

## **Minutes Steering Committee ENCJ London October 7th 2005**

A list of participants is attached

### **1. Opening**

### **2. New National Developments**

Brief presentations by members of current important developments and affairs in their respective countries.

Topics that were touched upon:

- Anti-terrorist legislation, security issues with anti-terrorist cases
- New legislation concerning appointment and evaluation of judges. Evaluation through comparative examination.
- New selection procedures and criteria for judges (no exams)
- Judges liability
- The appointment of Council members by the Minister of Justice.
- The possible creation of a regional Council for the Judiciary for Catalonia and the appointment of lay judges.

In general the position of the judiciary in the respective countries seems to be high on the political agenda.

The information provided by the members of the Steering Committee proved of interest to all and would also be interesting for the other ENCJ members. The question is raised whether information about the national developments could be reported on the web-site in the internal part.

### **3. Short reflection on the Annual Conference in Barcelona**

- All agree that the Barcelona Annual Conference was a great success.
- The Conference Report has been distributed end of September.
- In order to promote the objectives and activities of the ENCJ, members will be invited by the Secretariat to provide names and addresses of officials in relevant government organisations in their respective countries, so that the secretariat can send these officials the report of the Barcelona Conference and other documents published by the ENCJ.
- Jean Paul Sudre is willing to present the outcomes of the evaluation of judges working group to interested member organisations. Due to his busy schedule the number of presentations will however be limited.

### **4. New working groups**

#### **General remarks concerning the working groups:**

The question needs to be addressed how the results of the working groups could contribute to the ENCJ becoming known in Europe and in our own judiciaries. The best practices approach might be a solution. Furthermore it is important to invite representatives from the courts for the working groups to disseminate the ideas and to heighten the quality of the work.

#### a. Case management.

See also the working group proposal, which was attached to the agenda. Point 1 and 2 will be addressed by Italy, 3-5 by England/Wales.

A considerable part of the work of the working group will be done by telephone.

#### b. Judicial Conduct

See also the working group proposal, which was attached to the agenda.

A questionnaire will be disseminated on short notice. The next meeting will be on January 13th 2006.

It is agreed that it is difficult to establish a common value shared within Europe. For the conference a limited subject within Judicial Conduct should be selected.

Eliminato: .

#### c. Mission and vision

See also the working group proposal, which was attached to the agenda.

First meeting in Brussels, on December 5th. The work will be limited to the systems of members represented in the working group.

#### d. Judiciary and the Media

See also the working group proposal, which was attached to the agenda.

It will not be a problem to focus on the subject of the annual conference.

#### e. European Payment Order

See also the ENCJ web-site for a news item on the EPO working group.

The co-operation with the EC in Brussels is very good, and Brussels appreciates the participation of judiciary organisations.

#### f. Security issues

England&Wales are very interested in this subject. They have guidelines that can be disseminated among the members if they wish. Belgium would like to add 'security of information' to the subject of this (possible) working group.

### **5. Annual conference in Wroclaw, May 25th-26th 2006**

#### **The Steering Committee decides:**

24th May 2006 the Steering Committee will meet. The conference will be two full days, May 25-26.

The General Assembly will be held in the University of Wroclaw, working group rooms are available in the court.

The annual conference 2006 will be focussing on a central theme:

**"Public confidence in an independent judiciary"**.

The four official working groups should be able to fit their subjects into this overall theme. The Secretariat will inform the working groups.

Documents will be sent to participants before the conference. A draft agenda for the conference will be discussed at the next Steering Committee meeting.

The possibility of having brief presentations by members of current important developments and affairs in their respective countries will be considered

### **6. ENCJ web-site**

Short reflection on the seminar on the web-site 15-16 September in Madrid. Passwords are distributed for the new working group co-ordinators. The web-site could play an important role in the work of the working groups. The next Standing Committee meeting is 18th of November.

The final results of the working groups will be published in the public area.

A separate mailing list for the exchange of information is proposed by the French especially for the Steering Committee.

The members of the Steering Committee will encourage members to publish information on the web site.

### **7. Visit EU Court of Justice Luxembourg**

The agenda for the visit will be drafted by Susan Denham and the secretariat. The implications of recent decisions could be on the agenda. The visit will be on January 30th 2006.

## **8. Invitations for and participation in various seminars and conferences**

CCJE meeting 23-25 November 2005, the Network will be represented by Luigi Berlinguer, Edith van den Broeck and Marlies Bouman.

