



**Audit Report**  
**21/28**  
**Digitalisation at the Ministry of Justice**

The audit was included in the audit plan of the Supreme Audit Office (hereinafter the “SAO”) for the year 2021 under No 21/28. The audit was headed and the Audit Report was drawn up by Ing. Roman Procházka, an SAO Member.

The **aim of the audit** was to examine the economy and effectiveness of spending funds on digitalisation in the department of the Ministry of Justice.

**Audited entities:**

Ministry of Justice (hereinafter the “MoJ”),  
Probation and Mediation Service (hereinafter the “PMS”).

The audit was conducted with the audited entities between October 2021 and June 2022.

The **audited period** was from 2016 to 2020; where relevant, the preceding period and the period up to the end of the audit were also scrutinised.

**Note:** The legal regulations indicated in this Audit Report are applied in their wording valid and effective for the audited period.

Funds are inclusive of VAT unless otherwise stated.

The **SAO Board** at its 14<sup>th</sup> meeting held on 17 October 2022

**approved**, by Resolution No 12/XIV/2022

the **Audit Report** as follows:

# Digitalisation at the Ministry of Justice

The MoJ made minimal progress in the development of eJustice in the period of 2016-2021

**10%**

**The MoJ has only met two of the twenty objectives of the eJustice Strategy**

For example, the MoJ did not allow easy and friendly communication with parties to proceedings and the public, including the provision of information.

**23%**

**The MoJ has completed eight of the thirty-seven activities of the eJustice Strategy Action Plan**

For example, the MoJ did not provide remote viewing of files, data sharing between departmental information systems, electronic filing, or electronic monitoring of convicts.

**85%**

**Of the fifty-nine information systems in operation, fifty are burdened by at least one major problem**

For example, unfavourable licensing terms and conditions for the information systems in operation persist and there is no interface for information exchange between information systems.

**CZK 331.5 million**

**the amount of funds spent on the implementation of the eJustice Strategy in the period of 2016-2021**

## I. Summary and Evaluation

In the audit, the SAO examined the effectiveness and economy of the spending of funds for the implementation of the *Departmental Strategy for the Development of eJustice 2016-2020* (hereinafter the “eJustice Strategy”). It focused on monitoring the achievement of the objectives and implementation of the activities/projects set out in that strategy.

**Between 2016 and 2021, the MoJ made only minimal progress in the digitalisation of the justice department. The Ministry had already spent CZK 331.5 million to meet the objectives of the eJustice Strategy. The SAO assessed the implementation of the eJustice Strategy, including its management, as inefficient. The MoJ did not ensure the completion of key activities. The activities that have been completed cannot be used to meet the objectives set without the implementation of follow-up projects. The information systems still used in the justice department, including the electronic filing service systems, are technically and morally obsolete, built on different platforms. The information systems are incompatible with each other and do not share data. At the same time, they are costly to administer. There is a lack of user-friendly tools for communicating with parties to proceedings and for sending electronic submissions with the possibility of immediate electronic payment. Electronic files exist only for the electronic payment order agenda.**

Of the three projects examined, none was operational at the time of the SAO audit completion. The project *eJustice 2020 – eSIR part* of the MoJ was to implement most of the key activities related to the implementation of electronic files and the new modular electronic filing service in judicial agendas. The project is already three years behind schedule. Prolonging implementation brings the risk of ineligibility of expenditure for reimbursement from EU funds and an increase in overall expenditure, which would have a negative impact on cost-effectiveness (economy). The implementation of the project *Agenda information system of the Probation and Mediation Service*, which is already two years behind schedule, poses similar risks. The project *Electronic monitoring system* was terminated after three years of operation and the Probation and Mediation Service had to return to checking convicts by physical visits.

The MoJ did not even provide an estimate of the amount of funds it would need to meet the objectives of the eJustice Strategy. As a result of the absence of a departmental information concept for several years, the MoJ had no clear idea what projects it would implement, to what extent and in what time frame. The development of eJustice was thus uncoordinated.

The overall evaluation is based on the following facts:

### **1. The MoJ did not meet the objectives of the eJustice Strategy, it did not eliminate the fundamental problems in ICT**

By June 2022, the MoJ had completed only 8 out of 37 planned activities within the eJustice Strategy. However, most of the implemented activities are to be followed up by others that have not been implemented by the MoJ. The MoJ managed to meet only two specific objectives out of 20 (see Annex 1). Failure to meet the objectives of the eJustice Strategy has, among other things, a negative impact on meeting the objectives of the *Digital Czechia* programme.

