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# Presentation of the results of the Project “Enhancing the Quality of Legal Aid: General Standards for Different Countries” (QUAL-AID)

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# “Enhancing the Quality of Legal Aid: General Standards for Different Countries” (QUAL-AID)

## Project partners



Legal Aid Board



LITHUANIAN BAR  
ASSOCIATION

# Enhancing the Quality of Legal Aid: General Standards for Different Countries (QUAL-AID)

## Objective:

To enhance the quality of **legal aid services in criminal proceedings** within the EU by developing common standards for legal aid provision and quality assurance/supervision and by raising capacity of legal aid policy makers, administrators and providers for ensuring high quality legal aid

Project website: <http://qualaid.vgtpt.lt/en>

*This project is co-funded by the European Union*



# Key-outputs

- **Comparative analysis: Desk-research and interviews in 3 Project countries**
- **Practice Standards for Legal Aid Providers** - focus on improvement of LA
- **Tools and Criteria for Measuring Legal Aid Quality** – focus on evaluation of LA
- **Training** for legal aid providers, administrators and legal aid policy makers

Available on project's website: <http://qualaid.vgtpt.it/en>

## **Comparative analysis:**

Desk-research and interviews in 3 Project countries

→ *There is a Report available online:*

<http://qualaid.vgtpt.lt/sites/default/files/0412675001517559135.pdf>

## **Desk research:** comparison of jurisdictions

***Key finding:*** legal systems are too different to have just one “correct model” – but good practices can be shared

## Interviews: needs and expectations

Clients tend to assess the performance of lawyers mostly from the perspective **of an emotional criterion**

The **legal aspects** of lawyers' work quality (i.e. the quality of the documents prepared by lawyers, legal reasoning, etc.) **are less seen** by recipients

Judges, prosecutors and peers see this much more clear

**Key finding:** LA quality assurance and evaluation should be modeled to take these different needs and expectations into account

# **Practice Standards for Legal Aid Providers**

See: <http://teise.org/wp-content/uploads/2019/03/Qualaid-Practice-Standards-EN.pdf>

