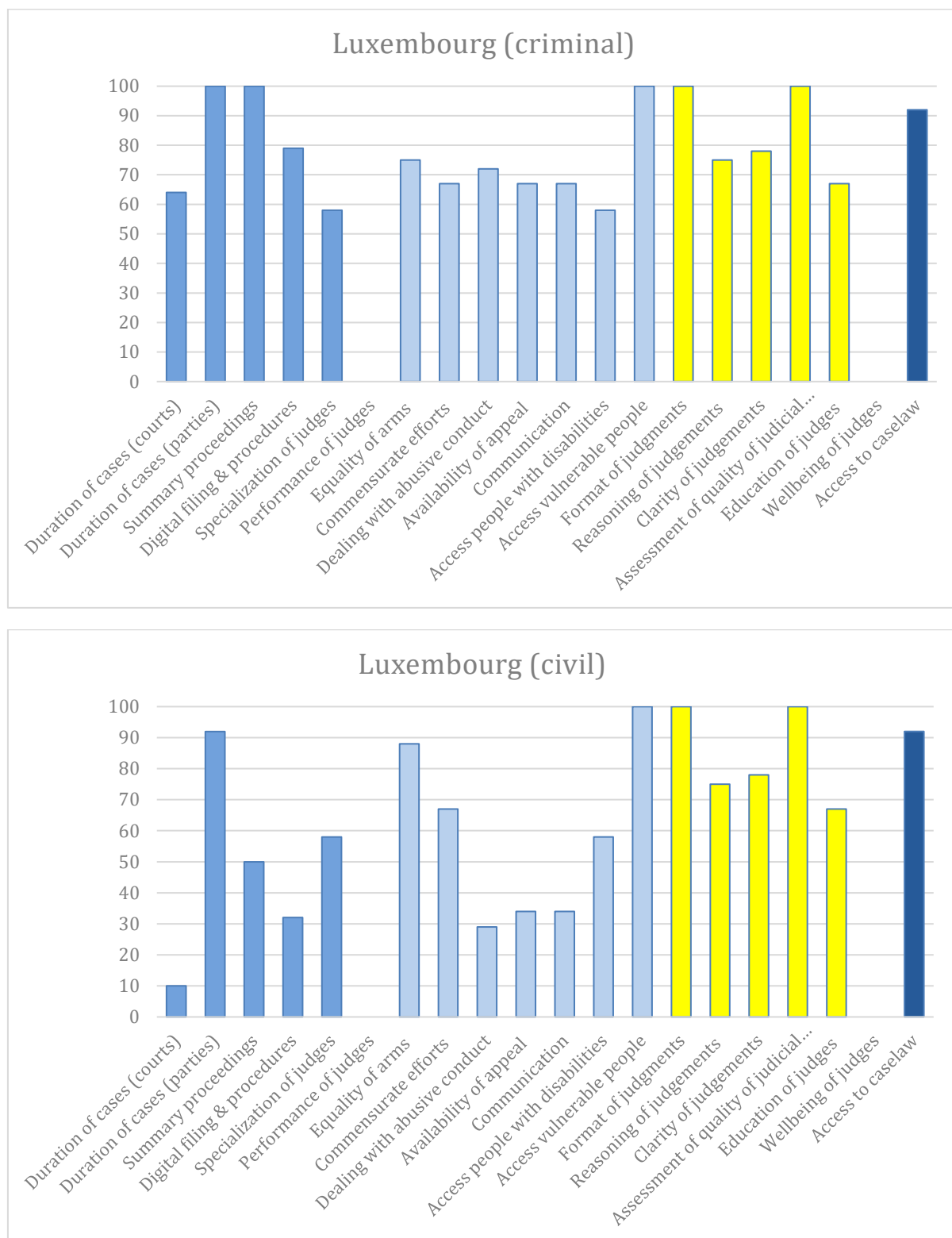


Figure 47 Indicators on quality of criminal and civil justice Luxembourg, 2026

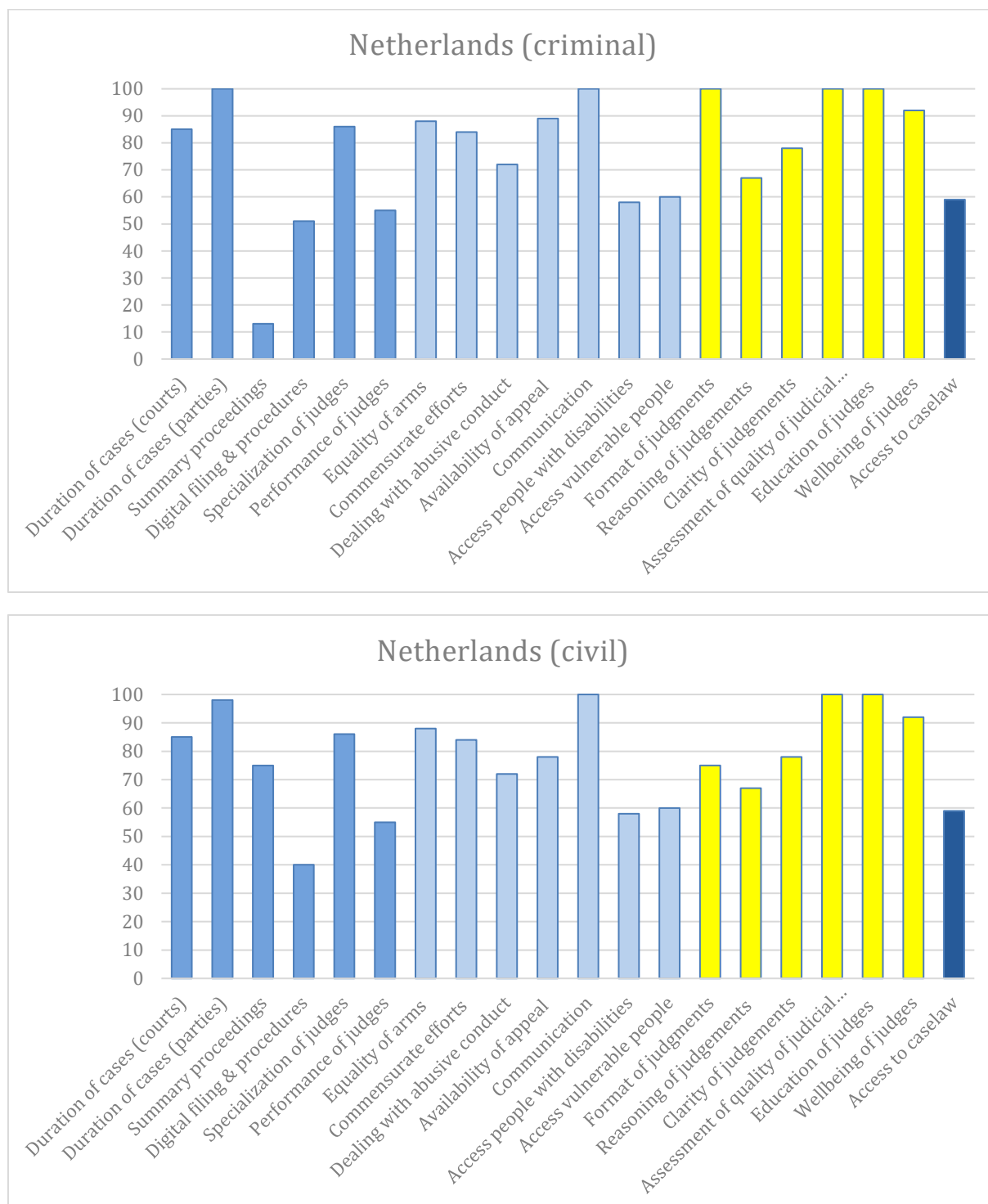


Figure 48 Indicators on quality of criminal and civil justice the Netherlands, 2026