A total of CZK 331.5 million was spent on the implementation of the eJustice Strategy in the period of 2016-2021. The largest part of these funds (CZK 247 million) was spent on the purchase of video conferencing equipment and recording devices for courtrooms. The key activities to meet the objectives of the eJustice Strategy have not been completed or have not been started by the MoJ. In particular, the MoJ has not created and has not implemented the new electronic filing service system (hereinafter the “eSpis”), the justice centre<sup>1</sup> or the judicial service bus<sup>2</sup>. The MoJ has not eliminated the fundamental problems in ICT that the justice department has been facing since at least 2007.

## **2. The MoJ has repeatedly extended the implementation of a key project for the development of eJustice; it is still not completed**

The output of the project *eJustice 2020 – eSIR part* (hereinafter the “eSIR project”) is to be, in addition to the acquisition of a new agenda information system for the Insolvency Register, the creation of the eSpis and a justice centre. The MoJ, in the eSIR project, purchased only three elements of the justice centre out of seven and spent CZK 4.1 million, i.e., 2% of the project expenditure. Without the acquisition and operation of the eSpis and the Insolvency Register agenda information system (IS), all the already acquired supporting IS can be used only to a very limited extent. The implementation of most of the tools of modern eJustice is impossible without the outputs of the eSIR project.

During the implementation of the eSIR project, the MoJ split and merged public contracts (hereinafter “PC”) and postponed their implementation. At the same time, it added, expanded and omitted sub-activities. This non-conceptual approach was the reason for repeated extensions of the implementation deadline from 31 December 2019 to 31 December 2023 (the latest possible date). If the MoJ does not complete the eSIR project by that date and achieve its purpose, the expenditure of up to CZK 177.8 million will become ineligible for reimbursement from European Union (hereinafter also “EU”) funds. All project expenditure would then have to be covered by the MoJ from the state budget. Prolonging the implementation also brings the risk of increasing the overall project expenditure.

## **3. Electronic monitoring of persons does not work, their checks are again carried out only by probation officers in the form of physical visits**

The electronic monitoring of persons sentenced to house arrest and persons under the regime of substitution of custody by supervision had been repeatedly attempted by the PMS and the MoJ since 2012. It was only in September 2017 that the PMS entered into a contract for the supply of electronic wristbands, monitoring centre software and for the provision of servicing and development services. However, the selected contractor failed to fulfil some of its contractual obligations from the beginning of the cooperation or fulfilled them with considerable delays. Thus, at the end of 2021, the PMS withdrew from the contract and discontinued the operation of the electronic monitoring system (hereinafter the “EMS”). It quantified the contractual penalties and damages at CZK 139.5 million. It is recovering these funds from the contractor in court.

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<sup>1</sup> The justice centre is a set of several separate supporting IS whose functions are to be used by at least two agenda IS.

<sup>2</sup> The judicial (enterprise) service bus is a bus of shared services within the judiciary. It enables the organisational units of the judiciary to share up-to-date data and services with one another.

From December 2021, the PMS had to return to checking convicts through unannounced physical visits. The average monthly cost of these checks is in the range of CZK 232 thousand to CZK 464 thousand. The relevant specific objective of the eJustice Strategy has not been met since the EMS ceased operation.

#### **4. Minimal progress in the development of eJustice is related to the absence of basic management documents and the inability to draw on budgeted investment funds**

In violation of legal regulations, the MoJ did not have a developed, approved and accredited information concept of the justice department (hereinafter the “IC of the MoJ”) from 2000. At the same time, it did not have any Justice Enterprise Architecture. For the activities and background documents for the preparation of these documents, the MoJ paid to the contractor CZK 5.5 million. By not preparing and approving the IC of the MoJ and the Enterprise Architecture, the MoJ spent these funds inefficiently.

Investment expenditure spent on ICT in the justice department in the period of 2016-2021 was one-third of the operating expenditure (CZK 926.7 million vs. CZK 2,941.2 million). In the period of 2016-2021, the MoJ spent only between 21% and 50% of the investment expenditure budgeted for ICT. In particular, the MoJ was not able to implement eJustice projects and related key PC as planned.