Regarding the CCJE conference in 2007 it is decided that the Network should be involved since the theme will be the Councils for the Judiciary.

The request of the UNODC to discuss co-operation in the field of organising training activities for judges, prosecutors and judicial police will be referred to the EJTN.

As for EJTN it is emphasised that an overlap with the objectives and activities of ENCJ and EJTN should be avoided

## **9. Activity plan 2006**

A list will be provided to the members of the Steering Committee with all the bodies currently involved in judiciary matters and the links will be put on the web-site.

## **10. New members and observers**

The Steering Committee welcomes the request of Turkey to participate as an observer. Formal observer status will be granted at the next Annual Conference.

Ukraine doesn't fulfil the requirements, the same goes for Montenegro and the Russian Federation. They will be invited as guests to the annual conference.

## **11. Membership and continuity of the SC**

The Secretary General notes that changes are due next year for the presidency, secretary-general and the steering committee.

The Netherlands is willing to continue an extra term.

In Italy, France and Spain new members of the Councils for the judiciary will be appointed. Together with the secretariat these members will come up with ideas how to inform their successors about the ENCJ and its work.

## **12. Other matters arising**

The Action Plan of the European Council and Commission on implementing the Hague Programme on strengthening freedom, security and justice in the European Union is handed out. For 2006 this Action plan could serve as a guideline for planning the activities of the Network.

## **13. Minutes meeting Barcelona.**

The minutes are approved

## **14. Next meeting**

February 16th-17th The Hague

**Action list:**

## 1. ENCJ secretariat

Disseminate information on new working groups, including the theme of the conference, which will serve as their guideline, and list of participants to working group co-ordinators and members and observers of the network

## 2. ENCJ secretariat

Organise meeting with the ECJ on January 30th 2006.

Together with Susan Denham draft an agenda for the meeting in Luxembourg with the ECJ

## 3. ENCJ secretariat

To ensure continuity of the network: send message to members and observers of the ENCJ to gather information on dates of changes of mandates and members of all Councils

## 4. ENCJ secretariat

Send letters to judiciary forums and judicial networks inviting them to avail information on the ENCJ web-site and vice versa

Provide a list to the members of the Steering Committee including all the bodies currently involved in judiciary matters

## 5. ENCJ secretariat

Send conference report to officials in relevant government organisations (addresses provided by members and observers) of members and observers of the Network

## 6. ENCJ secretariat

Draft an agenda for the next net annual conference

## 7. ENCJ secretariat:

Publication of final reports of working groups on Mission and Vision resp. Evaluation of Judges

## 8. ENCJ secretariat

Send message to Ukraine, Montenegro and the Russian Federation that they will be invited as guests to the annual Conference in Wroclaw.

## 9. ENCJ secretariat

The Hague programme: the secretariat will develop a proposal for dealing with the programme.

## **Calendar of Events**

### **2005**

#### **18 November**

Standing Committee meeting in Madrid, Spain

#### **23-25 November**

CCJE conference, Strasbourg, Luigi Berlinguer, Edith van den Broeck and Marlies Bouman will attend

#### **5 December**

Meeting of the Mission and Vision working group in Brussels, Belgium

### **2006**

#### **13 January**

Meeting of the Judicial Conduct working group

#### **30 January**

ECJ visit of the Steering Committee, Luxembourg

#### **16-17 February**

Steering Committee meeting The Hague, the Netherlands

#### **24 May**

Steering Committee meeting Wroclaw, Poland

#### **25-26 May**

General Assembly meeting/ annual conference Wroclaw, Poland

## **List of participants Steering Committee meeting London, October 7th 2005**

### **Belgium**

Edith van den Broeck  
Marc Bertrand

### **England & Wales**

John Thomas  
Barbara Flaxman  
Keith Cutler

### **France**

Jean-Paul Sudre  
Valéry Turcey

### **Ireland**

Susan Denham  
Brendan Ryan

### **Italy**

Luigi Berlinguer  
Milena Falaschi  
Luigi Marini  
Lanfranco Maria Tenaglia

### **Netherlands**

Marlies Bouman  
Bert van Delden  
Monique van der Goes

### **Poland**

Teresa Flemming-Kulesza  
Ryszard Pęk

### **Spain**

Pilar Ruiz  
Francisco Puig