

High-Level Meeting of the Global Judicial Integrity Network

(25-27 February 2020, Doha, Qatar)

**REGIONAL USER-CENTRED APPROACHES TO ASSESS JUDICIAL PERFORMANCE**

Afrobarometer  
World Justice Project

**I. SESSION ORGANIZER**

Session Organizer:	Sibusiso Nkomo
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Organization:	Afrobarometer

**II. RAPPORTEUR<sup>1</sup>**

Rapporteur:	Sibusiso Nkomo
Position:	Head of Communications
Organization:	Afrobarometer

**III. MODERATOR AND PANELLISTS:**

Moderator:	Sibusiso Nkomo
Position:	Head of Communications
Organization:	Afrobarometer

**PANELLISTS**

Name:	Robert Nyenhuis
Position:	Assistant Professor
Organization:	California State Polytechnic University (Cal Pol Pomona)
Topic of presentation:	Latin Americans' trust in judicial institutions
Summary of presentation:	The presentation focused on where Latin America stands in a global perspective on criminal justice, what Latin Americans' attitudes towards judicial institutions are, which institutions are most trusted and why, and what factors shape attitudes and questions on the quality of democracy. Most findings to date have shown that there is a low trust towards the

<sup>1</sup> Responsible for drafting the session report.

	criminal justice system in Latin America due to systemic-level factors, such as corruption, crime and evaluations of governments. Other individual-level factors include being victims of crime, experience of bribery and restricted access to legal services.
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Name:	Nicholas Booth
Position:	Programme Advisor, Access to Justice, Conflict Prevention and Human Rights
Organization:	UNDP Bangkok Regional Hub
Topic of presentation:	Regional user-centred approaches to assess judicial performance
Summary of presentation:	<p>The presentation focused on the UNDP’s Programme on Regional User-Centred Approaches to Assess Judicial Performance, in association with the Judicial Integrity Group, the International Consortium for Court Excellence and senior representatives of judiciaries in Indonesia, Malaysia, the Philippines and Thailand. In 2019, Viet Nam joined, and there are currently plans to expand and involve Myanmar and Lao PDR.</p> <p>The programme supports judicial reforms through exchange of good practices, peer-to-peer learning and regular self-assessments. It developed and piloted a methodology for courts that anchors judicial integrity into court excellence (Judicial Integrity Self-Assessment Checklist) through regional network meetings, while linking indicators to strategic planning, developing indicators for own priorities and drawing on international experiences for inspiration and guidance (United Kingdom, Canada, Europe, UNODC and more). Other areas include developing indicators across the justice system, using a mixture of measures – public perception, efficiency (case disposal rates), capacity (e.g. training on gender –sensitive approaches, % of women investigators and judges), and paying attention to the different needs of different groups (women including survivors of sexual and gender based violence, people with different types of disabilities, ethnic/religious minorities)</p>

Name:	Vanja Karth
Position:	Director, Democratic Governance and Rights Unit, Faculty of Law
Organization:	University of Cape Town
Topic of presentation:	Perceptions of judicial conduct by the magistracy in South Africa
Summary of presentation:	<p>The presentation focused on the judiciary in South Africa, with specific focus on research conducted on the magistracy, which handles the bulk of courts cases in the country. The Democratic Governance and Rights Unit is in the process of implementing a court-user survey in three magistrates' courts and will have the results by the end of May 2020. Some preliminary findings show that 98% of magistrates think that receiving support for the stressful conditions under which they work is important or somewhat important, 88% feel that they do not get the support that they need, 53% are often</p>

	concerned about their personal safety both in and outside the court, 41% are sometimes concerned about their safety. And 45% have been personally threatened or harmed because of the work they do.
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Name:	Juan Delgado
Position:	Senior Researcher
Organization:	World Justice Project
Topic of presentation:	The Rule of Law Index and judicial integrity
Summary of presentation:	The presentation focused on the measurement of the rule of law across the world through the World Justice Project’s assessments. The quantitative assessments track a comprehensive picture of the extent to which countries adhere to the rule of law in practice. This work also helps to contribute to the comprehensive definition of rule of law, quantification of rule of law outcomes obtained from more than 500 individual questions and new data. In addition, the aim is to conduct interviews with up to 25,000 individuals using a representative sample, interviews with 2,600 legal experts, outreach to over 16,000 lawyers, and to use administrative information and state representative surveys addressing rule of law issues through 12 surveys and administrative records.

