

JAM

Justice and management: the stakes for the transition to a modernized judicial

DURATION
1/12/2013 - 28/02/2018

BUDGET
680.074 €

PROJECT DESCRIPTION

Context

Since few years, the Belgian judicial and police organizations are the object of numerous criticisms. The media point out their slowness and their ineffectiveness. Some events, as the “Dutroux Case”, contributed also to a decrease of the confidence of citizens towards these institutions. Furthermore, the emergence of the phenomenon of “judicialization” of society contributed to the questioning of the functioning of the judicial world. In front of these elements, a reform, for the benefit of a more modern justice and police, seems absolutely essential.

So, the “Octopus” agreement of December 7th 1998, plans the creation of an integrated police body, structured at two levels: one local and the other federal. This reorganization of the structure is accompanied by a reorganization of the organizational culture through the principles of Community Policing. Some management tools also make one’s entrance in the organization. Statistical data and dashboards guide the police work towards greater efficiency and a quality service. On April 1st 2014, the structure of judicial organization has been, in its turn, modified. The number of judicial districts passes from twenty seven to twelve. Within these, corps commanders are invested with several missions of management. The new running plans, indeed, an autonomy of management both at financial level and at the level of staff and his geographical mobility. In this context, courts will have to comply with a requirement of justification and to demonstrate their real performances. It is necessary to assess the consequences as for the legal professions and organisations and the citizens.

General objectives and underlying research questions

Through the BRAIN-be project, we intend to offer a detailed view of the changes taking place in judicial and police organizations, through three different but complementary points of view: external stakeholders, managers and field actors. In this perspective, the global project is subdivided into three work-packages. Each one is guided by a main search question. The first one is entitled: “How do the actors involved in the justice system and the police, and their service users, perceive the ongoing transformations? Are the changes contributing to greater accessibility to those public services? More generally, what are the consequences of the reforms from an external point of view?”. The second research question is: “What meaning(s) is/are given to the functioning of the justice system and the police in terms of management? What arrangements have been put in place to deal with the changes? What are the controversies generated by those transformations?”. “How can the transformation processes at work be qualified? How is change steered and how does it impact on the action of the justice system and the police, their actors?” constitutes the third and the last research object.

Although police and justices reforms take on different temporalities, these work-packages will allow to draw comparisons, to rethink collaboration and, why not, exchange of good practices between these institutions in transformation.

Methodology

This research is based on a qualitative approach combining documentary analysis, interviews and case studies.

During the first months, researchers will familiarize with their subject of study. Various documentary researches on judicial system, police organization, philosophy of reforms, change management will be led.

These will be accompanied by individual and group interviews with key actors involved, one way or another, in the reforms. Let’s quote, among others, lawyers, magistrates and clerks.

Moreover, several case studies will be carried out. Into the field, researchers will have the opportunity to observe daily practices and to identify the stakes linked to the change.



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Nature of the interdisciplinarity

Three institutions group together as part of this project: the University of Antwerp, the University of Liège and the National Institute of Criminalistics and Criminology. Mandated researchers will bring each training and personal experience, whether as a lawyer or as a researcher, or sociological knowledge.

Potential impact of the research on science, society and decision-making

From a scientific point of view, the BRAIN-be project will allow to discover judicial and police worlds under various angles, sometimes neglected. An updating of knowledge will be carried out, completing reflections on change and reforms in the broad sense.

Moreover, this research will be seemed to be a window on two organizations often unknown by the public. Justice and Police will be observed and described, in full transparency, as institutions rooted in the society.

Finally, decision-makers will find in the reports a detailed analysis of current change and perceptions of key actors. This work will, hopefully, guide them in their approach and stimulate exchanges between top management and the field.

Description of finished products of research at short and medium term

Throughout the project, researchers will share their results and write intermediary reports of their discoveries.

Dissemination of the results will be ensured through publication of several articles, participation in various colloquia and national and international conferences.

Moreover, meetings will be planned with end users, at the level Justice and Police, as well as representatives of governmental bodies to inform them and to ensure exchange.

Finally, the writing of an integrative final report will conclude the research process. It should be noted, too, that the three mandated researchers will defend a doctoral thesis on the same research.

CONTACT INFORMATION

Coordinator

Frédéric Schoenaers
Université de Liège (ULg)
ISHS
F.Schoenaers@ulg.ac.be

Partners

Bernard Hubeau
Universiteit Antwerpen (UAntwerpen)
Faculty of Law
bernard.hubeau@uantwerpen.be

Christophe Mincke
National Institute of Criminalistics and Criminology (NICC)
DO Criminology
christophe.mincke@just.fgov.be

LINKS

<http://incc.fgov.be>