



NORWEGIAN MINISTRY
OF JUSTICE AND THE POLICE

Video conferencing in Norwegian courts
A brief description

Jostein Løvoll, e-Justice conference, Prague 18.02.2009

Facts

- In 2006 Norway organised a pilot project on video conferencing in courts. Several courts, police districts and prisons were provided with video conferencing equipment, and authorised to an extended use of video conferencing by a special regulation.
- The project was evaluated in late 2007, and a user satisfaction survey was conducted in 2008.
- Norway is now investing in more conferencing equipment, that will make video conferencing available to about 40 of Norway's 68 courts during 2009.
- The usage of the equipment is steadily increasing.

The scope of video conferencing in Norwegian courts.

Video conferencing can be used as a substitute for physical attendance:

- In civil cases.
 - for anyone with a part in the proceedings except the judge.
- In criminal cases.
 - for witnesses and interpreters.
 - for prisoners in remand extension hearings.
 - for the accused in summary trials on a plea of guilty.
- In some cases the use of video conferencing is subject to the consent of the judge or the parties in the case.

Cost savings

- Norway's assessment of the video conferencing project shows a large potential for saving travel time and travel costs.
- Estimations indicate average cost savings of about € 785 for each time a video conference is arranged.
- Average travel time saved per video conference is estimated to about 12 hours.
- Savings are mainly gained by the users of the court, not by the court itself.
- Cost savings estimates might be affected by Norway's geography. Travel distances within court districts, and between courts and prisons, are often quite long.

Quality of court hearings

The assessment of our project concludes that video conferencing has the potential to improve the quality of our court proceedings by offering:

- the possibility for witnesses and the aggrieved party in criminal cases to give testimony by video link.
- its superiority to witness statements by telephone, with regard to reliable identification of the witness, and the court's basis for analysing and considering the importance of the statement.
- improved accessibility to the court for participants with weak health or long travel distances.
- improved flexibility for the courts when setting dates for court hearings.
- improved security.

Cross border video conferencing

- Norway allows cross border video conferencing in court proceedings on a case by case basis.
- Requests for specific procedures and formalities will normally be complied with by the court facilitating the video conference, provided that such procedures and formalities are not prohibited by Norwegian law.

A case example on cross border video conferencing

- In a recent criminal case in Oslo district court a man was found guilty of several charges of war crimes during the Bosnian war in the nineties. About half of the 50 witnesses in the proceedings gave testimony by video link from four different countries: Bosnia, Serbia, United States and Australia.
- Without the possibility of video conferencing, some of the charges could not have been tried, as many of the witnesses, including key witnesses, were unwilling or unable to travel to Norway.
- The presiding judge was very content with the conduction of the video link testimonies, and considers the arrangement as a success.

Future challenges

- Providing all potential users with access to conferencing equipment and information on its possibilities.
- Changing attitudes. Convincing the sceptics of the advantages of video conferencing.
- Motivate the decision makers. In general the benefits of video conferencing in courts are gained by other actors than the ones who decide its applicability.
- Assess removal of the consent of the person in custody as an absolute condition for video conferencing in remand extension hearings.