



ROVANIEMI COURT OF APPEAL

Model for the Quality Assessment System

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1 FOREWORD

Under the Constitution of Finland, the fundamental task of independent courts exercising judicial power is to ensure legal protection as required by a fair trial. Ensuring legal protection requires proceedings to be confident, dependable, prompt and affordable. For this mission to be successful and legal protection to be achieved in the best possible way, the quality of judicial administration and its directive effect play a key role in all the areas of activities of the courts. The internal and external quality of a court are interlinked in the provision of quality legal protection. As regards quality, courts are more important than ordinary organisations.

A close link prevails between court services, quality, the competence and expertise of the personnel and the organisational solutions and working practices of the courts. Development of the court system must be based on development work done at the courts' own initiative in their efforts to respond increasingly better to rapid changes in the operating environment and to the growing expectations of citizens in pursuit of effective, reliable and top-quality legal protection. The responsibility of other parties in judicial administration is also needed in development work when work aiming at quality improvement also interfaces with their work. Such collaboration can ensure operational dynamics, timeliness and an increasingly better quality outcome throughout the judicial administration process. Justice is not only a game of skill, but also a team game.

Changes in the operating environment have also resulted in the fact that efficiency, productivity, economy and effectiveness of the output of different parties will in future be accorded greater significance than earlier in the activities of the courts. Quality requirement can be considered an umbrella term for these requirements.

The judicial administration reform programme (Mietintöjä ja lausuntoja 16/2013) published last year proposes major, far-reaching changes and reforms for 2013-2025. During the next few years, the parameters of legal protection will see a significant contraction in financial resources as a result of decisions on spending limits, the high retirement rate of competent personnel and strict requirements imposed by fundamental rights and international human rights conventions on the organisation of judicial administration. Government power must also ensure fundamental and human rights are also safeguarded in judicial administration and in its ability to uphold legal protection and the protection of rights under all conditions.

The judicial administration reform programme is fundamentally a question of safeguarding the quality of judicial administration being reformed in a state bound by rule of law. Quality assurance requires the courts and their activities to be reformed and rationalised to a short timetable by the government's and courts' own measures.

Judicial administration is not just short of euros. Times of increasingly tougher economic conditions call for a far-sighted approach and ambition, a desire for reform. The judicial administration reform programme must be read as a whole and with an open mind. It is important to recognise the need to re-think the substance of legal protection. The keys to reforming the judicial system are ultimately in the hands of the judicial system itself. An ability to reform and a desire for change cost nothing.

The quality projects of the courts within the jurisdiction of Rovaniemi Court of Appeal, the quality assessment and development work initiated in 1999 and the Quality Benchmarks for Adjudication completed in 2005 as a part

of the development phase have consciously sought to respond to the challenges and growing expectations placed on the activities of courts against changes in their operating environment. These starting points and goals are more topical and relevant than ever.

Work began on building Rovaniemi Court of Appeal quality assessment system in 2007 and must be seen as a continuation of quality improvement work initiated earlier in the jurisdiction of the appellate court. The aim of the appeal court quality assessment system described in the report is to methodically assess and improve long term also the level of internal quality necessary for external quality. The appeal court's quality assessment system is based on the CAF (Common Assessment Framework) model and is broader and more comprehensive than the quality benchmark measurement system, which focuses on qualify factors of judicial process and the production of decisions.

Like the Quality Benchmarks, the appeal court's quality assessment system is used to obtain information about development needs. Besides this, the assessment results provide the management of the appeal court with information about development needs for use in performance target negotiations. Another important use of the assessment system is to serve as a tool for human resources training and development. The assessment results can also act as an "alarm bell" in the event of problems in the activities of the court requiring prompt attention. The third aim of the assessment system is to open up adjudication and the debate on it not only to court outsiders, but above all to stakeholders within the framework of a new type of communication culture. Use of the quality assessment system is geared towards enabling the court of appeal and its personnel to use the system and its results as a tool to develop their workplace community and their own work.

It has taken a number of years to build the appeal court's quality assessment system and progress was made one stage at a time. During the course of the years, the criteria have been worked out in many working groups, in which

all employee groups of the court of appeal have been represented. The work per se of the working groups has in due course already resulted in concrete changes in the court of appeal's organisation and working practices. Working group activities have been committed to improving quality and the CAF approach has become part of everyday work. Moreover, the court of appeal has been involved in quality projects in courts with its jurisdiction and has built its own quality assessment system in parallel to these. For example, most of the quality criteria and their properties in the quality benchmarks have, in one way or another, been incorporated into the sub-criteria and claims and examples in the appeal court's quality assessment system.

We would like to extend our sincere thanks to the Ministry of Justice, whose financial and moral support have enabled us to build our quality assessment system. Our thanks are also due to Professor Jari Stenvall and to Antti Koski, Education and Development Director at the University of Lapland, for their excellent and expert guidance throughout the building of the quality assessment system.

The experience and reports of quality improvement work within the jurisdiction of Rovaniemi Court of Appeal, together with the substance of the report on quality benchmarks created as part of this quality improvement work, have been significantly drawn on in building this court of appeal's quality assessment system. We would like to express our most sincere thanks to all quality management people participating in the quality project in the jurisdiction of the court of appeal for their ground-breaking pioneering work and for opening the way to achieve and further develop the quality project, which has attracted national and international attention.

Above all, our thanks are due to the entire personnel of Rovaniemi Court of Appeal who showed exemplary commitment to participating in working group activities and who otherwise, too, assisted in creating the quality assessment system. Their participation was important also

because the activities of the court of appeal can only be developed through everyone's active involvement and positive attitude to change.

Kaisa Teivaanmäki, assistant justice of the court of appeal, has done a great and invaluable

job in working, structuring and writing this report. Kaisa Teivaanmäki deserves our sincere gratitude for this quality end result.

Rovaniemi 16.8.2013.

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2 BACKGROUND TO THE QUALITY ASSESSMENT SYSTEM

2.1 QUALITY OF ADJUDICATION THROUGHOUT THE JUDICIAL ADMINISTRATION PROCESS

The court of appeal, district courts within the jurisdiction of the court of appeal and the key stakeholders of the courts, i.e. the prosecutors, private attorneys, public legal aid attorneys, other legal counsels and the pre-trial investigation authorities within the jurisdiction of the court of appeal, were actively involved in the quality project initiated in 1999 by the courts within the jurisdiction of Rovaniemi Court of Appeal. The University of Lapland and its Faculty of Law were also important partners in developing the quality of adjudication. Collaboration between Rovaniemi Court of Appeal and the University of Lapland, both established in 1979, has been extensive from the very outset within the framework of an unusual collaboration arrangement. Educational cooperation projects have been organised with a view to teaching law and also the objectives of judicial administration.

The systematic and long-term Judicial Academy of Northern Finland set up in 1999-2002 is an important and preponderant example of the collaboration between the court of appeal and the Faculty of Law. Funded by the Ministry of Justice, the Judicial Academy's study programme sought to respond to the training needs created by a reforming state bound by the rule of law by arranging further and continuing education for lawyers and clerical staff working in courts and at the same time, as a pilot project, to gain experience for the planning of nationwide judicial training. A team of expert teachers headed by Professor Aulis Aarnio and Professor Ahti Saarenpää, director of the Judicial Academy, were responsible for the teaching at the Academy. The high standard of teaching, which combined academic knowledge and the practical needs of working life, focused on developing the key skills from the viewpoint of

the professional skills of judges, a deep insight into core questions in various areas of law and on broadening the general legal knowledge (so-called judicial subjects) of judges.

The commendable participation at the Judicial Academy well reflected the positive attitude to development and the commitment to quality management work of court personnel and the continuing education to promote it. Since the conclusion of the Judicial Academy's three-year pilot period, collaboration with the Faculty of Law to train judges has remained strong with an emphasis on supporting the quality themes in the quality management work with "tailored" training programmes. The Lapland University Consortium and its various innovation and development programmes provide new opportunities for intensifying the partnership.

The starting point and goal of the quality project within the jurisdiction of Rovaniemi Court of Appeal is to ensure legal protection by improving the working of courts within the jurisdiction of the court of appeal and by using quality management work and training to respond to the challenges imposed by changes in the operating environment, the reform of a state bound by the rule of law on the activities of the courts and on the competence of judges and of other staff. The main method of work in quality management work is systematic discussion among judges and throughout the judicial administration process. One significant achievement in quality management work has been the creation of a new type of culture of communication. The dialogue achieved has increased contact and enabled interaction and a comparison of best practices between the courts. Quality management work has also been enriched impressively by the views and

development ideas of other parties in judicial administration. National and international interest in and recognition received by the quality project indicate the timeliness and significance of the quality project of courts within the jurisdiction of Rovaniemi Court of Appeal. In 2005, the quality project received the Finnish Bar Association's Legal Deed of the Year award.

Also in 2005, the quality project won the Council of Europe's and the European Commission's The Crystal Scales of Justice Award. The report on quality benchmarks originating in conjunction with the quality project has been translated into Chinese, English, French, Russian, Spanish and Swedish.

2.2 QUALITY MANAGEMENT WORK TO ASSESS AND MEASURE THE QUALITY OF ADJUDICATION

One important outcome of the quality project was the quality benchmarks for adjudication in courts within the jurisdiction of Rovaniemi Court of Appeal (hereinafter the quality benchmarks), the design and work on which began as quality management work in 2003. The quality benchmarks were drawn up to be utilised to verify the state and development of the courts' judicial administration to map development and training needs in judicial administration. Besides this, the quality benchmarks are tasked with enabling other parties in judicial administration to participate in the discussion and development work concerning the quality of adjudication.

The quality project and quality benchmarks focus on the evaluation and development of the court's external quality, i.e. quality factors in the judicial process and the production of decisions. The quality benchmarks consist of six criteria: the process, the decision, treatment of the parties and the public, promptness of the proceedings, competence and professional skills of the judge, and the organisation and management of adjudication. These criteria contain a total of 40 quality criteria which are key as regards their own criterion. In 2006, district judge Antti Savela, who drafted the quality benchmarks, submitted a report on the quality measuring system which contains an account of the principles in assessing the quality of adjudication, an international comparison of measuring the quality of adjudication, the customer's viewpoint, definitions of the quality criteria chosen for adjudication, an account of

the research and measurement methods used and a quality benchmarking table. The quality benchmarks are explicitly intended to assess the quality of adjudication in each court unit and not to assess or monitor the activities of individual judges. Because of differences in court size, neither is the benchmarking as such suitable to compare the different courts.

The quality benchmarking was piloted in 2007 in all district courts within the jurisdiction of the court of appeal. The final report of the pilot project drawn up in 2008 found the first round of measurement in compliance with the quality benchmarking to have been successful. There were problems mostly in a few technical matters and in the fairly low response rate, especially in the survey targeted at parties and stakeholders. However, the benchmarking results were noted as forming a good basis for analysing the shortcomings appearing in adjudication and for the need and implementation of development actions. The benchmarking results also brought an added bonus to the development work and organisation of the quality project and there are plans for another quality benchmarking in 2013. Rovaniemi Court of Appeal participated in the piloting of the quality benchmarking mostly through the self-assessment of the justices and referendaries. The piloting results were subsequently utilised in the quality development project based on the CAF assessment model initiated in Rovaniemi Court of Appeal.



2.3 EARLIER DEVELOPMENT WORK IN ROVANIEMI COURT OF APPEAL

Internal quality factors within the organisation, i.e. the quality and activities of the court organisation as a workplace community, constitute a natural criterion also to provide external quality. For its part, improvement of external quality facilitates the work of judges and other staff, reduces work stress and promotes maintaining the working capacity of the personnel and their ability to cope at work. Good quality in the activities of the courts therefore calls for the achievement of both external and internal quality. Quality management work, the training fostering it and

the encouraging results obtained have motivated the district courts and court of appeal to internal development work.

A start was made on developing the assessment and quality management of the activities of the court of appeal with the expert help of the Education and Development unit of the University of Lapland. Antti Koski, Director of Education and Development, and Professor Jari Stenvall provided guidance and advice from the very outset on the building process of the development project. The aim of the development

project is to create an assessment and quality management system for the court of appeal (hereinafter quality assessment system) utilising the CAF model designed for organisations within public administration. The goal of a quality assessment system based on the CAF model is to perform a comprehensive overall assessment of the enablers and results of the court of appeal's organisation. The first stage of the development project was completed in 2007, when the focus areas were to define the values of the court of appeal and development of the quality of internal activities and its management. The court of appeal also completed its first self-assessment survey based on an employee satisfaction survey provisionally drawn up according to the CAF model. The survey made it possible to clearly pinpoint those areas which appeared most in need of development and working groups established in different years started to develop the points chosen.

In 2012, it was decided to progress to the second stage in the court of appeal quality development programme which would focus on further modification of the CAF-based

employee satisfaction survey, ascertaining other potential assessment methods and on designing assessment relating to the performance perspective. It was at this stage that modelling the activities included in the quality management of the court of appeal also became a topical part of everyday life in Rovaniemi Court of Appeal. The broad-ranging assessment of the activities of the court of appeal to be modelled in this report, together with the systematic development measures based on it, is intended to form a consistent concept to guarantee the good quality of the activities of the court of appeal. In terms of resources and approach, the quality assessment programme will be drawn up so as to become a naturally established part of the court of appeal's work and its development. Even though the system is being built in the operating environment of Rovaniemi Court of Appeal, this model and its CAF-based application, terminology and assessment systems can also be more broadly applied in the quality management of court activities.



3 ASSESSMENT AND QUALITY MANAGEMENT OF THE ACTIVITIES OF ROVANIEMI COURT OF APPEAL

3.1 OUTPUT AND QUALITY IN THE COURTS

The output of court activities has been deemed as comprising outcome, output and efficiency. In this context, efficiency refers to achievement of the desired results with the minimum of input and output refers in particular to the output of the court, i.e. the quantity of decisions per person-year. Outcome in courts refers to the social significance of court activities to which the quality of court activities is in turn closely linked.

In court activities, quality is closely intertwined with an improvement in the output of activities, but, because of the provision of legal protection and social significance, also has a more important role, especially in the appellate courts, whose remedies against decisions are limited and which in practice constitute the highest court instance because in Finland, the Supreme Court is largely a court of preliminary rulings. Quality can be seen also not only as a sub-context of output, but also as an umbrella term for it.

The district courts within the jurisdiction of Rovaniemi Court of Appeal and the court of appeal itself have long worked on quality management. When building the court of appeal's quality assessment system on the CAF model, it is only natural for development work to continue through quality improvement. In this way, the assessment system of Rovaniemi Court of Appeal has placed quality as an umbrella term in relation to output.

The process of an appellate court can be considered as being of high quality when it meets the targets set by carrying out the fundamental task and *raison d'être* of a court, i.e. the provision of legal protection meeting the quality drivers in the judicial process, decision, customer service and organisation. Even though the fundamental task *per se* of an appellate court steers the goals and shapes the activities, it is important for the court of appeal to define the tangible values that unite the entire personnel to work together towards a high quality court unit.

3.2 VALUES

Values play an important role in shaping an organisation's activities because they determine the organisation's goals and process. The criteria by which achievement of an organisation's goals are assessed derive from that organisation's values. Values also steer and support the organisation's activities in practical situations where the provisions steering activities do not directly answer the question of the correct method. An organisation's values are evident not only in the operational objectives pursued and tangible activities, but also in the impact and results of activities since a value-committed approach leads to penalties in line with values.

Values create a foundation for the management of an organisation and through this strongly steer the organisation's activities. Managers specify the direction of the organisation's activities and are responsible for the development of its mission, vision and values and for implementing the activities of the organisation in accordance with these. Besides value-committed management, also the commitment of the personnel to achieving the organisation's goals and implementing its values is important with regard to the high quality of an organisation's activities. Values experienced as being shared motivate the entire organisation to support goal achievement. The existence of shared values reduces conflicts within the workplace community and improves work morale and the workplace atmosphere. When an organisation's values are up to date, when the entire personnel are aware of the organisation's values and when working practices support value implementation, the values form a solid foundation for the high quality of an organisation's activities and constitute a significant part of an organisation's development.

