

3. SATISFACTION WITH PUBLIC SERVICES

Accessibility, responsiveness and quality of justice

Access to Justice refers to the ability of people, businesses and communities to prevent conflicts and obtain effective, fair, equitable and timely resolution of their legal and justice-related needs (OECD, forthcoming). Another aspect is legal empowerment, which enables meaningful participation in the justice system and builds people's capacity to understand and use the law (OECD, 2019). On average, OECD countries scored 0.65 out of a maximum of 1 points in the accessibility and affordability of civil justice dimension of the 2022 World Justice Project (WJP) Rule of Law index, an increase of 0.03 points since 2016. The Netherlands (0.79), Denmark (0.78), and Germany (0.77) had the highest scores. The most significant increases were in Estonia (0.08 points), Denmark, Finland, Sweden and Türkiye (+0.07 each) (Figure 3.16). Scores fell in the United Kingdom (-0.04), the Czech Republic, Mexico (-0.02 each) and Chile (-0.01).

Delays in solving legal cases affect citizens and disrupt businesses. A responsive justice system ensures that the "right" mix of services is provided to the "right" clients, in the "right" areas of law, in the "right" locations, and at the "right" time (OECD, 2019). In 2020, on average, OECD countries with data available took 266 days to resolve litigious civil and commercial cases. Lithuania (117 days), the Netherlands (127 days) and Estonia (135 days) had the shortest times. France, Greece (637 days each) and Spain (468 days) had the longest. Since 2016, disposition time increased by an average of 52 days, with the largest increases in France (284 additional days), Spain (+187) and Poland (+92) (Figure 3.17).

An independent judicial system is key to ensuring a fair resolution of cases. Pressure on judges can come from outside the judicial system (e.g. the government or media) or from within, from peers or superiors (e.g. a court president annulling the ruling of a judge in their court without due process) (ENCJ, 2014). In 2022, on average, OECD countries scored 0.72 out of a maximum of 1 points for freedom from improper government influence (Figure 3.18). The highest scores are for Ireland (0.95), Norway (0.94), Denmark (0.91) and Finland (0.89), and the lowest for Türkiye (0.19), Hungary (0.34), Mexico (0.42) and Poland (0.62). The OECD average fell by 0.03 points between 2016 and 2022. Some countries slightly improved their scores since 2016, including Belgium, France (0.03 points each), New Zealand, Sweden, Estonia (0.02 each) and Greece and Spain (0.01 each) but 12 countries experienced a decrease.

Methodology and definitions

The WJP Rule of Law Index is based on a general population survey of 1 000 respondents in each country and a survey of experts who frequently interact with their national state institutions. Each dimension is scored from 0 to 1; a higher score means

better performance. For more information, see <https://worldjusticeproject.org/our-work/wjp-rule-law-index>. Accessibility and affordability are gauged by asking about people's awareness of available remedies and affordability of legal advice and representation. Freedom from improper influence is estimated by asking about factors such as how likely a litigant is to win a case against the state and whether it would respect such a decision.

The CEPEJ database includes data from the Council of Europe's member states and observers for the 2018 evaluation of judicial systems and earlier. Disposition time is the estimated time taken by a first instance court to reach a decision. It is calculated by dividing the number of pending cases each year by the number of cases resolved in that period, multiplied by 365. Litigious civil and commercial matters refer to disputes between parties, such as litigious divorces. Countries differ in how they administer justice and distribute responsibilities between courts, so cross-country comparisons must be made with caution. The types of courts and cases included in this exercise may differ, as well as data collection and categorisation methods.

Further reading

- Majhosev, A. (2021), *WJP Rule of Law Index 2021*, World Justice Project.
- ENCJ (2014), *Independence and Accountability of the Judiciary: ENCJ Report 2013-2014*, European Network of Councils of the Judiciary, Brussels.
- Johnson, J.T. (2011), "The European Commission for the Efficiency of Justice (CEPEJ): Reforming European justice systems: Mission impossible?" *IJCA*, Vol. 4/2011.
- OECD (forthcoming), "OECD Recommendation on Access to Justice and People-Centred Justice Systems".

