



World Justice
Project



Funded by
the European Union

European Union Subnational Qualified Respondents' Questionnaire: Constitutional Law, Civil Liberties, and Criminal Law

WELCOME!

The World Justice Project (WJP) is honored to count on your expertise for this questionnaire, which will be answered by highly qualified individuals and experts in the field throughout the European Union (EU).

The questionnaire consists of 21 questions and will take approximately 30 minutes to complete. Your responses will be aggregated with those of other experts in your region and supplemented by the results of a representative household survey.

Thank you in advance for your time and attention. With your participation, this endeavor will contribute to strengthening the rule of law throughout the EU and worldwide.

The WJP is an independent, non-profit organization working to advance the rule of law worldwide. For more information about the WJP and our current strategic partners, please visit:

www.worldjusticeproject.org.

CONFIDENTIALITY

The World Justice Project (WJP) constructs the *European Union Subnational Justice, Governance, and Rule of Law Indicators* with strict guidelines in regard to the confidentiality of the data gathered and the privacy of the respondents. At the end of the questionnaire, you will be given the choice either to be **Publicly Acknowledged** (meaning your name and organization will be published in the "Contributing Experts" section of our report and data portal), **OR** you can select to be an **Anonymous** contributor (meaning your name will not be published in our report, website, or any other WJP materials, and your name and particulars will not be made known in any way).

In all cases, your individual responses will remain strictly confidential. The survey is not indexed by search engines. Responses are aggregated preceding any statistical analysis or reporting of results to ensure that individual responses cannot be ascertained.

If you have any questions, please do not hesitate to contact a member of our team at: eu-ruleoflaw@worldjusticeproject.org.

INSTRUCTIONS

Please answer the following questions according to your perception of and experiences with the rule of law in your area. Note that some questions will ask about matters affecting your city, town, or village, while others will pertain to your country as a whole.

Given the diversity of institutional designs across EU Member States, our questions mainly focus on **outcomes** experienced by individuals with respect to different justice, governance, and rule of law issues, with the understanding that these outcomes are generated by their interaction with a complex network of institutions from different levels (local, national, supranational). In this sense, we minimize mentions of government institutions, and focus on the experience of people in their daily lives.

Please indicate in the box below which country and city you are responding to in this survey:

COUNTRY:
CITY:

SECTION I. CRIMINAL JUSTICE SYSTEM

1. The following questions aim to assess different characteristics of the criminal justice system in the city or town where you live. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Criminal investigators carry out serious and lawful investigations.						
(b) Criminal investigations are carried out without any improper influence, pressure, threats, or political interference.						
(c) Police encourage crime reporting.						
(d) Criminal investigators are effective in resolving serious crimes.						
(e) All suspects are treated equally during criminal investigations.						

2. To what extent do you agree that, in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Digital tools used in criminal courts facilitate people's access to justice.						
(b) Digital tools used in criminal courts are easy to use for most people.						
(c) Digital tools used in criminal courts are trustworthy and secure.						
(d) Digital tools used in criminal courts expedite court proceedings.						
(e) Digital tools used in criminal courts improve the quality of court proceedings.						

3. To what extent do you agree that, in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The outcomes attained through the criminal justice system rectify the damage or loss suffered by the victim.						
(b) The outcomes attained through the criminal justice system are consistent across similar criminal cases.						

SECTION II. DUE PROCESS

4. The following question aims to assess the experiences of crime victims in the city/town where you live. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The criminal justice system respects the rights of victims.						
(b) Crime victims receive prompt attention and response when they report a crime.						
(c) Crime victims receive effective and timely medical and psychological care when needed.						
(d) Crime victims receive information and free legal advice when going to the authorities.						
(e) Crime victims receive effective protection if their safety is at risk.						
(f) The police make every effort to assist victims and arrest perpetrators when people report a crime.						

5. To what extent do you agree that, in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Victims of sexual crimes receive adequate care and protection.						
(b) Victims of domestic violence receive adequate care and protection.						
(c) The programs serving the needs of victims of rape, gender-based violence, and human trafficking are effective in helping them navigate the traumatic experience.						

6. The following question aims to assess criminal court processes in the city/town where you live. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The courts ensure a fair trial for persons accused of committing a crime.						
(b) The criminal justice system treats defendants as innocent until proven guilty.						
(c) Judges use language that is easily understood by most people.						
(d) Judges allow public access to all hearings where permissible.						
(e) Judges adequately evaluate evidence presented at trial.						
(f) Judges ensure that there is equality between the parties in judicial proceedings.						
(g) Judges resolve cases in a reasonable, objective, and impartial manner.						
(h) Judges adhere to the highest standards when evaluating the evidence and arguments offered by the prosecution and the defense.						
(i) Trial proceedings are carried out in an impartial and non-discriminatory manner.						

