

Ceremonial Address by the President of the Supreme Court of Cyprus
The Completion of the Project for the Reform
of the Rules of Civil Procedure

8 December 2021

Dear Colleagues,
Honourable Attorney-General and Honourable Minister of Justice,
President of the Pancyprian Bar Association,
Distinguished guests, Ladies and Gentlemen.

It is with great pleasure that I address this Ceremony today, which formally signifies the completion of the Project for the Reform of the Rules of Civil Procedure.

The approval of the new rules by the Supreme Court on 19 May 2021 marked a significant milestone in the reform process of the Civil Justice System in Cyprus. The need for radical amendment of the civil procedure rules in Cyprus had been acknowledged many years before. Ad hoc and incremental, piecemeal attempts at reform were not particularly effective. The need to proceed more robustly with the reform process became even more apparent and pressing in recent years with an increasing backlog of cases and with Cyprus lagging at the bottom of various reports and indices regarding the efficiency of EU member states in the administration of justice, including the EU Justice Scoreboard which realizes the need for improving the effectiveness of national justice systems, a well-established priority of the European Semester. The delay in delivering justice in Cyprus became a cause of grave concern.

With a view to addressing this concern, we decisively embarked on a multifaceted effort to reform our judicial system. The main aim was to restructure the administration of our courts and make the delivery of justice more efficient and effective. A consensus in principle on the need for a radical revision of the Civil Procedure Rules was established among all the major stakeholders, who agreed that the starting point should be the current English Civil Procedure Rules. We benefitted in this multifaceted effort, from significant economic and technical support from the European Commission in close partnership with the Council of Europe.

The new rules, which will replace the existing legal framework in force since 1958, give effect to key recommendations made by a group of experts headed by the Rt. Hon. Lord Dyson who worked in close cooperation with the Rules Committee established by the Supreme Court. However, as I have mentioned on previous occasions, the Rules cannot be truly effective unless they are understood and accepted by all those involved in the judicial system and the new practices and procedures are properly and robustly applied by the courts. This involves attitude changes towards more cooperation on the part of legal practitioners before and after the commencement of litigation and a more robust and practical approach by judges in the exercise of their active case management role. It is for this reason that after the Court summer recess this year, efforts focused on training judges, lawyers and court staff on the new rules. It is imperative that this training is continued by the facilitators at least until the implementation of the new rules in 2023.

The backlog of cases over two years old represents the biggest challenge currently facing the Cyprus judiciary. The significant reduction of this backlog is a prerequisite not only for the successful implementation of the new rules but also for other aspects of the reform process the progress of which is inextricably dependent on making substantial progress in clearing the backlog. We hope to be assisted in meeting this enormous challenge by the backlog action plan which is currently being prepared by the European Commission for the Efficiency of Justice (CEPEJ).

The significance of Technology for the effective implementation of the Rules cannot be overstated. Technological advances in the processes of the courts are necessary for any modern judicial system, especially in a swiftly changing global digitalised environment. The importance of using computer-assisted technology to improve the efficiency of the administration of civil justice was emphasised long ago by Lord Woolf in his Report "Access to Justice" who stated that "*investment in the appropriate technology is fundamental to the future of the civil justice system and is also likely, in due course, itself to be a catalyst for radical change*". The introduction of e-justice in Cyprus, another major pillar of the ongoing reforms, is widely considered of paramount importance to streamlining, simplifying and expediting justice in Cyprus. If successful, the implementation of e-justice can further reduce inefficiencies and delays and provide better access to justice at a significantly lower cost. The new Civil Procedure Rules anticipated the use of the internet and emails and no doubt will evolve even further in line with technological developments.

The finalization of the project does not mark the end of the road. Significant challenges lie ahead most important of which is the successful implementation of the rules. Time, of course, will be the judge.

On behalf of the Supreme Court and the Cyprus judiciary, I would like to thank all those who contributed to the materialisation and success of this demanding and challenging project. I especially thank the European Commission and the Council of Europe and DG Reform of the European Commission for funding the project and making the Supreme Court's vision for reform a reality.

The Supreme Court also expresses its gratitude and deep appreciation to the Expert Group headed by the Rt. Hon. Lord Dyson, the IPA and all the members of the Rules Committee, for their commitment to the project and valuable input. Last but not least it expresses its gratitude to Mr George Erotocritou, the Project Manager and Director of Reform and Training, for his successful management of the project.

I would like to end on this note: It has been said that "*public confidence and the rule of law are inextricably intertwined*"¹. The preservation of the rule of law is dependent on maintaining public respect and confidence in the law, in our courts and our judicial system. The new rules are undoubtedly an important tool for the improvement of access to justice and its efficient administration. They thus constitute a significant contribution to the rule of law.

Nicosia, 8th December 2021

¹ R. v. Hall, [2002] 3 S.C.R. 309 (Can).