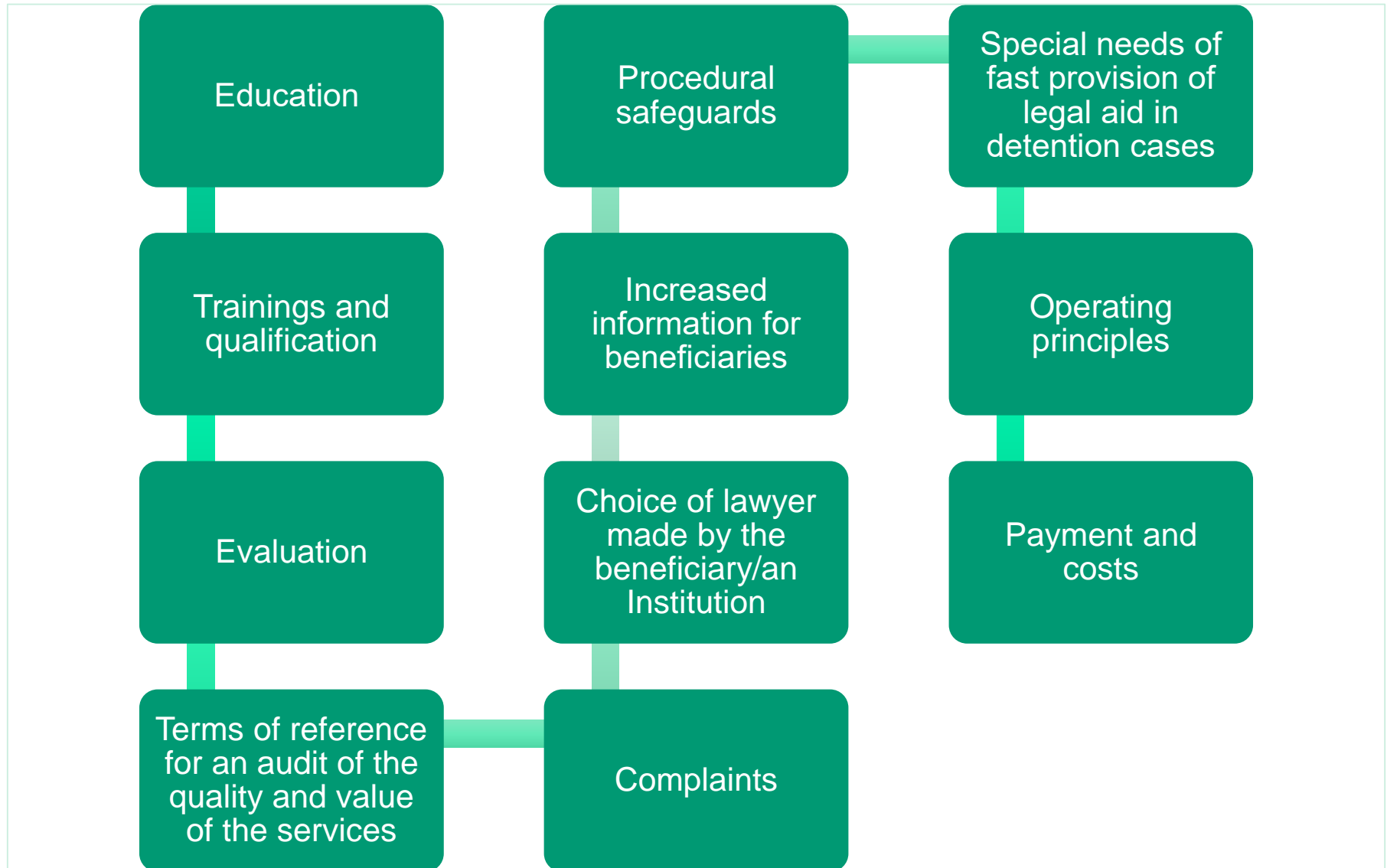


# General overview

- Based on research and survey of professionals (answers from 90 respondents; over 20 countries)
- Set out selected good practices that are able to contribute to enhancing LA
- Tools suggested range from education and trainings, to procedural safeguards and operating principles