7. To what extent do you agree that, in the city/town where you live, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) All suspects are treated equally during trial proceedings.						
(b) Punishments imposed for wrongful conduct are proportional to the harm caused.						
(c) The criminal justice system respects the rights of the accused.						
(d) The police follow due process once a suspect is in custody.						
(e) People are not retroactively prosecuted under new criminal legislation.						
(f) Detainees are not tried or punished twice in criminal proceedings for the same criminal offense.						

8. The following questions aim to assess criminal defense standards in the city/town where you live. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) Detainees have access to legal counsel when giving their statement to the police.						

(b) Detainees have access to legal counsel during pre-trial proceedings.						
(c) Detainees have access to legal counsel during trial.						
(d) Defense attorneys have access to all evidence and witnesses used by the prosecution.						
(e) Public defenders make every effort to defend poor people accused of a crime.						
(f) Public defenders attend all hearings for their assigned cases						
(g) Public defenders prepare their cases seriously and use solid evidence and arguments to support them.						
(h) Public defenders do everything possible to get their defendants released when they are innocent (rather than suggesting that they plead guilty).						

9. How likely is it for these situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) How likely is it that the criminal system erroneously indicts or accuses someone of committing a crime?						
(b) How likely is it that the criminal system erroneously convicts someone of committing a crime through a plea bargain or other pre-trial process?						
(c) How likely is it that the criminal system erroneously convicts someone of committing a crime through a trial?						
(d) How likely is it that local police officers arrest innocent people on false charges to solicit bribes or fill a quota?						
(e) How likely is it that police tamper or fabricate evidence when arresting a person?						
(f) How likely is it that a poor detainee is in fact presumed innocent during the criminal investigation?						
(g) How likely is it that a poor detainee is in fact presumed innocent during pre-trial proceedings and trial?						

10. How likely is it for these situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) How likely is it that local police use excessive force when detaining a person?						

(b) How likely is it that local police use excessive force when detaining a suspected member of a criminal organization?						
(c) How likely is it that local police use excessive force when detaining a person suspected of violating immigration laws?						

11. How likely is it for these situations to take place in the city or town where you live:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) How likely is it that local police identify themselves to detainees and inform them of their rights and the reasons for their arrest?						
(b) How likely is it that detainees have access to an interpreter if they do not speak any official language?						
(c) How likely is it that detainees are able to communicate with family or friends upon arrival at the police station?						
(d) How likely is it that detainees are evaluated by a doctor upon arrival at the police station?						
(e) How likely is it that authorities videotape interrogations?						
(f) How likely is it that judges release detainees when they find due process violations?						

12. The following question aims to understand the duration of pre-trial detention in the city or town where you live. Assume that the prosecutor/judge/jury determines that there is probable cause (or probable responsibility) to hold a suspect in custody. How likely is it that the detained suspect remains in custody without a formal conviction:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) For more than three months?						
(b) For more than a year?						
(c) For more than three years?						

SECTION III. PROBLEMS

13. The following questions aim to identify the main problems faced by the **criminal investigation system** in your city or town. On a scale from 1 to 10 (with 1 meaning "not a problem" and 10 meaning a "very serious problem"), please tell us how significant the following problems are:

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Lack of effective intelligence systems to support criminal investigators.												

(b) Lack of proactive investigation methods, such as undercover operations.												
(c) Deficient mechanisms to gather information and analyze evidence.												
(d) Improper storage or lack of chain of custody procedures for material evidence.												
(e) Deficient systems to protect witnesses and whistle-blowers.												
(f) Deficient systems to exchange information between criminal investigative service agencies.												
(g) An insufficient number of criminal investigators.												
(h) Lack of training and preparation of criminal investigators.												
(i) Lack of technology and adequate resources.												
(j) Low salaries and poor working conditions of criminal investigators.												
(k) Deficient eyewitness identification procedures that improperly disadvantage the accused.												
(l) Deficient systems to analyze crime patterns and understand trends.												
(m) Investigators' reliance on intuition rather than adequate data and analysis.												
(n) Organizational traps (deficient institutional design) that limit creativity and change the course of investigations.												
(o) Duration of investigations (they take too much time).												
(p) Corruption of investigators or judicial police.												
(q) Corruption of police chiefs.												
(r) Links with organized crime.												
(s) Deficient and corrupt recruitment processes.												
(t) Bias against marginalized people (discrimination).												