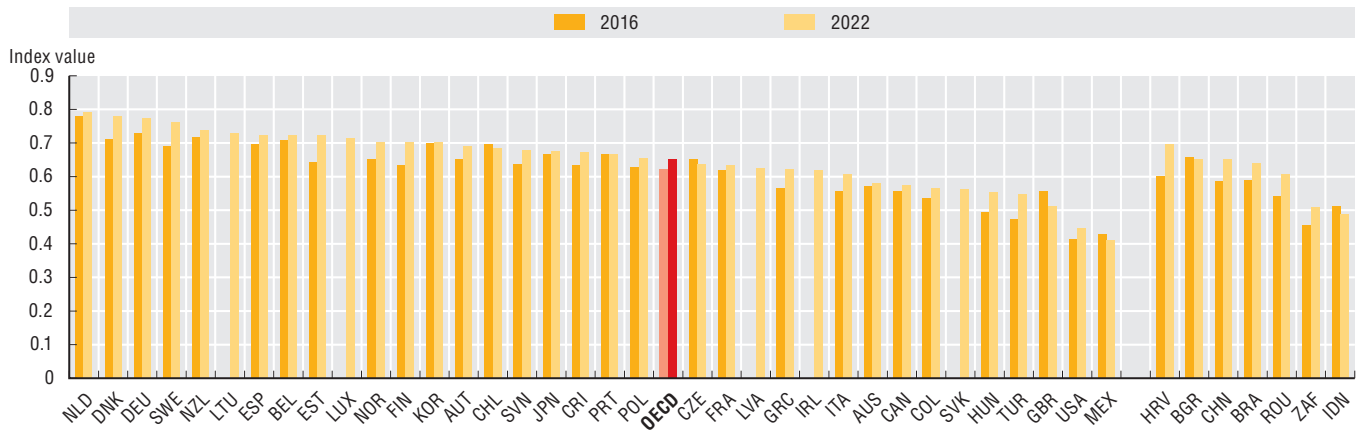
Figure notes

- 3.16 and 3.18. Countries are ranked in descending order of index values for 2022. Data for Iceland, Israel and Switzerland are not available. Data for Ireland, Latvia, Lithuania, Luxembourg and the Slovak Republic are not included in the OECD average due to missing time series.
- 3.17. Countries are ranked in descending order of the time needed to resolve cases. Italy introduced a different classification of civil cases in 2013 meaning comparisons with other years might be misleading. In the Czech Republic and the Slovak Republic, it was impossible to distinguish the number of pending cases solely on first instance since each case is considered pending until a final decision is enacted.

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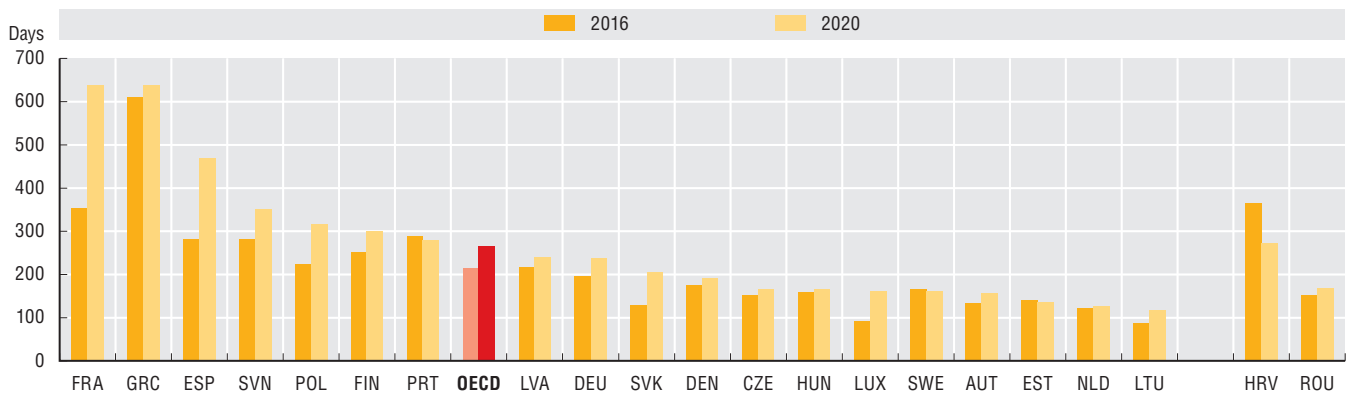
3.16. Access and affordability of civil justice, 2016 and 2022



Source: WJP Rule of Law Index 2021, World Justice Project.

StatLink <https://stat.link/dpv0sy>

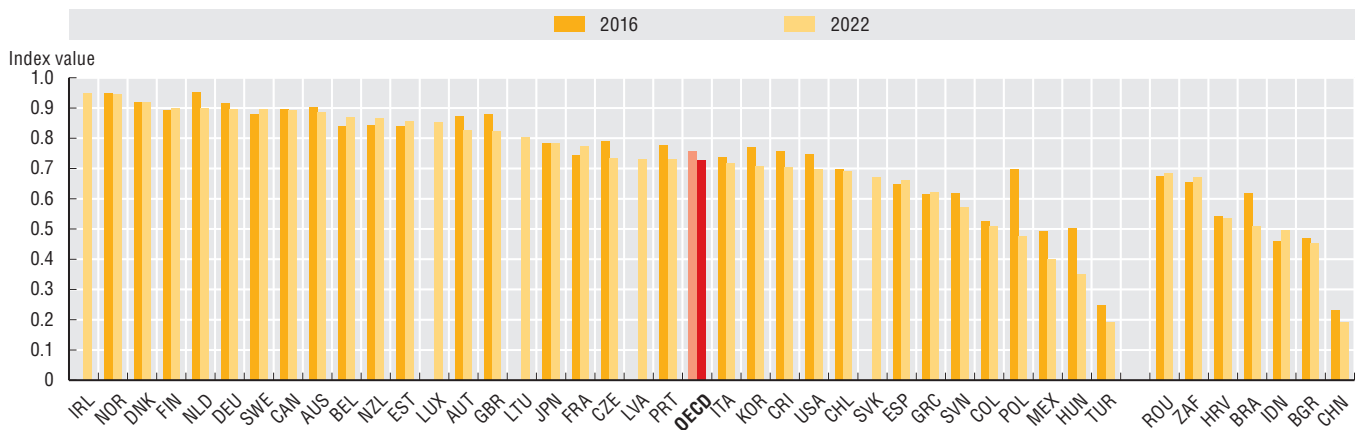
3.17. Disposition time for civil and commercial lawsuits, 2016 and 2020



Source: European Commission for the Efficiency of Justice (CEPEJ).

StatLink <https://stat.link/ha07bf>

3.18. Freedom of civil justice from improper government influence, 2016 and 2022



Source: WJP Rule of Law Index 2021, World Justice Project.

StatLink <https://stat.link/tdfc16>



From:
Government at a Glance 2023

Access the complete publication at:

<https://doi.org/10.1787/3d5c5d31-en>

Please cite this chapter as:

OECD (2023), “Accessibility, responsiveness and quality of justice”, in *Government at a Glance 2023*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/3d05421a-en>

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