



China, People's Republic of: Judicial Reform: Using Big Data to Improve Delivery of Justice

Project Name	Judicial Reform: Using Big Data to Improve Delivery of Justice	
Project Number	51086-001	
Country	China, People's Republic of	
Project Status	Active	
Project Type / Modality of Assistance	Technical Assistance	
Source of Funding / Amount	TA 9490-PRC: Judicial Reform: Using Big Data to Improve Delivery of Justice	
	Technical Assistance Special Fund	US\$ 400,000.00
Strategic Agendas	Inclusive economic growth	
Drivers of Change	Governance and capacity development Knowledge solutions	
Sector / Subsector	Public sector management - Law and judiciary	
Gender Equity and Mainstreaming	No gender elements	
Description	The proposed knowledge and support technical assistance (TA) will support the Supreme People's Court's (SPC) Judicial Reform Office to design and build a big data system for judicial reform which will improve the existing data system, provide statistical data on judicial reform more effectively and comprehensively and facilitate in-depth analysis of judicial data and application to court reform needs. The system should also be designed to give continual feedback to the Judicial Reform Office and senior court management to assess the impact of system design changes and to support further reform. The TA is included in the current country operations business plan for the People's Republic of China (PRC)	

Project Rationale and Linkage to Country/Regional Strategy

The PRC government recognizes that a well-functioning economy needs supporting laws and the institutions to administer them fairly, consistently and transparently. PRC has made enormous strides in developing a generally complete and coherent body of laws and a well-functioning national court system. Both the system of laws and regulations and the court system are now comprehensive and increasingly professionalized, though there remain significant discrepancies in quality of law enforcement among localities. The courts are currently engaged in their fourth five-year reform program, which includes the establishment of the circuit courts of the SPC and trans-regional people's courts and other structural design elements that aim to minimize external influence over court decisions and to enhance compliance with court orders.

An important reform previously undertaken was computerization and networking of court records and vastly increased public transparency on court decisions. Most or all courts now have networked information technology (IT) systems that allow the publication and sharing of data. However, the SPC's Judicial Reform Office has found that the system is not well designed for evaluating the performance of the court system or assessing the impact of reforms on professionalization of the judiciary. The system generates overall numbers of cases resolved by courts in certain categories, but does not provide for per-judge breakdowns of data, nor does it assist the Judicial Reform Office to assess the quality of case resolutions. The SPC is aware that the quality of judicial performance cannot be determined solely by numbers of cases resolved, and numerical case-resolution targets have had adverse side-effects, with some courts dismissing cases, forcing settlements or deciding cases summarily to meet numerical targets. To address these concerns, the Judicial Reform Office is hoping to benefit from international expertise in assessing per-judge performance in a sophisticated system that combines quantitative and qualitative metrics. Current statistical data is also inadequate for helping the SPC plan for and allocate resources, particularly judges, among courts.

Other important reforms that have been undertaken are reforms intended to improve the case acceptance system to ensure that difficult cases are not refused, whether for reasons of local influence or to improve case resolution percentages, but the existing data collection and analysis system does not allow for analyses that would help the Judicial Reform Office determine whether the subsequent increase in case loads is a result of the reforms or caused by extraneous factors. Further reforms have aimed to minimize local government interference, and the Court Reform Office is hoping to use more sensitive data collection and analysis to determine what kinds of cases attract interference and to assess whether the reforms are working. The SPC hopes that better information on actual judicial performance, not simply raw numbers of cases resolved, will assist them to determine whether and how past reforms are working, and further will help them to allocate resources to courts where the numbers and expertise of particular judges, or further reform mechanisms, are most needed.

PRC is committed to ongoing reform of the judicial system. The SPC's Judicial Reform Office has requested Asian Development Bank's (ADB) assistance, in the form of expertise from ADB's member countries with highly developed use of data in their judicial systems, to provide valuable inputs for the Reform Office to design and build a big data system for judicial reform which will perfect the existing data system, provide statistical data on judicial reform more effectively and comprehensively, facilitate the conduct in-depth analysis, support applications to further court reforms, as well as give continual feedback to the Judicial Reform Office and senior court management to assess the impact of system design changes and to support further reform.

Impact	Governance and rule of law strengthened
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Project Outcome

Description of Outcome	Court reform decisions objectively and efficiently made
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Progress Toward Outcome	It will be evaluated upon TA completion.
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Implementation Progress

Description of Project Outputs	<p>Knowledge of Judicial Reform Office on judicial data collection, methods and analysis improved</p> <p>Observations and conclusions from field research in one or more ADB member countries compiled and documented</p> <p>Recommendations from research group(s) on the design of the SPC's data collection and analysis of the impacts of judicial reform initiatives delivered</p> <p>Handbook on judicial reform data systems, in both Chinese and English, to be used in courts of China and for international judicial exchanges published</p>
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Status of Implementation Progress (Outputs, Activities, and Issues)	<p>The TA is progressing well. Consultant recruitment for positions of Team Leader and International Specialist is ongoing, and the coordinator was fielded. A kick-off workshop was held in Beijing on 2-3 July 2018 to get an overview of work to be done under the TA. An overseas training program organized by Vermont Law School in the US was held in September 2018.</p> <p>As of 12 July 2018, out of the total \$400,000, \$73,500 has been committed to fund an international training program and reimburse four resource persons for the kick-off meeting of the TA, but hasn't been disbursed yet.</p>
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Geographical Location	Nation-wide
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Summary of Environmental and Social Aspects

Environmental Aspects

Involuntary Resettlement

Indigenous Peoples

Stakeholder Communication, Participation, and Consultation

During Project Design Stakeholders were fully consulted during project design.

During Project Implementation Stakeholders are constantly consulted during project implementation.

Business Opportunities

Consulting Services Team Leader, Chief Domestic Judicial Governance Expert and Editor in Chief
Symposium Reporter and Handbook Editor
Coordinator
International Judicial Governance Expert
Resource Persons

Responsible ADB Officer Connell, Fiona A.

Responsible ADB Department East Asia Department

Responsible ADB Division PRC Resident Mission

Executing Agencies *Supreme People's Court
Foreign Affairs Bureau
27 Dongjiaominxiang
Beijing, PRC*

Timetable

Concept Clearance 11 Dec 2017

Fact Finding 17 Nov 2017 to 21 Nov 2017

MRM -

Approval 28 Dec 2017

Last Review Mission -

Last PDS Update 28 Sep 2018

TA 9490-PRC

Milestones					
Approval	Signing Date	Effectivity Date	Closing		
			Original	Revised	Actual
28 Dec 2017	26 Jan 2018	26 Jan 2018	31 Dec 2019	-	-

Financing Plan/TA Utilization						Cumulative Disbursements		
ADB	Cofinancing	Counterpart				Total	Date	Amount
		Gov	Beneficiaries	Project Sponsor	Others			
400,000.00	0.00	0.00	0.00	0.00	0.00	400,000.00	28 Dec 2017	48,300.00

Project Page <https://www.adb.org/projects/51086-001/main>

Request for Information <http://www.adb.org/forms/request-information-form?subject=51086-001>

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