## **II. Information on the Audited Area**

The **Ministry of Justice** is responsible for setting and implementing the strategies in its area of competence. It is to direct and manage the use of ICT in courts, public prosecutor’s offices, the Prison Service and the Probation and Mediation Service. It is also responsible for the coordination of ICT at the Judicial Academy, the Criminal Records and the Institute for Criminology and Social Prevention. The MoJ is the administrator of budget chapter 336. In addition to the MoJ expenditure, that chapter of the state budget includes the expenditures of 98 courts, 97 public prosecutor’s offices, the Prison Service, the Probation and Mediation Service, the Judicial Academy, the Criminal Records and the Institute for Criminology and Social Prevention.

The **Probation and Mediation Service** supervises suspects or accused, defendants or convicted persons (probation) and out-of-court mediation to resolve disputes between the suspects or accused and the victims, and activities aimed at settling conflict situations in connection with criminal proceedings (mediation). The PMS is responsible for the implementation of the EMS, which enables effective and immediate checking of the implementation of appropriate alternative punishments and measures.

In 2016, the MoJ prepared the *Departmental Strategy for the Development of eJustice 2016-2020*, which was approved by Government Resolution No 505 of 8 June 2016<sup>3</sup>. This was the first independent concept in this area. According to that document, digitalisation of the judicial system, or eJustice for short, means the use of ICT in the judicial system in order to support fair, lawful and fast decision-making of the organisational units of the justice department and their efficient, economical and transparent functioning. The global objective

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<sup>3</sup> Resolution of the Government of the Czech Republic No 505 of 8 June 2016 *on the Departmental Strategy for the Development of eJustice for 2016-2020*.

of this strategy was to “support the guarantee of the right to a fair trial and the right to judicial protection and to streamline the functioning of all organisational units of the justice department”.

The global objective was developed into 3 strategic and 20 specific objectives (see Annex 1). The development of eJustice was also one of the specific objectives of the Smart Administration<sup>4</sup> strategy for the period of 2007-2015 and subsequently the *Strategic Framework for the Development of Public Administration of the Czech Republic for 2014-2020*. According to the evaluation reports, in none of the cases was the objective set achieved. The development of eJustice is also part of the Government’s *Digital Czechia* programme.

### III. Scope of the Audit

During the audit, the SAO examined, in particular, the economy and effectiveness of spending funds on digitalisation of the judicial system in the department of the Ministry of Justice. The period audited was from 2016 to 2020, and the preceding and subsequent periods where materially relevant.

The SAO audited the implementation of eJustice development at the MoJ. The effectiveness of the funds spent on the implementation of the eJustice Strategy (i.e., on the implementation of digitalisation of the judicial system) was assessed in terms of meeting the specific and strategic objectives of the strategy. The cost-effectiveness of the funds spent on the implementation of the eJustice Strategy was assessed in terms of providing the necessary inputs for the fulfilment of the tasks set, i.e., the activities set out in the *Action Plan of the Departmental Strategy for the Development of eJustice 2016-2020*, which are relevant for the assessment of the efficiency of the implementation of the eJustice Strategy, including the management of the operation and development of ICT in the justice department. It was verified whether and in what quality the MoJ had prepared the departmental information concept and other management documents for the ICT area, and whether it had followed them and evaluated the compliance with them.

At the MoJ, the eISIR project was selected for audit by the SAO. This is a key eJustice project, which is to contribute significantly to the fulfilment of the objectives of the eJustice Strategy<sup>5</sup> and also to the fulfilment of the *Strategic Framework for the Development of Public Administration of the Czech Republic for 2014-2020* and the *Digital Czechia* programme. At the PMS, the projects selected for audit were the new agenda information system (hereinafter the “AIS PMS”) and the EMS project. The SAO audited their setting and implementation. The effectiveness of the funds spent was assessed in terms of compliance with the project’s subject-matter, fulfilment of the project’s indicators and objectives and fulfilment of the relevant specific objectives of the eJustice Strategy. The cost-effectiveness of the funds spent was assessed in terms of the implementation period, compliance with the terms and conditions of the subsidy and the project parameters.

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<sup>4</sup> Strategy entitled *Efficient Public Administration and Friendly Public Services – Smart Administration Implementation Strategy 2007-2015*.

<sup>5</sup> The MoJ indicated a link to 15 specific objectives: 1.1, 1.2, 1.3, 1.4, 1.6, 1.7, 2.1, 2.2, 2.5, 2.6, 2.7, 3.1, 3.2, 3.3 and 3.4.

The audited amount of funds represented funds spent on the implementation of the eJustice Strategy in the amount of **CZK 331,508,680**.

The audited amount of funds at the project level was **CZK 33,079,294** and included:

- funds spent in the implementation of the eSIR project in the amount of CZK 4,141,830,
- funds spent in the implementation of the EMS project in the amount of CZK 21,285,468,
- funds spent in the implementation of the project of the new AIS PMS in the amount of CZK 7,651,996.