In a court, the president heads the court unit and is responsible for its output and for developing the quality of activities and values. Also in this respect other heads in a court, justices heading divisions or sections, as well as registry or administration managers have an

important role to play. For value-driven activities to achieve real significance in steering activities, the personnel must also participate in developing values. Values determined together played a significant role in the first stage of building the quality assessment system for the activities of Rovaniemi Court of Appeal.

Courts exist for citizens and society and assessment of the quality of court activities ultimately takes place from the viewpoint of the customers of the court and, at its most extensive, from the point of view of society at large. Also the quality assessment criteria and values of the court of appeal's activities are thus customer-driven. Here, however, the concept of customer relationship must be understood in a broader context than usual since the customer base of a court of appeal can be considered as comprising the parties participating in the proceedings, their attorneys and those authorities directly connected with the hearing or whose decisions are the object of the hearing. Prosecutors, private attorneys, public legal aid attorneys, other legal counsels and the pre-trial investigation authorities are usually listed as being stakeholders of the court. When adjudication responds to people's expectations of legal protection, the customer base of a court of appeal can, at its broadest, be seen as covering society as a whole. A court's internal customer base consists of its personnel and the internal quality of court activities consists of the quality experienced by the personnel.

Because of the large quantity of different values associated with court activities, Rovaniemi Court of Appeal chose and specified a few key values naturally associated with the activities of a court of appeal. The court of appeal will strive to implement activities based on these values and will monitor implementation of the values. Working together with the court personnel, Rovaniemi Court of Appeal defined its values as fairness, competence, co-operability and efficiency.

Compliance with the values chosen by the court of appeal and development of the internal

Table 1.

VALUES OF ROVANIEMI COURT OF APPEAL, 11 JUNE 2007			
Value	Principle guiding activities	Significance in the workplace community	Significance to customers and stakeholders
Fairness	We ensure a fair trial and are honest in the workplace community.	<ul style="list-style-type: none"> - We value each other, our own work and that of others. - We allocate work equitably. - We are egalitarian and polite. 	<ul style="list-style-type: none"> - Customers experience our procedures to be fair and transparent. - Our decisions are lawful and just and well argued. - Our customer service is flexible, interactive and understandable. - We treat customers impartially and equitably. - We listen to customers.
Competence	We develop our activities and competence.	<ul style="list-style-type: none"> - We take care of maintaining and developing professional skills. - We communicate our need to strengthen skills. - We take advantage of training opportunities. - We take care of specialised competence. - We provide employees with job induction. - We share our expertise. 	<ul style="list-style-type: none"> - We ensure legal protection. - We are reliable. - We share our expertise with our stakeholders and partners. - Our decisions are of significance as <i>rationes decidendi</i> or legal bases for decisions.
Ability to work together	Together we succeed.	<ul style="list-style-type: none"> - We constitute a good, open and united workplace community. - We focus on what is important. - We are responsible and worthy of trust. - We are tolerant. 	<ul style="list-style-type: none"> - We are open, active and prompt in preparing cases. - We hold hearings across the entire jurisdiction of the court of appeal. - We have quality discussions throughout the judicial administration process. - We recognise shared responsibility for Northern Finland.
Efficiency	We are systematic and responsible.	<ul style="list-style-type: none"> - We achieve our qualitative and quantitative goals. - We organise assignments to support successful sentencing. 	<ul style="list-style-type: none"> - We process cases promptly without compromising on the quality of decisions.

activities of the court of appeal in the direction indicated by these values will result in a court unit that carries out to a standard of high quality the fundamental task of a court and its *raison d'être*. Achievement of this goal also calls for a quality assessment system which allows the development of the assessment of activities and monitoring. Concerning the functioning of the quality assessment system, it is important for the entire personnel of the court of appeal to be committed to the continuous and systematic development of activities. Courts within the jurisdiction of Rovaniemi Court of Appeal have carried out such systematic development work

relating to adjudication quality over a period of fourteen years. The court of appeal's quality assessment system now being built can be seen as a continuity of this development work intended to systematically assess and also to improve long term the standard of internal quality necessary as regards external quality. Even though the driving force in quality development rests with the management of the court of appeal, the entire workplace community must be committed to quality work. Commitment of the personnel to the continuous development of activities is a basic requirement for the innovative and quality development of the organisation.



3.3 PRINCIPLES OF THE CAF 2013 MODEL

The Common Assessment Framework (CAF), a common quality management instrument developed by EU member states for the public sector, was chosen as the quality management system to be applied to the quality assessment system of Rovaniemi Court of Appeal. CAF complies with the same logic and structure as the Excellence Model of the European Foundation for Quality Management (EFQM), which is more detailed and widely used in the private sector. Because of its simplicity and ease of use, the CAF model was considered as being best suited

for the basis of a quality assessment system for a public sector organisation. Once the quality assessment system has become established as part of an organisation's every day activities, it is easy to migrate, if necessary, to the application of more detailed assessment and development instruments.

Design of the court of appeal's quality assessment system drew on the newest 2013 CAF model, which has been translated into Finnish. The CAF model is by nature a general model that can be freely used and modified to meet the needs of

each organisation concerned. The main purposes of the model are to facilitate the introduction of quality management methods into the public sector, to guide a public sector organisation progressively towards a fully-fledged Plan-Do-Check-Act (PDCA) cycle, to act as a bridge across the various models used in quality assessment and to facilitate bench learning between public-sector organisations. An organisation using the CAF model aims at achieving good results and total quality management in activities.

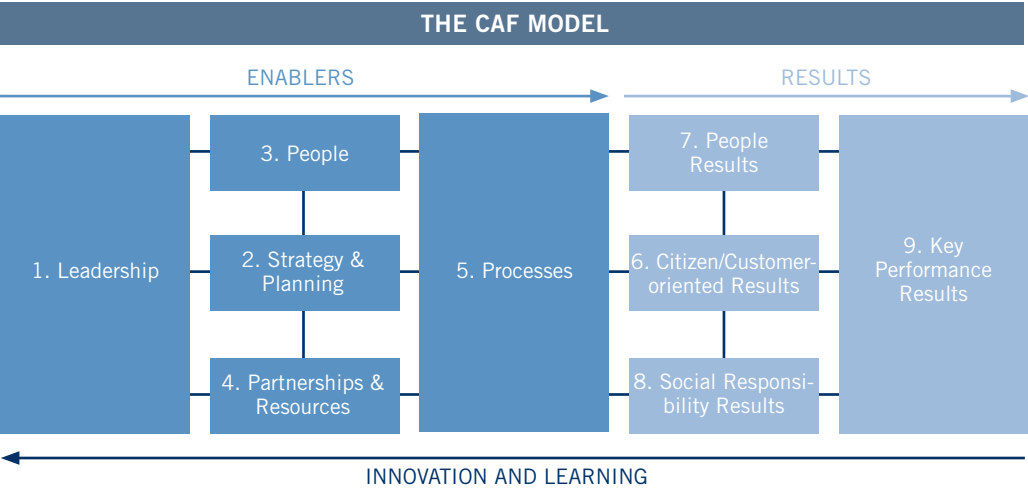
The CAF model is derived from the same excellent performance criteria as, for example, the Excellence Model of the European Foundation for Quality Management (EFQM). The CAF model's nine criteria in the continuous improvement of an organisation's activities take the organisation towards a high standard of performance. Adoption of and compliance with the criteria of excellent performance distinguish a goal-oriented public-sector organisation from an ordinary bureaucratic organisation. These criteria of excellent performance are results orientation, customer focus, leadership and constancy of purpose, management by processes and facts, involvement of people, continuous

improvement and innovation, mutually beneficial partnerships and corporate social responsibility. The impact of values on the CAF model can be seen in its sub-criteria. Choice of these has been impacted on by general values derived from principles of good governance characteristic for European administrative culture: openness, accountability, equity, diversity, social justice, solidarity, participation, collaboration and partnerships.

The basic approach of the CAF model is the holistic assessment of quality, which reviews both the organisation's working practices and different areas of performance through claims designed for this purpose. Five criteria describing activities (enablers) consider leadership, strategy & planning, human resources management, partnerships & resources and processes. The criteria applying to results in the CAF model are people results, customer/citizen oriented results, social responsibility results and key performance results. The sub-criteria in these criteria are therefore results that are a consequence of enablers related to functioning aspects.

The CAF 2013 model serves as a structural basis in the quality assessment system of the

Table 2.



court of appeal. In the CAF self-assessment model, organisations are not required to find information about all the examples in the model, only those that are important as regards the organisation concerned. Even though the basic structure of the public-sector CAF model is well suited to the court organisation, the terminology, sub-criteria and examples used

must be formulated to be more appropriate to the appellate court organisation. Harmonisation of the appellate court's CAF-based quality assessment system with the quality benchmarks of the quality project of courts within the jurisdiction of the court of appeal also poses a separate question regarding application.

3.4 SELF-ASSESSMENT CRITERIA, SUB-CRITERIA AND ADJUDICATION QUALITY CRITERIA

The criteria and sub-criteria in the CAF model are well suited as such to the quality assessment system of a court of appeal. In this report, the principles of the nine criteria and 28 sub-criteria in the CAF model, i.e. definitions at a general level, have been described from the court's viewpoint. Because the quality assessment system has been built explicitly as a tool for Rovaniemi Court of Appeal and to assess its activities, the activities and results with regard to its sub-criteria have been reviewed particularly from the viewpoint of the court of appeal. The management systems, organisational structures and sizes of the courts and also of the courts of appeal vary significantly and so not all organisational solutions and methods are necessarily applicable as such to all courts or courts of appeal.

The report of the Performance Management Working Group set up by the Ministry of Justice on 13 February 1998 has considered and defined the economic efficiency, output and quality criteria of court activities. The report defines goal-driven leadership, a functioning organisation, functioning work processes, clarity of responsibilities, competence and training, internal information provision and a good workplace atmosphere as quality criteria in the court organisation. All these quality criteria are taken into account in the court of appeal's CAF-based quality assessment system.

The quality benchmarks of Rovaniemi Court of Appeal have been drawn on considerably in building the court of appeal's quality assessment system. The quality criteria, including their characteristics, of the quality benchmarks have

been utilised such that the applicable parts of the examples given in the CAF model have been supplemented by adding quality criteria either as claims in the criteria or by incorporating quality criteria, including characteristics, under examples based on the CAF model. In the court of appeal's quality assessment system, the quality criteria in the quality benchmarking have, where required, been formulated to make them more appropriate to the court of appeal. The difference between the quality assessment system of Rovaniemi Court of Appeal and the quality benchmarks of adjudication within the jurisdiction of the court of appeal is that the CAF-based quality assessment system is more holistic and comprehensive than the quality benchmarks intended to measure the quality of adjudication.

Because the different activities in an organisation are closely interlinked and a clear causal connection prevails between activities and results, the same principles, activities and plans inevitably extend their significance and influence to a number of assessment criteria and sub-criteria. A line also has to be drawn as to what is meant by customer, citizen and stakeholder. In court activities, for example, a stakeholder organisation can, depending on the context, also with regard to its own work be in the position of a customer of the court. As a rule, these organisations are kept apart, but in places the significance of separating these organisations diminishes when dealing with processes and especially performance criteria.

3.5 SCORING IN SELF-ASSESSMENT AND OTHER EVALUATION METHODS

Scoring on a scale of 0-100 used in the CAF 2013 model based on the PDCA cycle has been chosen as the assessment method for the *self-assessment or employee satisfaction survey* in the quality assessment system of Rovaniemi Court of Appeal. However, as regards other assessment methods or *customer and stakeholder surveys* and *expert judgments*, simpler scoring on a scale of 0 (poor) – 5 (exemplary) are used, which is the scoring used in the quality benchmarking. If the scoring given by the quality assessment system of the court of appeal is required to be converted to correspond to the benchmarking, this must be done using the scoring comparability tables enclosed.

In *self-assessment*, assessment and scoring of the enablers criteria is undertaken firstly by examining the level to which the court of appeal has progressed in each criterion. A score of 0-10 means that activities subject to assessment have

not been measured or assessed, a score of 11-30 means that the sub-criterion has progressed to the planning stage, a score of 31-50 indicates the plans have been implemented in practice, a score of 51-70 is a critical assessment of the actions introduced and a score of 71-90 means improvement and further development of activities based on assessments. Achievement of the highest level, a score of 91-100, requires implementation of the fully-fledged PDCA cycle with regard to the criterion assessed. Scoring in the model requires achievement of a lower level of scoring before applying a higher level. When the level of activities of the court of appeal has been defined as described above, the current status of the sub-criteria can be assessed by choosing scoring for each phase from the scale indicated in accordance with how well the different claims and their examples in the sub-criterion are realised.

Table 3.

ENABLERS PANEL			
Phase	Enablers panel – classical scoring	Score	Quality benchmarking score
	We are not active in this field, we have no information or very anecdotal.	0–10	0
Plan	We have a plan to do this.	11–30	1
Do	We are implementing / doing this.	31–50	2
Check	We check / review if we do the right things in the right way.	51–70	3
Act	On the basis of checking / reviews we adjust if necessary.	71–90	4
PDCA	Everything we do, we plan, implement, check and adjust regularly and we learn from others. We are in a continuous improvement cycle on this issue.	91–100	5

Scoring for the results criteria is undertaken by examining whether the results for the criterion to be assessed have been measured, whether the results show a negative, flat or positive trend, whether they show substantial progress and whether the key results have been achieved

A score of 0-10 means no results have been measured and/or no information is available about the claims and examples in the sub-criterion. A score of 11-30 means that the results have been measured, but that the results do not meet targets or results can be assessed as showing

a negative trend. A score of 31-50 is given when the results measured show a flat trend and some of the targets have been met. The score is in the range of 51-70 when development is more visible than earlier and most of the targets have been met. A score of 71-90 is given for substantial progress and when all the relevant targets have been met. The switch to using the highest score can be made when the results of the organisation are better compared to those of other courts of appeal, the results are excellent and all key targets have been met.

Table 4.

RESULTS PANEL		
Results panel – classical scoring	Score	Quality benchmarking score
No results are measured and / or no information is available.	0–10	0
Results are measured and show negative trends and / or results do not meet relevant targets.	11–30	1
Results show flat trends and / or some relevant targets are met.	31–50	2
Results show improving trends and / or most of the relevant targets are met.	51–70	3
Results show substantial progress and / or all the relevant targets are met.	71–90	4
Excellent and sustained results are achieved. All the relevant targets are met. Positive comparisons with relevant organisations for all the key results are made.	91–100	5

In the quality benchmarking, points are scored on the basis of achievement of the quality criterion as follows:

- 0 points: The criterion is not met at all (fail)
- 1 point: The criterion is met in some respects (pass)
- 2 points: The criterion is met satisfactorily (satisfactory)
- 3 points: The criterion is met well (good)
- 4 points: The criterion is met laudably (laudable)
- 5 points: The criterion is met exemplarily (exemplary).

In practice, scoring in the surveys is done so that the questions in each sub-criterion in the criterion are answered by assessing the achievement of each sub-criterion on a scale of 0-100. The average score is calculated using the points for the questions in each sub-criterion to form the points for the sub-criterion. Similarly, the points for the sub-criteria in each criterion are added together in each criterion. A maximum score of 100 points can be obtained for each criterion to make a maximum total of 900 points in self-assessment. The scoring method partly differs from that in the quality benchmarking, where points are awarded for quality criteria.

3.6 ASSESSMENT SYSTEMS

The same fairly comprehensive systems already adopted in the quality benchmarking of adjudication within the jurisdiction of the court of the appeal are used as the assessment systems in Rovaniemi Court of Appeal's quality assessment system.

Subjective information is collected by

1. court of appeal staff self-assessment surveys,
2. the appellate courts' common job satisfaction survey (VMBaro),
3. customer and stakeholder surveys and
4. by assessments by a designated group of experts.

The *self-assessment survey* of the court of appeal covers all the CAF enablers and results criteria, sub-criteria and many of the examples in this report. Many of the aspects belonging to a results criterion must be assessed on the basis of objective statistical data, but because it is important for the personnel to be able to express their viewpoint of the court of appeal's results, the employee satisfaction survey is also directed towards those sub-criteria in the results criteria. The viewpoints of the personnel are compared with the results obtained through other surveys and assessments and with statistical data. Information collected in this way thus provides as comprehensive a picture as possible of the output and quality of the activities of the court of appeal. In addition, the claims made in the employee satisfaction survey conducted at the court of appeal in 2007 and the quality benchmarking quality criteria have been used in the claims in the self-assessment survey. Because it is still necessary to monitor the functioning of the self-assessment survey, the survey also includes open fields for informal answers and feedback.

