Implementing interoperability in e-Justice’s criminal area

BY

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Introduction

This article briefly explains the results and findings of research conducted by the author on interoperability in the e-Justice area\(^2\), carried out at the Department of Justice of the Autonomous Government of Catalonia in Spain\(^3\). The research is related to a case study, a court information system called "GRP"\(^4\) that manages the police requests sent by the criminal court (Jimenez, 2010). The article will briefly introduce relevant research from a crime prevention perspective and comment on some e-Justice interoperability elements. The article then goes into the analytical findings and finally gives an overview of the main conclusions.

The crime prevention context

Imagine the following: A little girl is being examined in the emergency room. The girl does not show serious injuries, but doctors suspect that she has been victim of violence. The doctors send a report to the criminal court for investigation purposes, but unfortunately, too much time passes between the moment the reports is sent and the reception of the Court’s order at the police headquarters. The administration is overburdened by the information flows and the different procedures in place. Several weeks later, the same girl arrives to the hospital, beaten into a coma by her stepfather. Until this day, she has not recovered. Unfortunately, this scenario is a real criminal case\(^5\), showing the destructive impact information gaps and process delays can have. Nowadays, this is a preventable situation – modern technology can help.

The GRP project

With the aim of addressing the extensive degree of risks faced by the criminal justice administration and to avoid too much uncontrolled data and variables, the Department of Justice of the Autonomous Government of Catalonia, in Spain, has made joint efforts with the police of Catalonia\(^6\) to make sure that such an overburdening with fatal consequences never happens again. In 2010, the Department of Justice of the Generalitat de Catalunya has

\(^2\) A more exhaustive explanation of the results was presented in the 11\(^{th}\) European Conference on eGovernment (Gasco & Jimenez, 2011).
\(^3\) Generalitat de Catalunya, Catalanian Department of Justice; Available via: http://www20.gencat.cat/portal/site/Justicia; last accessed on 2\(^{nd}\) February 2012.
\(^4\) Gestió de Requeriments Policials. GRP Presentation; Available via: http://goo.gl/6XBm6; last accessed on 2\(^{nd}\) February 2012.
\(^5\) El País newspaper; Available via: http://goo.gl/nVDxf; last accessed on 2\(^{nd}\) February 2012.
\(^6\) Mossos d’Esquadra; Available via: http://www20.gencat.cat/portal/site/mossos; last accessed on 2\(^{nd}\) February 2012.
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wrapped up the unification of its databases7. Moreover, it launched a new tool, the Catalan e-justice tool for Management of Police Requests called GRP, a software module that is part of the electronic justice platform e-Justicia.cat8. Within this e-government project e-Justicia.cat9, GRP interoperates between Catalonia’s police information system and the criminal court information systems. It functions as a bidirectional channel that allows data to travel directly connecting both information systems online.

GRP has obtained the 2010 Quality in Justice award from the Spanish General Council of the Judiciary,10 which recognised this tool as the most effective criminal justice initiative in Spain in 2010. It acknowledged the efforts that the Department of Justice of the Generalitat de Catalunya already made and its determination to continue to make further efforts in this area11.

Interoperability in e-Justice in general and of the GRP in particular

Interoperability guarantees the cohesive functioning of different existing organisations. It enables the cohesive functioning of different justice systems and processes; a crucial aspect given the variety of actors being involved in the administrative/procedural processes such as judicial institutions, different public administrations e.g. police forces, or law professionals (Gasco & Jimenez, 2011). The interoperation between different information systems is essential to ensure highly effective and efficient services in eGovernment (Gottschalk and Solli-Saether, 2009). Thus, investment in information and communication technology can be considered one of the key elements for significantly improving justice administration12. Effectiveness is only one of the advantages of e-justice. But it can also improve efficiency and timeliness, allowing judiciaries to provide adequate services and to prevent crimes. Since the successful organisation of judicial systems is dependent on the exchange of information, as

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7 Press release from the Generalitat de Catalunya; Available via: http://goo.gl/8pzci; last accessed on 2nd February 2012.
8 E-Justicia.cat; Available via: http://goo.gl/WP8Vh; last accessed on 2nd February 2012.
9 According to the European Commission (2008), e-justice is a specific field under the more general umbrella of e-government.
10 Consejo General del Poder Judicial, General Council of the Judiciary; Available via: http://goo.gl/4Ajfbq; last accessed on 2nd February 2012.
11 Recently, another software tool of e-Justicia.cat has obtained the 2011 Quality in the Justice award from the Consejo General del Poder Judicial. See: Consejo General del Poder Judicial; Available via: http://goo.gl/cLCjB; last accessed on 2nd February 2012.
12 For instance, Velicogna (2007) gives a few examples of the potential of ICT in this field.
some authors have stated, the added value of ICT is even higher in the justice area than in other fields (Cerrillo and Fabra, 2009).

