



**Measuring  
Justice Sector Performance  
*Lessons from OECD Approaches***

**Klaus Decker**

Counsel

Justice Reform Practice Group

Legal Vice-Presidency

World Bank

# Overview

- **Introduction**
- Measurement areas
- Indicators
- Data
- Process
- Conclusions

# Introduction

Scope?

- Justice system performance
- Court performance
- Individual performance

# Introduction

Why measuring?

- Program budgeting (or 'performance budgeting')
- Relations with other institutions and public
- Quality management ('What gets measured gets done')

# Introduction

## Justice system values

- Independence
- Fairness
- Equality
- Impartiality
- Competence
- Timeliness
- Integrity
- Accessibility
- Transparency

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# Measurement Areas

Common performance measurement areas

- Justice system efficiency
- Quality of services
- Accessibility and fairness
- Integrity
- Cost-effectiveness

# Measurement Areas

## Example: Finland

- The process
- The decision
- Treatment of the parties and the public
- Promptness of proceedings
- Competence and professional skills of the judge
- Organization and management of adjudication



# Measurement Areas

## Example: US Trial Court Performance Standards

- Access to Justice
- Expedition and timeliness
- Equality, fairness and integrity
- Independence and accountability
- Public trust and confidence

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# Indicators

Should be:

- **S**pecific
- **M**easurable
- **A**chievable
- **R**elevant
- **T**ime bound
- Add: reliable, cost effective

# Indicators

## Example: US Trial Courts Performance Standards

- Too complex
- Never fully implemented
- Led to development of 'CourTools' with 10 indicators

# Indicators

## Example: Finland

- 4-9 indicators for each measurement aspect
- Point scale (0-5 points per indicator)
- Various kinds of data to feed the point scales

# Indicators

## Important lessons

- Balanced
- Avoid perverse incentives ('What gets measured gets done, but is everything that is important measured and everything that is measured important?')

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# Data

## Objective data

- Administrative data
- Empirical research

## Subjective data

- Survey (real experience, perception)
- Expert opinion

## Quantitative and qualitative data

## Supply and demand side



# Data

Data should be disaggregated to identify particular challenges

- Gender
- Age
- Origin
- Minority
- Etc.

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# Process

“The journey is as important as the destination.”

- Must reflect justice system values
- Inclusive
- Consensus building, not suitable as battlefield
- Judiciary needs to be a key driver

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# Conclusions

Justice sector performance evaluation will come, because of...

- Program budgeting
- EU accession negotiations
- Good management practice

# Conclusions

It is better to anticipate it so you can frame the discussion.

- Measurement areas reflecting values
- Sound data mix needed for fact-based dialogue

# Questions and Answers

THANK YOU