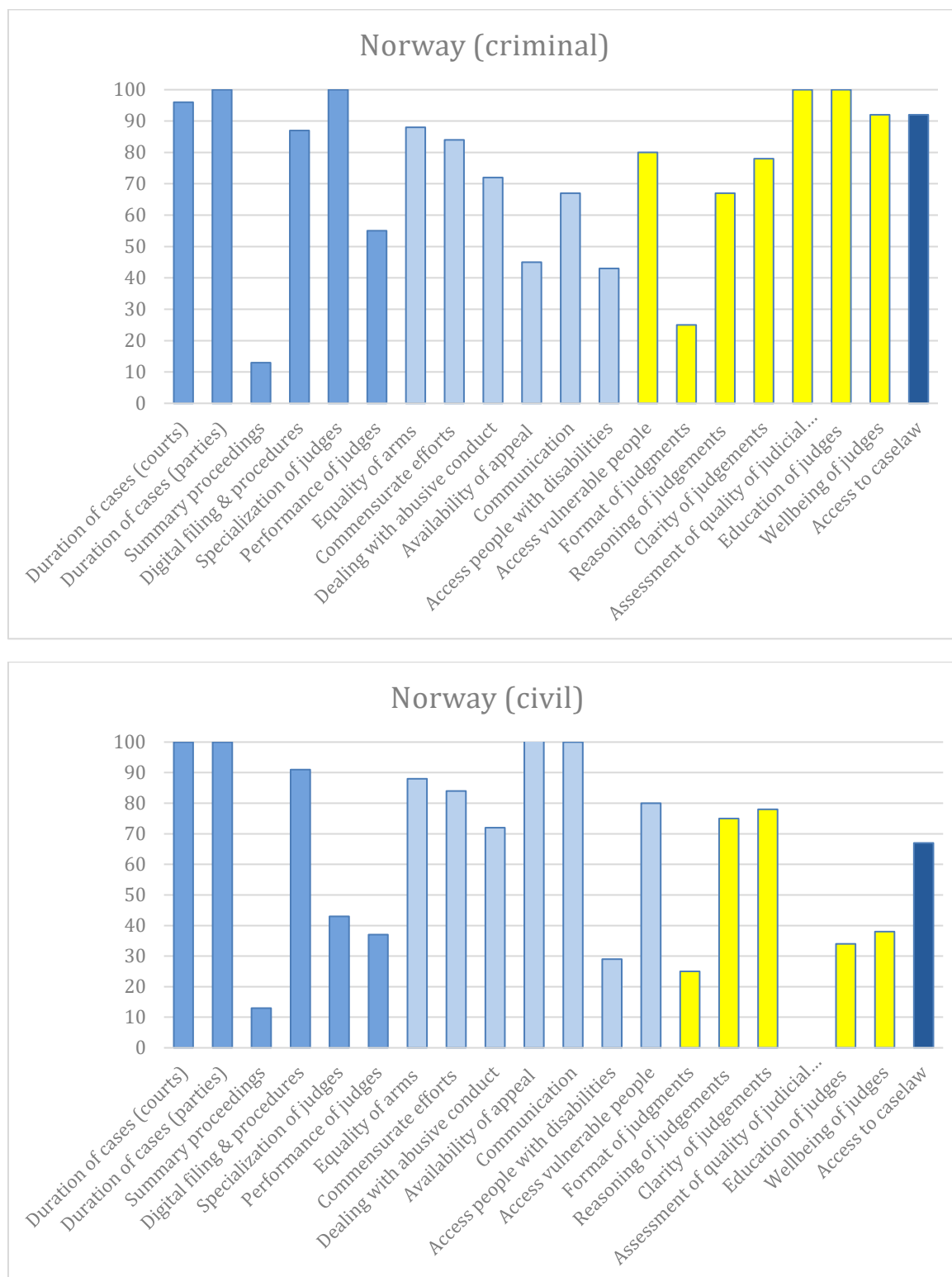


Figure 49 Indicators on quality of criminal and civil justice Norway, 2026

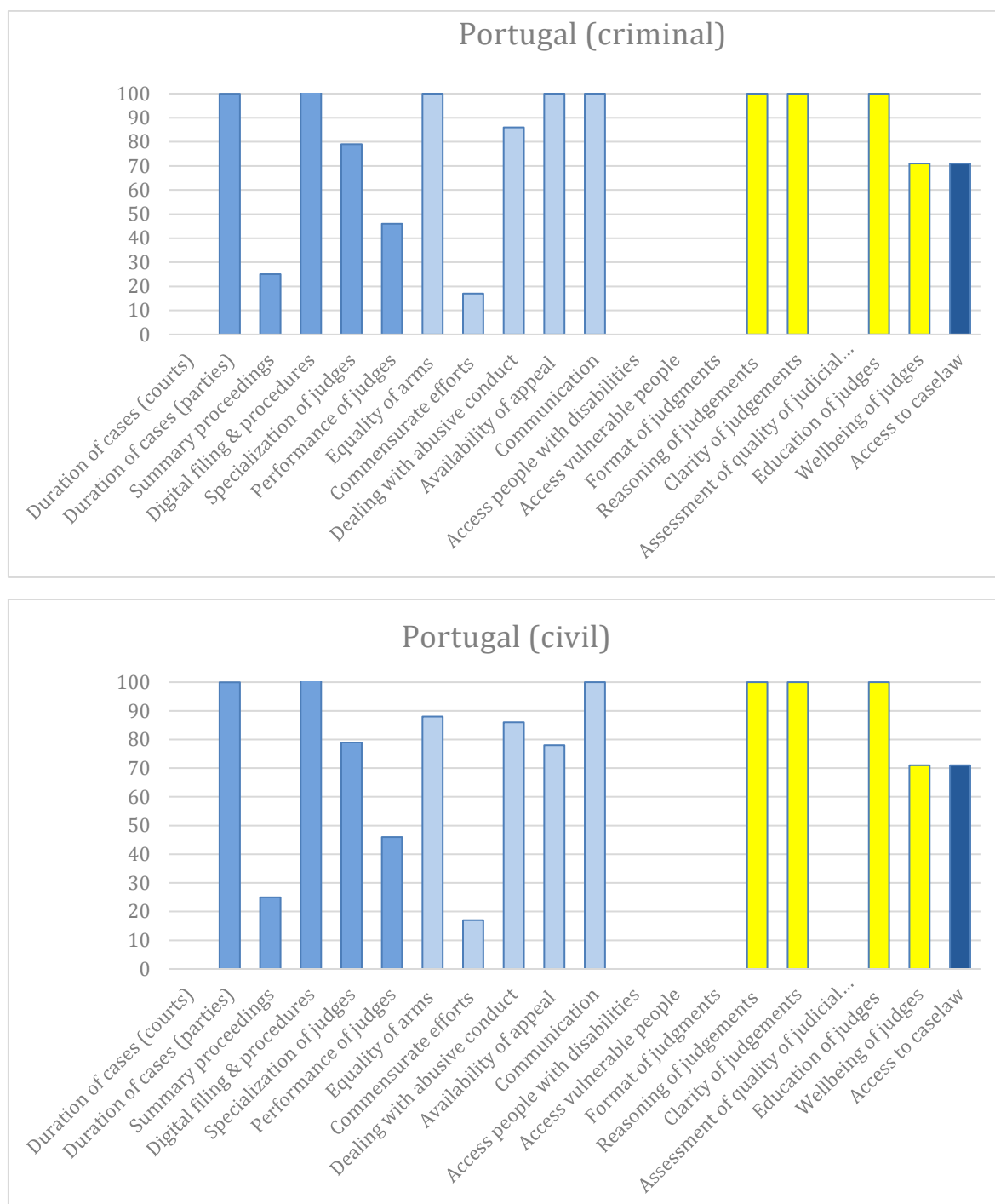


Figure 50 Indicators on quality of criminal and civil justice Portugal, 2026

Attention should be paid to the fact that while the score of 0 is presented for indicators B12 (Access to disabled people) and B13 (Access to vulnerable people), this score reflects absence of statistical data on the subjects rather than the actual situation on the ground.