Self-assessment is designed to provide a comprehensive sample of both the functioning of the court of appeal's organisation and of its adjudication quality. This explains why the self-assessment survey is extensive and for this

reason partly of a general nature. Once several self-assessments have been completed, the claims made in the self-assessment can be reviewed. If necessary, the criteria (such as processes) deemed as being most important can be included as a point for more detailed independent examination. Employee satisfaction is also measured using a job satisfaction survey common to courts of appeal. This survey considers many questions relating to leadership, organisation and the personnel. The court of appeals' common job satisfaction survey provides a good benchmark for the results of the self-assessment survey.

Surveys intended for customers and stakeholders on the other hand are narrower than the staff self-assessment survey. The focus of the customer and stakeholder survey is on the outcome of activities, the quality of adjudication, accessibility to the court of appeal and networking.

The customer survey is intended for parties to the processes in the court of appeal at the time the survey is conducted. Using a survey to ascertain customers' viewpoints has proven to be difficult in practice. To enhance response activity, the survey must not be overly long and the questions must be unambiguous in form. In addition, customer satisfaction with the court of appeal's decisions can also be assessed by comparing the annual number of leaves for appeal filed and complaints made and the number of leaves for appeal granted in different years.

The stakeholder survey is intended for lawyers, private attorneys, public legal aid attorneys, other legal counsels, prosecutors and heads of investigation acting with the jurisdiction of Rovaniemi Court of Appeal. Stakeholder feedback is a key part of assessing the quality of the court of appeal's activities. The stakeholder survey can be somewhat more extensive than the customer survey. Because the questions are also related to the networking of the court of appeal and stakeholders and joint organisation of activities, it is important to address the survey

to the heads of legal aid offices and prosecutor's offices and to chiefs in the police authorities. The survey must also be addressed to president and divisional heads of the courts of first instance. The results of the stakeholder survey constitute an important comparison for the viewpoints expressed by court of appeal staff in the self-assessment survey.

It is intended to conduct the *assessment* made by *experts* along the lines of the quality benchmarking of adjudication in the jurisdiction of the court of appeal. In assessment in accordance with quality benchmarking, a team of experts assesses the decisions of the courts on the basis of the quality criteria and their characteristics defined in the quality benchmarking. Assessment of the court of appeal's decisions focuses likewise on quality categories (openness, circumstantiality, intelligibility, structure and layout) of the production of decisions. Several criminal and civil cases, some of which have been resolved upon presentation and some after the receipt of evidence in the main hearing, from the previous year have been chosen at random for assessment. Scores are given for the criteria to be assessed in each decision and written feedback is also given. The selection criteria of the solutions to be assessed and the assessment criteria will be specified later.

Self-assessment, surveys and expert assessment are mostly carried out electronically using the online survey and analysis software (Webropol) used by the court of appeal. In the manner detailed in Chapter 5, surveys will be carried out in three consecutive years starting with self-assessment, followed by customer and stakeholder surveys and ending with expert assessments.

Objective information to assess the court of appeal's activities and quality is collected mainly from the following reporting systems used by the court of appeal.

1. reports on court of appeal staff training and sick leave
2. labour statistics of Rovaniemi Court of Appeal: performance target monitoring, cases solved by presentation and main hearing, circuit courts and leaves to continue proceedings, etc.
3. labour statistics of the courts of appeal: comparison of the courts of appeal caseloads, processing times and leaves to continue proceedings, etc.
4. statistics of the quantities of applications for leave to appeal, the number of leaves granted and matters that have been amended and returned
5. statistics of cases ordered to be kept secret
6. participation in socially beneficial activities and job-related qualifications (for example, trainee numbers, staff job-related qualifications, numbers of outside employment permits, training assignments and international assignments).

Information is collected always from the previous year for use and assessment by the quality working group. The statistical and other information at the disposal of the administration of the court of appeal is put into a format for consideration statistically.



4 ENABLERS CRITERIA

The objects of assessment in operational criteria include the organisation's management systems, human resources management and training, steering the quality of activities and output, use of working relationships and efficiency of activities, and ways of managing core activities. The main enablers criteria from the viewpoint of court activities and their quality are leadership, the personnel and processes. According to the CAF model, a total assessment of activities must also take into account factors relating to strategic, working relationships and resources.

Because the tasks of courts are extensively regulated and restricted by law, courts have no need for such precise strategic planning as is the case in many other organisations. The courts' key stakeholders and most important networks are largely determined through the task prescribed for courts. Furthermore, courts have limited possibilities to influence the resources available. This being the case, this report examines strategies, working relationships and resources somewhat more narrowly than leadership, the personnel and processes.

4.1 LEADERSHIP

4.1.1 Court steering

Administratively, the courts come under the aegis of the administrative sector of the Ministry of Justice, Finland. The ministry is responsible for general tasks concerning the court system as a public organisation that seek to influence the general criteria of judicial duties. As a body with executive power, the ministry cannot, however, impact on the actual arrangement or substance of the decisions made in judicial duties. The ministry is responsible for ensuring that activities in the administrative sector achieve the relevant targets in political decision-making (strategic steering) at any given time and that the courts have adequate resources and other pre-conditions to carry out their task (resource steering).

The steering of judicial duties also takes place within the court system between different court instances. Under the Constitution of Finland (731/1999 as amended) [in Finnish: Suomen Perustuslaki], the highest courts supervise the administration of justice in their own fields of competence. As regards general courts, the Supreme Court may oversee the

uniformity of case law mostly in deciding individual applications for appeal and in issuing preliminary rulings on these. Under the Court of Appeal Act (56/1994 as amended) [in Finnish: Hovioikeuslaki] courts of appeal also have oversight and judicial administration duties vis à vis the district courts within their jurisdiction. Neither the Supreme Court nor the courts of appeal may intervene in their oversight duties in the concrete arrangement of work in the courts first instance. Actions intended to arrange and develop judicial duties in practice are the responsibility of the chief judge in each court.

Supreme management of the court of appeal belongs to the president, who is responsible for the performance of the court of appeal and its development and for achieving performance targets. The president of court of appeal also oversees the application of the legal principles and uniformity of legal interpretations in the court's decisions, confirms the rules of procedure of the court of appeal - which is specified in more detail in the arrangement of working in the court of appeal - and ensures the arrangement

of appropriate oversight of the courts within the jurisdiction of the court of appeal. From an administrative perspective, a court of appeal is an agency of managers. The president shares overall responsibility with the management group, which is chaired by the president of court of appeal and whose members are senior justices of the court of appeal and the secretary general of the court of appeal. The management group assists the president in leading and developing the activities of the court of appeal.

The senior justices of the court of appeal direct working in their adjudication divisions and are responsible for planning the work in their divisions and for achieving performance targets. Senior justices also ensure the even assignment of work and confirm the turns for hearing and presentation. As well as the president, also senior justices monitor the application of legal principle and the uniformity of interpretation of the law. The eldest justices of the courts of appeal acting as chairpersons of adjudication teams also carry out a similar role.

The administrative affairs of the court of appeal are dealt with by an administration office, headed by a secretary general. The court of appeal registry, archives, library and senior attendants also come under the aegis of the administration office. The secretary general ensures the administration of the court of appeal by, *inter alia*, drafting the budget proposal and matters for decision within the remit of the president and by monitoring achievement of the budget and performance targets. In addition, the secretary general is responsible for communications and for planning and arranging training. As a rule, the president of the court of appeal is responsible for communications at the court of appeal. The president also participates *ex officio* in public debate by giving interviews and by writing specialist papers about topical matters.

4.1.2 Good leadership and definitions of leadership sub-criteria

I. DEVELOPMENT OF THE TASK, GOALS AND VALUES OF THE COURT OF APPEAL

Leadership and its significance are reflected in all the organisation's criteria. At a general level, good leadership is based on ethical, moral and value-committed activities. Good leadership derives particularly from universal principles such as fairness, moderation, impartiality, integrity, honesty and trust. Success in leadership depends on how successfully the organisation's own values and universal principles are complied with in leadership.

The activities of the court of appeal are efficient and good quality will be achieved when all the inter-related activities are understood and systematically managed. Good leadership of the court of appeal includes clearly defining the court's goals and creating an operating environment in which the court of appeal can carry out its mission confidently, reliably, promptly and affordably. By defining the values, the goals of the court of appeal can be developed at the same time as creating a platform to assess goal achievement.

A good leader acts in accordance with the principles and values of the court of appeal, purposefully and taking the customer, internal court and social viewpoint equitably into account. Goals concerning the proceedings and quality of decisions, output and efficiency must be proportionate to each other and the currency and implementation of goals and values must be monitored. The leader must support the activities of the workplace community by organising work in an expedient and equitable manner and by tracking the progress of the cases heard. Improving the quality of the procedure and production of decisions ensures the court of appeal's fundamental task, the provision of customers' legal protection.

It is important with regard to the task and the goals of the court of appeal to assess leadership of the court above all from the

viewpoint of professionalism, production of decisions and the progress and tracking of cases under consideration. Professional leadership is purposeful, developmental and interactive leadership. Leaders support the adjudication of the courts when decision-making and policies concerning the organisation take into account the opinions of the personnel and management also pays sufficient attention to staff competence and know-how and maintaining them. In order to achieve professional leadership, managers in the court of appeal must be given an opportunity to participate in various leadership training courses.

II. ADMINISTRATION OF THE COURT OF APPEAL'S ACTIVITIES AND THE DEVELOPMENT OF PERFORMANCE

This leadership sub-criterion assesses the clarity of the court of appeal's management systems and processes and management actions to develop them. Defining the stages in process and clear responsibility structures and responding to the needs for change will enable the court of appeal to efficiently achieve its strategic goals. Commitment to development and the ensuing changes and achievement of the goals pursued requires the court of appeal personnel and representatives of key stakeholders to be informed of the changes and the results sought.

The independence of the judiciary in their adjudication work limits management's powers to intervene in sentencing. Even though there is basically a clear line between intervening in sentencing and activities intended to organise and develop court activities in practice, a line might have to be drawn when approaching the quality of adjudication and the assessment of its criteria and when pursuing the achievement of performance targets. The achievement of good leadership in the court system requires management to have the ability to recognise the limits of its role of overseeing adjudication.

A number of sub-criteria - such as the systematic tracking of the process of cases, the impartial and expedient assignment of cases instigated, enablement of the use of appropriate

compositions and drawing on the specialised competence of justices in considering cases – which are an important sub-criteria also with regard to the court of appeal's were selected for inclusion as important sub-criteria in the quality benchmarking with regard to adjudication. Assigning cases in a fair, equitable manner and determining beforehand those situations in which the normal way of assignment can be departed from safeguard the achievement of an independent and impartial court. Adjudication at the court of appeal should be organised to ensure sufficient resources to consider cases in appropriate compositions and, where possible, to draw on the specialised competence of justices to ensure correct judgments and to foster the flexible and productive consideration of cases. The specialised competence of justices can be utilised without jeopardising independence and impartiality by taking special competences into account beforehand when determining the grounds for assigning cases and when placing judges in various tasks.

Delay in the consideration of cases in a court is a significant problem as regards the legal protection of customers. This is why management must constantly and systematically monitor the processing times and numbers of decisions of cases instigated. A functioning adjudication system requires plans to be drawn up beforehand to clear delays. It is the responsibility of the court of appeal's president, senior justices, team leaders and secretary general to monitor the number of decisions and processing times and to organise the clearance of backlogs accruing.

III. MOTIVATING AND SUPPORTING THE PERSONNEL OF THE COURT OF APPEAL AND MANAGEMENT ACTING AS A ROLE MODEL

A good leader has an ability to motivate and support the personnel and to give appropriate recognition to staff for performance at all levels of the organisation. Management activities support and motivate people when dialogue prevails between managers and the personnel, when management decisions are transparent

and when they have been discussed with the personnel before decisions are taken, and when the personnel have been informed in an appropriate manner. Encouraging the personnel to engage and to develop their work and the workplace community is a prerequisite for development of the court of appeal. In the development process, it is also important for management itself to identify with and adopt the values and ethical principles of the court of appeal and to implement them in what they do. This third leadership sub-criterion contains claims and examples concerning management's actions to motivate and support people.

Quality benchmarking concerning the quality criteria in holding development discussions is part of professional management to encourage the personnel to develop their work, proficiency and competence. According to the quality benchmarking, development discussions must be regular, systematic discussions at which pre-determined topics are covered. A note is made of the aspects highlighted and matters agreed as a result of the discussions for action and subsequent development discussions.

With regard to adjudication efficiency, ensuring personnel wellbeing was also considered to be an important criterion in the quality benchmarking. The personnel must not have to shoulder personal responsibility for backlogs resulting from under-resourcing at the court of appeal. Supervisors are responsible for ensuring the balance between employees' working hours and leisure time is maintained.

IV. MAINTAINING FUNCTIONING RELATIONSHIPS WITH POLITICAL DECISION-MAKERS AND STAKEHOLDERS OF THE COURT OF APPEAL

Good leadership includes creating and maintaining connections to stakeholders and promoting social influence. The final leadership sub-criterion concerns the organisation management's contacts in the public sector with influential political decision-makers and with other stakeholders of importance to the organisation.

In the court of appeal, it is above all the president who acts as the touchpoint to political decision-makers creating the preconditions for the court of appeal. Cooperation between court management and political decision-makers centres around conveying information for decisions to be taken in the Finnish Parliament and Government and also around aligning the goals of the decisions concerned to the activities of the court.

The president of the court of appeal also assesses the points for improvement and, together with stakeholders, participates in the discussions held and, where required, establishes working groups to develop and align activities. Collaboration and the attainment of good dialogue with stakeholders provides new perspectives to organise the activities of the court of appeal and thus to also ensure legal protection. Management is tasked with ensuring that the court of appeal executes its duties in the best possible way and developmental, interactive collaboration with stakeholders is important to achieve this.

4.1.3 Claims and examples with reference to leadership

I. DEVELOPMENT OF THE COURT OF APPEAL'S DUTIES, GOALS AND VALUES

1) The court of appeal's personnel and stakeholders have been informed of the court's mission, goals and values. The currency of the court of appeal's goals and values is monitored.

- New employees are told of the court of appeal's goals and values and their implementation has been discussed.
- Stakeholders have access to information about the court of appeal's values.
- The values and goals have been reviewed where necessary.

2) The court of appeal's management and organisation of work is professional.

- Work has been organised in an appropriate and equitable manner.
- Managers work interactively with the personnel.
- The proficiency and competence of management and other personnel has been ensured in recruiting and keeping competence up to date has been supported by training opportunities.

II. DEVELOPMENT OF THE COURT OF APPEAL'S ADMINISTRATION AND PERFORMANCE

1) The court of appeal's work processes and structures have been developed in accordance with the court's goals and stakeholder needs.

- Clear definition of the stages in the processing of cases, the actions relating to them and the organisations responsible for them.
- Electronic communication is utilised in contact with stakeholders.
- Telephone and video links are used where possible in preparatory and main hearings at the court of appeal.

2) The personnel and stakeholders are to be kept up to date with all the main changes affecting the court of appeal.

- Changes are communicated and adequately and openly discussed.

- Information is given in good time.

3) Progress in the processing of cases is systematically monitored.

- Supervisors monitor the numbers of decisions and processing times of their teams.
- Processing time statistics and case lists are discussed at team meetings.

4) The assignment of new cases filed is planned beforehand and assignment takes place in a manner that inspires trust.

- New cases filed are assigned quantitatively and evenly in terms of case between members and referendaries, but randomly in other respects.
- The grounds for assignment and deviations from them have been determined in advance.

5) The even assignment of the work of registry staff has been monitored.

- Clear orders have been issued regarding stand-ins and the equitable assignment of extra work.

6) The processing of adjudication matters has been organised to allow the use of appropriate compositions.

- The nature and scope of a case is taken into account in forming compositions.
- Compositions have been organised equitably by different adjudication divisions and in teams and it has been possible to use special compositions equitably.

7) The internal tasks of the court of appeal have been assigned to adjudication personnel also taking into consideration the specialised competence of the adjudication personnel.