14. The following questions aim to identify the main problems faced by the **prosecutorial system** in your city or town. On a scale from 1 to 10 (with 1 meaning “not a problem” and 10 meaning a “very serious problem”), please tell us how significant the following problems are:

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Corruption among prosecutors.												
(b) Prosecutors' understanding of the law.												
(c) Lack of adequate training and preparation of prosecutors.												

(d) Lack of independence of prosecutors (unable to act against powerful government officials or private parties).												
(e) Insufficient number of prosecutors to handle caseloads.												
(f) Low salaries and poor working conditions for prosecutors.												
(g) Lack of ability of prosecutors to provide solid evidence, interview witnesses, and make legal arguments.												
(h) Deficient and corrupt recruitment processes.												
(i) Bias against marginalized people (discrimination).												

15. The following questions aim to identify the main problems faced by the **criminal defense system** in your city or town. On a scale from 1 to 10 (with 1 meaning “not a problem” and 10 meaning a “very serious problem”), please tell us how significant the following problems are:

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Lack of adequate training/education of state-provided or pro-bono defense attorneys.												
(b) Insufficient number of state-provided or pro-bono (free-of-charge) attorneys for poor criminal defendants.												
(c) Lack of adequate training and preparation of state-provided or pro-bono (free-of-charge) attorneys for poor criminal defendants.												
(d) Lack of adequate resources available to state-provided or pro-bono public defense attorneys to prepare for trial.												
(e) Inability of state-provided or pro-bono public defense attorneys to gain access to clients while they are detained.												
(f) Lack of independence of state-provided or pro-bono public defense attorneys from prosecutors .												
(g) Lack of independence of state-provided or pro-bono public defense attorneys from judges .												
(h) Low salaries and poor working conditions for state-provided or pro-bono public defense attorneys.												

16. The following questions aim to identify the main problems faced by **criminal courts** in your city or town. On a scale from 1 to 10 (with 1 meaning “not a problem” and 10 meaning a “very serious problem”), please tell us how significant the following problems are:

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Excessive use of pre-trial detention.												
(b) Excessive length of pre-trial detention.												
(c) Delays in pre-trial proceedings.												
(d) Lack of independence of the judiciary from the government's power.												
(e) Delays in the criminal justice system (cases take too much time).												
(f) Court congestion and lack of enough judges.												
(g) Appeals clogging the criminal justice system.												
(h) Poor decisions by criminal judges.												
(i) Inadequate selection and training of judges.												
(j) Inadequate selection and training of clerks.												
(k) Low salaries and poor working conditions for judges and court officers.												
(l) Inadequate resources.												
(m) Corruption of judges and judicial officers.												
(n) Lack of mechanisms to track the efficiency of the criminal courts.												
(o) Lack of translators (language barriers).												
(p) Bias against marginalized people (discrimination).												
(q) Links with organized crime.												
(r) Insufficient or inefficient alternative dispute resolution mechanisms (conciliation, mediation) to resolve disputes outside the criminal system.												
(s) Limited understanding of the goals, values, and benefits of restorative justice.												

17. The following questions aim to identify the main problems faced by the **prison system** in your city or town. On a scale from 1 to 10 (with 1 meaning “not a problem” and 10 meaning a “very serious problem”), please tell us how significant the following problems are:

	1	2	3	4	5	6	7	8	9	10	Don't know	Not applicable
(a) Abuse and mistreatment by guards and prison personnel.												
(b) Abuse and mistreatment by other inmates.												
(c) Violent incidents and riots.												

(d) Lack of security personnel, guards, and correctional personnel.												
(e) Inmate self-government.												
(f) Bribes, extortion, and undue charges by guards and correctional personnel.												
(g) Bribes, extortion, and undue charges by other inmates.												
(h) Overcrowding.												
(i) Lack of separate facilities for men and women.												
(j) Lack of separate facilities for minors and adults.												
(k) Lack of separate facilities for pre-trial detainees and sentenced prisoners.												
(l) Lack of separate facilities for dangerous and less serious offenders.												
(m) Poor access to food and water, and malnutrition among inmates.												
(n) Poor access to health care.												
(o) Lack of attention to inmates with special needs or disabilities.												
(p) Poor rehabilitative programs and recidivism.												
(q) Lack of accessible complaint mechanisms.												
(r) Poor security that facilitates escapes.												
(s) Excessive use of incarceration for minor crimes that could be handled through alternative sentencing programs.												