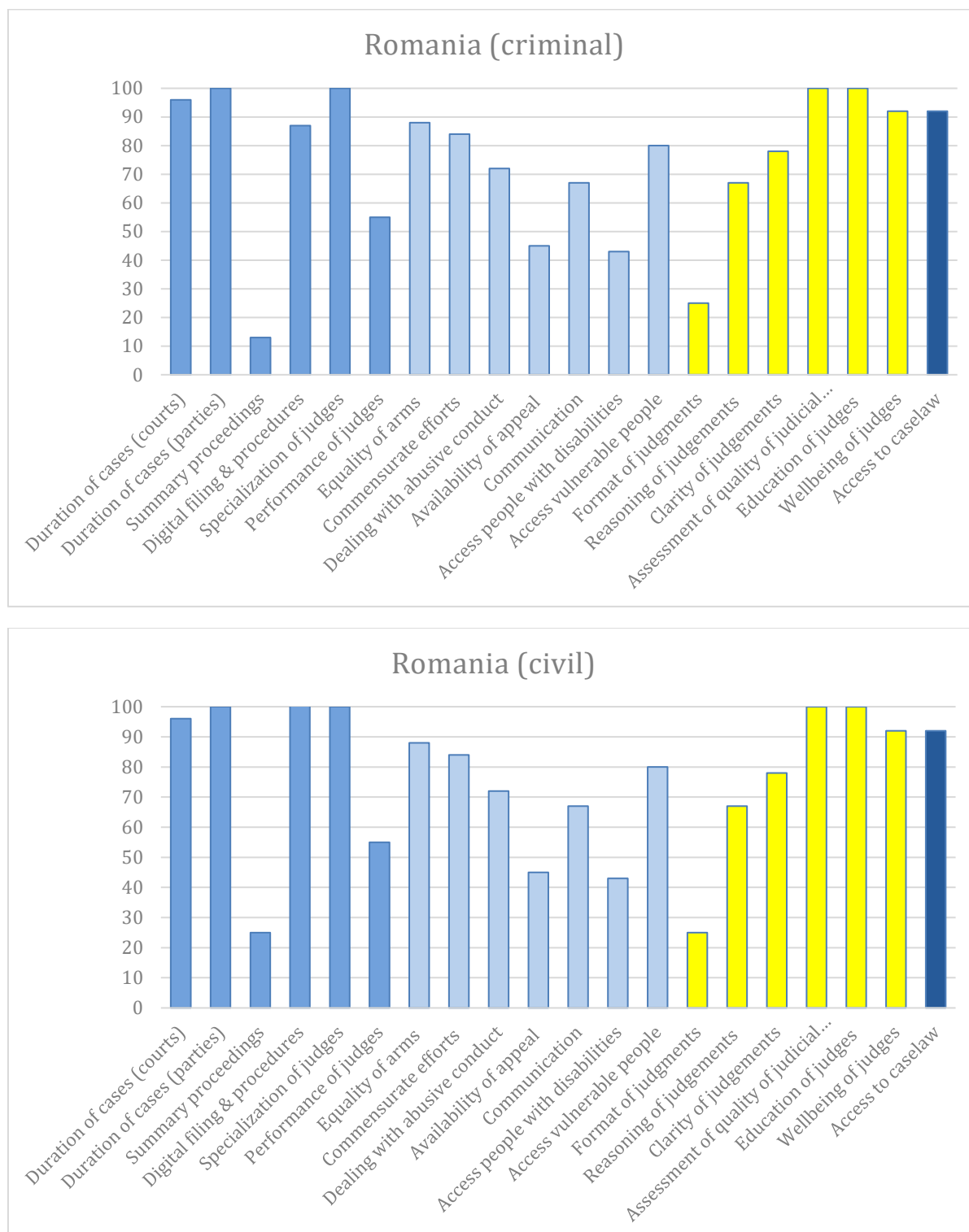


Figure 51 Indicators on quality of criminal and civil justice Romania, 2026

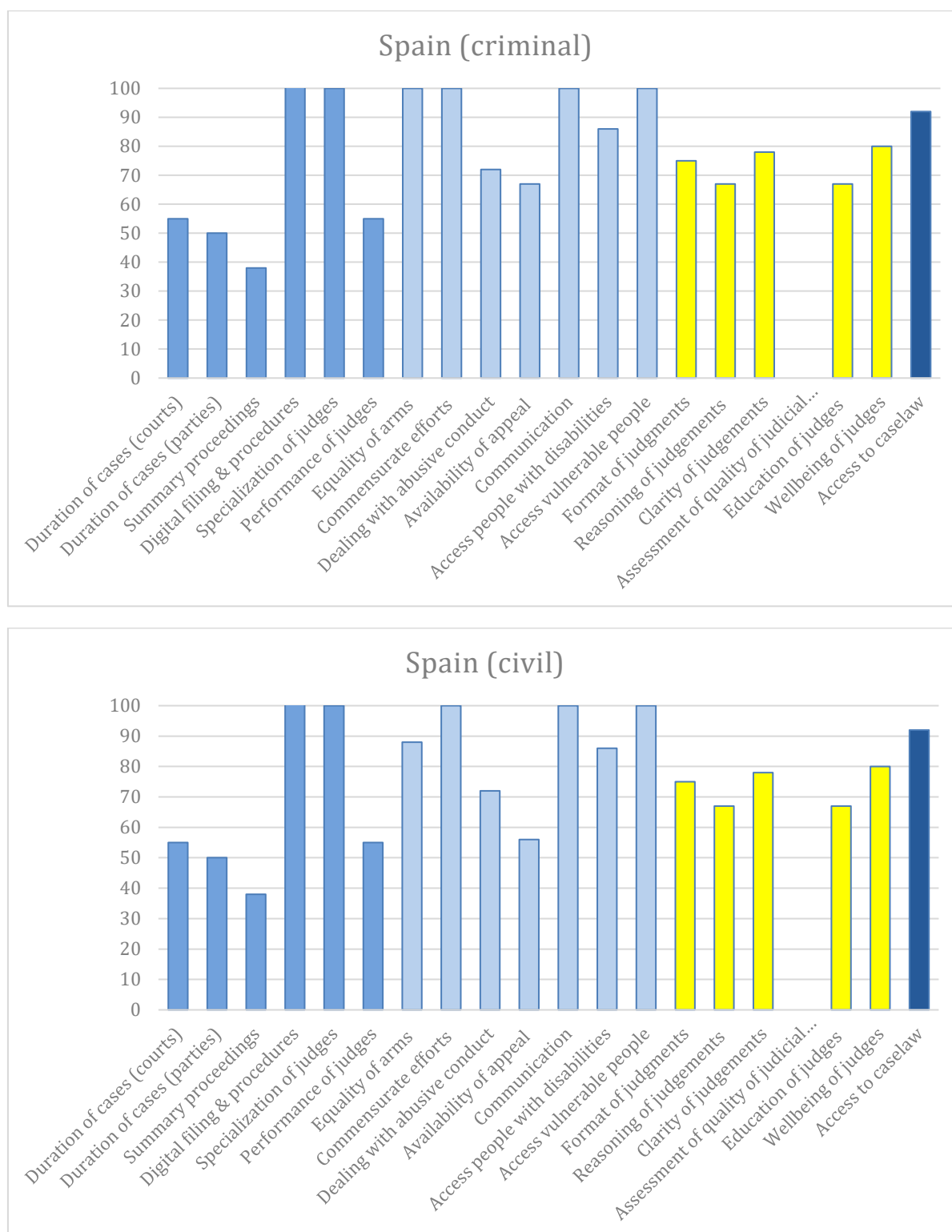


Figure 52 Indicators on quality of criminal and civil justice Spain, 2026

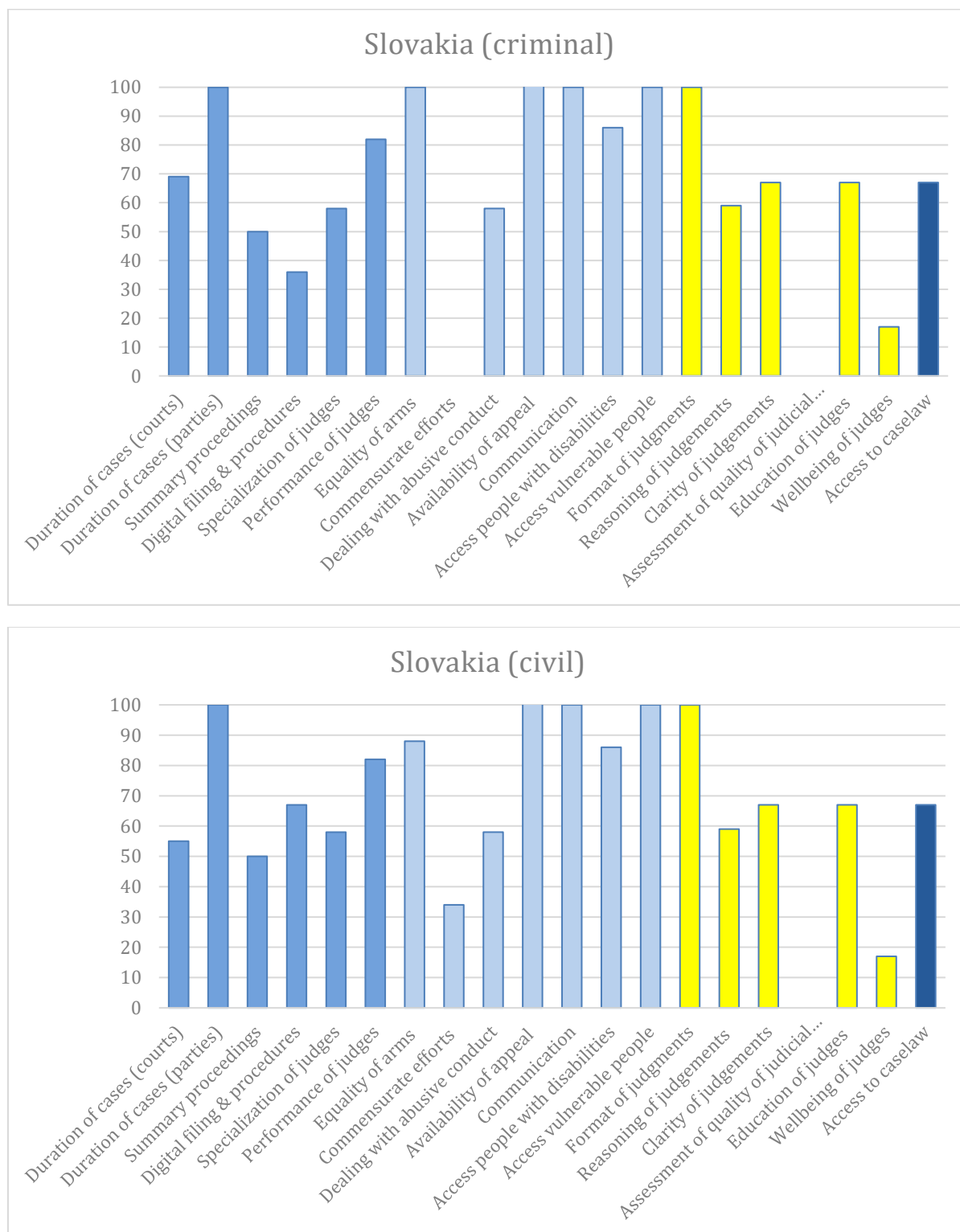


Figure 53 Indicators on quality of criminal and civil justice Slovakia, 2026

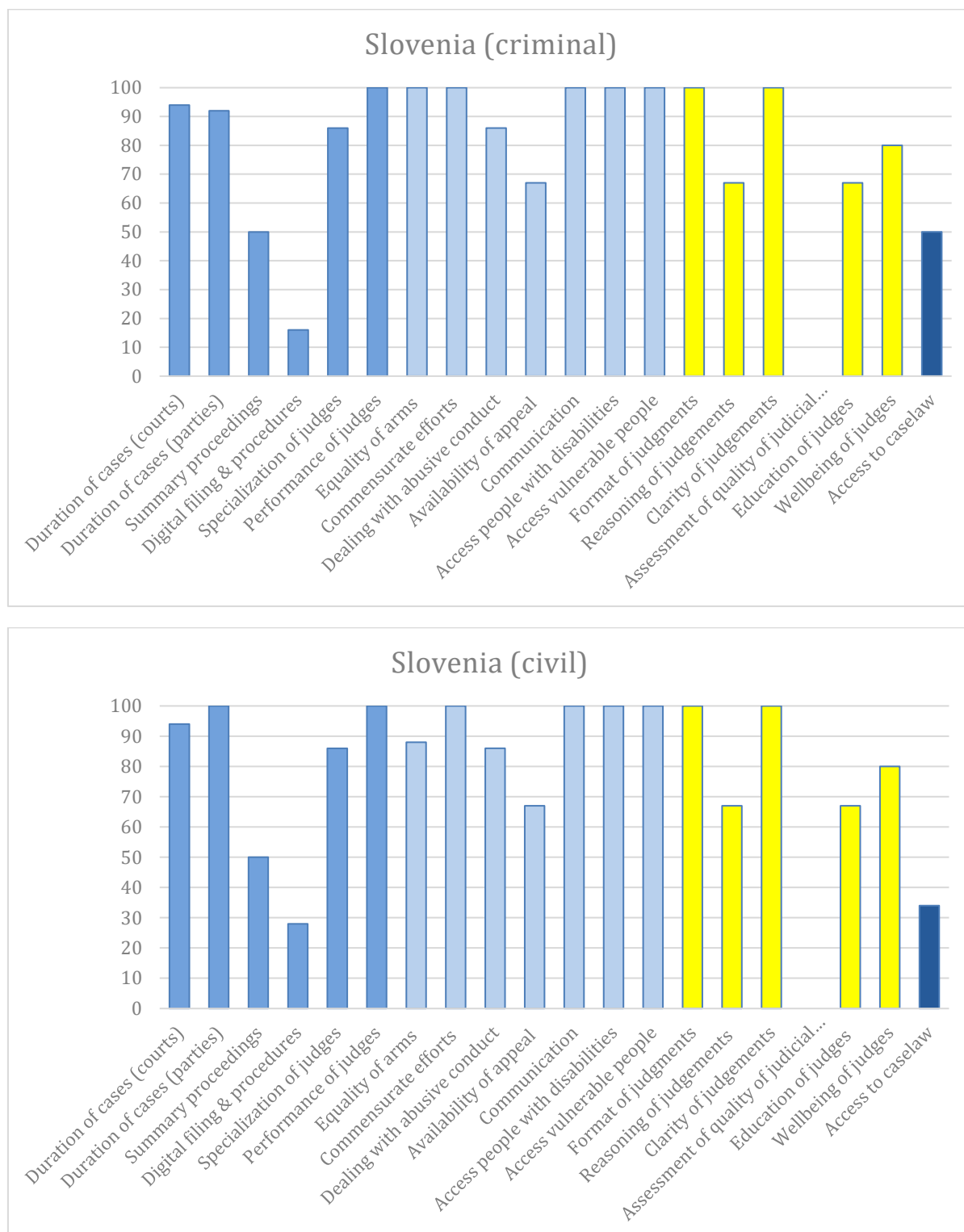


Figure 54 Indicators on quality of criminal and civil justice Slovenia, 2026

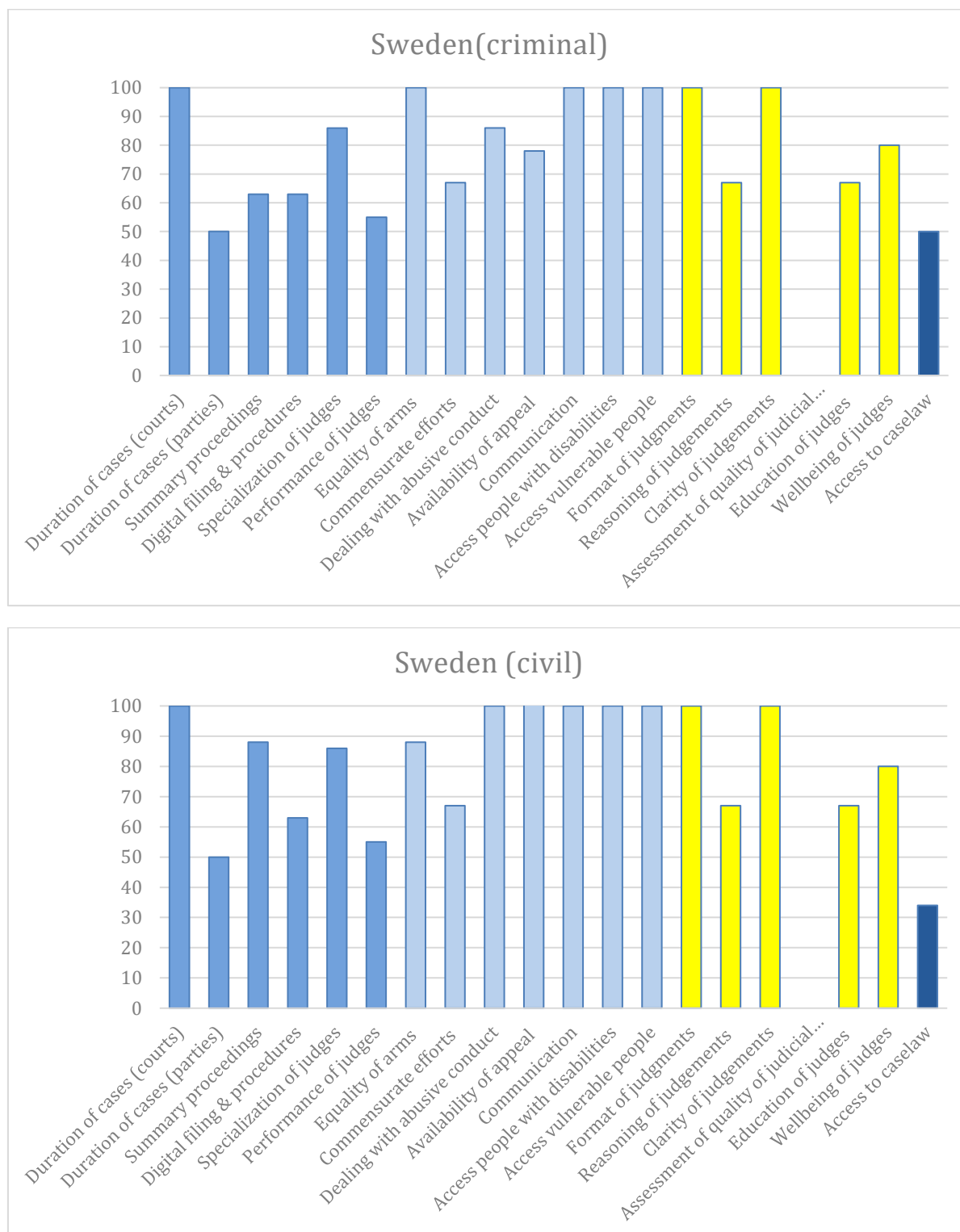


Figure 55 Indicators on quality of criminal and civil justice Sweden, 2026

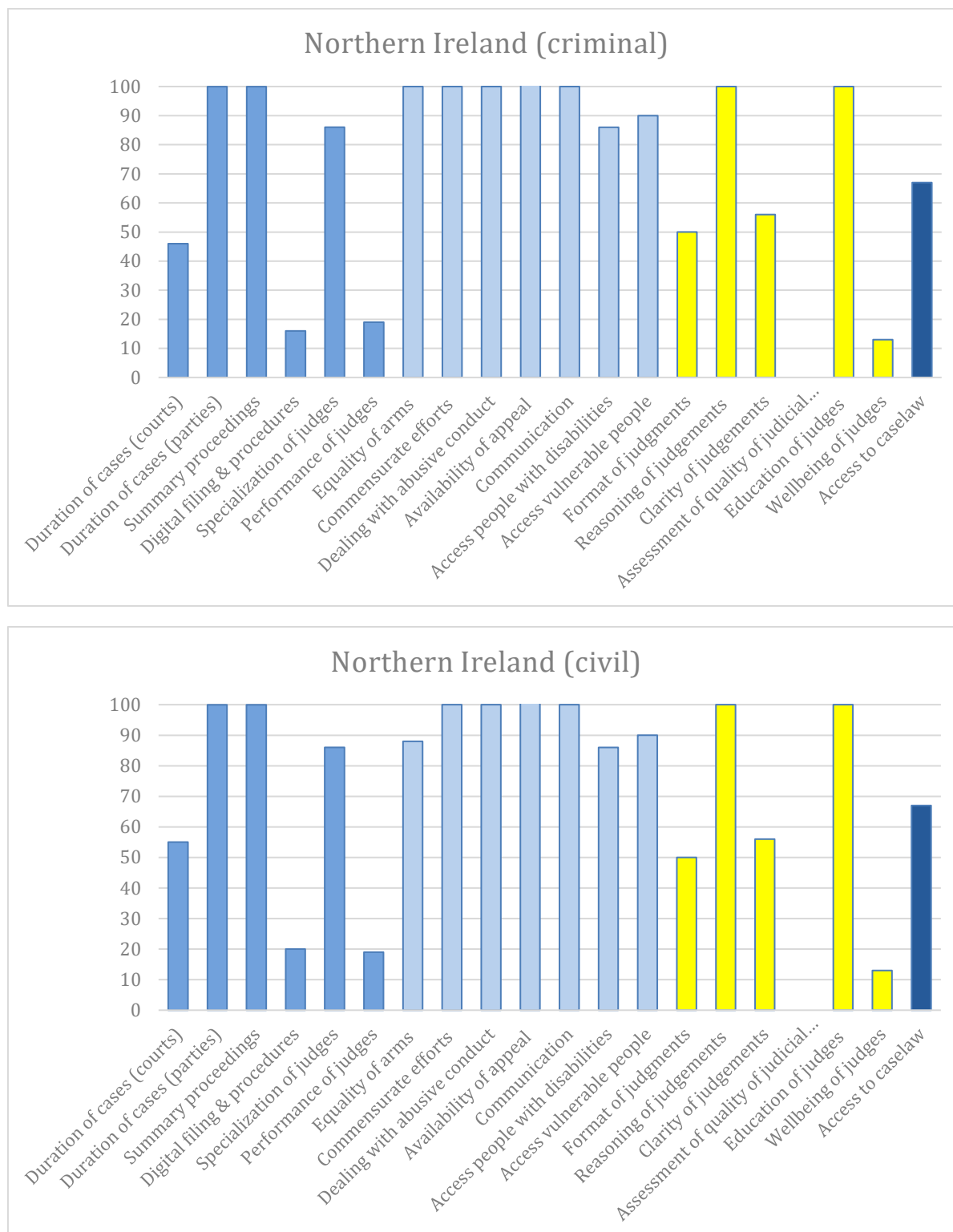


Figure 56 Indicators on quality of criminal and civil justice UK, Northern Ireland, 2026

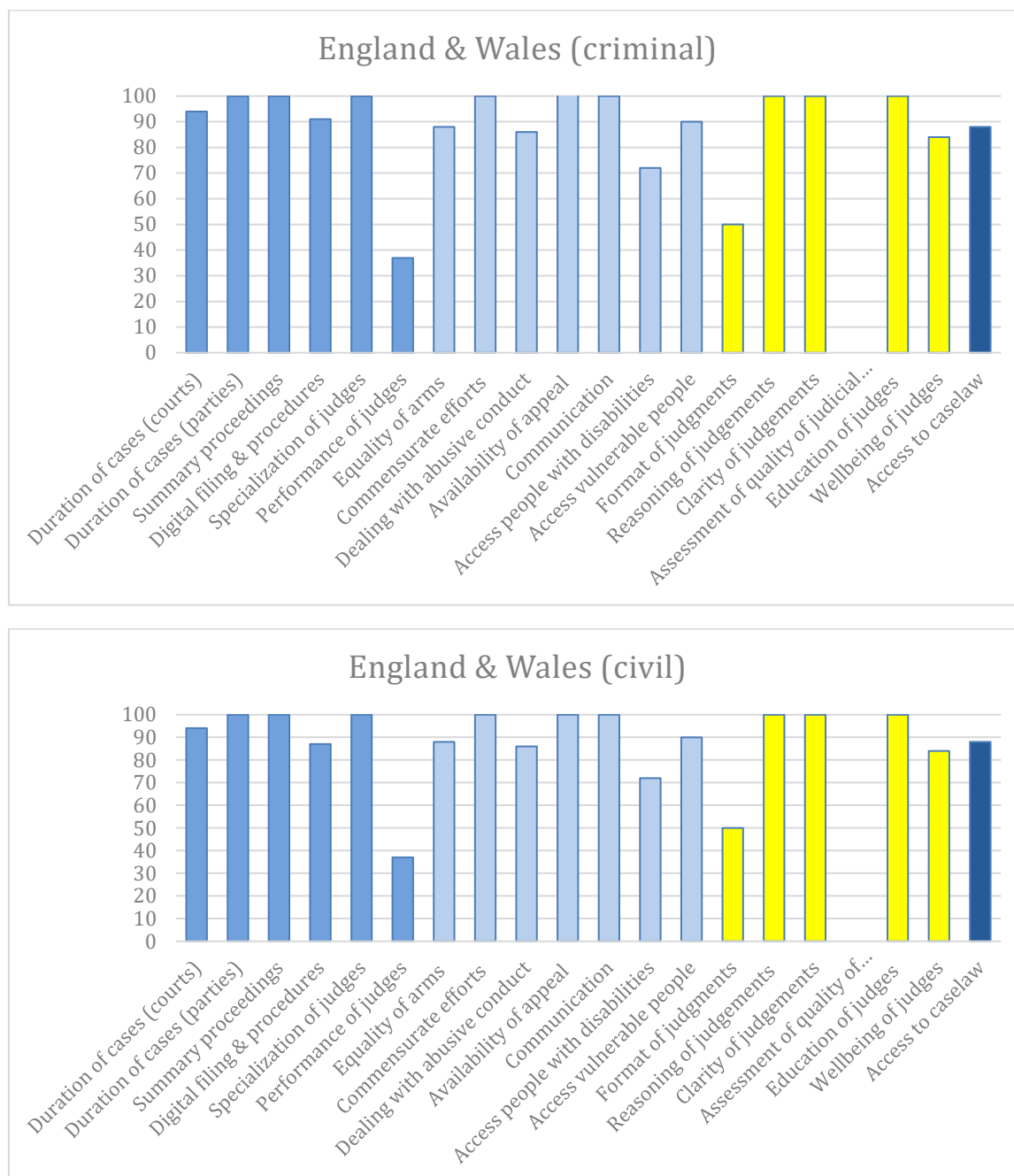


Figure 57 Indicators on quality of criminal and civil justice UK, England and Wales, 2026

17. Innovations in the Judiciary

In addition to the undertaking the Quality survey, in the year 2025/2026 the project group devoted its time to the overarching topic of the ‘Innovations within the Judiciary’, following up on the survey circulated among the ENCJ members and observers in 2024. This allowed for an opportunity to present novelties in the participating judiciaries in various spheres and mutual learning from each other.

The text below provides an overview of both: the presentations delivered in the group during the project year as well as the compilation of answers from the previous survey.

All members and observers of the ENCJ were invited to answer these questions in the summer of 2024:

1. Does your Council/other similar body have an established a policy/framework to encourage innovation that contributes to the efficiency of justice within the judiciary? Are there any strategic objectives your Council/alternative governing body has identified to improve justice through innovation?
2. Are innovation initiatives under discussion at the Judicial Council/Ministry of Justice/NCA meetings?
3. Which do you consider to be the most valuable innovations of the judiciary that currently contribute to the efficiency of justice in your country? Please explain briefly.
4. What are the pressing needs of the legal professions (judiciary in particular, but not limited to) that in your opinion could be addressed through innovation? Are there any dangers or limitations of such innovations that you could foresee?
5. In your opinion, what challenges (if any) does the judiciary in your country face in relation to legal innovation?

There was a good response rate. Detailed replies were received from Austria, Bulgaria, Croatia, Cyprus, Denmark, Estonia, France, Germany, Lithuania, Malta, Netherlands, Portugal, Slovakia, Spain and Sweden.

CONCLUSIONS FROM THE QUESTIONNAIRE PROCESS

As far as innovations actually undertaken or proposed are concerned, it was possible to draw a number of conclusions from the replies received. These were set out in the ENCJ intervention at the Forum of Legal Professionals held in Brussels in November 2024.

Firstly, there is a clear appetite for innovation on the part of many of the judiciaries who took part in the survey. Not only were judges open to change but there were formal structures in place in a number of countries to encourage change; Portugal, Denmark and Norway had either developed strategies or set specific strategic objectives for innovation and change. Some jurisdictions had dedicated teams devoted to stimulating facilitating and directing innovation. Norway had a dedicated department for the purpose of innovation and court development. Sweden had a group made up of individuals from different court departments with the objective of developing novel and imaginative solutions to current problems. The Netherlands also had an Innovation Steering Group.

Some jurisdictions took a ‘grassroots’ approach. Members of the judiciary were encouraged to submit suggestions for innovation that are considered and, if thought to be good ideas, are often implemented. In Denmark, court employees are asked to provide creative solutions both to their colleagues and to more senior officials. In Austria, the Association of Judges regularly calls for suggestions. When presented, these

have frequently been implemented by the Austrian Ministry of Justice.

Secondly, innovation in action covers a number of areas, namely institutional change, procedural change, and organizational change.

With regard to institutional change, in a number of countries the courts have been restructured in order to enable them to operate more efficiently. In Cyprus, there was a structural overhaul of the appellate part of the system. The Supreme Court was split into two bodies – a Supreme Constitutional Court and a Supreme Court. This facilitated a more focused organization of litigation before these two entities. Cyprus also saw the establishment of a National Courts Service, responsible for the management and administration of the courts system.