- Specialised competence has been taken into account when assigning justices to different duties.

III. MOTIVATING AND SUPPORTING THE PERSONNEL OF THE COURT OF APPEAL AND MANAGEMENT ACTING AS A ROLE MODEL

1) The management of the court of appeal (president, secretary general, senior justices and justices at the court of appeal serving as team leaders) promotes the achievement of the goals set.

- Supervisors participate in achieving adjudication goals and results.

2) The management of the court of appeal acts according to the values of the court of appeal. Supervisory work is fair, competent, cooperative and efficient.

- Supervisory work is appreciative of the personnel, expert, (strategic leadership, management by results and human resources management), responsible, interactive, tolerant, systematic and direct.

3) Trust between management and the personnel has been fostered by equal treatment.

- Court of appeal personnel are assigned duties and career progress irrespective of gender.
- Training opportunities are available irrespective of gender or age.
- Working conditions are the same irrespective of gender or family status.

4) Management supports the personnel in performing its duties.

- Measures are in place to prevent overexertion.
- Clear, practical rules have been drawn up with regard to exemptions.
- The time taken up by training and extensive cases has been taken into account when allocating tasks.
- The personnel are consulted before decisions concerning the court of appeal are made.

5) The personnel are given appropriate feedback and an opportunity to impact on the development of their competence in the entire organisation.

- Feedback given is supportive and motivates development.
- Development discussions are held with the

personnel each year and are prepared for in advance.

- Development discussions have resulted in concrete actions.

IV. MAINTAINING FUNCTIONING RELATIONSHIPS WITH POLITICAL DECISION-MAKERS AND STAKEHOLDERS OF THE COURT OF APPEAL

1) Management conveys information about essential factors impacting on the court of appeal to political decision-makers.

- The court of appeal has actively issued statements about legislative and other reform projects concerning the judicial system and has participated in the discussions applying to such reforms.

2) The goals of the court of appeal are in alignment with the policies and decisions of democratic steering.

- The performance targets of the court of appeal are based on the goals and policies agreed in performance target negotiations with the Ministry of Justice.

3) The court of appeal's main social relationships have been developed and maintained.

- The management of the court of appeal maintains good dialogue with the district courts, prosecutor offices, heads of investigation, public legal aid offices and with advocates working within the jurisdiction of the court of appeal.
- The management of the court of appeal monitors judicial administration and where necessary reacts to development needs by discussing matters relating to the organisation of legal administration and by initiating practical actions to reconcile activities.
- The management of the court of appeal maintains and develops functioning cooperative relationships with the University of Lapland and its Faculty of Law.
- The management of the court of appeal has functioning and comprehensive dialogue and cooperative relationships with the Ministry of Justice.

4.2 STRATEGIES AND PLANNING

4.2.1 Background factors of court strategies

Strategies are policies and logical operating models by which an organisation pursues the achievement of defined goals. Strategies consist of an organisation's mission, vision and values. The fundamental task of the courts, to ensure legal protection, is to decide new cases received for processing in a confident, dependable, prompt and affordable manner. These criteria can be considered as being the strategic goals of court activities. The value basis, which comprises the judicial oath, old judicial instructions, the principles of fundamental and human rights, and the judicial ethical code of conduct, influences the formation of strategies and operating principles.

Similarly, the strategic policies of the Ministry of Justice also impact on the formation of court strategies. The Ministry of Justice is responsible for the functioning, development, pre-requisites and performance guidance of the judicial system, which comes under its administrative sector. The Ministry's strategies seek to ensure that legal services are adequately and equally accessible everywhere and that the activities of the courts are not only financially efficient, but also of a high standard. The impacts of the Ministry's strategies on the activities of the court of appeal are reflected not just in the organisation of the activities of the court in accordance with the strategic policies, but also in drawing up the court of appeal's operational plans. The many operational plans drawn up by the Ministry also impact on the operational and financial plans and performance targets of the court of appeal and also via these on work in practice.

The criteria relating to the operating principles and the strategy of the court of appeal examine what the court of appeal does to plan activities and to implement development.

4.2.2 Definitions in the strategies and planning sub-criteria

I. THE ACTIONS OF THE COURT OF APPEAL TO GATHER INFORMATION ABOUT THE NEEDS OF CUSTOMERS AND STAKEHOLDERS AND OTHER RELEVANT PLANNING INFORMATION

The traditional PDCA development cycle¹ in the CAF model has an important role in developing and implementing strategy and planning. The cycle starts by gathering information on the present and future needs of key stakeholders, an organisation's performance and developments in the operating environment.

The first sub-criterion examines the actions of the court of appeal to identify stakeholders and to gather and analyse data telling about the court of appeal's performance. Achievement of the court of appeal's mission and operational goals require the identification of those organisations that are closely related to the activities of the court of appeal and whose activities are of significance to the court of appeal in achieving its own goals. In the court system, these organisations have generally been considered to comprise other parties in judicial administration.

The future outlook formed by following developments in the operating environment, information gathered through discussions about the needs of stakeholders and results data collected from the court of appeal's case management system and reporting system reflecting performance support the planning of the court of appeal.

¹⁾ PDCA = plan, do, check, act.

II. DEVELOPMENT OF THE COURT OF APPEAL'S STRATEGY AND PLANNING

Planning court strategies and activities must be done in line with democratic steering, in accordance with customer and stakeholder needs and also taking into account the prevailing operating environment. Through planning, court activities are steered towards meeting the strategic goals of its fundamental task. To effectively execute plans it is necessary to set goals and identify the requirements to achieve them.

Planning and further development of the court of appeal's strategy and activities requires up-to-date information about the needs of customers and stakeholders as well as statistics and results reflecting the internal performance of the court of appeal. The court of appeal has access to much statistical data. The statistics available can be used to track achievement of the court of appeal's decision and processing time targets, the numbers and ways of processing cases belonging to different customer groups and to compare the prevailing situation in relation to other courts of appeal. The court of appeal can use the information gathered to plan activities and processes and to develop them in the manner indicated by need arising.

III. IMPLEMENTING, COMMUNICATING AND REVIEWING THE STRATEGY AND PLANNING OF THE COURT OF APPEAL

This sub-criterion examines communication of the court of appeal's strategy and planning and the implementation and updating of the strategy and planning. The ability of the court of appeal to deploy strategies and plans depends on the quality of the instructions given to implement processes and to achieve the goals set. The personnel of the court of appeal must be aware of the goals of their own organisation and perceive their own goals in relation to the goals of the entire organisation.

The mission of the courts and strategic goals associated with it were defined in the report of the Working Group on Performance Management in Courts of Law, 17 December 1998, Ministry of

Justice. Similarly rules of procedure of Rovaniemi Court of Appeal have confirmed the definition of the fundamental task and mission of the court of appeal.² The court of appeal's strategies have not been separately drafted or defined at a document level. Planning at the court of appeal is based on the strategic goals relating to its fundamental task and on the values defined by the court of appeal and their principles guiding activities.

IV. PLANNING, IMPLEMENTING AND REVIEWING CHANGES IN THE COURT OF APPEAL

Improving quality is a constant process. Responding to the expectations of fair trial and access to justice directed towards courts requires continuous reforms and the deployment of innovations in changing circumstances. This is why it is important for the court of appeal to follow changes in operating conditions and for different parties to adopt an open, supportive and receptive attitude to future development proposals.

Drawing up quality benchmarking for adjudication as part of work on quality management within the jurisdiction of Rovaniemi Court of Appeal was a major innovation within judicial administration. Defining the quality criteria and their characteristics, together with the development of diverse assessment methods, enables the effective assessment of the quality of various parts of adjudication and practices.

²⁾ *Fundamental task and mission of Rovaniemi Court of Appeal Sections 1 and 2:*

The fundamental task of the court of appeal is to provide legal protection as the general high court. In its activities, it must safeguard fundamental and human rights, as well as secure equitable proceedings in accordance with the objectives of a state bound by the rule of law.

The court of appeal is tasked with hearing and deciding appeals and complaints made about decisions made by district courts within its jurisdiction and with matters belonging to it as the court of first instance, confidently, dependably, promptly and affordably. Furthermore, the court of appeal may consider and decide judicial administration matters entrusted to it and oversee the activities of the district courts within its jurisdiction.

Quality management plays an important role in the everyday work of the court of appeal and it is highlighted alongside the efficiency, output and economy of activities.

4.2.3 Claims and examples with reference to strategy and planning

I. THE ACTIONS OF THE COURT OF APPEAL TO GATHER INFORMATION ABOUT THE NEEDS OF CUSTOMERS AND STAKEHOLDERS AND OTHER RELEVANT PLANNING INFORMATION

1) Information about the needs and expectations of customers and stakeholders is obtained.

- Changes in the operating environment are monitored in relation to securing the legal protection of customers.
- There is continuous contact with other parties in judicial administration.
- Future changes ensuing and the significance of such changes are discussed with relevance to the work of actors in judicial administration.

II. DEVELOPMENT OF THE COURT OF APPEAL'S STRATEGY AND PLANNING

1) The fundamental task of the court of appeal (the provision of legal protection and access to justice) and values have been translated into strategic and operational goals and actions.

- The qualitative goals and enablers of the court of appeal reflect the values defined.
- The workplace community supports activities in accordance with the goals set and values.

2) The information obtained through monitoring, measurement and assessment implemented in the court of appeal is analysed and drawn on in operational planning.

- The processing times of different stages in work processes are monitored and they are discussed in team meetings, in divisions and in the management group.
- The necessary statistics relating to processing cases are circulated to the personnel.

3) The task and resources of the court of appeal, the goals set and the requirements of customers and stakeholders are in mutual balance.

- Planning and implementing the activities of the court of appeal has equally taken into account administrative factors, customers' expectations of legal protection and social responsibility.

III. IMPLEMENTING, COMMUNICATING AND REVIEWING THE STRATEGY AND PLANNING OF THE COURT OF APPEAL

1) The strategy and planning of the court of appeal are undertaken by setting concrete qualitative and quantitative goals and by organising appropriate processes and organisational structures.

- Decision targets and the desired processing times have been clearly defined.
- Appropriate procedures and the organisational structure have been discussed and agreed (e.g. division/team model).

IV. PLANNING, IMPLEMENTING AND REVIEWING CHANGES IN THE COURT OF APPEAL

1) The court of appeal's internal and external drivers for change, the implementation of quality criteria in activities and citizens' expectations of legal protection are systematically monitored.

- There is awareness of changes in the workplace environment
- Needs for change arising from decisions made in the organisation are discussed in teams, the division and management group and where needed in briefings for the entire personnel.
- Quality management plays a role in the everyday work of the court of appeal.

4.3 PEOPLE

4.3.1 The importance of the personnel for the quality of court activities

The people sub-criterion examines human resources management, development and use of the organisation's strategy, operating principles and work processes in a supportive manner, the maintenance and development of personnel competence, as well as personnel wellbeing, engagement, impact and the development of mandates.

The people, the personnel, are the organisation's most important asset and constitute a significant part of its functioning and quality of activities. As regards output, a well-functioning court organisation requires sufficient human resources and good management of them, maintenance of personnel competences, maintenance of employees' ability to work, the physical and mental wellbeing of employees and a good working environment.

Human resources policy, which consists of the management and development of human resources, steers the court's human resources planning, human resources management and competence management. It outlines the principles for acting towards the personnel. The human resources policy of the courts steers the mission, strategies and values along with the policies made by the Ministry of Justice in its human resources strategies.

The quality of a court's decisions and activities depends on the competence and skills of the justices and other staff. Training plans and induction can create learning opportunities and conditions for the personnel to develop through on-the-job training. The Ministry of Justice and its training unit seek to look after the competence of the personnel in its administrative sector by providing training and organising exchanges of judges and public servants and international training. The training unit has created a training offering available to units in the Ministry's administrative sector and the intention is for individual development programmes to be drawn

up for the personnel in development discussions along the lines of which people could apply for training programmes.

People wellbeing is an intangible asset of the courts and an asset which has been highlighted in recent years in quality and performance management. Personnel wellbeing is one of the courts' most important results criteria. Most of the personnel's wellbeing consists not only of the skills and performance of individuals, but also of the good functioning and interaction of the workplace community, leadership and supervisory work as well as various structures, processes and support systems.

4.3.2 Definitions in the people sub-criteria

I. HUMAN RESOURCES PLANNING, DEVELOPMENT AND MANAGEMENT WITH REGARD TO THE STRATEGY AND PLANNING OF THE COURT OF APPEAL

This sub-criterion concerns the court of appeal's actions to manage, plan and develop its human resources with regard to the strategy and planning and the implementation of equality in recruiting and career development.

A systematic and comprehensive approach to managing human resources and the workplace environment is a key part of strategic planning in an organisation. Human resources policy involves questions about personnel changes and factors of uncertainty, the appropriate allocation of human resources, the implementation of workplace wellbeing and the equal deployment of recruiting and career development opportunities. The equality viewpoint is also an important element relating to the human resources policy and management of personnel matters. The existence of comprehensive human resources planning and a health and safety action plan is one of the characteristics of efficiency and quality in the court of appeal's organisation. Assessment of the standard of the court of appeal's human resources plan must take into account, above

all, how the plan was drawn up in the court, i.e. whether the personnel were consulted about the content of the plan and whether it could have influenced the shaping of the court of appeal's human resources policy. In addition, it is also relevant to assess the functioning and currency of the human resources plan.

At the same time as the courts' tasks have grown more diversified and the organisations in the judicial administration process have become increasingly specialised, there is a greater need for courts not only to maintain good general competence, but also to specialise. Specialisation of judges has been designated as one of the quality criteria for judges' skills and competence in the quality benchmarking. Ensuring specialisation is taking advantage of human resources and good work organisation.

II. COMBINING INDIVIDUAL GOALS OF THE PERSONNEL AND THE GOALS OF THE COURT OF APPEAL BY IDENTIFYING DEVELOPING, AND USING THE PERSONNEL'S COMPETENCES

This sub-criterion concerns the development of the personnel's knowledge and competence and assessing development methods. As regards implementing the court of appeal's mission and goals, it is important for the organisations working for this to identify and communicate their own goals in conjunction with the court of appeal's goals and to commit to developing their own activities and the framework of the court of appeal in the same context. Commitment to human resources development work is best done when the personnel are involved in creating the principles under which the organisation trains and motivates its people.

Mapping and planning the training need together with the management of the court of appeal has been chosen as one of the quality criteria in the quality benchmarking. In the quality benchmarking, the skills and competence of judges has been assessed through drivers promoting skills and competence rather than choosing as the assessment criteria the numerous facts, skills and qualities required of judges.

These criteria applying to maintaining the skills and competence of judges and participating in continuous training impose on judges a requirement to, on their own initiative, keep up to date with legislation, case law, the substance of key legal literature and to participate in continuous training offered. Similar assessment criteria promoting skills and competence can also be imposed on registry staff.

III. INCREASING OPENNESS AND IMPACT AND SUPPORTING THE PERSONNEL'S WELLBEING

The last sub-criterion in people enablers examines the ability of management and the personnel to work together to develop the court of appeal, to engage in mutual dialogue and to be open to new development ideas. The personnel best contributes to the development of the court of appeal when the organisation offers it opportunities that foster participation and creativity. Human resources are best in use in an inspiring and competent workplace community, where people are encouraged to participate fully in activities in the organisation and in its development on the principle of "those who do, plan".

Internal communication is a key quality driver in a well-functioning organisation. Successful communication can increase job motivation, improve cooperation, enhance work planning, ensure the achievement of goals, increase openness and create a conducive climate for a well-functioning organisation that is receptive to development. Internal communication also paves the way for successful external communication. Internal communication ensures that all the employees of the court of appeal know about achieving operational goals and have the necessary knowledge relevant to their work. To share best practices and knowledge, internal communication must flow from management to the personnel, from the personnel to management and also between different teams. Key personnel discussions support peer learning and on the other hand increase the uniformity of adjudication.

The personnel should be assisted to achieve their full potential and maintain resources. The full strength of the organisation must be used to pay attention to promoting workability, in addition to which the personnel should be encouraged to maintain their own work ability independently. Regular surveys monitor wellbeing.