SECTION IV. ALTERNATIVE JUSTICE

18. The following questions aim to assess the accessibility and quality of Alternative Dispute Resolution (ADR) mechanisms, such as mediation and restorative justice, in your city or town. To what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The procedures for accessing alternative justice mechanisms (mediation, restorative justice) are simple.						
(b) Alternative justice mechanisms effectively divert people from going into the formal criminal justice system.						
(c) The state encourages the development and use of restorative justice as alternative to the conventional criminal justice process.						
(d) The state stimulates the availability and accessibility of private legal and justice						

service providers (through financing, regulation, incentives, etc.) to assist victims of crime.						
(e) Alternative justice mechanisms (mediation, restorative justice) adjudicate disputes quickly.						
(f) Alternative justice mechanisms (mediation, restorative justice) address the needs of offenders and victims.						
(g) The outcomes attained through alternative justice mechanisms (mediation, restorative justice) reflect a fair distribution of benefits and burdens between involved parties.						
(h) The outcomes attained through alternative justice mechanisms (mediation, restorative justice) rectify the damage or loss suffered as a result of the offense.						
(i) The outcomes attained through alternative justice mechanisms (mediation, restorative justice) solve the problem/offense between involved parties.						
(j) The outcomes attained through alternative justice mechanisms (mediation, restorative justice) are consistent across similar problems.						
(k) Alternative justice mechanisms (mediation, restorative justice) produce fair outcomes for each involved party.						
(l) Alternative justice mechanisms (mediation, restorative justice) do not exacerbate existing inequalities.						
(m) Alternative justice mechanisms (mediation, restorative justice) are free of corruption.						
(n) Alternative justice mechanisms (mediation, restorative justice) are free of political influence in their application of power.						

SECTION V. JUDICIAL INDEPENDENCE

19. Now, thinking about the way the judiciary operates in **[YOUR COUNTRY]**, to what extent do you agree that, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) The judiciary decides matters impartially, on the basis of facts, without any improper influence, pressure, threats or political interference.						

(b) The Supreme Court is free of political influence in its application of power.						
(c) The national courts are free of political influence in their application of power.						
(d) The local courts are free of political influence in their application of power.						
(e) The electoral appeals court is free of political influence in its application of power.						
(f) Judges are selected through a merit-based system, without any improper influence or political interference.						
(g) Judges are promoted through a merit-based system, without any improper influence or political interference.						
(h) Judges have guaranteed tenure until mandatory retirement or the expiry of their term of office.						
(i) Judges have adequate remuneration and working conditions.						
(j) Judges are disciplined, suspended, transferred, or removed only for just cause, according to established procedures, and without any improper influence or political interference.						
(k) Judges enjoy professional secrecy and personal immunity from liability resulting from their judicial actions.						
(l) Prosecutors and judges have access to the investigations of agencies responsible for fighting money laundering and corruption, including international cooperation arrangements.						
(m) The judiciary receives sufficient and non-arbitrary budgetary funding and resources to properly perform its functions.						
(n) Judges routinely provide formal reasoning for their decisions, which are public and reference the relevant laws or jurisprudence.						
(o) Public sector employees comply with judicial decisions.						
(p) Elected leaders or high-ranking government officials (head of state, head of government, ministers) comply with judicial decisions, even when they disagree with these decisions.						

SECTION VI. CORRUPTION AND SANCTIONS

20. To what extent do you agree that, in your city or town, in practice...

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know	Not applicable
(a) If a police officer inflicts severe physical harm on a criminal suspect to obtain a confession, the police officer is prosecuted and punished (through fines, or time in prison).						
(b) Prosecutors decide whether and how to prosecute individual cases independently, without any improper influence, pressure, threats, or political interference.						
(c) Prosecution services release timely information about policies, data, and outcomes of concluded cases.						
(d) Prosecutors are appointed through a merit-based system, without any improper influence or political interference.						
(e) Prosecutors are disciplined, suspended, transferred, or removed only for cause, according to established procedures, and without any improper influence or political interference.						

21. Finally, how likely is it that police officers, prosecutors, or court officers (court personnel or judges) working on criminal cases in your city or town request or receive bribes or other informal payments to:

	Very likely	Likely	Unlikely	Very unlikely	Don't know	Not applicable
(a) Actually investigate a crime?						
(b) Actually prosecute a criminal?						
(c) Drop or reduce charges, or grant bail?						
(d) Destroy, tamper, or fabricate evidence?						
(e) Expedite court processes?						
(f) Favor one party in decided cases?						
(g) Let a suspect go, drop, or reduce charges, or grant bail?						
(h) Ignore illegal activities (like drug trafficking or money laundering)?						