Institutional innovation was also to be seen in Spain (the setting up of a specialized court dealing with cases of domestic violence) and France (bringing together judges and prosecutors, again in domestic violence cases). In Belgium, specialized family courts have been developed.

A final institutional change occurred in Cyprus (where a Judicial Council was established) and Luxembourg (where a Judicial Council was reestablished).

Procedural innovation has been demonstrated in the growth of judicial training through the use of handbooks. These publications allow a judge to deal with an area of the law with which he or she may be very unfamiliar. In Sweden and Norway, such handbooks are developed in close cooperation with the Presidents of the relevant court. In Finland, a cooperation network between judges has been created. This has resulted in a data bank for handbooks in different areas of the law. The data bank is filled with contributions from judges with expertise in a particular area. It can be consulted by judges who have no such expertise and who want to be guided about an area of law that can be complicated and difficult to navigate. These handbooks and data banks assist the judge in understanding the relevant law before hearing a case.

After the case is heard, a judgment must be written. Some jurisdictions have begun to provide examples of model judicial decisions, such as happens in Spain. In Sweden, electronic case systems are available which may provide the appropriate text to be used in written decisions.

Mediation has become more prominent in some jurisdictions. In Ireland, legislation has required a lawyer to advise their client, before proceedings are taken, about the possibility of mediation and the advantages that mediation may have over litigation. In Denmark, there is an automatic consent to participate in judicial mediation when starting a civil case.

Another procedural innovation is seen in the use of technology to support the judiciary in processing cases, especially cases that are highly complex. Portugal uses two such systems.

Technology is also seen in the management of mass lawsuits; a large amount of claims about broadly the same thing. Germany has sought to address the management of such litigation by the use of AI. Spain has worked on a pilot project to use generative AI designed to detect repetitive judgments, to respond to mass lawsuits, and potentially to facilitate the automation of decisions where the same legal principles are engaged.

Lastly, organizational innovations could be seen in a number of countries. Digitalisation of court proceedings and the audio recording of proceedings have become more common. The audio recording of court proceedings, at the time of the survey, was reported in Lithuania, Estonia and Ireland and was in preparation in Croatia. Bulgaria was developing voice to text software (something now being finalised in Ireland).

Apart from these technological advances, there were striking organizational innovations in the Netherlands and in Austria. The Dutch innovation steering group, responsible for stimulating and evaluating innovation, produced the concept of a community justice approach. This involves simplified court proceedings, an acceptance that cases often cover a multitude of problems, and debt management. In Austria, the challenge of recruiting and keeping people of talent as judges has been tackled by a number of measures. A career portal for people interested in becoming judges has been established. A widespread advertising campaign has been launched, on both social media and on television. Austria also has a “Justice at School” project to inform school students about the importance of the work carried out by judges and to encourage them to work in the courts system.

ACTIVITIES IN 2025/2026

Building on the questionnaire, two meetings over the last year focused further on innovation among the judiciaries.

In October 2025, at the I, A & Q meeting in Vienna, a range of innovations were presented by those present. These included;

1. Slovakia’s transparency measures, which involved livestreaming Council meetings and automatic transcription of these events. This had been very positively received.
2. Community justice hearings taking place directly in neighborhoods with multidisciplinary participation, from the Netherlands.
3. The judicial network system, along with the production of practical handbooks, as mentioned earlier in this report. Presentations on this were made not only by Finland but also by Lithuania.
4. The strengthening of judicial assistance systems.
5. The monitoring of emerging trends in respect of legal issues and the provision of accelerated opinions in France’s Cour de Cassation.
6. Lithuania’s demonstration of a digital platform concerning judicial promotions, training and evaluation.