***Key finding:*** there is no one best practice, several tools should be employed

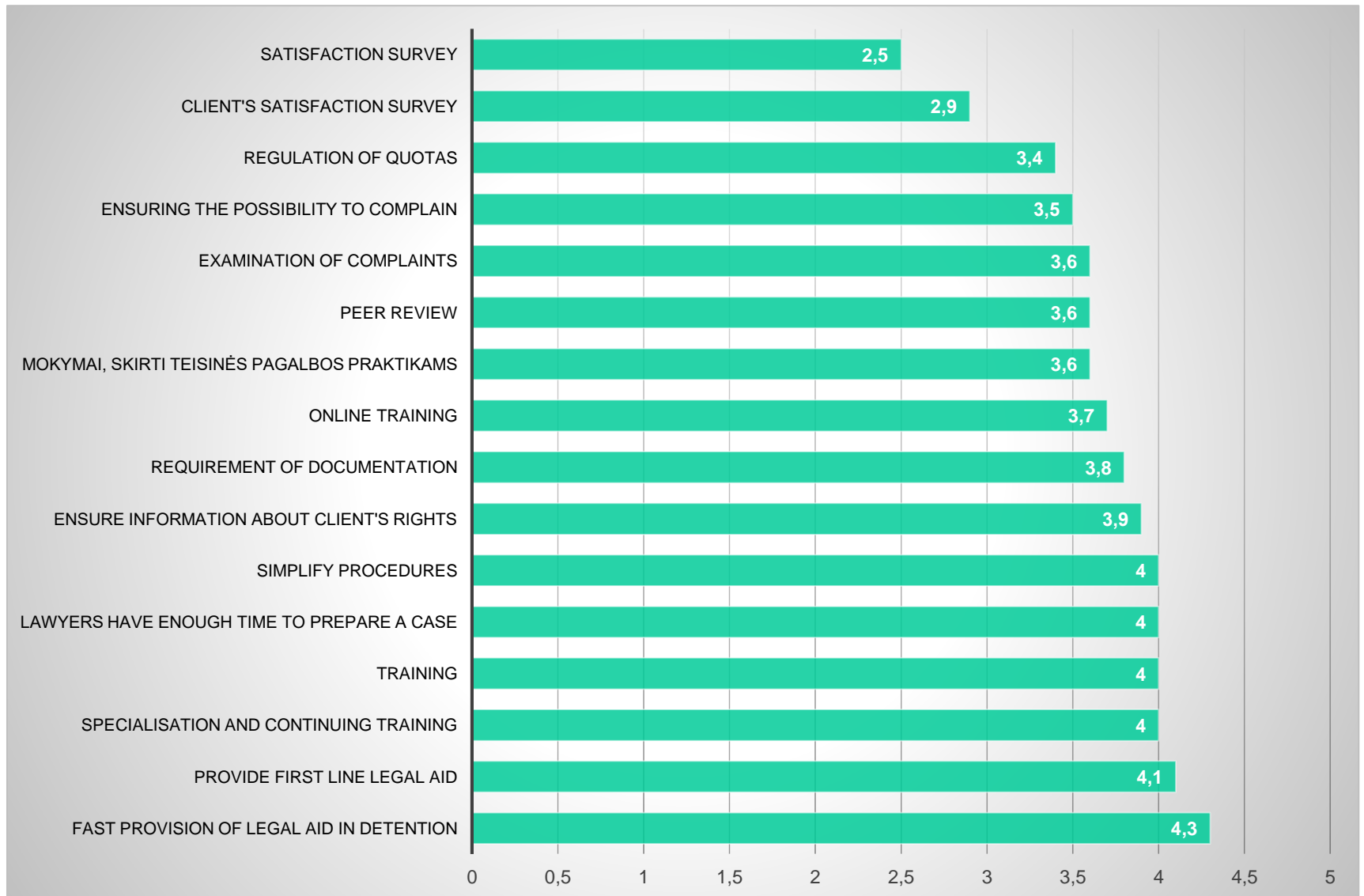
# Overview of categories we have identified



# Some examples of suggested tools

- Establishing requirement of specialization (where this is reasonable)
- Continuous education; online-trainings for LA lawyers
- Use of technologies (for first line LA, appointing lawyers, etc)
- LA client`s satisfactory surveys
- Peer review
- Drafting concrete best practice standards, check-lists
- Strengthening right to choose LA lawyer
- Providing client with all needed info and simplifying procedures

# Results of expert survey



# **Tools and Criteria for Measuring Legal Aid Quality**

See: <http://teise.org/wp-content/uploads/2019/03/Qualaid-Guidelines-for-EU-Member-States.pdf>

# General overview

- Methodological tool dedicated to specific aspects of legal quality assessment
- Discusses:
  - Principles and Preconditions of Legal Aid Quality Evaluation
  - Legal Aid Quality Evaluation Forms and Tools

***Key finding:*** when selecting tools for quality assessment legal and cultural context of the state is important. E.g. principle of lawyer's independence; confidentiality is particularly strong in some states

# Principles and Preconditions of Legal Aid Quality Evaluation

- Lawyer's independence and autonomy principle
- Protection of confidentiality of lawyer-client relationship
- Public interest and efficiency of use of State resources
- Cooperation and mutual trust principle
- Quality standards as a precondition for assessing
- Lawyer's activity documentation

# Legal Aid Quality Evaluation Forms and Tools

## LA system evaluation tools

- Objective quality indicators
  - Analysis of general data
  - Analysis of success rate in cases, etc.
- Subjective quality indicators
  - Client surveys
  - Surveys of professionals (judges, prosecutors)

## Individual evaluation of LA providers

- Peer review
- Observation
- Analysis of documents
- Analysis of complaints
- etc