

Official name in original language	Raad voor de rechtspraak
Official name in English	Dutch Council for the Judiciary
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Brief history	The Council was established in 2002 as a result of a large-scale modernization of the Judiciary. Before that time, the Minister of Justice was fully responsible for the management and supervision of the Judiciary. The Minister had no authority where the adjudication of individual cases was concerned; this was the sole responsibility of the judges at the courts. Both Parliament and the Judiciary itself deemed it necessary to strengthen the independent position of the Judiciary. The governance structure of the Judiciary was changed, meaning that the boards of the courts were made integrally responsible for their own operations. In addition, the Council was established to bear full responsibility for the budget, coordination and supervision of the entire court system. The Council has no authority with regard to the adjudication of individual cases. Moreover, there was no longer a direct link between the Minister of Justice and the courts.
Constitutional or legal status/basis	Legal status. The Netherlands Council has no basis in the Constitution.
Legal acts regulating the Status	Act of 18 April 1827 on the composition of the Judiciary and the organization of the justice system, or Judicial Organisation Act (Chapter 2, part 6).
Composition:	
Total number of members	According to article 84, paragraph 4, of the Judicial Organisation Act, the Council should consist of between 3 and 5 members . It is up to the Council itself to choose the actual number. Currently – 4 members.
Term of office	6 years
Is there a possibility to be renewed as a member?	Yes, for a period of maximum 3 years
Do the members have a full-time position or not?	Full-time
Make up	Article 84, paragraph 1 of the Judicial Organisation Act provides that the Council should consist of a minimum of 3 members and a maximum of 5 members. Currently 2 members are judges. Article 84, paragraph 4 of the Judicial Organisation Act provides that when the Council consists of 4 members, at least 2 should be judges.

Is there a majority of Judges?	Currently 50% are judges. But when the vote in the Council is tied, the President (who is always a judge) has the casting vote.
Presidency	The President is always a judge The Vice-president is always a judge
Main Competences:	
Career of judges and / or prosecutors	Formally appointment of judges is by Royal Decree (i.e. the Minister for Security and Justice) after an extensive consultation round within the Judiciary. Appointment is in fact based on the recommendation of the Council, which in turn is based on the opinions of the court boards and the advice of the selection committee.
Judicial training	Judicial training is developed and organized by the SSR (National Judicial Training Centre). The Council is part owner of SSR (2/3 Council and 1/3 Procurator-General's office) and therefore responsible for both the organization and supervision of SSR.
Discipline	No competence in the area of disciplinary proceedings against judges.
Ethics	The Council has a role in promoting judicial ethics. Strengthening awareness of integrity is a key objective for the Council. A special working group of members of the Judiciary and policy advisors of the Council are currently working on integrity issues, such as a handbook, amendment of the Code of conduct for the Judiciary and opening debate on accessory functions.
Opinions on legislation / other opinions	One of the Council for the Judiciary's main duties is providing advice to the government and to Parliament on bills and policy proposals that affect the judiciary. This only involves proposals that have a direct impact on the organisation of the Judiciary, as well as on the introduction or amendment of (new) legal proceedings. The Council's advice is ratified following consultation with the courts. The Council can provide legislative advice both on request and on a non-solicited basis.
Other competencies:	Promotion of Quality and Uniformity of law: the Council has no task with regard to the evaluation of the work of an individual judge. The Council's task with regard to the quality of the judiciary system involves promoting the uniform application of the law, for example by stimulating the adoption of sentencing guidelines. The Council's task also concerns enhancing the quality of the management of the court.
Status of decisions	The decisions of the Council based on its statutory tasks are binding.
Review	If a decision of the Council involves the execution of its statutory tasks and is manifestly contrary to the law or prejudicial to the proper operation of the courts, it may be set aside by Royal Decree upon recommendation of the Minister for Security and Justice (article 106 of the Judicial Organisation Act). In executing its tasks, the Council does not interfere in any way with the adjudication of individual cases (article 96).

Budget

The Council negotiates with the Minister of Security and Justice the annual budget for the whole of the Judiciary and is fully accountable to the Minister with regard to the way this budget is spent. Should the Council and the Minister not agree on the budget, both present their budget proposal to Parliament, which will then choose. The budget covers all costs and activities of the Council, the courts under its responsibility and also the salaries of judges. In addition, the Council is part owner of the national judicial training institute (SSR) and full owner of the IT company for the Judiciary (Spir-it). The Council allocates the budget to the courts and supervises their financial administration. The courts are accountable to the Council with regard to the way their budgets are spent. The budget is determined by an output-based funding system. The number of cases the Judiciary handles each year is multiplied by the prices per (type of) case. Prices are negotiated between the Minister and the Council and are fixed for three years.