Apart from these specific interventions, there was a general commitment to the ongoing sharing of innovations so that both members and observers would continue to learn from each other. This process continued at the next in person meeting in Brussels, in April 2026.

There were presentations from four countries detailing innovations which were of general interest.

CPGA of Italy identified two initiatives. One related to the development of a tool for the anonymization of decisions, based on AI solutions. The second was a new system for reducing backlogs in the courts.

Norway presented a fresh approach toward the better use of court time, which has proved effective.

France set out two separate innovations, of very different types. The first was a new deontological charter, setting out the ethical standards applicable to judges and others. The second was the new website for the Council for the Judiciary.

Finally, Latvia outlined an initiative with two dimensions. Firstly, the innovation provided a roadmap for the institutional reforms needed to improve the efficiency of the judicial system. Secondly, there was the development and adoption of a model for assessing the efficiency of the judicial system based on statistical data.

A FINAL WORD

It will be remembered that this two year cycle of consideration of innovation in the judiciaries began with the distribution of a questionnaire. The desire for effective innovation on the part of members and observers can be seen not only from the answers to the questionnaire but also from the very wide range of initiatives presented in the I, A & Q meetings over the last year.

18. Next steps on Quality of Justice

In this part of the improvement cycle, it will be up to individual Councils and other governing bodies to identify the areas in which there is potential to improve quality of justice in their jurisdictions and to take appropriate steps to achieve such improvement.

This also requires a renewed overview of the roles and competences of each of the Councils in guaranteeing and promoting quality of justice. An update of the annex of the Quality framework²⁹ will allow the project group to assess, what progress, if any, was made in this realm. To be able to undertake improvement in the area of quality of justice the mandate of the Councils has to be made explicit. Councils can then adopt plans, having regard to their roles and their quality profiles, to improve the quality of justice in their jurisdiction. The schematic overview of quality related activities of Councils for the Judiciary that has been prepared in the context of the quality framework can provide inspiration.

In the next project year (2026/2027), the activities on quality of justice of the Project Team will be aligned with those on independence and accountability.

1. The dialogue groups of members and observers on independence and accountability will include the quality dimension, stemming from the results of the Quality questionnaire provided above. Every Council, participating in the project team, will be given an opportunity to analyse the outcomes and together with its peers, to generate ideas for improvement and set implementation plans.
2. Councils for the Judiciary will be invited to update the Annex to the Quality framework, to assess the progress in the area. Councils will be invited to apply the quality framework, develop their vision on quality and translate this into concrete activities to improve the quality of justice. Councils are invited to share their ideas with the Project Team.
3. Taking into consideration the results of the new indicator on the well-being of judges (B19) the group will be invited to address the topic of the workload of a judge. It will focus on review of the existing arrangements (mechanisms) to assess the workload of a judge and on possible recommendations for setting optimal workload. To carry out this task, the Project Team will rely on the information gathered by other international networks and organizations, if available.

²⁹ ENCJ Quality framework is available is available on the closed section of the ENCJ page, available with authorized access only.

Part 3. Perception of Court users

The ENCJ has long noted a gap in the measurement of the perception of judicial independence from the perspective of court users. Therefore, the ENCJ continuously and relentlessly promotes Court user surveys in all judiciaries. Court user surveys serve two purposes. The experience of court users is particularly important to assess the independence of the judiciary, but these surveys also connect the courts with their users. Their direct observation of the functioning of the courts is highly informative for the assessment of independence at the country level, but also for the individual courts. In any case, taking into account the opinion of citizens can, in itself, help to strengthen their confidence in the justice system.

Measurement necessitates conducting court user surveys, which require a lot of effort. To this end, the ENCJ has developed a model Court users' survey and in 2024/2025 an Explanatory note on the methodology of carrying out the survey on the national level. In 2025/2026, two volunteer jurisdictions, France and Lithuania, undertook the Court users' surveys in designated courts. Key takeaways from this exercise are provided below.

Experience of France

Below is an overview of the analysis and initial results from the Court users' experience in France. At the end of this section, preliminary conclusions drawn from this experience are presented.

The following jurisdictions took part in the ENCJ Court users' survey in 2025/2026:

- Courts of Appeal : Toulouse and Chambéry;
- First Instance Courts : Toulouse, Montauban, Albi and Creteil.

French courts are classified into groups according to their size: from group 1 (the largest) to group 4 (the smallest). The data provided below correspond to 2025 figures. Each court of first instance or appeal consists of one third of prosecutors and two thirds of judges.

The questionnaire was distributed across jurisdictions that differ very much from one another, both in the case of the first instance courts and courts of appeal. The results therefore, provide a broad overview of the French judicial landscape.

The Court of Appeal of Toulouse:

Toulouse is the fourth-largest city in France. The Toulouse Court of Appeal is the ninth court of appeal out of 36 in terms of activity and has 4 departments. This Court brings together all magistrates working within its jurisdiction, including those in the courts of first instance: a total of 252 magistrates, representing a ratio of 11 magistrates per 100,000 inhabitants.

The Court covers six courts of first instance, three of which took part in the survey: Toulouse (group 1, 114 magistrates or 8.38 magistrates per 100,000 inhabitants), Albi (group 4, 14 magistrates, representing 7.09 magistrates per 100,000 inhabitants) and Montauban (group 3, 21 magistrates, representing a ratio of 7.9 magistrates per 100,000 inhabitants).

In all of the jurisdictions that participated in the survey, the questionnaire was distributed by law students.

In Albi, the survey was conducted by four students from the Faculty of Law over a period of ten days, followed by one student for one week. A total of 48 people agreed to respond. Some questions received a low response rate, which the investigators attributed to the fact that users were left to complete the questionnaire alone.

In Montauban, eleven students were divided into two groups of five and six for one week each. A total of 200 questionnaires were fully or partially completed out of 268 people solicited. Responses were collected digitally through interviews conducted between the interviewers and users.

At the Toulouse judicial court, approximately 190 questionnaires were completed. The details of the methods of collection and the actual use of the results have not yet been received. A master's student in law is expected to carry out the analysis and provide commentary on the findings. The same applies to the Toulouse Court of Appeal, which received 53 responses to the questionnaire.

The Court of Appeal of Chambéry:

The jurisdiction of this court comprises 140 magistrates, representing a ratio of 10.8 magistrates per 100,000 inhabitants. The Court of Appeal itself has 15 judges and 6 prosecutors from the Public Prosecutor's Office. In terms of activity, it ranks 24th out of 36 courts of appeal.

The questionnaire was distributed by one court officer over four weeks, who handled the questionnaire once the hearings ended.

Only 20 people agreed to take part in the survey, 14 women and 6 men.

The First Instance Court of Créteil:

It is one of the eight courts of first instance of the Paris Court of Appeal. Classified as a group 1 court, its jurisdiction comprises 135 magistrates, representing a ratio of 9.51 magistrates per 100,000 inhabitants.

Out of 561 respondents, 478 questionnaires were fully completed (85%), 66 were partially completed (13%), and 17 (3%), remained unanswered. The survey was carried out by pairs of students over a period of two months. A working group has been established to set up a court users' committee in this jurisdiction, similar to the one already existing in Lyon.

Analysis of the data transmitted:

The courts with the most significant results are also the largest in terms of size and staff. In the case of smaller courts such as Albi and Montauban, the low number of responses does not allow for meaningful analysis. However, the trends observed are broadly similar. The same applies to the two courts of appeal, which also received a limited number of responses.

Main findings

Respondents:

1. The gender distribution among respondents is relatively balanced. The most represented age group is between 20 and 50 years old (average age of 38 years observed in **Créteil**, which collected the highest number of responses).
2. The majority of respondents to the court user survey appear in court for criminal cases, followed by family cases and cases involving minors. The same finding is also observed in the Courts of Appeal.

3. Among the respondents, the litigants constitute a minority compared to other interviewees such as litigants' family members, friends or witnesses.

Legal assistance and digital tools :

1. The majority of litigants in small courts do not have legal representation (In **Albi**, 66% report not having a lawyer, in **Montauban** 48%). The situation differs in **Créteil** (90% of respondents report easy access to a lawyer), in the **Toulouse first instance Court and Court of Appeal**, where litigants are assisted by a lawyer in 73% of cases. Few litigants benefited from legal aid and very few victims were accompanied by a victim support association.
2. Approximately 80% of litigants have not used digital services to initiate court proceedings, most often because they are unaware of their existence. However, those who do use such services report being satisfied with them.

Perception of court decisions :

A majority of respondents (approximately 60%) were not yet aware of the decision at the time of the interview, as the court had not yet delivered the ruling. Among the remaining 40%, opinions are split between those who are satisfied and those who are dissatisfied. When (as in **Créteil**) the question is asked after the verdict is announced, 60% of respondents are satisfied with the decision rendered.

Overall satisfaction with justice system:

Responses vary across jurisdictions when the question is asked in general terms. In **Créteil**, 33% of respondents reported being satisfied, 29% dissatisfied, and 38% had no opinion. More specific questions tend to obtain a rather higher level of satisfaction :

- Accessibility of the jurisdiction: generally a high satisfaction rate;
- Access to information within the jurisdiction/quality of information provided: overall considered satisfactory, the satisfaction rate varies from 60 to 80%.
- Waiting conditions: generally considered to be moderately satisfactory: 50% satisfaction at the **Toulouse Court of Appeal** and the **Toulouse Court**; at the **Créteil** Court 52% satisfied or very satisfied; 60% satisfied respondents in **Albi**.
- Courtesy of staff: overall, satisfaction levels are high. In **Créteil**, 83% of respondents are satisfied or very satisfied, with similar high scores in **Albi** and **Montauban**. In **Toulouse**, out of 181 responses, 47% are satisfied or very satisfied; while 14% report being moderately satisfied. At the **Toulouse Court of Appeal**, 56% of respondents were satisfied.
- Clarity and quality of the documents provided: generally, a high satisfaction rate. In **Créteil**, 70% of respondents were satisfied with the clarity. In **Albi**, all respondents found the documents provided were relevant, with similar findings in **Montauban** (65%).

- Understanding of issues, procedure and parties' rights and obligations: Results are generally very positive (between 75 and 95% at the **Toulouse Court of Appeal**, as well as in Montauban and the **Toulouse Court of First Instance**).

In conclusion, the accessibility of the jurisdiction and the information provided are evaluated positively. The only negative result concerns access for persons with reduced mobility in Créteil, which was the only jurisdiction to include this question in the survey.

Quality of judicial functioning:

1. Time between summons and hearing: only 34% satisfied or very satisfied at the **Toulouse Court of First Instance**, 43% at the **Toulouse Court of Appeal**; in **Créteil**, 43% satisfied or very satisfied; in Albi, 47% satisfied or very satisfied; in **Montauban**, 52% satisfied or very satisfied.
2. Perception of case processing times (Créteil): only 25% of respondents report being satisfied, while 51% expressed dissatisfaction.
3. Punctuality of hearing: opinions are divided. In **Montauban**, a medium-sized jurisdiction, 52% of respondents are satisfied; in Toulouse or **Créteil**, larger jurisdictions, the score is less positive (in **Toulouse**, 34% satisfied or very satisfied and 17% moderately satisfied; in **Créteil**, 35% overall satisfaction).
4. Behaviour of judges and prosecutors: at the **Toulouse** court, 51% of respondents state they were treated with respect; 47% consider the attitude of judges and prosecutors satisfactory, 14% moderately satisfactory and 10% are unsatisfactory; at the **Créteil** court, 63% are satisfied or very satisfied; at the **Toulouse Court of Appeal** 35% are satisfied or very satisfied, 18% are moderately satisfied.
5. Time allowed to present arguments during the hearing: in **Créteil**, 61% of litigants are satisfied; in **Toulouse**, 35% are satisfied or very satisfied, 10% are moderately satisfied, 9% are dissatisfied.
6. Competence and impartiality of judges and prosecutors during hearings: assessments are predominantly positive: in **Toulouse** (41% of respondents state that they were treated fairly and equally. It should, however, be noted that 47% considered the question irrelevant and only 13% gave a negative response. More positive perceptions in **Créteil**, 57% of respondents consider judges to be impartial, 54% believe that judges had a good understanding of their case. In **Montauban**, 59% of respondents report that the judge listened attentively, while 60% believe that all parties were treated fairly and equally. The results of Albi are too limited to be significant, as are those of the Chambéry Court of Appeal. The litigants of the **Toulouse Court of Appeal** have a rather positive opinion (attentive listening to the judges for 53%, respectful attitude for 59%, equal treatment of the parties for 56%; an above-average score was given by 88% of respondents with regard to independence in the conduct of the proceedings and by 84% of them with regard to the overall satisfaction with the conduct of the hearing.

