

Answers to the Questionnaire of the 1st Study Commission IAJ-UIM

“The Effects of Remote Work on the Judicial Workplace and the Administration of Justice” (2023)

RESPONSE FROM NORWAY

1) Remote work of judges in your country

a. Were judges permitted to work remotely in your country prior to and/or during the COVID-19 pandemic? If yes, please give examples (for example, studying cases at home, discussing cases with colleagues via videoconference applications or the phone instead of personal meetings, holding hearings online via videoconferencing applications, etc). Was technical equipment made available to the judges to enable them to work remotely?

Prior to the start of the pandemic, judges were permitted to work at home. We don't have figures on how common it was, but it was done to some extent to reading and studying cases and writing judgements.

During the pandemic the situation changed. Many judges started to work from their homes, and also held video and telephone hearings. Technical equipment was made available to judges to enable them in a larger scale to work remotely.

In the spring of 2020 changes were made in procedural law, enabling the courts to handle both civil and criminal cases. In this manner electronic procession of cases were made possible.

b. What is the status of remote work by judges in your country now? Do many judges still work remotely in your country, and to what extent? (for example, all or just a certain percentage of judges? Only in certain fields of law or certain typex of cases? Only in lower courts or higher courts? Etc.)

Remote work is more common now after the pandemic, and it is permitted if the situation at the workplace allows it. Without having specific figure on this, the impression is that many judges in Norway nowadays work remotely one or two days a week. This is probably more common in first instance, than in higher courts.

2) Effect on judicial work

a. Did remote work change judicial work in general for better or for worse – or both- in your country) Please give examples.

The measures that were taken has not led to any major changes. It's the same work to be performed as before.

b. Does the remote work of judges have an impact on the judicial workplace in your country? Negative, positive or both? Please give examples.

The judicial workplace is affected by the fact that staff spend less time there. Both communication of knowledge and the social environment can be affected negatively. The positive impact is that judges experience an increased freedom in being able to sometimes work remotely. Some also feel that working at home is more efficient and less disturbed than working in the office.

c. From your point of view, what future effects of remote work on the judicial workplace – negative, positive or both – can be expected?

There will be few technical obstacles to perform all work tasks remotely in the future. The question is if this is appropriate from the perspectives of rule of law, work environment, education and communication of knowledge.

3) Effects on the administration of justice

a. What are the pros and the cons of remote work on the administration of justice?

The ability to continue dealing with cases which otherwise could not be dealt with, is the most positive aspect of remote work. In general – after the pandemic – it is better that cases are dealt with non-remotely.

b. Does remote work have a positive or negative impact on the administration of justice in general in your country? Please give examples that include, but are not limited to, the quality of the administration of justice.

See above

c. Are you aware of the public's perceptions of remote work by judges? Please give examples of positive or negative perceptions.

The remote work is not visible to the public. Judges mostly work from the courts, and the hearings take place at the courts.

d. What are the positive and/or negative effects of holding remote hearings/conferences?

Hearings are held at the courts, but the parties can attend via video conference if there is a certain reason for that. The court decides whether it is appropriate or not. The negative aspects are first and foremost that technical problems can occur. It is also often difficult to guide troublesome parties when they are not in the court room.

4) Remote work and judicial independence. Do you see any positive or negative effects of remote work on judicial independence? If yes, please give examples.

No

5) Limits on remote work for judges.

a. Does your country place any limits on the remote work of judges (for example, limits on remote hearings in criminal cases)? If yes, please give examples.

No

b. Are there any proposals to change rules or statutes in your country either to permit more, or to limit, remote work by judges?

No

c. Should there be any changes of rules or statutes in your country either to permit more, or to limit, remote work for judges?

No