## **IV. Detailed Findings of the Audit**

### **1. Implementation of the eJustice Strategy**

The justice department has long been struggling with several major problems in the ICT sector, including:

- outdated, technologically inconsistent, user-unfriendly and slow electronic filing service systems,
- the absence of electronic files (electronic files exist only for the electronic payment order agenda),
- completely or partially non-existent communication between IS and with external IS,
- parties to proceedings do not have the possibility to remotely consult their respective files,
- inconsistent IS architecture and lack of a unified integration platform for individual ICT components and IS (non-functioning infrastructure and architecture system),
- unfavourable licensing terms and conditions – the MoJ is not the owner of the copyright, source codes or documentation for the IS,
- outsourcing of part of ICT services and low number of ICT staff at the MoJ (non-functioning ICT administration and maintenance).

At least one of the above problems affected 50 out of 59 IS in operation (see Annex 2). The MoJ spent CZK 167,899,886 annually on the operation of all IS. The highest share of that expenditure (CZK 101,506,399) was paid by the MoJ to a single contractor on the basis of one operating contract dated 2010. The contract covered the operation of 19 IS.

In the eJustice Strategy, the MoJ set out the goals it wanted to achieve by 2020, which were to eliminate the above-mentioned problems. For the implementation of the eJustice Strategy, the MoJ prepared an action plan<sup>6</sup>, which included basic descriptions of the specific objectives, their benefits and risks associated with their implementation. For each specific objective, at least one activity was listed for its fulfilment.

The individual activities were chronologically sorted into the individual years of the effectiveness of the eJustice Strategy. The monitoring and evaluation procedures, the main phases of implementation and the sources of funding had already been set out by the MoJ in the eJustice Strategy itself. However, neither in the action plan nor in the eJustice Strategy did the MoJ specify the time requirements and responsible entities for any activity, set an implementation budget or other financing plan, or prepare cost estimates for the implementation of the individual activities. Although the MoJ designated the promoter and

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<sup>6</sup> *Action Plan of the Departmental Strategy for the Development of eJustice 2016-2020.*

administrator of the eJustice Strategy, it did not define the management structures of implementation, the roles and responsibilities of the entities involved in its implementation, the rules and processes of implementation and risk management procedures. The MoJ prepared the action plan only in 2017, but it was not approved by the time the SAO audit was completed. By taking the above steps, the MoJ acted in contradiction with the *Methodology for the Preparation of Public Strategies*<sup>7</sup> and the eJustice Strategy and failed to fulfil the task set by Government Resolution No 505 of 8 June 2016.

The MoJ produced only one multi-year evaluation of the implementation of the eJustice Strategy, in 2017<sup>8</sup>. However, it did not approve that evaluation. The MoJ did not carry out ongoing monitoring of the progress of implementation of the eJustice Strategy at quarterly intervals and did not prepare annual reports on the development of eJustice. At the time of the SAO audit, the Ministry of Justice was preparing the final evaluation of the implementation of the eJustice Strategy. The MoJ thus acted contrary to the monitoring plan set out in the eJustice Strategy and failed to fulfil the task set out in Government Resolution No 505 of 8 June 2016.

Although the MoJ had spent a total of CZK 331,508,680 on the implementation of the eJustice Strategy as of 7 April 2022, it managed to meet only two specific objectives out of a total of twenty. The MoJ introduced an “automatic generator of random assignment of cases between the relevant judges” and ensured the “provision of information on the courts’ decision-making”. Of the 37 planned activities, only eight were fulfilled by the MoJ. An overview of the activities completed, including the funds spent, is given in Table 1. However, most of the completed activities are to be followed by other, not yet implemented activities, without which the MoJ cannot meet the relevant specific objectives (see Annex 1).

**Table 1: Completed activities of the eJustice Strategy**

Activity	Expenditure (in CZK)
Drafting the functional requirements for the eSpis	–
Analysis of document circulation in courts and public prosecutor’s offices	–
Equipping of courtrooms with recording devices	186,266,472
Acquisition of the <i>Random Assignment Generator</i>	2,571,250
Modification of departmental IS and acquisition of necessary tools in connection with the effectiveness of the eIDAS Regulation <sup>9</sup>	4,373,232
Provision of video conferencing in the justice department	61,129,617
Creation of a system for publication of court rulings	47,190
Acquisition of vulnerability management tools for detecting cyber vulnerabilities	11,946,414

**Source:** *Evaluation of the progress of implementation of the Departmental Strategy for the Development of eJustice 2016-2020*, version as of 7 April 2022; prepared by the SAO.

