



15th Colloquy  
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Bundesamt für Justiz  
Office fédéral de la justice  
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## 1. Introduction

On January 1<sup>st</sup>, 2002 new legislation concerning the Organisation and Governance of the Judiciary instituted the Council for the Judiciary. The mission for the coming three years is the improvement of the societal quality of the administration of justice in the Netherlands, focusing on shortening the time needed for processing cases.

The Council is charged with promoting good quality execution of judiciary duties by the courts. The law has entrusted the Council with four tasks: budget and budget allocation, management, quality improvement and, finally, an advisory task.

The first important task is to prepare the joint budget for the Council and the courts. The Council allocates contributions to the courts from the National Budget and it supervises budget implementation. The second important task concerns management. It focuses mostly on personnel, computerisation, provision of management information, accommodation and security. This task is about supporting the courts and developing policies. The Council also has a supporting role in promoting the legal quality and the uniform application of law. Finally, the Council has a role in advising the government and the States General with respect to legislation and policy in the field of the administration of justice.

The Council for the Judiciary has five members. Three members, including the president, come from the judiciary. The minister appoints the members for a six year term. They may be re-appointed.

The Council Secretary also the head of the Council Bureau. The Bureau consists of five departments: Cabinet, Information and Legal Affairs, Management, Budget and Financial Affairs, Business Operations, Development and Internal Facility Services. The Council and the Bureau are a flexible, flat organisation able to operate with decisiveness. The Bureau staff consists of approximately ninety people.

The Council for the Judiciary will play an active role in the field of strategy, policy and development. The Council intends to determine the judiciary's longer term policy in close dialogue with the courts. As a national body, the Council is able to fulfil a co-ordinating role in future developments. The Council is primarily a body of and for the courts. The Council represents the common interest of the courts to the outside world, takes care of the supra-court provisions, supervises financial management and, as far as necessary, gives general directions. In addition, the Council is the discussion partner on behalf of the courts for the other two state powers. The Council is accountable to the Minister of Justice for the deployment of the funds and it is the discussion partner for the legislative and executive powers regarding policy and regulations concerning the administration of justice.

An important task for the Council is nationwide coordination of IT efforts. The Council owns the judiciary network and IT infrastructure, sets the standards and is the principal for projects. Priorities are guided by the Council's mission.

The second major change in legislation as of January 1<sup>st</sup>, 2002 is the new governance structure for the courts. The dual governance structure has been abolished. The courts are self-governing units guided by annual planning and control cycles. Strengthening the governing capacities of court authorities is an important goal for the near future.

All this entails that the Council's staff are regarded as facilitators for the governance processes of the courts. The Information Managers form part and parcel of the department for policy development, governance of the infrastructure is part of the department supporting court management. The two groups have formed a virtual 'department of information management'.

This virtual department is working out an IT strategy for the near future. We are focusing on methodologies for research and development and for maintenance, and on strengthening our relations with partners such as universities and other IT organisations, abroad and at home. Once this has been done, we will be able to successfully steer developments in the direction of e-justice.

## **2. Policy issues**

Our Office for Internet System Technologies for the Judicial Organisation (BISTRO) actively seeks and develops ways of interactively exchange information with Justice partners.

Pilots to make the docket available on line are under way.

The bankruptcy registers are available on line in close co-operation with the Councils for Legal Aid. Matrimonial Agreements' and Custody Registers will be available on line in the near future. The Ministry of Justice is co-operating with the Notaries in a project to make other registers available on line, but this project is encountering some difficulties.

A new system for the administration of criminal justice is being developed of which the Public Prosecutor's office is the principal. Interoperability with the police is part of the project. Not yet included is interoperability with defence lawyers, the probation service and others. Discussion about the governance of functionality developed specifically for the judiciary is ongoing.

## **3. Redefining the process design**

The arrival of the Council for the Judiciary is bringing some changes in the relationship between the Prosecution and the Judiciary. It is, at present, impossible to predict exactly where this will lead. Presently, the infrastructure is held in common. Whether this is a viable option for the near or distant future will have to be determined. In the asylum jurisdiction, a centralised concept with interoperability with the Ministry's asylum administration is being piloted.

We are experiencing a growing need for, and therefore implementing, centralising the governance of the infrastructure, at present in common with the Prosecution, also with a view to more standardisation.

Working methods are being codified and standardised in order to automate workflow wherever possible.

## **4. Changes in the technical architecture**

XML is being tested in the framework of the development of a new system for the criminal justice sector.