Almost finished!

Thank you for completing the questionnaire. We are honored to include your expertise in the *European Union Subnational Justice, Governance, and Rule of Law Indicators*.

If you have any feedback or comments regarding the questionnaire, we would be grateful if you would let us know in the space below. Are there any relevant topics, issues, or questions that you think were left out?

TYPE OF CONTRIBUTION

Please indicate below if you would like to respond to this questionnaire as an **Anonymous** contributor, or if you would like to respond to this questionnaire as a **Publicly Acknowledged** contributor for your participation in this research project. **In both cases, your individual and specific answers to the questionnaire will remain strictly confidential.**

PUBLICLY ACKNOWLEDGED: [☐]

I would like to be **Publicly Acknowledged** as a contributor. My name and organizational affiliation will be listed in the Qualified Respondents Questionnaires (QRQ) "Contributing Experts" section of the *European Union Subnational Justice, Governance, and Rule of Law Indicators* report, and on the WJP website. In the space below, please fill out your information exactly as you wish it to appear:

Name:	
Firm, Company, or Organization:	

ANONYMOUS: [☐]

I would like to remain an **Anonymous** contributor. The WJP will not reveal my name, organizational affiliation, or any other identifiable information in the *European Union Subnational Justice, Governance, and Rule of Law Indicators* report.

ADDITIONAL INFORMATION

We are grateful for your contribution as an expert respondent to the *European Union Subnational Justice, Governance, and Rule of Law Indicators*. Many of the World Justice Project's experts contribute their time and expertise year after year to create one of the world's most comprehensive data sets measuring countries' adherence to the rule of law.

To ensure that we have the most up to date records in our database, we would greatly appreciate if you could fill out your contact information below. This information will remain strictly anonymous and will not be shared with any third parties. Your contact information will be securely stored in our database for further engagement and for future research opportunities with the WJP.

Please complete the following information:	
Title:	
First Name:	
Last Name:	
City:	
Country:	
Position:	
Organization:	
Preferred Email:	
Preferred Language of Correspondence	

The WJP also produces the *WJP Rule of Law Index* yearly to assess the rule of law worldwide. As an expert respondent for **[YOUR COUNTRY]** in this project, would you be interested in receiving further information about how to participate in the global *WJP Rule of Law Index*?

- ☐ Yes
☐ No
☐ I'm already a current participant of the WJP Rule of Law Index

Do you teach at the university level? Yes ☐ No ☐
If yes, which courses? _____

Are you an attorney? Yes ☐ No ☐
If yes, how many years have you practiced law? _____

If you are an attorney, what are your areas of practice?					
Antitrust	<input type="checkbox"/>	Contracts	<input type="checkbox"/>	International law	<input type="checkbox"/>
Bankruptcy	<input type="checkbox"/>	Corporate law	<input type="checkbox"/>	Labor law	<input type="checkbox"/>
Business law	<input type="checkbox"/>	Criminal law	<input type="checkbox"/>	Litigation/Arbitration	<input type="checkbox"/>
Civil law	<input type="checkbox"/>	Employment law	<input type="checkbox"/>	Medical malpractice	<input type="checkbox"/>
Civil rights	<input type="checkbox"/>	Environmental law	<input type="checkbox"/>	Property law	<input type="checkbox"/>
Commercial law	<input type="checkbox"/>	Family law	<input type="checkbox"/>	Taxation	<input type="checkbox"/>
Constitutional law	<input type="checkbox"/>	General practice	<input type="checkbox"/>	Other	<input type="checkbox"/>
Consumer law	<input type="checkbox"/>	Intellectual property	<input type="checkbox"/>		<input type="checkbox"/>

REFERRALS

Finally, as an expert in your field, we would welcome referrals or suggestions of colleagues who may be willing to contribute by completing one of the questionnaires best aligned with their expertise:

- Civil and Commercial Law
- Constitutional Law, Civil Liberties, and Criminal Law
- Governance and Rule of Law

Add Collaborators

	Referral #1	Referral #2	Referral #3
Title:			
First Name:			
Last Name:			
Country:			
Position:			
Organization:			
Preferred Email:			

Thank you!

Thank you very much for contributing your time and expertise!

By contributing to this questionnaire, you are helping the World Justice Project support actionable and informed policies to advance the rule of law.

For more information on the WJP, please visit: www.worldjusticeproject.org.