4.3.3 Claims and examples with reference to the personnel

I. HUMAN RESOURCES PLANNING, DEVELOPMENT AND MANAGEMENT WITH REGARD TO THE STRATEGY AND PLANNING OF THE COURT OF APPEAL

- 1) The human resources policy of the court of appeal is transparent. Human resources planning has been done transparently and in compliance with the plan.
 - The personnel have been consulted and informed about the human resources plan.
- 2) Human resources administration fosters the performance of duties and ensures a balance between duties and responsibilities.
 - Human resources are adequate compared to the goals set.
 - Job responsibility corresponds to employees' training and experience.
- 3) The court of appeal has members and referendaries specialised in specific cases.
 - Specialisation has taken place to the extent it has taking into account the nature of the cases heard and the size of the court of appeal.

II. COMBINING INDIVIDUAL GOALS OF THE PERSONNEL AND THE GOALS OF THE COURT OF APPEAL BY IDENTIFYING DEVELOPING, AND USING THE PERSONNEL'S COMPETENCES

- 1) New employees receive induction in their work and the organisation of the court of appeal.
 - Tutoring, mentoring and other guidance have been provided.
 - Induction is systematic and comprehensive.
- 2) Personnel training needs and wishes are ascertained.

- Personnel training needs and wishes are discussed (i.e. in development discussions).
 - Personal training plans have been drawn up for the personnel (HOPS).
- 3) The personnel itself take care of maintaining their skills and competence.
 - Members and referendaries have familiarised themselves with new legislation and preparatory legislative work, followed the most recent case law and kept themselves up to date about the substance of key legal literature.
 - Registry staff have studied the relevant parts of the legislation related to their own work and have participated in training to maintain competence.
 - 4) The personnel have regularly participated in continuous training.
 - There has been active participation in training events organised by courts or organised in conjunction with quality management projects.
 - There has been active participation in continuous training courses organised by the Ministry of Justice or other organisations.

III. INCREASING OPENNESS AND IMPACT AND SUPPORTING THE PERSONNEL'S WELLBEING

- 1) The court of appeal promotes a culture of open communication and dialogue and encourages team work.
 - Best practices and knowledge are shared among the court of appeal's personnel and adjudication teams.
 - Extra work is assigned equitably and everyone participates in getting the work done ("our work" approach).
 - Team working has been adopted as a natural part of activities at the court of appeal.
- 2) The personnel or its representatives are involved in the court of appeal's development of plans, activities and design of processes.
 - The personnel are consulted when identifying points for improvement.

- The views and opinions of the personnel are taken into account when planning and improving activities.
- Assessment and working groups are set up as part of development work.

3) The court of appeal regularly organises meetings for justices, referendaries and registry staff in which the personnel have regularly and actively participated.

- Meeting topics have been prepared beforehand.
- Besides administrative matters, adjudication matters are also discussed in the meetings.
- A record is made of the matters discussed.

4) The organisation takes care of employee health and safety requirements and provides good working conditions.

- The court of appeal has drawn up a plan to promote work ability and has supported activities focusing on personal wellbeing.
- Safety instructions and precautionary measures are up to date and the personnel are aware of them.

4.4 COLLABORATION AND RESOURCES

4.4.1 *Collaboration and resources in the courts*

Courts work effectively as an organisation when they have access to mutually beneficial collaboration that is based on trust, sharing information and on coordinating activities. Collaboration formed with stakeholders in particular is important taking into account the close link between court activities and other parties throughout the judicial administration process. Also collaboration with the faculties of law at universities plays an important role and helps in maintaining dialogue about key, topical matters also at a more scientific level than court work in practice.

As regards social importance and citizens' confidence in the court system, it is important that open, correct and fundamental information about court activities and decisions is communicated to citizens. Because courts and their decisions are increasingly being aired in the public domain, the courts must also work together with the media. Recent years have given rise to broad debate on the question of the openness of court proceedings and decisions and the media releases and public explanations issued by courts.

The resources available to the court system are determined in the state budget in accordance with which the Ministry of Justice implements the allocation of resources within its administrative sector. The remit of the department of judicial administration at the Ministry of Justice includes pay matters of the personnel of government agencies, the arrangement of public positions and other human resources management, questions relating to court facilities and their equipment, as well as financial administration (budget, court performance guidance, preparation of the Ministry of Justice's budget proposal). The courts are tied to the resources available and the achievement of performance targets is monitored by reports submitted to the Ministry. However, the courts themselves actualise the means by which they achieve the performance

targets set. Furthermore, the courts themselves have financial administration duties such as preparing and monitoring the budget for their agencies, various inter-agency projects and auditing and adopting agency expenses.

4.4.2 *Definitions in the collaboration and resources sub-criteria*

I. DEVELOPMENT AND EXPLOITATION OF KEY COLLABORATION

In today's society, courts need to be able to work together with other courts and other organisations in judicial administration if they are to achieve their own strategic goals. Effective quality activities throughout the judicial administration process are ensured by defining key partners and own obligations and expectations vis à vis other actors in the judicial administration chain.

In quality management work within the jurisdiction of Rovaniemi Court of Appeal, discussions about quality drivers concerning the judicial process and production of decisions were held in particular with prosecutors, private attorneys, public legal aid attorneys and other legal counsels when quality management work has touched on their work. The district courts, University of Lapland and its Faculty of Law have been key partners in quality management work and training.

II. DEVELOPMENT AND IMPLEMENTATION OF COLLABORATION WITH CUSTOMERS AND CITIZENS

Customer/citizen centricity has to an increasing extent become significant also in public administration and its development. The court system and its activities must also be examined from the customer approach, taking into account, however, the fundamental task of the court and the requirements of independent and impartial adjudication. Customer centricity can be implemented mostly by paying attention to

serving customers, responding to the expectations of legal protection and by complying with the service principle to achieve this. Collaboration with customers and citizens can be implemented by accepting information about their needs and expectations and in return by ensuring they receive clear communication and information.

Communication plays an important role in court activities because of the social significance of courts. Good communication gives citizens correct and fundamental information about court activities, procedures and decisions. Legal communication and publicity have also been considered in the quality management work within the jurisdiction of Rovaniemi Court of Appeal. In the quality benchmarking, the achievement of quality adjudication has been deemed as requiring public access to proceedings whenever the situation allows and taking the society into account by notifying of court proceedings and decisions. Communication is also one of the key development areas in the operational strategy of Rovaniemi Court of Appeal.

III. FINANCIAL MANAGEMENT

As is typical for the public sector, the ability of courts to impact on resources and their allocation is limited. Under present circumstances, the court system is under pressure to change because of dwindling funding and because court personnel are undergoing a change of generation. Adjusting judicial administration to a lower level of funding requires a capability for changes in both working processes and in operational organisation structures. Contraction in staff numbers and the ability of courts to maintain activities call for legislative changes and a reform of court activities and structures. When financial conditions are tight, the financial and steering system must be brought into balance throughout the judicial administration process and resources must be allocated fairly according to the resources necessary across the country based on generally accepted workload indicators.

The key areas for development in financial management are to maintain working dialogue

with the political actors deciding on resources, to monitor the efficiency and productivity of court activities, to take advantage of reporting and case management systems and to develop methods that generate quality results. The court of appeal's performance targets for each starting year are set in performance target negotiations held by the court of appeal management with representatives from the Ministry of Justice. The performance target document contains the productivity, financial, quality development and monitoring targets agreed in the negotiations.

Even though the courts have limited possibilities to allocate funds internally, the targets can be achieved in an effective, efficient and economic way through the support of internal projects that are conducive to the personnel in performing their tasks and to the wellbeing of the workplace community. Internal projects can be aimed at supporting the working conditions in offices and courtrooms and can also be used to improve the comfort of communal personnel facilities.

IV. INFORMATION MANAGEMENT

Assessment of information management should examine the methods used by the court of appeal to obtain, process and store the necessary information for its task, as well as how relevant information is conveyed not just within the court of appeal, but also to other authorities and stakeholders.

Easy, convenient access of the personnel of the court of appeal to the information relevant to their work promotes achievement of the court's goals. Conveying information within the court of appeal can be promoted by maintaining and updating the court's electronic noticeboard, information portals and by guiding the personnel to monitor, utilise and further develop the information collected. The usability of information originating outside the court of appeal requires its correctness to be verified. Because there is a large information flow relating to the activities of the court of appeal, it is important to channel fundamental information



direct to the organisations it is of relevance to. Conveying information to other parties in judicial administration is key when such information involves aspects affecting their activities. Communication aimed at stakeholders is more conveniently implemented through material published on the court of appeal's website.

V. TECHNOLOGY MANAGEMENT

This sub-criterion reviews the applicability of the technology used by the court of appeal to the court's work performance, its ability to be used for information management and the court of appeal's actions to ensure the personnel have the capability to use information technology. Projects concerning information and case management systems of the Ministry of Justice, courts and other parties in judicial administration play a large role as regards the efficiency and economy of the activities of organisations within the Ministry's administrative sector. The information technology and case management systems currently used by the courts are fairly old and in places cumbersome, which is why in

recent years the Ministry has established new projects aimed at lightening the production and archiving methods of the courts, the transfer of information to other authorities and to otherwise improve the efficiency and coordinate the activities of judicial administration agencies.

As regards information technology projects, the Romeo system has been introduced. This system enables matters concerning legal aid and legal fees for courts, private attorneys and other legal counsels to be processed electronically and for information concerning these to be sent electronically to the relevant authorities. The Ritu project recently brought into use will create a criminal sentencing application, which will support sentencing and the production and archiving of documents in criminal matters. The Ritu application will help enable courts to convey notices and information concerning their decisions to other authorities and higher court instances will be able to draw on a decision of a court of lower instance in preparing their own judgments. The extensive AIPA project, or the project to develop case and

document management within the prosecutor service and general courts, is intended to create an information system concept that will coordinate and improve the efficiency of judicial administration in different stages of case and document management processes and to enable cross-sectoral electronic cooperation between authorities.

The courts of appeal are involved in developing, testing and implementing information management systems, but their implementation depends on the Ministry. Likewise, the hardware, software and case management systems available to the courts largely depend on funding and the ministry's projects concerning them. When reviewing the level of the courts' technology, the focus should therefore be on assessing the personnel's information technology and serviceability of the technology.

A flexible, expedient judicial process together with effective working imposes demands on the technology capabilities of courts of appeal. Within the limits allowed, the judicial process can be significantly more flexible and leaner by taking advantage of various technologies such as telephone and video conferencing systems. Use of these can also result in major cost savings for the parties. The use of technology, however, largely depends on the desire and capabilities of the personnel to make use of the existing technology available.

VI. FACILITIES MANAGEMENT

This resources management sub-criterion applies to the effective and appropriate use of the facilities at the disposal of the court of appeal. What has to be examined in this sub-criterion is how the facilities serve customer needs and ensure pleasant, safe working conditions for the personnel of the court of appeal. Quality benchmarking deems that the proper treatment of persons participating in court proceedings and of the public requires facilities to be organised so that they take into account the special needs of different customer groups.

4.4.3 Claims and examples with regard to collaboration and resources

I. DEVELOPMENT AND EXPLOITATION OF KEY COLLABORATION

1) Collaboration to the mutual advantage of both parties has been arranged between the court of appeal and stakeholders within the framework of task performance.

- Organisations have implemented joint development projects and set up joint development work groups.
- There has been active participation in quality management days and other training/discussion days.

2) Joint activities are organised.

- Responsibilities have been defined in the administration, running, implementation, oversight and assessment of joint activities.

3) The need for collaboration and results of joint projects completed are regularly monitored and reviewed.

- The functioning of processes and adoption of practices are discussed internally in the court of appeal and together with stakeholder groups.
- Efforts are made to change and correct activities and practices where required.

II. DEVELOPMENT AND IMPLEMENTATION OF COLLABORATION WITH CUSTOMERS/CITIZENS

1) The transparency of the court of appeal's activities, decisions and development has been ensured for customers/citizens.

- The court of appeal's website is informative and up to date.
- The court of appeal's decisions, press releases and public report are clear and informative.
- The results of quality management work and relevant reports are available on the website.
- The court of appeal has an up-to-date communications plan, along the lines of which communication is dealt with.

2) Proceedings in the court of appeal have been conducted publicly.

- The question of the openness of court proceedings has been considered publicly and the decision has been justified.
- A case has been restricted to being non-public only to the extent necessary.
- Relevant public reports have been prepared with regard to decisions ordered to be kept secret.
- However, publicity of a case must ensure that publicity does not cause detriment to the privacy of a party or the uninterrupted course of proceedings.

3) The court of appeal takes into consideration customer and stakeholder feedback.

- Customer contacts and wishes are taken into account when hearing cases.
- Queries and requests from the media and citizens are answered promptly.

III. FINANCIAL MANAGEMENT

1) Management of the court of appeal's resources is implemented in line with its operational goals.

- The efficiency of task performance, the pleasantness of the work environment and the employees' wellbeing is supported by in-house projects in the court of appeal.

IV. INFORMATION MANAGEMENT

1) There are effective methods to process the information relevant to the work.

- Information about changes and decisions of significance to the activities of the court of appeal is cascaded down from management to the personnel.
- Factors of significance to work are considered in the management group and in meetings.

2) Relevant information to be used in adjudication is archived so that everyone has easy access to it.

- The adjudication handbook contains fundamental information and policies of relevance to the processing of cases.
- Databanks on areas of specialisation are updated.

3) The correctness, necessity and reliability of outside information to be used in the court of appeal has been verified.

- Information provided to the staff originates from reliable sources.
- Communication transmitted electronically has been directed to all those organisations to whose work such information is of relevance.

4) In-house channels covering the entire organisation and via which the personnel can access the information of relevance to their work and goals have been developed for the court of appeal.

- The functioning of the court of appeal's electronic noticeboard has been ensured and is up to date.
- The coverage of the library and its databases, and access electronically to legal literature has been carried out.
- The possibility to use various legal services has been ensured.

V. TECHNOLOGY MANAGEMENT

1) The secure and effective use of technology has been ensured by paying particular attention to staff training and guidance in the use of technical hardware.

- The personnel have received adequate induction to use the hardware.
- Technical support and guidance on hardware use is readily available.

2) Technology is efficiently made use of in carrying out tasks, information management, learning support, development activities, collaboration with stakeholders and in the development and maintenance of external networks.

- Electronic communication is used in communications.
- Video conferencing systems are used in meetings, training and in proceedings.

VI. FACILITIES MANAGEMENT

1) The court of appeal's facilities are used appropriately and the use of space takes into account the special needs of various customer groups.

- Staff offices have been allocated in an appropriate manner.
- There is a possibility for parties and witnesses, and where necessary defendants, to await the start of proceedings in their own waiting areas.
- Non-disruptive waiting has been ensured in waiting areas.

4.5 PROCESSES

4.5.1 Core processes in court activities

The processes criterion examines how the organisation supports its strategies and plans by defining, managing and developing its key processes. Key work processes with regard to courts are customer service, the judicial process and the production of decisions. Taking customer expectations into account, the main core process can be considered as being the confident, reliable, prompt settlement of new cases to be heard at minimum cost. Understanding, arranging, developing and clarifying the production of decisions and all associated processes significantly contribute to the courts' task and implementation of the strategy. Processes associated with the production of decisions can be modelled in many ways and examined from different viewpoints.

Rovaniemi Court of Appeal's modelling and assessment working group chose the modelling method depicting the course of a case as the modelling approach for the process because the entire personnel of the court are familiar with it and because via assessing the course of a case it is possible also to reveal the pain spots in the process. Furthermore, from the viewpoint of adjudication quality, the judicial process and production of decisions have been examined and broadly defined in the adjudication quality benchmarking.

4.5.2 Definitions in the processes sub-criteria

I. IDENTIFYING, PLANNING, IMPLEMENTATION AND DEVELOPMENT OF THE PROCESSES OF THE COURT OF APPEAL ON AN ONGOING BASIS

In order for the work processes of the court of appeal to support its task and implementation of the strategy, they must be qualitatively realised. What is fundamental with regard to work processes is how the processes are defined and how they are planned and developed. For these activities, it is important to collect and analyse information from vital sources, and for

the management, personnel and stakeholders to participate in planning, management and development processes.