In Catalonia, it was considered crucial to control the information and communication between the Mossos d’Esquadra\textsuperscript{13} to render the justice administration more agile and effective. In this respect, the GRP project was a need expressed by the Justice Administration and was specifically requested by the Mossos d’Esquadra police force.

Particularly interesting with regard to its implementation process was the training strategy. The Justice Department has trained several civil servants (called ‘super-users’), who in turn trained the rest of the employees (the users). This approach gave rise to a high level of users’ involvement and reduced reluctance to use the new system. Training and communication were considered decisive elements of its success (Gascó & Jiménez, 2010).

Before the implementation of this ICT solution, courts sent an order to investigate a crime either by fax or by mail, without data being controlled nor managed directly by the systems. Now, with the GRP, orders arrive electronically in a few minutes from the court to the police, with high control and access at the database level. The information system controls if this order has been correctly received by the police systems, and monitors the status of the request. Police answers are tackled in a consistent manner. The control of the results also form an integral part of the e-Justice platform, which means that the results appear directly at the database level in the criminal judiciary information system. Hence, GRP solves the critical problem of administrative and procedural inefficiencies described above. As a consequence of it, with GRP, the communication between courts and police is found to be much better now, and has greatly increased effectiveness.

In this light, it can be said that with interoperability, the resources of criminal justice systems are used in a better way. When the criminal court interoperates efficiently with the police, both the justice system and citizens profit. But what does interoperability really mean in terms of efforts and variables in this case? What were the key features for the interoperability implementation of the GRP?

\textsuperscript{13} i.e. the police of Catalonia.
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**Underlying research of the implementation process of the GRP**

The research has focused on the variables that affect the GRP’s interoperability implementation in the electronic justice. It entailed the use of qualitative methods, in-depth interviews and a survey, as well as documents and web page analyses.

Some authors have stressed the rather problematic impacts of the implementation of ICT solutions within different public organizations (Cerrillo & Fabra, 2009). Concerning e-Government, some authors point to problems related to cultural differences between agencies or unsatisfactory workflows (Archman and Kudlacek, 2008; Gascó, 2010). Similarly, in the e-Justice field, a set of political, cultural and organizational variables might exist which go beyond technological challenges that may also hinder the success of interoperability projects.

However, generally speaking, e-justice was found to be quite different from the general area of e-Government\(^{14}\), with certain special key elements regarding procedures, processes, power differences. In the specific field of electronic justice, particular attention should be given to and beyond technological and security variables, the lack of strategy, the normative barriers, the poor processes of collaboration and coordination, the resistance to change, or a deficient governance or institutional framework (Jiménez, 2010). All these elements condition the implementation process of interoperability projects in the e-justice field.

GRP has been a success case, awarded in 2010 with the *Quality in Justice* award from the Spanish General Council of the Judiciary,\(^{15}\) which recognised this tool as the most effective criminal justice initiative in Spain in 2010, and the “not technological” variables, have been success key factors.

**General conclusions**

The real life story presented at the start of this article shows that a more effective exchange of information may prevent crimes from happening. Interoperability in e-Justice can therefore be considered as a key tool to increase effectiveness and efficiency, preventing crime, conflicts and disputes by implementing a more efficient exchange of information and control. By studying and analysing the variables that were key factors in the implementation process in the case of GRP, some of the research conclusions are below.

\(^{14}\) e-Government refers to the application of Information and Communication Technologies to all administrative procedures (European Commission, 2008).

\(^{15}\) *Consejo General del Poder Judicial*; Available vi: [http://goo.gl/4Ajbq](http://goo.gl/4Ajbq); last accessed on 2\(^{nd}\) February 2012.
Collaboration was a key in the project. In this case study on GRP, collaboration between different stakeholders was crucial for the project’s success. Indeed, the design of the application was developed jointly with the Mossos d’Esquadra, the police, the Justice Department as well as the courts. A gradual user extension was also considered important. The project has been gradually implemented throughout the territory.

The change management is an important variable. Particularly interesting was the training strategy because the Justice Department trained several civil servants (called “super-users”) and these trained the rest of the employees (the users). This way of working gave rise to a high level of users’ involvement and reduced reluctance to use the new system. Training and communication were decisive elements.

About the legal framework, it can be said that new norms and agreements are needed.

A more effective exchange of information can prevent crimes from happening. Interoperability in e-Justice is key in order to increase effectiveness and efficiency, as an element to prevent crime, conflicts and disputes by a more efficient exchange of information and control.

The research hypothesis was confirmed in this case. Interoperability projects in electronic justice initiatives are less conditioned by technological variables than by strategic, political, management, institutional or legal ones. These findings can hopefully guide future efforts but further work is needed in order to keep building a strong theoretical and conceptual body, and to identify successful implementation practices.

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