



European
Network
of
Lay
Judges

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Welcome

Recent Developments

I hope you are having a good summer and that you have been able to enjoy some good weather. As I said in my last Newsletter I attended the General Assembly of the European Network of Councils for Judiciary and informed the following representatives of the European Commission about the ENLJ.

Paraskevi Michou, Director Directorate A, Civil Justice DG Justice, EC
Robert Bray, Head of Unit, Committee on Legal Affairs
Rosa Jansen, Chairperson, European Judicial Training Network
Muriel Décot, Consultative Council of European Judges

They were interested to hear about the Network. I also gave them copies of the Charter with an explanation that the DVS and the EAB had co-operated on the writing and publication supported by a grant from the European Commission and a number of Lay Judge organisations across Europe.

Network of Lay Judges

As I said in the last Newsletter we all agreed in London on a European Network – the term suggested by Hasso Lieber - and you elected Jouni and me as Secretary and Chairman to work with delegates nominated by country associations. Although only the German association nominated a delegate we were able to have a full discussion with the Charter panel when we met in Berlin in September last year. In early Feb this year we sent you the proposed statutes, explanatory document, newsletter, details form and comments. We received few comments on the statutes and were therefore pleased that so many of you appeared to support the Statutes and there was very little comment on them.



However it is clear from discussions held in Brussels at the Charter signing that there were a number of concerns about such issues as the structure of the ENLJ, funding and financing and activities. Jouni and I have now been working on re-structuring the Statutes to simplify the structure of the organisation with a single committee or executive to run it. In my last Newsletter I did suggest some topics for discussion at Brussels but time prevented that happening in a formal setting. However thanks to the DVS and EAB some of you will have the opportunity to discuss a number of the topics necessary to move our organisation forward at the workshop in Berlin. Unfortunately for personal reasons Jouni and I will not be able to be with those attending in Berlin. We also do understand that the project supported by EC funding given to the DVS and EAB must be completed before 4th September.

Future

Jouni and I appreciate the support and contribution the DVS and EAB have given to progressing the organisation and we are committed to the ENLJ and getting it working effectively once the funding and project has ceased in September. We are therefore pleased that a number of organisations will be involved in the workshop in Berlin and only sorry that we cannot be with you. We were asked by the EAB to provide a programme for future development for discussion at the Charter signing in Brussels and made a number of proposals which we are pleased to see on the agenda for the Berlin workshop

- Finalising the statutes and structure within the next six months;
- Ensuring full elections are held within the next six months;
- Operating the ENLJ as a virtual organisation for now;
- Developing a list of activities which the ENLJ should undertake;
- Beginning the process of writing a proposal /application for funding

Funding



The German Association raised the issue of costs and that is one that is very relevant to everyone as most associations do not have enough money to finance such a large organisation. It would therefore be sensible in the first instance to run the network as a virtual one through email and website. There are other ways of tackling this issue. We could seek funding from the European Commission. We have sought advice from a member of the Magistrates' Association of England and Wales with considerable experience working at the European Commission; Officials of the ENCJ and other organisations and university faculties that have made successful applications.

They all advised that it was important to have the organisation in place and operating before seeking funding. We could ask member organisations to seek funding from their own Councils for Judiciary or Ministries. We would need to publish an outline proposal which individual country associations could develop to make applications to their own Ministries.

Recognition

A most important issue is that we need to raise the profile of lay judges in some countries in Europe. In UK countries lay judges are represented on the Judges' Councils but we need to ensure that in all countries lay judges are fully represented on Councils for the Judiciary. As a member of the Steering Committee of the ENCJ I could raise this with representatives from other countries. As President of this year's project team on the Reform of the Judiciary in Europe I would be able to raise the role of lay involvement in judicial functions as a positive democratic contribution and a cost / time saving development.



We are also aware of the issues in relation to language and will ensure that all organisations have access to all materials produced.

As your elected representatives Jouni and I are excited by the developments and will continue to promote the ENLJ. I am planning to have a meeting with EC representatives when I am in Brussels in September and the outcomes from the Workshop will be very helpful in showing the activities that the ENLJ will be undertaking to promote the role of lay judges in judicial functions. We hope those attending Berlin have an enjoyable and productive two days and look forward to receiving the report and other organisations' views for progressing the ENLJ.