In order for core processes to be efficiently planned, implemented and developed, they must first be clearly defined. The core processes at Rovaniemi Court of Appeal had been identified, described and documented in Rovaniemi Court of Appeal's process modelling and assessment working group set up in 2009. The working group's report splits the court of appeal's processes modelled on the basis of the course of a case into initial actions, case allocation, preparation, written procedure, main hearing and handing down of the decision. The concrete actions which they include, who is responsible for performing the task and what problems or points for development were noticed in each action were defined for each area. Of the problems arising, the working group chose what it considered to be the main areas for development as the criteria for examination and development. The frequent turnover of referendaries due to the retirement of judges gives rise to pressure on induction and training in the work of referendaries. Tough financial conditions on the other hand require the development and efficient preparation of work planning to enable good results to be achieved with increasingly fewer resources. Getting processing times to an acceptable level has long been one of the main areas for improvement in Finnish judicial administration and in this respect there is still room for improvement.

Aside from identifying and developing core processes, the court of appeal must track legislative changes impacting on its activities and seek to lighten and make its procedure expedient as allowed by law. Appeals from the district court to the court of appeal and conducting the main hearing in the court of appeal were changed by an act entering into force in 2011. Anticipating the change in the law, the court of appeal set up a working group in 2009 to develop the court of appeal's working practices relating to leave to continue proceedings

and to conduct so-called summary main hearings. The leave to continue proceedings procedure and changes applying to conducting a main hearing gave rise to a need to review working practices and to provide further instructions for the initial actions of the registry office, case allocation, preparation, decision-making and the conducting of summary main hearings.

II. IMPLEMENTATION AND DEVELOPMENT OF CUSTOMER/CITIZEN-ORIENTED ACTIVITIES

The increased expectations and interest of customers/citizens in public administration encourages organisations to improve their processes on an ongoing basis and to satisfy customer needs. Taking into account at different stages of work processes the justified expectations of the parties in proceedings and of society improves the quality and reliability of activities. However, the task of courts by nature limits possibilities to develop work processes in collaboration with customers. Neither can assessment of the quality of court activities be based solely on customer satisfaction.

In quality court proceedings, the parties in the proceedings are treated equitably without compromising the trust of the parties in the independence and impartiality of the court. Efforts have been made to organise proceedings appropriately, flexibly and interactively with regard to all parties in the proceedings so that choice of the date and court of the hearing and the preparation of timetables is done taking into account the wishes of the parties concerned and, where necessary, flexibility in individual requirements to be present. In broad cases, the summaries are submitted to the parties in good time and the chairperson uses organisation of procedure means to oversee that the proceedings are structured into a robust whole and that nothing irrelevant is involved in a case.

From the customer viewpoint, it is also important for cases to be processed within the limits of optimum processing times taking into account the length of earlier stages in the legal process (total process time). The member of the

court of appeal responsible for preparing a case and the case referendary are, as a rule, responsible for complying with the processing times agreed and, where necessary, they must also ensure that customers receive information about the processing times required by the processing stages and about how the total process time is formed. Keeping to processing times requires that deadlines in the processing stage are not unjustifiably extended.

Customer experiences of proceedings have a key impact on organising proceedings appropriately and at minimum cost in the manner required by the nature of the case. Chapter 26, Section 13 of the Code of Judicial Procedure [in Finnish: *Oikeudenkäymiskaari* 4/1734 as amended] provides that if necessary, the main hearing is to be held at a location, other than that of the court of appeal, within the jurisdiction of the court of appeal. According to the provision and the preparatory legislative work applying to it (HE 83/2001), circuit courts must be held in a location other than that of the court of appeal when this is appropriate with regard to the case and the parties. Particularly in the most geographically extensive jurisdictions of courts of appeal, circuit courts have significantly reduced the loss of time, inconvenience and costs incurred as a result of proceedings to the parties, their attorneys and witnesses.

The necessity to hold circuit courts must be reviewed in each case. Circuit courts are necessary at least in cases where significant overall benefit can be achieved for all the parties in the main hearing. Consideration should take into account the number of persons appearing in the main hearing and the distances from the location of the court of appeal. For the same reasons of expedience and costs, efforts should be made to also take advantage of video and telephone conferencing links in proceedings where the situation allows.

The customer viewpoint imposes requirements for the openness of proceedings and justifications for the decision, fairness and legality and on the detail, logic and comprehension of the justifications

for the decision. In civil cases, reaching a settlement is often also in the interests of the parties. For this reason, judges should strive to promote a settlement at different stages of the proceedings. When a judge considers there to be cause to promote a settlement, he or she can, taking into account the nature and other aspects of the case, also make a settlement proposition to the parties. The parties must, where necessary, be advised in questions of a general nature, they must be provided with all the necessary information about the proceedings and, where required, they must be directed to turn to their attorney.

III. ORGANISATION AND COORDINATION OF PROCESSES WITHIN THE COURT OF APPEAL AND THROUGHOUT THE JUDICIAL ADMINISTRATION PROCESS

It is important for the courts' adjudication divisions and teams to act to achieve common objectives both with regard to achieving results and the coordination of activities. Coordinated activities and uniform decisions promote legal certainty. The efficiency of the courts, in common with that of other public sector organisations, also often depends on the way they collaborate with other organisations in same sector. The output and efficiency of work processes requires the creation of an operating culture where the management of cross-organisation collaboration can be implemented. When decisions concerning the measures to develop the court also take advantage of the viewpoints of key stakeholders, court processes are generally of good quality and reliable.

The judicial process of the court of appeal has heightened importance particularly with regard to the work of prosecutors and attorneys. Proceedings are of high quality when they are implemented so that the other closely-related actors in the proceedings are able to perform their own duties to a high quality. In this respect, values such as openness, appropriateness, flexibility and interaction that relate to the customer viewpoint apply equally to the court of appeal's stakeholders. By taking into account the

views of prosecutors and attorneys in planning the date and place of the hearing, the timetable and order of business, by treating the parties in the proceedings equitably, by ensuring each party has an opportunity to make a statement about factors of significance to the case and by overseeing, using organisation of procedure means, that nothing irrelevant is involved in the case, the court, for its part, enables the prosecutors and attorneys to perform their duties in the manner indicated by their own procedural principles and values and code of conduct.

4.5.3 Claims and examples with regard to processes

I. 1. IDENTIFYING, PLANNING, IMPLEMENTATION AND DEVELOPMENT OF THE PROCESSES OF THE COURT OF APPEAL ON AN ONGOING BASIS

1) The personnel participate in planning and developing the court of appeal's activities.

- New methods of working, work allocation and course have been developed together with the personnel and development proposals have been adopted as part of everyday work in the court of appeal.
- The personnel, and where required, representatives of other stakeholders have been involved in testing and developing systems.

2) The court of appeal tracks changes in legislation. The court of appeal's processes have been lightened and made expedient as allowed by legislation.

- The plans and decision-making of political decision-makers are monitored.
- For example, implementation of the leave to continue proceedings system and the utilisation of videoconferencing links in proceedings.

II. IMPLEMENTATION AND DEVELOPMENT OF CUSTOMER/CITIZEN-ORIENTED ACTIVITIES

1) The judicial process and associated individual work processes have been designed taking into account customer expectations and viewpoints.

- Proceedings in the court of appeal have been systematic, appropriate, flexible and interactive with customers or their attorneys.
- Organisation of procedure has been efficient and active.
- Proceedings have been organised so as to minimise costs.
- Active efforts have been made to reach a settlement in cases but without coercion.

2) The promptness of proceedings in the court of appeal has been taken care of so that the length of proceedings meets customer expectations.

- The importance of the case for the parties and the earlier length of the process has been taken into account in the hearing timetable.
- The different stages in the hearing the case, including duration, have been explained to the parties or the deadlines agreed have been complied with.

3) Customers and the customer viewpoint have been taken into account in the court of appeal's decisions and in the arguments for them.

- Decisions have been justified transparently, logically and comprehensibly.
- The decisions have been distinctly structured and detailed in terms of language and layout.

4) Implementation of working processes in the court of appeal complies with the principle of customer service.

- There has been a polite and respectful attitude to organisations participating in proceedings and the public following the proceedings.

5) Access to necessary and reliable information applying to the judicial process and production of decisions has been ensured.

- Appropriate advice has been organised for the parties without compromising the neutrality and equitability of the court.

6) The court of appeal's website contains adequate and informative information about the court of appeal.

- Information is available in different languages.
- The clarity, currency and readability of the court of appeal's website have been ensured.

III. ORGANISATION AND COORDINATION OF PROCESSES WITHIN THE COURT OF APPEAL AND THROUGHOUT THE JUDICIAL ADMINISTRATION PROCESS

1) The court of appeal studies the management, implementation and development of processes of other courts and key stakeholders.

- The activities of other courts of appeal, quality management work of courts within the jurisdiction of the court of appeal and the development projects of stakeholders are monitored.
- Taking advantage of practices adopted elsewhere is discussed within the court of appeal.
- Also international practices and quality management projects are monitored.



5 RESULTS CRITERIA

The results criteria examine the goals achieved by the organisation's activities, the output of different areas and aspects appearing in the implementation of quality that help the organisation to obtain information about the functioning and need for development of its operating principles. Assessment covering output and quality should examine both objective performance indicators and subjective performance information.

Customer/citizen-oriented results, staff results and social responsibility results are assessed on the basis of information based on subjective views (surveys, discussions, etc.) and on the basis of objective performance indicators (the indicators depicting performance and satisfaction used by the court). As regards the organisation, key performance results are examined with regard to both internal and external performance.

5.1 CUSTOMER/CITIZEN-ORIENTED RESULTS

5.1.1 Courts' customer/citizen-oriented results

Courts have a multisided relationship with customers and citizens. This criterion examines customer satisfaction with court activities in implementing its fundamental task, i.e. satisfaction with the court's judicial process and decisions. The court's services consist of responding to customer (parties in proceedings) expectations in customer service, proceedings and the production of decisions. Even though there is a clear line drawn between the actual customers and stakeholders of a court, it is obvious that including the citizen perspective in assessment broadens the assessment area to cover all the individual organisations which have expectations, rights and obligations vis à vis court activities.

Examining the results of the court of appeal's activities from the customer/citizen viewpoint requires information to be collected about the views and experiences of customers/citizens and from existing statistics available. With regard to the fundamental task of the court of appeal, important criteria are the own viewpoints of customers/citizens, together with independent indicators applying to the court of appeal's general level of activities, accessibility, transparency and how successfully customers/

citizens have been taken into account in the court of appeal's working processes.

5.1.2 Definitions in customer/citizen-oriented criteria

I. RESULTS OF CUSTOMER/CITIZEN SATISFACTION MEASUREMENTS

Information obtained from customers/citizens enables management and administration of the court of appeal on the basis of evidence-based information. There is not a sufficiently broad picture of customers' experiences of the quality aspects of the court of appeal's activities from the performance indicators technically measurable. Because leave is required to appeal a decision in the court of appeal, it is important to assess the legality, fairness and quality of court of appeal decisions from the view of external experts. An expert assessment gives the court of appeal access to information that is untainted by the possible influence on the survey results of the parties' conflicting positions.

As regards the fundamental task of the court of appeal, it is important to obtain and assess evidence from the views formed by customers/citizens of the court of appeal with

regard to lawfulness and fairness, independence, impartiality and accessibility. The parties and their attorneys should, during proceedings, feel that the judges hearing a case have prepared for it thoroughly and that the parties can freely express their view in the case and be generally heard and treated in a manner that respects human dignity. Also of significance is the evidence based on which customer/citizen experiences of the quality, transparency and clarity of the proceedings and decision can be assessed.

In piloting of the quality benchmarking in courts within the jurisdiction of Rovaniemi Court of Appeal, where party and stakeholder surveys were conducted with regard to the district courts, it was noted that the weak response rate of parties and stakeholders constituted a problem. Efforts can be made to raise response activity by condensing surveys intended for customers and stakeholders. In the survey on piloting quality benchmarking, 20 questions were asked about proceedings³, court decisions⁴, the treatment of participants in the proceedings and the public⁵, the promptness of proceedings⁶, the expertise and competence of judges⁷ and the organisation of adjudication⁸. Besides this, the parties had an opportunity to give informal comments. The survey intended for stakeholders contained 25 questions largely about the same quality criteria as in the party survey, in addition to which the stakeholder survey contained more questions about proceedings as a procedure⁹.

Rovaniemi Court of Appeal's quality assessment system in this result sub-criterion focuses on customer experiences and feelings as regards, for example, the fairness and lawfulness

of the proceedings and decisions, whereas the customer orientation of the code of conduct in the processes criterion focuses on concrete matters such as the systematic, appropriate and flexible implementation of proceedings, as well as on the detail, comprehension and structure of the grounds for decisions.

II. CUSTOMER/CITIZEN-ORIENTED RESULTS ON THE BASIS OF IN-HOUSE PERFORMANCE MEASUREMENTS

Because of the parties' conflicting position prevailing in court work, it is also important to have objective result indicators to assess court activities. Objective performance measurements can be used to collect information about many of the key aspects of significance to the quality of court activities. Many of the performance measurements included in the CAF model and most of the information deemed necessary in the quality benchmarking are available to the courts either in the form of ready statistics or can otherwise be collected from the system.

The appropriateness and cost efficiency of the court of appeal's proceedings from the customer/citizen viewpoint can be mapped by examining statistics on compliance with optimum processing times, the refusal of leave to continue proceedings and the processing of cases in the presentation and main hearing. From the customer viewpoint, it is important to examine the implementation of optimum processing times as well as how customers have been informed of case processing times and proceedings. With regard to the parties in the proceedings, it is appropriate to allow leave

³⁾ *The transparency, impartiality and independence, appropriateness of proceedings, active efforts for a settlement and interaction.*

⁴⁾ *The credibility, transparency, detail and logic, comprehensibility, structure and layout of the grounds for a decision, as well as clarity in announcing sentences.*

⁵⁾ *Respect for human dignity, advice concerning case proceedings and the hearing, service of proceedings and waiting area arrangements.*

⁶⁾ *The parties' experiences of the promptness of proceedings and compliance with deadlines.*

⁷⁾ *Confidence in the judge's competence.*

⁸⁾ *Feeling of security in proceedings.*

⁹⁾ *The efficiency and activeness of the organisation of procedure, the implementation of proceedings in a cost-efficient manner, flexibly and publicly and taking into account in timetabling the significance of the case and length of earlier processes.*

to continue proceedings only in cases where this is really necessary. This saves the parties costs and releases the resources of the court of appeal for the processing of other cases. Likewise, it is expedient that a main hearing is not conducted unnecessarily and that whenever possible the main hearing is limited to a so-called summary main hearing. Reaching a settlement in a case also cuts the costs incurred by the parties and ensures better satisfaction of the parties with the outcome.

5.1.3 Claims and examples with regard to customer/citizen-oriented results

I. RESULTS OF CUSTOMER/CITIZEN SATISFACTION MEASUREMENTS

- 1) The activities of the court of appeal correspond at a general level to customer expectations of fair proceedings.
 - The procedure has been felt to be fair (transparency, impartiality and independence).
 - Decisions have been felt to be lawful and fair (credibility, logic, comprehensibility of the grounds).
- 2) Quality of services has been sufficiently ensured.
 - The court of appeal is easily accessible and approachable.
 - The correctness and reliability of information given to customers/stakeholders has been verified.
 - The court of appeal's employees in all personnel groups are available and participate in customer service.
- 3) The court of appeal is trusted.
 - The activities of the court of appeal are transparent.
 - At a general level, the activities of the court of appeal promote the preservation of legal tranquillity, respect for the law and abidance with the law.
- 4) The parties have felt that cases have been processed promptly.
 - Processing has taken into account the real urgency of cases.

II. CUSTOMER/CITIZEN-ORIENTED RESULTS ON THE BASIS OF IN-HOUSE PERFORMANCE MEASUREMENTS

- 1) Processing times correspond to customer expectations and optimum processing times as regards the organisation of proceedings.
 - A decision concerning refusal of leave to continue proceedings is dealt with within two months.
 - Cases to be resolved are dealt with within five months of presentation.
 - Cases to be resolved are dealt with within nine months of the main hearing.
 - The processing times according to urgency classification are complied with (I: maximum 2 weeks/4 months, II: maximum 6 months and III: maximum 12 months).
- 2) The accuracy and transparency of information available to customers/citizens have improved as a result of development actions.
 - Communication instructions on accordance with the communications plan have been complied with. Information about the activities, procedure and decisions of the court of appeal is communicated in public information networks. The grounds for court of appeal decisions are transparent, detailed and comprehensible. Standard language has been used in the decisions. Where necessary, summaries of decisions have been prepared for press releases. Significant decisions have been written for publication in the Finlex database and on the court of appeal's home pages.
 - The communications plan has improved the internal and external communication of the court of appeal.
 - Restrictions on publicity (secrecy) have been limited solely to necessary situations and where required a public report has been prepared for secret cases.
 - Attention has been paid to willing customer service in all customer touchpoint situations.