7. Clarity of judgments : in Créteil, the opinion is positive (68%), at the Toulouse Court of First Instance, the score is 34% and at the Toulouse Court of Appeal 40%. However, it should be noted that a high proportion of respondents in these two jurisdictions did not answer this question.

In conclusion, the competence, independence and impartiality of judges and prosecutors are generally viewed positively, while processing times are assessed less favourably.

Trust in the judiciary :

Overall, there is little difference between the level of fair treatment expected by respondents before their court experience and their opinion after.: Respondents opinion remains unchanged (60%) in the court of **Toulouse**, as in **Montauban**. In **Créteil**, however, there is a slight increase in dissatisfaction following the court experience.

Knowledge of Judicial Council or similar institutions:

The existence of Judicial Council and similar institutions functions remain largely unknown (approximately 80% of respondents reported having no knowledge).

Main lessons to be learned from the surveys:

Quite predictably, user satisfaction regarding interactions with court staff and judges is higher in smaller jurisdictions.

Overall, users positively rate the courtesy of all judicial actors and the independence/impartiality of judges and prosecutors, even if, again, the scores are more favourable in smaller jurisdictions.

The quality of the information provided is appreciated. Respondents report a good understanding of the procedural steps and of judicial decisions.

Most respondents did not use a digital tool to initiate court proceedings.

Processing times remain the main challenge identified by the court users.

The role of victim support associations seems to be little known, with very few victims reporting being aware of their existence or having benefited from their assistance.

The discrepancy between the rather favourable assessment of court experiences and the persistence of a rather mediocre opinion with regard to confidence in the impartiality of the judiciary should be regarded as a warning sign, as should the lack of awareness regarding the existence of the Council for the Judiciary.

These findings support the need for more open communication towards court users. In this regard, the French Ministry of Justice is considering the creation of a directorate for victims and users, as well as the development of users' committees.

Proposals for the evolution of the questionnaire and its annexes :

There are differences in the wording of the questions, which makes it rather difficult when analysing the results. In addition, the length of the questionnaire often proved to be an obstacle, as many users did not complete it.

Providing those responsible for distributing the questionnaire with precise instructions could help reduce the differences observed between courts in terms of both the number and quality of the responses collected. It is not recommended to leave users filling in the questionnaire alone. It is recommended to

target individuals leaving the hearing or to implement a two stage survey: first during the waiting period outside the courtrooms and then at the end of the hearing (suggestion of the Albi prosecutor).

Reducing the rating scale from 0 to 5 instead of 0 to 10 would make it easier and faster for users to respond while simplifying the processing of responses.

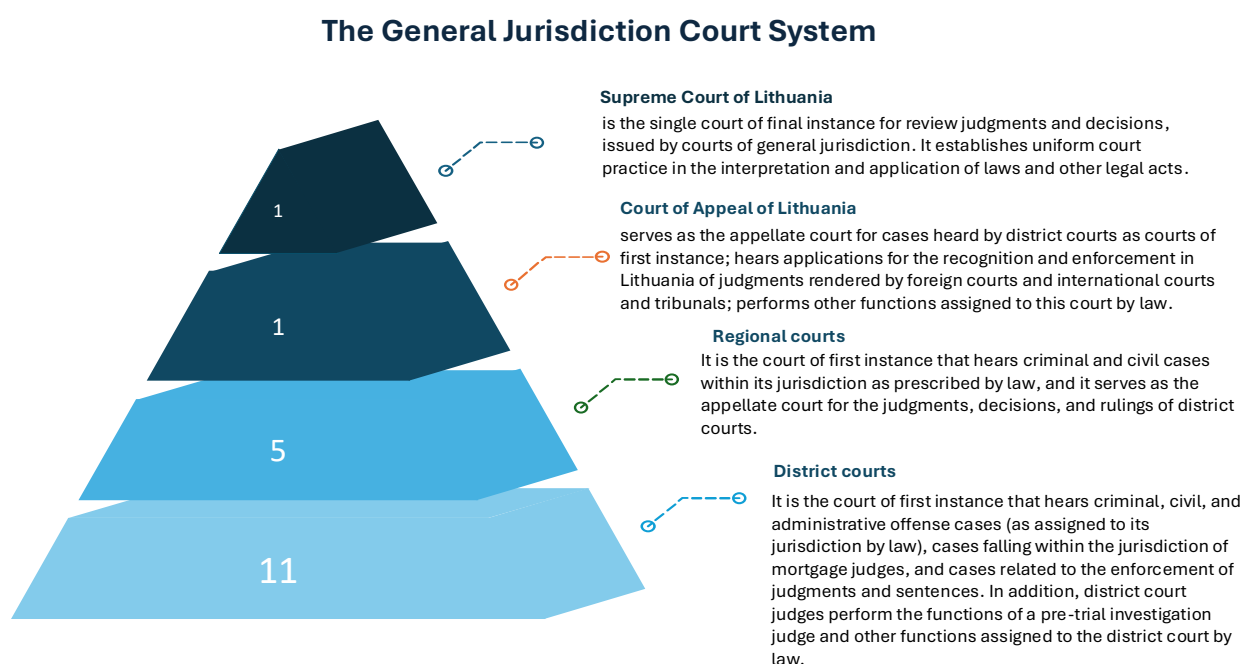
Experience of Lithuania

This section outlines the preliminary results and analysis based on the experience in Lithuania. Initial conclusions are presented at the end of this section.

The following jurisdictions took part in the ENCJ Court users' survey in 2025/2026:

- Vilnius District Court;
- Panevėžys Regional Court;
- Supreme Court of Lithuania.

It should be indicated that the courts of general jurisdiction are formed of four levels of courts, which are the Supreme Court of Lithuania (1), the Court of Appeal of Lithuania (1), regional courts (5), and district courts (11) and they build the system of three instances.



Analysis of the data collected:

We have received 110 answers over the one week, when the questionnaire was distributed in both written and digital forms.

The main findings

Respondents:

1. The average age of respondents was 46 years.
2. Most respondents were involved in litigation of first instance – 49 %, 11 % participated in appellate instance and 40 % in supreme Court hearings. Most participated in criminal proceedings.
3. The majority participated in court hearings not for the first time – 63 %. Litigants themselves represented a majority of the people surveyed – as parties 39,7 %, 23,5 % were attorneys, 8,8 % as witness, 5,9 % as victim and the rest were experts, friends, family members, or other accompanying persons.

Legal assistance and support:

1. The majority of litigants did not have legal representation. Overall only 23,5 % have legal support. Victims in criminal case were not represented in 98,5 % cases. Only a small number of respondents benefited from legal aid, and very few victims were accompanied by a victim support association.
2. Approximately 32,4% of litigants had used digital services to bring their case before the court. In the rest cases the respondents do not use digital platform because most often because they were unaware that such services existed or because the platform was not user friendly. However, among those who had used digital services, the majority reported being satisfied (32.4%).

Perception of the decision:

A majority of respondents (around 65%) had not yet received the court decision at the time of the survey. Among the remaining 35%, opinions were divided between those who were satisfied with the decision and those who were dissatisfied in such proportions: 22% were satisfied fully or partially, unsatisfied - 13%.

Overall satisfaction with the justice system:

The experience of participation in court hearings was evaluated as more satisfactory – 48,5% respondents evaluated it as excellent or good. Especially they were satisfied with the courtesy of staff (65%) , punctuality of the hearings (84 %).

Responses to more specific questions also revealed generally higher levels of satisfaction:

- Accessibility of the court: generally, a high satisfaction rate;
- Access to information within the jurisdiction/quality of information provided: considered satisfactory in general, with the satisfaction rate varying from 60 to 80%;
- Quality of the documents provided (easily understandable): generally high satisfaction rate 83%;
- Understanding of the issues, procedures and the rights and obligations of the parties: the scores are generally very good (between 67 and 82% of positive response).

In conclusion, the accessibility of the jurisdiction and the quality of the information provided were generally assessed positively. The only negative aspect is remark about the distribution of cases to other district courts.

Quality of judicial functioning:

1. Time between summons and hearing: only 38% satisfied or very satisfied.
2. Behaviour of judges: 66% of respondents stated that they had been treated with respect; 59% considered the attitude of judges fair and 28% unsatisfactory; 38 % indicated that the judge was attentive to his/her testimony and 24 % were unsatisfied with that.
3. Competence and impartiality of judges in the conduct of hearings were more positive. Nevertheless 20.4% respondents thought that judges is not prepared for the case, 15.5% indicated that procedure was not fair, 11.7% answered that the judge does not explained the motivation of the decision properly, up to 19 % thought that judge lacks competence and knowledge.

Overall, 70 percents of the respondents indicated that the court is independent in Lithuania.

Also 80 % of respondent expected that the trial will be fair. The confidence in Lithuanian legal system was indicated by 70 percents of participants as well.

Key Findings

1. Positive aspects: Most respondents indicated that the hearing began on time (83.8%); the politeness of the staff was most often rated as good or excellent; and the waiting conditions were also rated relatively favourably.
2. Trust tended to decrease rather than increase after participation: 32.4% of respondents indicated that their trust in the judicial system had decreased, while only 13.2% reported an increase.
3. Problematic areas: 29.4% rated the time from the start of the process to the hearing as insufficient, 22.1% rated the provision of information as insufficient, and 27.9% were not convinced that the case was resolved fairly.
4. Digital tools are viewed with mixed feelings: although 52.9% used them, some respondents mentioned inconvenience, glitches, slow performance, and a lack of functionality.
5. Qualitative comments are dominated by dissatisfaction with judges' conduct, perceptions of bias, delays in proceedings, and a lack of explanation of reasoning. Although some comments are emotional or isolated, they indicate reputational risks.

Knowledge of Judicial Council or similar institutions:

The knowledge of Judicial Councils, as well as their functions, are rather well known to respondents. 78% indicated that they know the Judicial Council and its role.

The main lessons to be learned from the surveys:

1. Improve communication regarding the reasoning behind decisions and procedural actions: particularly in cases where parties' requests, evidence, or complaints are rejected.
2. Review the experience of using digital tools: identify the most common EPP disruptions, simplify procedures, and prepare clear instructions for users.
3. Focus on judges' communication skills: provide training on respectful communication, active listening, conflict management, and managing the expectations of participants in the proceedings.
4. Reduce dissatisfaction with the length of proceedings: monitor cases where hearings are frequently postponed and communicate the reasons for postponement more clearly.

5. Conduct the survey regularly and compare results: break down results by court level, participant status, and type of experience to more accurately identify the sources of problems.

The main question remains – how to make the survey more user friendly. How to gather the respective number of answers.

Differences in the wording of certain questions made it difficult to compare and analyse the responses consistently. In addition, the length of the questionnaire often proved to be an obstacle, as many users did not complete it in full.

Next steps on Court users' survey

In the project year 2026/2027 volunteer jurisdictions will be invited to carry out the ENCJ Court users' survey and share the results. Depending on their experience of all the volunteer jurisdictions, the ENCJ Court users' survey may be revisited in the first half of 2027.