**IV. SUMMARY OF THE SESSION:**

The session, including the presentations and the audience participation, focused on five points:

- How most citizens deal with the magistracy, the lowest level of the judiciary matters as they handle the most legal caseload. As well as how magistrates experience their work, including complaints procedures if a problem arises.
- Political crises, systematic corruption and evaluation of governments’ impact on the views of judges. In addition, election of judges does not necessarily promote trust, legitimacy and judicial reform but politicisation of the institution.
- Self-assessments by courts through citizen interaction using tools such as the International Framework for Court Excellence can instil confidence.
- Open government and accessible courts matter in how citizens will assess judicial offices and perception of rule of law.

Other comments included:

- How judges in most cases find it hard to deal with how they are perceived, especially through polls and surveys.
- Granular data will be important to help judges understand citizens and how they reach out to them.
- The level of development of infrastructure should concern judges as the lack of it may keep them distant from citizens.

- Judges should care about competence and integrity for citizens to trust them.
- There are data gaps within courts and outside among the citizenry. What do courts do and do they communicate?
- Judges need to be visible, whether through social media or other formats. They must communicate and engage with society about their work, in a transparent manner. Judges must explain to the public how they do their work and adjudication processes.

**V. HOW THE SESSION SUPPORTS THE OVERALL OBJECTIVE OF THE GLOBAL JUDICIAL INTEGRITY NETWORK OF STRENGTHENING JUDICIAL INTEGRITY AND PREVENTING CORRUPTION IN THE JUSTICE SYSTEM:**

This session contributed to the overall objectives of the Global Judicial Integrity Network in two important ways. First, it underscored the power of user-centred assessments for evaluating and monitoring judicial institutions, and therefore, for strengthening judicial integrity and accountability. In addition, it showcased the power of citizens' perceptions about judicial independence to monitor their legitimacy. Up to now, this crucial link between the judiciary and citizens has too often been overlooked. Second, by comparing countries in Africa, Latin America and South-East Asia, this session contributed to increased understanding about the differences in the causes of mistrust between and within countries and regions. Ultimately, such a comparison can facilitate the finding of new ways to fight corruption and strengthen independent judiciaries.

**VI. PROPOSED OUTCOME(S) OF THE SESSION AND THEIR ACHIEVEMENT:**

This session showed that building a bridge between social science and the legal profession across regions is important in understanding and helping judiciaries and the rule of law. Specifically, it communicated the benefits of this measurement approach to audiences that often do not rely on data, including self-assessments surveys in courts.

It has also extended the network of researchers and practitioners across disciplines who are focused on the objectives of the Global Judicial Integrity Network.

Finally, a link between practitioners in three world regions – Africa, Latin America and South-East Asia - and practitioners in the Global North has been strengthened to further existing collaborations and develop new ones.

The session also helped draw attention to the important work of research, such as the World Justice Project, Afrobarometer, Americasbarometer and the Judiciaries in Africa Project.

Continued collaboration between the organizations after the meeting and exchange of information, approaches, findings, learnings and advice is anticipated as well.

**VII. CONCLUSIONS OF THE SESSION AND RECOMMENDATIONS TO THE GLOBAL JUDICIAL INTEGRITY NETWORK:**

In conclusion, the session showed the usefulness of gathering information by scholars and experts from different sources and placing that information before the judiciary to engage with. Additionally, in combination, the studies showed similar issues across the world and the need for a global approach

to some of the solutions to improve judicial integrity and to also improve citizen perceptions. User surveys and self-assessments within the judiciary came through as important and needed, together with the partnership among peers globally.

Important areas to take into account include all data being granular and the inclusion of judges in the discussions to increase diversity. Lastly, it is vital to attention to the magistracy globally, as it deals with the largest caseload in the judicial system and needs support from initiatives such as the Global Judicial Integrity Network.