5.2 PEOPLE RESULTS

5.2.1 Court personnel results

The performance criterion concerning the personnel examined how the court of appeal acted to build and develop a personnel policy, maintain personnel expertise and competence and to support personnel wellbeing. People results for their part examine how successful the organisation has been in planning, promoting personnel expertise and motivation and ensuring work ability.

As is also the case with customer/citizen-oriented results, people results are measured via a subjective survey and objective information collected. When assessing people results, the results of satisfaction surveys have raised significance compared to objective results. Information collected through employee satisfaction surveys is well-informed and considerably broader than statistical information. This is why subjective information should be collected both about the personnel's broader picture formed of the court of appeal and about leadership, the functioning of management systems, working conditions and about support for career development and expertise. Material about people results is also available from the joint satisfaction survey of the courts of appeal (VMBaro) and from development discussions.

In-house performance results can be collected, for example with regard to sick leave and absence from personnel training, from the human resources administration service portal (Hertta), from the service centre of state financial and personnel administration (Palkeet), personnel information reports submitted annually, personnel training cards and from reports in the HRM training information management system. The personnel's motivation and desire to engage can be assessed through response activity in employee satisfaction surveys and through staff turnover.

5.2.2 Definitions in the sub-criteria for people results

I. PEOPLE RESULTS BASED ON EMPLOYEE SATISFACTION SURVEYS

General satisfaction of the personnel with the court of appeal's activities

The general picture of the personnel of the court of appeal as an organisation and satisfaction with the court of appeal as a workplace are an important indicator impacting on the commitment of the personnel and in turn on the output of the court of appeal's activities. Personnel motivation is affected inter alia by views on the functioning of the court of appeal's organisation, a possibility to be involved in developing the organisation, good information flow and the responsible activities of the court of appeal as an organisation.

Employee satisfaction is measured regularly using the court of appeal's joint satisfaction survey (VMBaro). The survey maps satisfaction with leadership, work content, remuneration, development support, the workplace atmosphere and community, working conditions, information flow and employer image. Already as such, the satisfaction survey gives a comprehensive picture of the level of staff results in courts of appeal.

Personnel view of the leadership and management systems of the court of appeal

Human resources planning, competence management, the engagement of supervisors and personnel motivation form the foundation for the functioning of the workplace community. This being the case, human resources management is one of the key views in assessing people results. Comprehensive personnel assessment evaluates leadership from the aspect of work organisation, setting goals, allocating resources, innovation, personnel communication, remuneration and support.

Personnel view of working conditions at the court of appeal

A motivating, supportive workplace community is an important driver in the efficient, productive activities of the court of appeal. A good workplace community requires attention to be given to dialogue, the treatment and appreciation of others, equality and to the promotion of wellbeing.

Personnel view of career development and the development of personnel competence in the court of appeal

Subjective measurements should still be used to assess employee satisfaction with their own possibilities for development and career advancement against how the personnel consider the support they receive in the development of their competence. Development of their own competence together with the work targets set is a common problem experienced by adjudication people. The motivating attitude of supervisors to training and the impartial allocation of training opportunities impact significantly on employee job motivation and the level of satisfaction.

II. PEOPLE RESULTS BASED ON INTERNAL PERFORMANCE RESULTS

An objective report of people results can be collected by compiling statistics of personnel participation. These statistics should be examined vis à vis the number of personnel and, where possible, the contribution of different personnel groups of the results measured. The personnel's desire to participate in developing the court of appeal and the level of staff motivation and commitment can be ascertained, for example, by examining the response activity in employee satisfaction surveys and staff turnover.

Statistical data about personnel wellbeing is obtained by examining the amounts and duration of staff sick leaves. The information needed in this respect can be found in the human resources administration service portal (Hertta), from where sick leave data can be obtained by reason for absence. As regards personnel wellbeing, it is important to examine the

number and duration of staff sick leaves lasting 1-3 days and more than 3 days. Statistical data about numbers of occupational healthcare visits can, where necessary, be obtained straight from occupational healthcare, in addition to which the service centre of state financial and personnel administration (Palkeet) submits to courts of appeal each year reports about staff information, which also contains information about sick leave.

The promotion of expertise and competence can be monitored by employees' individual amounts of training. In the quality benchmarking, the optimal amount of continuing training each year for court of appeal and district court judges has been determined as 8-10 days per judge. This amount can be an indicative point of departure also when determining the annual training targets for referendaries and registry staff. Annual development discussions are the most natural forum to set personal training targets and to track their implementation.

To obtain a comprehensive overview, the amount of continuous training should additionally be examined at the level of the entire court of appeal and by personnel group. Personnel training cards and the human resources service portal Hertta and a sample of the training absences collected annual from courts of appeal by the service centre of state financial and personnel administration (Palkeet), both of which also enable the courts of appeal to compare employee information, can be used as an indicator to show development of the expertise and competence of the personnel of the court of appeal. In future, it will also be possible to collect statistics about in-house and outside training in the court of appeal from reports in the HRM training information management system. The HRM system is currently still incomplete as regards the training registered in it. Collective data on amounts of training lasting the whole day or less than a day for the court of appeal personnel are available from Hertta. Personal training cards for the court of appeal's personnel contain detailed information about training topics and the number of hours training for training sessions lasting less than one day.

5.2.3 People results based on employee satisfaction surveys

I. PEOPLE RESULTS BASED ON EMPLOYEE SATISFACTION SURVEYS

- 1) The personnel are committed to the goals of the court of appeal.
 - The court of appeal is felt to be a good, worthwhile workplace community.
 - The personnel are aware of the goals set and the reasons for them and work together to achieve the results and goals set.
- 2) The personnel actively participate in developing the court of appeal's organisation.
 - Personnel involvement in development projects is motivated and voluntary.
 - Memberships of working groups are allocated equally among the personnel.
- 3) The court of appeal has working consultation and discussion mechanisms.
 - Communication between administration and the personnel and between supervisors and their subordinates takes place without delay and is informative.
 - Dialogue between the personnel is open and friendly.
 - Discussions are drawn on to build a uniform mechanism in the court of appeal.
- 4) Supervisors' leadership and communication skills are at the required level.
 - Treatment is objective and both feedback and criticism are given constructively.
 - Communication is open and direct.
 - The personnel have been informed of the goals set.
- 5) The court of appeal supports actions promoting workplace wellbeing.
 - A lot of effort goes into the work planning of teams.
 - Working hours are flexible.
 - Telecommuting has been made possible.
 - The court of appeal organises out-of-office days and other recreational activities.
 - Special assignments are taken into account through separate rewards or by lightening the load of other work.

- 6) The personnel are ready for changes and for development of activities and expertise.
 - There is a positive attitude to changes.
 - The personnel participate voluntarily in training and development activities.
 - There is smooth collaboration between the personnel.

II. PEOPLE RESULTS BASED ON INTERNAL PERFORMANCE RESULTS

- 1) Job satisfaction has been assessed and the personnel are mainly satisfied with the court of appeal as a workplace community.
 - The results of job satisfaction surveys are developing in the right direction.
 - The staff turnover rate results from natural criteria and is at a reasonable level.
- 2) The personnel are fit.
 - Sick leave is at a reasonable level.
- 3) Attention to personnel wellbeing is on an ongoing basis.
 - The amount of work and leisure time is in balance and stress at work is monitored.
- 4) Personnel competence is being developed on an ongoing basis and competence development is monitored.
 - There is a good personnel participation rate in training.
 - Individual training and development wishes are discussed in development discussions.
 - The implementation of training plans and the impact of training are assessed.

5.3 SOCIAL RESPONSIBILITY RESULTS

5.3.1 Significance of social responsibility reports in courts

Social responsibility means the impact the activities of the organisation have on people's lives and the surrounding society. Social responsibility comprises financial, ecological and social responsibility. Because they are part of society, public sector organisations are expected to have moral and responsible working practices in all these areas. Socially responsible working practices benefit the organisation itself and its stakeholders by building on mutual trust and by improving the reputation of the organisation. In the long term, activities reflect on the significance of the organisation as a social actor.

To promote sustainability, organisations must adopt responsible working practices also in matters outside their core businesses. Raising the significance of social responsibility in the quality and output of public sector organisations motivates the courts also to take social and environmental perspectives into account in their activities. In which case, examination of court activities expands to cover all those organisations that have expectations of court activities. When examined to such a broad extent, the impacts of services produced by the courts extend to the whole of society.

Courts implement social responsibility above all by systematic and quality work based on collaboration. Ensuring social responsibility improves the overall view of customers/citizens of the courts and makes it easier to form good links to other actors in judicial administration. Social responsibility is best achieved when it is an integrated part of the court's strategy and when operational goals are assessed also from the viewpoint of social responsibility.

5.3.2 Definitions in the sub-criteria for social responsibility

I. PERCEPTION MEASUREMENTS

The sub-criterion relating to subjective social responsibility results examines how society perceives the activities of the court of appeal at the local, national and international level. The trust felt by society towards the court of appeal as an appellate court is an important part of the court's democratic oversight. Besides expectations relating to its fundamental task, the court of appeal, as an important local institution, is also subject to expectations of dignity, transparency, ethical behaviour, social impact and the practise and training in law. Subjective results data for social responsibility can be collected, for example, by surveys directed at society and by direct requests to stakeholders for feedback.

The reputation of the court of appeal as a social actor is affected by its activities as part of society in its role as an employer, trainer and unit serving research on law. The stability of employees and the know-how acquired by employees in their work, which is conveyed by the results of the personnel's work and from any other dealings with citizens and the media, constitutes an invaluable image of the court of appeal as an employer. The court of appeal also has good possibilities to promote the practise and teaching of law by organising opportunities to visit the court of appeal and by involvement in the teaching of law. The court of appeal can also support law studies and actions to promote employment by taking on trainees.

The perception formed by society of the transparency of the court of appeal's activities is significantly influenced by the attitude of the court's staff to enquiries concerning the court of appeal's activities, the spirit of customer service, a positive attitude to visits and ensuring the publicity of proceedings whenever this is possible given the nature of a case. Through the openness

and transparency of activities, society can also form a view of the ethicalness of the activities of the court of appeal and its adjudication staff.

II. PEOPLE RESULTS BASED ON INTERNAL PERFORMANCE RESULTS

Social responsibility performance measurements focus on the indicators and mechanisms that organisations use to monitor, assess and develop their performance regarding social responsibility. Monitoring criteria measuring the social effectiveness of the courts are their output, mechanisms promoting health and safety and their functioning, mechanisms to promote international collaboration and the active participation of the court of appeal's personnel in activities of benefit to society. The indicators are these mechanisms and the rate of participation, as well as the effectiveness of the actions assessed on the social reputation of the court of appeal.

The court of appeal may participate together with other organisations in exchanging and sharing information through the most direct various discussion and training events, such as quality days, and by organising open training and other events for stakeholders and the public. Once a year, two-day adjudication quality days are held within the jurisdiction of Rovaniemi Court of Appeal and two-day training events are held every other year for registry staff within the court of appeal's jurisdiction. Adjudication quality days are attended not only by the adjudication people of the court of appeal and district courts within the jurisdiction of the court of appeal, but also by stakeholder representatives and, depending on the themes of the event, possibly by invited organisations. There has generally been high attendance at these quality day events, which are intended to serve as a forum to discuss quality management work done during the year and to share opinions and experiences about the themes of quality management work. The training days for registry staff are a gathering of employees of the registry staff of the court of appeal and the district courts within its jurisdiction as well as representatives

of employees belonging to the registry staff of stakeholders. The events consist of training and also the practices of agencies are discussed. There are also plans to initiate systematic quality management work for registry staff.

Social responsibility in court activities appears in effective communication as well as in the taking into account of health and safety aspects. Potential threats facing the court of appeal may by nature also be detrimental to the surrounding society, which is why being prepared for them is an important part of social responsibility. Various health and workplace wellbeing programmes can be employed to promote the health and safety of customers, the public at proceedings, stakeholder representatives and the court of appeal's own people.

In society today, there are close relationships between states and judicial administration has to an increasing extent become international as a result of EU law and international human rights conventions. This being the case, increasing international knowledge throughout the judicial administration process benefits society by improving international relationships and by making it easier to deal with cases across state borders. Increased international competence and participation in international development projects benefit the court of appeal in its fundamental task. For this reason increasing attention must be devoted to internationalisation.

5.3.3 Examples and characteristics of social responsibility results

I. EXTERNAL PERCEPTIONS

1) The court of appeal takes care of its social effectiveness and reputation.

- The court of appeal is seen as a dignified and developing workplace.
- The court of appeal works together with the university and other educational institutions for the purposes of training.
- The court of appeal supports employment and studying and strives to promote knowledge of its own activities by employing trainees from educational institutions and employment offices.

2) Society has a positive view of the openness of the court of appeal's activities.

- There is a positive attitude towards enquiries and interest directed towards the court of appeal's activities.
- It is possible to visit the court of appeal to learn about its activities.

3) The court of appeal's activities are ethical.

- The activities of the court of appeal respect the values and principles of ethical behaviour – such as openness, equality, impartiality, responsibility, fairness and compliance with the law – of public administration.
- Adjudication people are familiar with the principles of ethical behaviour of the judiciary (independence, impartiality, uprightness, competence and openness) and comply with these in adjudication.

II. PEOPLE RESULTS BASED ON INTERNAL PERFORMANCE RESULTS

1) The court of appeal actively shares information and expertise with other actors in society.

- Adjudication people participate in the quality days within the jurisdiction of the court of appeal and the registry staff participate in their own training events.
- The personnel are available for the arrangement of training by universities and other educational institutions.

2) The court of appeal has sufficient and functioning programmes and plans to ensure the safety of customers and personnel.

- Health and safety programmes and plans are comprehensive (human resources risk analysis, rescue and stand-by plans, occupational protection plan of action, work ability plan, work ability risk programme, intoxicant programme).
- Programmes and plans are up to date.
- Information about programmes and plans is readily available.

3) The court of appeal participates in and supports international collaboration.

- Participation rates in international training and programmes is growing within the limits of resources.
- Joint projects with courts from other states are taking place and becoming deeper.

5.4 KEY PERFORMANCE RESULTS

5.4.1 Key performance results of the courts

The final sub-criterion examines the organisation's ability to achieve the performance results that are key to its activities. Key performance results are essential measurable short and longer term achievements the organisation has determined. The key performance results for courts relate to the fundamental task laid down by law and to the strategic targets set. Key performance results apply not only to the performance of the courts, but also to the development, efficiency and quality of their activities.

Key performance results examine both the external performance of the court of appeal, i.e. achievement of the court of appeal's fundamental task, operational targets, results and the goals set for processes vis à vis customer and stakeholder expectations, and the internal performance of the court of appeal, i.e. the effective, economic internal functioning of human resources management, collaboration and resources.

5.4.2 Definitions in key performance results

I. EXTERNAL RESULTS – ACHIEVEMENT OF GOALS SET FROM THE OUTPUT AND OUTCOME PERSPECTIVE

Key performance indicators in the court of appeal in relation to customers, stakeholders and society are the achievement rate of the goals set for activities (number of decisions and processing times) and the quality of the court of appeal's production of decisions and procedure (permanence of decisions). Expectations of external organisations are above all directed towards the processing times of the cases to be decided in the court of appeal and the court of appeal's own processing times.

The results with regard to processing times in the court of appeal from the customer/citizen perspective have already been examined in the customer/citizen criterion above. Customer/citizen results assess in particular how customer/citizen expectations have been met in relation

to proceedings and the decisions given. Key performance results assess the achievement of the result targets set for the court of appeal from the operational efficiency and outcome perspective.