Annex 1. Members of the Project Team

First name	Family name	Institution: ENCJ Members/Observer
Petra	Peer	Ministry of Justice, Austria
Gerhard	Reissner	Ministry of Justice, Austria
Bénédicte	Inghels	High Council of Justice of Belgium
Georgi	Kuzmanov	Supreme Judicial Council of Bulgaria
Tsvetinka	Pashkunova	Supreme Judicial Council of Bulgaria
Anna	Liski	NCA Finland
Marie	Dubuisson	CSM France
Céline	Parisot	CSM France
Martina	Von Storch	Ministry of Justice, Germany
Astrid	Bode	Ministry of Justice, Germany
Maria	Gkana	SJC AJ Greece
Agnes	Hild	Judicial Council of Hungary
Agnes	Kozlovsky	Judicial Council of Hungary
Brian	O'Moore	Judicial Council of Ireland
Mary Rose	Gearty	Judicial Council of Ireland
Dario	Scaletta	CSM Italy
Laura	Patelli	CPGA Italy
Dace	Sulmane	Judicial Council of Latvia
Gabriele	Granskiene-Juodkaite	Judicial Council of Lithuania
Tomas	Vanckus	Judicial Council of Lithuania
Nancy	Carier	CNJ Luxembourg
Selinde	Bokx-Boom	Raad voor de rechtspraak Netherlands
Ion	Guzun	SCM Moldova
Frode	Elgesem	NCA Norway
Rita	Mota Soares	CSM Portugal
Flavia	Florenta	SCM Romania
Roxana	Chiuariu	SCM Romania
Domen	Horvat	Sodni Svet Slovenia
Sara	Fredriksson	NCA Sweden
Paula	Boix Sampedro	Spanish General Council for the Judiciary
María Pilar Esther	Rojo Beltrán	Spanish General Council for the Judiciary
Ken	Duncan	Judges' Council Northern Ireland
Andrew	Henshaw	Judges' Council England and Wales
Andrew	Stewart	Judicial Council of Scotland
Madeleine	Mathieu	ENCJ President
Frans	Van Dijk	ENCJ Advisor
Milda	Treige	ENCJ Director

Aleksandra	Switalska	ENCJ Senior Policy Advisor
Alberto	Manicardi	ENCJ Intern

Annex 2 Indicators I&A 2019, 2022 and 2026

The indicators concerning formal arrangements were updated in the first months of 2026. The perception indicators are for 2025. A blank means that no data are available. Causes are the following. Not all judiciaries participated in each year. Some questions were added or altered. Some perception indicators could not be measured.

	Albania			Austria			Belgium			BiH		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2023	2026
1. Legal basis	76%			76%	78%	76%		100%	82%		82%	84%
2. Organizational autonomy	93%			59%	59%	59%		93%	93%		92%	92%
3. Funding of the Judiciary	89%			36%	19%	36%		52%	68%		25%	25%
4. Court Management	81%			25%	25%	25%		56%	56%		75%	75%
5. HR decisions judges	93%			57%	58%	61%		64%	64%		80%	80%
6. Disciplinary measures	100%			88%	88%	88%		87%	87%		100%	100%
7. Non-transferability	35%			35%	35%	35%		35%	35%		25%	39%
8. Allocation of cases	88%			88%	88%	88%		81%	81%		43%	43%
9. Internal Independence	82%			68%	68%	68%		89%	89%		68%	32%
10. Ind perceived by public/society	25%			82%	82%	81%		71%	75%		40%	38%
10a Ind. perceived by society: EU						79%			68%			
10b Ind. perceived by society: WJP						83%			81%		40%	38%
11. Ind perceived by court users	0%			0%	90%	0%		0%	0%		0%	0%
12. Ind perceived by lawyers												
13. Ind perceived by judges				89%	88%	90%		87%	85%		70%	71%
14. Perceived absence of corruption	10%			90%	90%	89%		80%	84%		52%	50%
15. Trust by society (relative)	0%			100%	100%	100%		100%	100%		100%	
15a Trust by society (absolute)						72%			50%			43%
Accountability												
1. Periodic reporting	88%			38%	38%	31%		0%	0%		38%	38%
2. Relations with press	33%			67%	67%	67%		67%	67%		33%	33%
3. Outreach activities	67%			100%	100%	100%		100%	100%		67%	100%
4. (External) review	67%			67%	100%	30%		100%	0%		0%	0%
5. Participation civil society	100%			100%	0%	0%		58%	25%		0%	75%
6. Complaints procedure	83%			83%	83%	83%		67%	67%		68%	7%
7. Withdrawal and recusal	86%			100%	100%	100%		100%	100%		80%	80%
8. Accessory functions	100%			2%	25%	25%		17%	67%		25%	83%
9. Judicial ethics	100%			100%	100%	100%		75%	100%		100%	100%
10. Evaluation of judges/judicial performance					64%	0%		73%	0%		72%	80%
11. Adherence ethical standards, acc judges				85%	84%	89%		93%	90%		56%	53%
12. Actions misconduct and corr, acc judges				75%	64%	71%		63%	56%		28%	30%
13. Actions misconduct and corr, acc lawyers												

	Bulgaria			Denmark			Finland			France		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2022	2026
1. Legal basis	85%	89%	85%	66%	78%		78%	78%	80%	58%	67%	64%
2. Organizational autonomy	100%	93%	93%	96%	96%		74%	70%	89%	37%	78%	70%
3. Funding of the Judiciary	100%	83%	83%	85%	46%		69%	69%	69%	11%	53%	53%
4. Court Management	100%	88%	88%	100%	100%		88%	88%	88%	56%	63%	63%
5. HR decisions judges	95%	84%	81%	84%	87%		78%	75%	76%	57%	69%	68%
6. Disciplinary measures	93%	78%	78%	81%	88%		80%	58%	64%	72%	79%	79%
7. Non-transferability	92%	72%	72%	60%	85%		26%	26%	28%	35%	28%	39%
8. Allocation of cases	75%	88%	88%	44%	69%		81%	75%	69%	44%	75%	75%
9. Internal Independence	79%	61%	61%	89%	89%		89%	89%	89%	68%	68%	79%
10. Ind perceived by public/society	42%	38%	36%	92%	90%		89%	91%	92%	64%	65%	62%
10a Ind. perceived by society: EU			27%						90%			52%
10b Ind. perceived by society: WJP			45%						93%			71%
11. Ind perceived by court users	0%	0%	70%	0%	0%		0%	0%	0%	0%	0%	0%
12. Ind perceived by lawyers										59%		
13. Ind perceived by judges	68%	72%	71%	98%	98%		92%	93%	93%		83%	85%
14. Perceived absence of corruption	10%	0%	54%	90%	100%		90%	100%	97%	70%	80%	82%
15. Trust by society (relative)	50%	100%	50%	100%	100%		100%	100%	100%	100%	100%	100%
15a Trust by society (absolute)			25%						86%			42%
Accountability												
1. Periodic reporting	100%	100%	100%	100%	100%		81%	81%	81%	41%	41%	38%
2. Relations with press	100%	67%	67%	100%	67%		67%	33%	33%	0%	100%	100%
3. Outreach activities	100%	100%	100%	100%	100%		33%	33%	67%	100%	100%	100%
4. External review	67%	0%	0%	67%	67%		0%	0%	0%	67%	0,0%	0%
5. Participation civil society	0%	0%	0%	100%	100%		0%	0%	0%	67%	67%	67%
6. Complaints procedure	83%	83%	83%	100%	100%		100%	100%	100%	67%	83%	83%
7. Withdrawal and recusal	53%	53%	53%	100%	100%		80%	80%	60%	83%	100%	100%
8. Accessory functions	50%	50%	50%	50%	50%		75%	50%	100%	67%	67%	33%
9. Judicial ethics	100%	100%	100%	75%	75%		75%	75%	100%	100%	100%	100%
10. Evaluation of judges/judicial performance		100%	100%		78%			73%	0%		100%	100%
11. Adherence ethical standards, acc judges	62%	63%	57%	92%	98%		87%	93%	96%		89%	96%
12. Actions misconduct and corr, acc judges	40%	32%	53%	87%	90%		77%	85%	74%		60%	66%
13. Actions misconduct and corr, acc lawyers										29%		
	Germany			Greece CC			Greece AD			Hungary		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2022	2026
1. Legal basis	89%	88%	88%	67%	88%	70%	82%	88%	70%	80%	78%	76%
2. Organizational autonomy	59%	67%	52%	41%	78%	78%	78%	78%	78%	44%	44%	78%
3. Funding of the Judiciary	64%	60%	60%	46%	26%	42%	34%	26%	42%	65%	70%	0%
4. Court Management	56%	56%	56%	38%	69%	69%	69%	69%	69%	94%	94%	88%
5. HR decisions judges	75%	70%	78%	70%	80%	85%	81%	80%	85%	68%	76%	79%
6. Disciplinary measures	71%	74%	77%	97%	94%	94%	94%	94%	94%	78%	78%	100%
7. Non-transferability	83%	83%	83%	85%	35%	35%	35%	35%	35%	78%	78%	66%
8. Allocation of cases	94%	75%	75%	56%	50%	88%	38%	50%	88%	50%	50%	6%
9. Internal Independence	100%	100%	89%	36%	89%	89%	79%	89%	89%	61%	61%	89%
10. Ind perceived by public/society	76%	82%	81%	53%	59%	51%	53%	59%	51%	34%	38%	35%
10a Ind. perceived by society: EU			71%			44%			44%			38%
10b Ind. perceived by society: WJP			90%			58%			58%			31%
11. Ind perceived by court users	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
12. Ind perceived by lawyers	70%			53%			53%			52%		
13. Ind perceived by judges	86%	89%	88%	80%	82%	76%	80%	82%	76%	73%	81%	70%
14. Perceived absence of corruption	90%	90%	94%	30%	60%	61%	30%	60%	61%	10%	60%	75%
15. Trust by society (relative)	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	100%	100%
15a Trust by society (absolute)			72%			39%			39%			56%
Accountability												
1. Periodic reporting	84%	34%	31%	69%	81%	81%	81%	81%	81%	100%	100%	100%
2. Relations with press	67%	100%	100%	0%	33%	33%	38%	33%	33%	100%	100%	100%
3. Outreach activities	100%	100%	100%	0%	33%	0%	0%	33%	33%	67%	0%	67%
4. External review	100%	100%	20%	0%	0%	0%	0%	0%	30%	33%	33%	19%
5. Participation civil society	0%	0%	0%	0%	33%	33%	38%	33%	33%	0%	0%	0%
6. Complaints procedure	83%	83%	83%	83%	50%	0%	88%	50%	83%	67%	83%	100%
7. Withdrawal and recusal	100%	100%	100%	87%	73%	73%	73%	73%	73%	100%	100%	100%
8. Accessory functions	58%	67%	58%	42%	67%	58%	67%	67%	67%	8%	8%	42%
9. Judicial ethics	75%	75%	25%	100%	100%	75%	25%	100%	100%	75%	75%	100%
10. Evaluation of judges/judicial performance		89%	50%		100%	100%		100%	100%		84%	0%
11. Adherence ethical standards, acc judges	84%	87%	87%	62%	54%	53%	62%	54%	53%	69%	71%	73%
12. Actions misconduct and corr, acc judges	73%	74%	71%	50%	53%	41%	50%	53%	41%	60%	67%	63%
13. Actions misconduct and corr, acc lawyers	41%			9%			9%			16%		

