

Digital transformation: audit of Justitia 4.0

Federal Supreme Court

Key facts

In 2019, the Conference of Cantonal Justice and Police Directors (CCJPD) and the Swiss Justice Conference launched the Justitia 4.0 (J40) project. J40 is supported by the Swiss Bar Association and the Federal Office of Justice (FOJ). The FOJ is in charge of the legislative process for the new Federal Act on the Platform for Electronic Communication in the Justice System. The project aims to ensure the consistent and comprehensive digitalisation of the Swiss justice system for all types of proceedings under criminal, civil and administrative law. J40's digitalisation objectives cover all types of proceedings under criminal, civil and administrative law conducted by judicial authorities, and thus involve approximately 30,000 legal professionals. The project has a budget of CHF 89 million, of which around a quarter is borne by the federal government. The project activities are divided into three sub-projects: platform, the e-justice record (eJustizakte) application and transformation. The J40 project is scheduled for completion in 2027. The Swiss Federal Audit Office (SFAO) audited the J40 project for the first time.

So far, good progress has been made with setting up the platform. The e-justice record sub-project is based on a tried and tested solution for electronic record-keeping. This means that existing know-how and development resources can be leveraged, leading to cost savings. However, the planned conceptual and implementation work presents a major challenge. There is an urgent need to strengthen project steering and management, as well as stakeholder management. J40 must ensure, in particular, that the target architecture complies with the rules and regulations.

Incomplete stakeholder management

The primary focus of the project activities was on the platform for cyberjustice. Stakeholder management was neglected as a result, even though the requirements are complex in terms of breadth and depth. As regards stakeholder management, the project is largely reactive in nature. Only priority stakeholders are involved in project activities. Consequently, there is a risk that not all relevant needs have been covered. Resistance may arise and important decisions might be taken too late. The SFAO recommends that all relevant stakeholders be involved. Their expectations and needs must be assessed. The stakeholders involved to date have been impressed by the J40 project's high focus on the benefits.

The potential for efficiency gains is not sufficiently addressed

Potential efficiency gains and savings are set out in the project charter for J40. Commitments on benefits have been formulated and the stakeholders have no doubts about feasibility. However, the project has not yet defined how the achieved efficiency gains and cost savings are to be demonstrated. Moreover, J40 does not sufficiently address the potential efficiency gains. The project is actively pursuing the identification and use of synergies. The SFAO recommends that principles be drawn up and implemented which ensure project management and steering based on benefit and impact goals.

Lack of clarity over compliance with rules and regulations

Apart from the judicial authorities and parties to proceedings, the federal offices that conduct criminal proceedings are also covered by the project. In order for them to use the platform, various federal rules and regulations, including those on information security, must be complied with. At the time of the audit, it was still unclear whether such rules and regulations can be adhered to with the existing implementation of the platform. The SFAO recommends that this question be clarified, otherwise there is a risk that the federal offices, and possibly other important stakeholders, will be able to use the platform only with a delay, or not at all.

Project steering and management need to be strengthened

The planning of the projects and its sub-projects does not sufficiently meet the demands of effective project management and steering. Internal risk management is deficient, as is quality assurance. There are no principles for consistently dealing with risk, resulting in an unreliable picture of risk. The change management process has been described but, as yet, this has not been operationalised for the platform. In view of this, the SFAO recommends that the FDF take various measures to strengthen project management and steering.

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