Performance target negotiations set annual targets for the courts of appeal with regard to *inter alia* the number of cases to be decided and average processing times. To achieve the targets set in performance target negotiations, the court of appeal confirms annual decision targets and the achievement of these is monitored. Special attention is given also to the total processing time of cases. At Rovaniemi Court of Appeal, the president, as well as senior justices, team leaders serving as justices of the court of appeal and the secretary general of the court of appeal, oversee and monitor the number of decisions and processing times. The number of decisions and processing times are monitored throughout the year. Information about processing times and the number of decisions by teams can be accessed from the court of appeal's case management and reporting system.

Other quality criteria relating to the activities of the court of appeal can be assessed by tracking the permanence of the court of appeal's decisions in the Supreme Court and by self-assessments. The lawfulness and fairness of the court of appeal's decisions can be reflected against the number of applications for leave to appeal, the granting of leave to appeal and in statistics on amendments of decisions by the court of appeal.

II. INTERNAL RESULTS – INTERNAL EFFICIENCY OF THE COURT OF APPEAL

Changes in the operating environment of the courts, increasingly tougher financial conditions and staff retirement give rise to challenges in maintaining the internal efficiency of the court of appeal and achieving financial targets. The efficiency and economy of internal working processes, the indicators of which are the number of decisions per person year, the costs

of each decision and the rate of achievement of financial targets, are the key sub-criteria for the internal efficiency of the court of appeal. Because of changes in the operating environment, also participation of the court of appeal in national and international development projects and data showing the innovativeness of the court of appeal are key indicators.

Changes in the operating environment of the courts and the internationalisation of judicial administration impose challenges to create collaboration in both the national and international environment. Challenges facing the court service add to the importance of innovativeness in the internal performance of the court of appeal. The participation of the court of appeal and its personnel in national and international projects, other joint projects, the amount of new working methods developed and applied by the court of appeal and the participation of personnel in projects to develop the activities of the court of appeal can, for example, be considered as indicators of innovativeness.

5.4.3 Claims and examples with regard to key performance results

I. EXTERNAL RESULTS

- 1) The court of appeal has achieved the performance targets set for activities.
 - The number of cases resolved has been achieved in relation to the annual targets set.
 - Processing times have been achieved in relation to the targets set.
 - Circuit courts have been held whenever the need has arisen.
- 2) The procedure and decisions of the court of appeal are lawful and fair and the decisions are permanent.
 - There have been few leaves granted to appeal decisions by the court of appeal and there has been little need to amend the court of appeal's decisions.
- 3) Assessment and measurement results are used to improve the quality of activities.

- Assessment and measurement results have led to actual improvement in the quality of activities.

4) The results of assessments carried out in different areas of the court of appeal are positive.

- Average assessment in the criteria is good (> 3 points, CAF 51-70 points).

II. INTERNAL RESULTS

- 1) The activities of the court of appeal are efficient.
 - The processes of the court of appeal are efficient and deliver results.
 - Human resources planning and staff placement supports operational efficiency.
- 2) The networking and collaboration of the court of appeal promote efficiency of the court's activities.
 - Joint projects promote the planning, effectiveness and efficiency of work processes.
- 3) The court of appeal's budgets are fulfilled and the financial targets are achieved.
 - The adequacy of operational appropriations is monitored.
 - Activities are aligned to the operational appropriations available.
- 4) The performance and human capital of the court of appeal has been increased through projects to develop the organisation and its people.
 - The court of appeal and its personnel participate extensively in pending development projects (number of participants).
 - The personnel of the court of appeal support the innovativeness of the court by taking vocational qualifications alongside their work (number).
 - The organisation and procedures of the court of appeal have been revised as required by circumstances and changes in the operating environment (e.g. adoption of team, review of work and responsibilities, various development projects, etc.).



6 ASSESSMENT AND IMPROVEMENT ACTIVITIES AS PART OF EVERYDAY LIFE AT ROVANIEMI COURT OF APPEAL

6.1 ORGANISATION ASSESSMENT AND QUALITY MANAGEMENT SYSTEM

A quality working group is to be set up to steer and implement assessment and quality management work in Rovaniemi Court of Appeal. The quality working group is tasked with ensuring the implementation of self-assessment, customer and stakeholder surveys and expert assessments, reporting results, monitoring changes occurring in the activities of the court of appeal's organisation, their results and quality, and is also tasked with drafting improvement plans to the extent required by observations. The quality assessment system is scheduled to be rolled out over a three-year period. The first year will see implementation of the self-assessment survey, the second year the stakeholder survey and the third year will see implementation of expert assessment. The surveys and assessments by experts will be supplemented with information available from statistics and other systems. The quality working group will compare statistical data with similar data from earlier years, identify changes occurring in the statistics, evaluate the reasons why and react to the changes where required.

The quality working group's plans are prepared so that each member of the group selects areas for improvement based on the information collated in the surveys, assessments and statistics. These areas are then discussed in the quality working group's improvement meetings. A few improvement areas that have received most backing are selected from among those areas discussed. It is important not to choose too many improvement areas, especially if they require more extensive measures. Efforts should be made to restrict planning to just a few improvement areas because the more urgent improvement areas might arise on the basis

of surveys and assessments carried out later during the three-year period. Quality working groups can also act as improvement working groups. Improvement plans are presented to the president, management group and staff of the court of appeal. When the areas for improvement in the improvement plan require extensive clarification or changes, the quality working group can propose the establishment of a separate working group.

The secretary general of the court of appeal chairs the quality working group, whose members include a justice of the court of appeal, referendary and an employee from the registry staff. The court of appeal's administration clerk [in Finnish: *hallintonotaari*] acts as secretary to the quality working group. The chairperson and secretary are permanent members of the group, whereas members are generally elected for a term of office lasting one year. Because of the turnover of members of the quality working group, the remit of secretary general includes administration of implementing the quality assessment system as a whole. Above all, the role of the secretary general in the quality working group is to convene the group, chair the group's meetings, monitor implementation of the improvement plans and report on the plans and activities to the court of appeal's president and management group. Similarly, the remit of the administration clerk, who acts as permanent secretary to the quality working group, includes keeping minutes of the group's meetings and collecting the information (incl. sick leave, training absences, outside employment permits), from statistics and systems in a form that can be numerically examined to enable the quality working group to assess the level of the court

of appeal's organisation, activities and results and the areas for improvement. Statistical data is collected for each full year preceding assessment. Other members of the quality working group participate in planning surveys and assessments during their term of office and allocate among themselves the tasks concerning

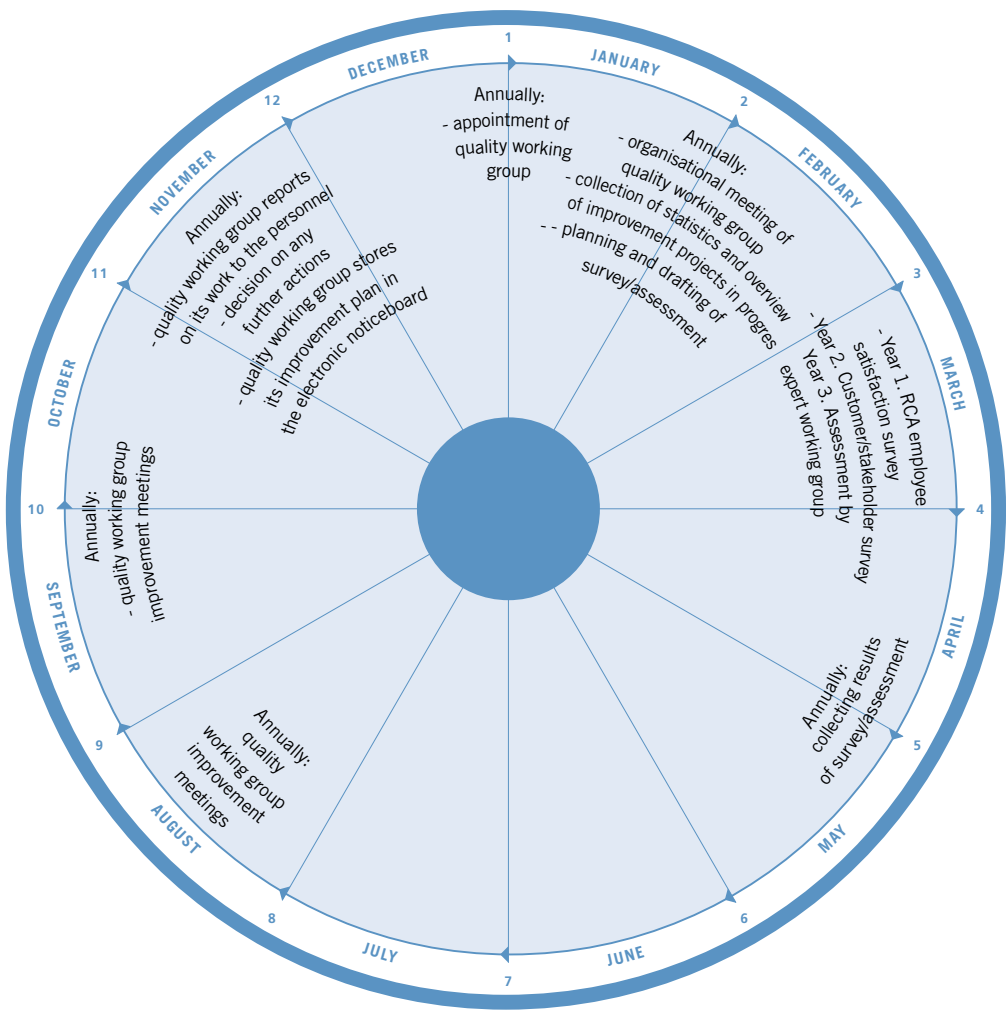
the practical implementation of the surveys. The remit of the quality working group otherwise includes practical measures, such as writing the group's improvement plans, presenting the plans to the personnel in briefings and archiving the information on the electronic noticeboard.

6.2 YEAR CLOCK

Rovaniemi Court of Appeal has adopted the year clock model as a tool for administration to help schedule the annual actions and events important to the organisation. Because the

quality assessment system of the court of appeal is an integrated part of everyday work at the court, a separate year clock model has been made for it.

Year clock for the quality assessment system of Rovaniemi Court of Appeal, 2013.



The year clock describes the three-year cycle in the quality assessment system. The work of each quality working group begins at the start of the year and the group works under the same composition until the year-end. The quality working group holds its first meeting during January-February. At the start of the year, the secretary collects ready the statistics, sick leave and training absence data (e.g. Palkeet report), information on outside employment permits for the previous year, together with the results of the previous staff satisfaction measurement, for use in the work of the quality working group and at a later stage in assessing the state of the court of appeal's activities.

It is expedient to conduct the self-assessment survey, customer and stakeholder survey and assessment by the expert working group in March-April each year so that the quality working group holds its improvement meetings during August, September and October. During these months, the quality working group considers the results and significance of the surveys, assessments and statistics collected and draws up a proposal for improvement actions. The quality working group itself acts as the improvement working group when the improvement actions are planned and implemented as part of its own work. Inasmuch as the observations made from the surveys, assessments and statistics require more extensive clarification and planning than the quality working group's own improvement work, the quality working groups draw up a provisional improvement plan which a separate working group is set up to implement where necessary. The quality working groups monitor the implementation of extensive improvement measures set out in addition to improvement work.

The survey and assessment information collected by the quality working group, together with statistics compiled of the results, the improvement plan, including any changes made to it, and the proposals for improvement are presented to the personnel of the court of appeal

in November-December. After discussions, the president considers, where necessary, setting up working groups and their timetabling.

The different years in the three-year period progress to the same schedule in the year clock. The self-assessment survey conducted in the first year provides the most comprehensive information about the status and needs for improvement of the organisation of the court of appeal. Based on the results of the self-assessment survey and statistical data obtained for the previous year, the first quality working group during the three-year period selects the focus areas on which particular attention should be paid in developing the organisation of the court of appeal and draws up the first improvement plan. The quality working group in the second year is tasked with conducting customer and stakeholder surveys and statistical monitoring, as well as further work on the improvement areas decided in the previous year and monitoring the progress of any other improvement actions. The quality working group in the second year draws up its own improvement plan and, where necessary, defines earlier improvement plans still being implemented. The quality working group in the third year carries out similar monitoring to that done by the previous year's quality working group, except that in March-April, it organises assessment by the expert working group and, in conjunction with its report prepared at the end of its term of office, documents the status of improvement projects already started. At the end of the three-year period, the quality working group also ensures that the improvement plans and reports have been archived on the quality assessment system site in the electronic noticeboard.

The first quality working group in the new three-year period takes into consideration the improvement measures and aspects indicated by statistics for the previous three-year period when preparing the implementation of the self-assessment survey and when drawing up its first improvement plan for the new three-year period.

6.3 DEPLOYMENT OF THE ASSESSMENT AND QUALITY MANAGEMENT SYSTEM

The intention is to deploy the quality assessment system at Rovaniemi Court of Appeal in early 2014, when the first quality working group will start work and conduct the self-assessment survey. In early 2014, the administration clerk of the court of appeal will collect the statistics and reports described for 2013, together with information about any improvement actions pending, for the use of the quality working group. Information collected from the statistics and reports will be compared to similar information for earlier years. A compact report will be made of the statistics and results of the survey carried out and distributed in May to the entire personnel of the court of appeal. Should observations made from these warrant the initiation of improvement measures, in autumn 2014, the quality working group will make its proposals for improvement or a longer term improvement plan, which will be submitted to the president of the court of appeal and management group for approval and be presented to the personnel of the court of appeal towards the end of 2014.

Composition of the quality working group will change in 2015 as explained above. The new members will be chosen by the president of the court of appeal at the turn of the year. For the purposes of monitoring statistics, the administration clerk will collect statistical data for 2014 for the use of the quality working group. During the early part of the year, the quality working group will conduct the court of appeal's first customer and stakeholder surveys, which will be conducted online in a similar way to the self-assessment survey. To increase response activity, the customer survey in particular can require use of the traditional response form. The quality working group will carry out customer and stakeholder surveys in what it considers to be the most appropriate manner and draw on the claims appearing in this report to create the survey. A report of the survey and statistics will be drafted in autumn 2015 and during the autumn

the quality working group will implement and, where necessary, based on the results of the spring survey, supplement the improvement plan drafted the previous year. Those proposals deemed necessary will be formulated into an improvement plan and presented to the personnel towards the end of the year.

The intention is to carry out the first surveys during 2014 and 2015 on the basis of the fairly comprehensive question forms annexed to this report. The quality working group composed at the turn of the last year (2016) of the first three-year period will plan and implement assessment by an expert group, which will comprise a senior justice or a justice of the court of appeal, district court judges, a prosecutor, an attorney, a legal scholar and a communications professional. Decisions about who will be in the composition and the assessment schedule will be taken at the start of the year.

The assessment and monitoring system is intended to be a natural, flexible mechanism, which is why the procedure scheduled in accordance with the year clock is not meant to be carried out schematically. The system should work as lightly as possible and is intended to keep an eye on the changes taking place in the court of appeal and any problem areas. At the end of 2016, implementation of the quality assessment system and ideas to develop it will be evaluated. Evaluation will be by means of a questionnaire to the staff in late 2016, on top of which opinions about the system can be collected through the years in conjunction with development discussions for example.

A new three-year period will begin in 2017. Maintaining the quality assessment system on an ongoing basis ensures that it works. The tried and tested and improved practices from the previous period will be brought into use in the migration to a new three-year period.



7 DESIRED STATE OF ADJUDICATION

The quality assessment system of Rovaniemi Court of Appeal, like the quality benchmarks of adjudication in courts within the jurisdiction

of Rovaniemi Court of Appeal, has been drawn up with a view to the following desired state of adjudication.

“The courts exist for the people. The participants in a trial enjoy the same rights to human dignity regardless of their role in the proceedings. Everyone is treated with respect, equitably, impartially, and with an appropriate service attitude.

The proceedings are carried out with quality and efficiency, by utilising modern technology. The proceedings are prompt and do not give rise to unreasonable costs to either party. The judgments are just and lawful, as well as supported by persuasive and clear reasons.

The people perceive the activities of the courts to be just and competent, as well as have trust in their cases being handled independently and impartially by the court. The judiciary possesses the best available legal expertise in the society, as well as the professional skills and competence needed for the settlement of legal disputes and conflicts.

- Quality benchmarks of adjudication

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