	Ireland			Italy CPGA			Italy CSM			Latvia		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2022	2026
1. Legal basis	67%	78%	93%	74%		58%	81%	89%		73%	83%	85%
2. Organizational autonomy	59%	59%	74%	74%		89%	85%	70%		52%	67%	63%
3. Funding of the Judiciary	18%	5%	55%	70%		95%	36%	33%		39%	39%	39%
4. Court Management	50%	50%	25%	44%		100%	69%	38%		38%	25%	25%
5. HR decisions judges	49%	36%	72%	70%		84%	93%	91%		77%	72%	72%
6. Disciplinary measures	68%	87%	97%	100%		96%	100%	97%		84%	93%	91%
7. Non-transferability	57%	66%	32%	66%		72%	72%	72%		85%	85%	73%
8. Allocation of cases	63%	63%	31%	63%		56%	88%	94%		88%	81%	81%
9. Internal Independence	100%	100%	68%	100%		89%	79%	100%		79%	79%	79%
10. Ind perceived by public/society	79%	82%	82%	54%		59%	54%	56%		46%	55%	
10a Ind. perceived by society: EU			75%			47%						42%
10b Ind. perceived by society: WJP			89%			71%						73%
11. Ind perceived by court users			0%	0%		0%	0%	0%		0%	0%	90%
12. Ind perceived by lawyers	52%			68%			66%			62%		
13. Ind perceived by judges	94%	94%	96%	84%		84%	84%	82%		65%	72%	78%
14. Perceived absence of corruption	70%	90%	89%	50%		80%	50%	60%		10%	60%	75%
15. Trust by society (relative)	100%	100%	100%	100%		100%	100%	100%		100%	100%	100%
15a Trust by society (absolute)			66%			49%						53%
Accountability												
1. Periodic reporting	19%	19%	38%	94%		31%	50%	50%		75%	81%	81%
2. Relations with press	0%	67%	33%	67%		33%	67%	33%		67%	100%	67%
3. Outreach activities	67%	100%	33%	67%		67%	100%	33%		67%	67%	67%
4. External review	67%	33%	52%	0%		33%	67%	33%		67%	67%	40%
5. Participation civil society	75%	100%	33%	100%		33%	100%	100%		0%	0%	0%
6. Complaints procedure	100%	67%	100%	50%		83%	50%	83%		83%	83%	83%
7. Withdrawal and recusal	73%	67%	93%	100%		80%	100%	93%		53%	80%	60%
8. Accessory functions	50%	50%	83%	75%		100%	75%	75%		92%	92%	92%
9. Judicial ethics	75%	100%	100%	100%		100%	25%	75%		100%	100%	100%
10. Evaluation of judges/judicial performance		78%	0%			80%		78%			80%	0%
11. Adherence ethical standards, acc judges	93%	97%	95%	78%		78%	78%	72%		61%	72%	75%
12. Actions misconduct and corr, acc judges	61%	59%	86%	84%		80%	84%	78%		62%	70%	73%
13. Actions misconduct and corr, acc lawyers	25%			31%			31%			36%		
	Lithuania			Luxembourg			Netherlands			Norway		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2022	2026
1. Legal basis	85%	82%	93%			85%	80%	94%	77%	74%	76%	57%
2. Organizational autonomy	96%	85%	93%			81%	81%	81%	81%	89%	74%	85%
3. Funding of the Judiciary	89%	33%	61%			43%	77%	73%	65%	30%	46%	36%
4. Court Management	63%	75%	75%			81%	100%	100%	100%	100%	100%	100%
5. HR decisions judges	68%	66%	48%			93%	62%	70%	76%	80%	61%	64%
6. Disciplinary measures	82%	88%	88%			50%	93%	93%	93%	85%	85%	81%
7. Non-transferability	72%	33%	33%			25%	98%	98%	97%	50%	50%	88%
8. Allocation of cases	88%	94%	94%			79%	63%	75%	81%	25%	25%	56%
9. Internal Independence	89%	90%	89%			76%	79%	79%	89%	89%	89%	89%
10. Ind perceived by public/society	54%	62%	67%			79%	82%	81%	80%	89%	94%	94%
10a Ind. perceived by society: EU			59%			79%			75%			
10b Ind. perceived by society: WJP			74%			0%			85%			94%
11. Ind perceived by court users			70%			0%	90%	0%	70%		90%	0%
12. Ind perceived by lawyers	59%						77%			82%		
13. Ind perceived by judges	77%	75%	83%				90%	92%	90%	92%	93%	93%
14. Perceived absence of corruption	10%	50%	77%			88%	90%	90%	84%	90%	100%	99%
15. Trust by society (relative)	100%	100%	100%			100%	100%	100%	100%	100%	100%	50%
15a Trust by society (absolute)			57%			74%			77%			77%
Accountability												
1. Periodic reporting	94%	94%	94%			50%	100%	100%	100%	100%	88%	93%
2. Relations with press	100%	100%	100%			0%	100%	100%	100%	100%	100%	100%
3. Outreach activities	100%	100%	100%			67%	100%	100%	100%	67%	67%	100%
4. External review	100%	100%	0%			0%	100%	100%	48%	33%	66%	0%
5. Participation civil society	100%	75%	67%			83%	67%	67%	66%	75%	75%	17%
6. Complaints procedure	100%	100%	100%			83%	50%	83%	83%	83%	83%	67%
7. Withdrawal and recusal	67%	53%	53%			100%	67%	67%	66%	80%	80%	87%
8. Accessory functions	50%	50%	50%			67%	50%	50%	50%	100%	100%	100%
9. Judicial ethics	100%	100%	100%			100%	75%	75%	75%	100%	100%	75%
10. Evaluation of judges/judicial performance		91%	60%			0%		69%	0%		89%	0%
11. Adherence ethical standards, acc judges	84%	79%	87%			65%	77%	95%	96%	93%	94%	96%
12. Actions misconduct and corr, acc judges	70%	66%	79%			43%	78%	79%	79%	85%	91%	83%
13. Actions misconduct and corr, acc lawyers	35%						60%			68%		

	Portugal			Romania			Slovakia			Slovenia		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2022	2026
1. Legal basis	76%	78%	73%	76%	87%	80%	60%	89%	81%	81%		64%
2. Organizational autonomy	81%	78%	70%	89%	81%	85%	78%	69%	63%	100%		85%
3. Funding of the Judiciary	42%	75%	70%	61%	56%	56%	17%	22%	22%	55%		39%
4. Court Management	38%	44%	44%	100%	94%	81%	41%	41%	38%	88%		81%
5. HR decisions judges	80%	89%	89%	89%	93%	89%	70%	73%	78%	81%		79%
6. Disciplinary measures	93%	100%	100%	93%	100%	93%	82%	85%	85%	97%		92%
7. Non-transferability	85%	79%	72%	70%	39%	80%	83%	83%	83%	35%		35%
8. Allocation of cases	81%	88%	88%	75%	75%	88%	94%	94%	88%	88%		56%
9. Internal Independence	89%	100%	100%	71%	75%	79%	68%	68%	68%	79%		89%
10. Ind perceived by public/society	58%	59%	61%	55%	55%	51%	27%	48%	48%	42%		57%
10a Ind. perceived by society: EU			50%			48%			33%			56%
10b Ind. perceived by society: WJP			71%			54%			62%			58%
11. Ind perceived by court users	0%	0%	0%	30%	0%	70%	0%	0%	0%	0%		55%
12. Ind perceived by lawyers	61%			62%			54%			61%		
13. Ind perceived by judges	75%	83%	86%	79%		82%	81%	71%	82%	76%		75%
14. Perceived absence of corruption	50%	50%	71%	30%	50%	68%	10%	10%	62%	30%		77%
15. Trust by society (relative)	50%	100%	50%	100%	100%	100%	50%	100%	100%	0%		100%
15a Trust by society (absolute)			46%			40%			39%			36%
Accountability												
1. Periodic reporting	94%	100%	100%	94%	94%	94%	78%	81%	75%	88%		88%
2. Relations with press	33%	0%	0%	33%	33%	67%	67%	67%	67%	67%		0%
3. Outreach activities		33%	33%	67%	100%	67%	67%	67%	0%	33%		100%
4. External review	67%	33%	33%	67%	67%	0%	83%	100%	24%	100%		0%
5. Participation civil society	75%	67%	83%	0%	0%	0%	92%	92%	33%	67%		100%
6. Complaints procedure	100%	83%	83%	100%	100%	100%	67%	100%	100%	67%		67%
7. Withdrawal and recusal	27%	87%	87%	93%	93%	93%	73%	93%	87%	87%		33%
8. Accessory functions	92%	58%	58%	92%	92%	75%	50%	58%	67%	83%		50%
9. Judicial ethics	100%	25%	100%	100%	100%	100%	100%	100%	100%	100%		100%
10. Evaluation of judges/judicial performance		87%	0%		84%	10%		68%	80%			0%
11. Adherence ethical standards, acc judges	77%	86%	83%	81%		87%	57%	64%	63%	56%		65%
12. Actions misconduct and corr, acc judges	47%	66%	59%	47%		71%	42%	35%	52%	47%		43%
13. Actions misconduct and corr, acc lawyers	16%			20%			11%			12%		
	Spain			Sweden			UK E&W			UK NI		
Independence	2019	2022	2026	2019	2022	2026	2019	2022	2026	2019	2022	2026
1. Legal basis	81%	89%	81%		67%	68%	59%	50%	59%		44%	52%
2. Organizational autonomy	74%	74%	74%		30%	30%	59%	60%	59%		59%	59%
3. Funding of the Judiciary	53%	55%	66%		60%	60%	5%	4%	0%		51%	51%
4. Court Management	31%	31%	38%		63%	75%	31%	32%	31%		50%	50%
5. HR decisions judges	96%	100%	100%		58%	52%	76%	71%	72%		68%	76%
6. Disciplinary measures	100%	100%	100%		55%	61%	92%	92%	92%		100%	100%
7. Non-transferability	88%	70%	83%		48%	26%	57%	57%	44%		63%	63%
8. Allocation of cases	88%	63%	88%		56%	75%	56%	56%	56%		56%	56%
9. Internal Independence	68%	68%	68%		68%	67%	89%	89%	89%		89%	89%
10. Ind perceived by public/society	51%	40%	51%		81%	81%	73%	82%	83%		82%	83%
10a Ind. perceived by society: EU			40%			75%						
10b Ind. perceived by society: WJP			61%			87%			83%			83%
11. Ind perceived by court users	0%	0%	70%		0%	70%	0%	0%	0%		0%	0%
12. Ind perceived by lawyers	62%						90%					
13. Ind perceived by judges	78%	80%	80%		88%	85%	94%	95%	95%		97%	94%
14. Perceived absence of corruption	50%	60%	82%		100%	95%	90%	100%	96%		90%	90%
15. Trust by society (relative)	100%	100%	100%		100%	100%	100%	100%	100%		100%	100%
15a Trust by society (absolute)			47%			83%			51%			51%
Accountability												
1. Periodic reporting	38%	38%	50%		75%	75%	88%	88%	88%		0%	0%
2. Relations with press	100%	100%	100%		67%	67%	100%	100%	100%		33%	33%
3. Outreach activities	67%	100%	100%		67%	100%	100%	100%	100%		100%	100%
4. External review	67%	67%	0%		67%	0%	67%	100%	0%		100%	0%
5. Participation civil society	100%	100%	100%		50%	33%	75%	50%	42%		17%	17%
6. Complaints procedure	100%	100%	83%		83%	83%	50%	50%	50%		67%	67%
7. Withdrawal and recusal	93%	100%	93%		87%	86%	73%	100%	73%		73%	100%
8. Accessory functions	50%	50%	50%		50%	50%	33%	33%	33%		33%	83%
9. Judicial ethics	100%	100%	100%		25%	25%	100%	100%	100%		100%	100%
10. Evaluation of judges/judicial performance		100%	0%		73%	0%		84%	0%		78%	0%
11. Adherence ethical standards, acc judges	63%	81%	78%		96%	96%	90%	96%	96%		96%	100%
12. Actions misconduct and corr, acc judges	45%	52%	57%		82%	78%	87%	78%	85%		91%	82%
13. Actions misconduct and corr, acc lawyers	27%						67%					

	UK, Scotland			Ukraine			Moldova		
Independence	2019	2022	2026	2019	2023	2026	2019	2022	2026
1. Legal basis	71%	67%			89%				73%
2. Organizational autonomy	67%	67%			70%				93%
3. Funding of the Judiciary	62%	67%			15%				32%
4. Court Management	44%	50%			96%				69%
5. HR decisions judges	64%	58%			94%				95%
6. Disciplinary measures	100%	100%			67%				88%
7. Non-transferability	51%	51%			51%				88%
8. Allocation of cases	69%	38%			12%				94%
9. Internal Independence	79%	79%			89%				82%
10. Ind perceived by public/society	73%	82%			32%				
10a Ind. perceived by society: EU									
10b Ind. perceived by society: WJP									41%
11. Ind perceived by court users									50%
12. Ind perceived by lawyers	90%								
13. Ind perceived by judges	95%	94%							77%
14. Perceived absence of corruption	90%	100%							43%
15. Trust by society (relative)	100%	100%							
15a Trust by society (absolute)									31%
Accountability									
1. Periodic reporting	91%	100%			94%				94%
2. Relations with press	100%	100%			100%				100%
3. Outreach activities	100%	100%			100%				67%
4. External review	100%	100%			66%				33%
5. Participation civil society	17%	46%			92%				100%
6. Complaints procedure	83%	83%			100%				100%
7. Withdrawal and recusal	100%	100%			60%				87%
8. Accessory functions	33%	33%			50%				50%
9. Judicial ethics	100%	100%			100%				100%
10. Evaluation of judges/judicial performance		78%			100%				10%
11. Adherence ethical standards, acc judges	97%	96%							81%
12. Actions misconduct and corr, acc judges	86%	78%							60%
13. Actions misconduct and corr, acc lawyers	67%								

Annex 3 Questionnaire indicators Independence and Accountability

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Annex 4 Questionnaire indicators Quality of Justice

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