<sup>7</sup> The members of the Government were instructed to base the preparation of strategic documents on the *Methodology for the Preparation of Public Strategies* by the Resolution of the Government of the Czech Republic No 318 of 2 May 2013 *on the Methodology for the Preparation of Public Strategies*.

<sup>8</sup> *Information on the progress of implementation of the Action Plan of the Departmental Strategy for the Development of eJustice 2016-2020 for the period of 2016-2017*.

<sup>9</sup> Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

The Ministry of Justice did not implement key activities to meet the objectives of the eJustice Strategy and eliminate major problems. In particular, it did not create and implement the eSpis, a justice centre or a judicial service bus. Furthermore, it did not create and implement the EMS and the new justice portal, did not elaborate the Enterprise Architecture, did not provide for the transcription of the spoken word into text for courts, did not increase the cyber resilience of the IS, did not set uniform and binding rules for the development and integration of ICT, and did not automate the processes of ICT administration and maintenance. The MoJ incorporated licensing rights and copyright in contracts for its benefit only for 24 out of 59 IS under operation.

The failure to implement the eJustice Strategy was primarily due to the failure of the MoJ to implement the key eSIR project and the continued delay in starting of the judicial service bus project. The eSIR project includes the creation of an electronic filing service system (eSpis), which directly fulfils six specific objectives and is a prerequisite for a number of others. Non-conceptual management and inefficient use of the staff capacities of the concerned departments prevented the Ministry of Justice from implementing the eJustice project in its entirety within the specified timeframe. By dividing the implementation over a longer period of time, the physical and moral wear and tear of previously acquired IS and hardware is inevitable. There is a real risk that the individual sub-implementations within the eJustice Strategy will not build on each other and the systems will not be interoperable. At the same time, it will not be possible to fully use the newly delivered systems and components.

## **2. Implementation of the eSIR project – key for the development of eJustice**

The eSIR project, reg. no CZ.06.3.05/0.0/0.0/16\_034/0002820, is co-financed from the European Structural and Investment Funds under the *Integrated Regional Operational Programme*, specifically from its specific objective 3.2 through Call No 26 *eGovernment I* announced on 24 March 2016. On 24 November 2016, the MoJ submitted an aid application, which was accompanied by a feasibility study dated 27 October 2016 and a *form of the request for the opinion of the Chief Architect of eGovernment on the planned ICT project – type A* dated July 2016. The project was approved on 25 January 2017. Its implementation was to be completed by 31 December 2019.

### **2.1 Setting up the eSIR project**

The subject-matter of the eSIR project is the creation of a new agenda IS of the Insolvency Register. This new system should introduce fully electronic submissions and fully electronic files into insolvency proceedings. As part of the eSIR project, the MoJ intended to implement, in addition to the new Insolvency Register agenda IS, supporting applications that would serve as an information platform for other eJustice systems (the so-called justice centre). The output of the project was to include not only the creation of the Insolvency Register agenda IS and the justice centre, but also a central module for user and role management, the creation of a judicial service bus, the configuration of the existing justice communication gateway and the creation of other necessary supporting components.

The total eligible expenditure of the eSIR project was set at CZK 219,946,300, of which the EU funds are to amount to CZK 177,848,578 (80.86% of the total eligible expenditure) and the state budget funds to CZK 42,097,722 (19.14% of the total eligible expenditure). Expenditure on the main activity was quantified at CZK 191,475,000, expenditure on secondary activities was quantified at CZK 28,471,300. The main activity was the acquisition of intangible fixed

assets (software). Secondary activities included the purchase of end hardware devices – scanners (56 units), preparation of tender documents for PC and for the organisation of procurement and tender procedures, and purchase of expert consultation and supervision services for the implementation of the IS.

The MoJ chose two monitoring indicators: the “*number of IS acquired*” with a target value of 1 (a new agenda IS of the Insolvency Register was to be created) and the “*new IS functionality*” with a target value of 5. The MoJ selected the following new functionalities: 1) self-service process of public administration, 2) integration of the data pool of the public authority and its interconnection with other authorities, so that data can be shared and used in other public administration IS, 3) interoperability in the territory of the state with overlapping, e.g., within the EU, 4) nationwide availability, 5) ensuring operational security and reliability.

In accordance with the feasibility study and the *Methodological Manual for Project Management*, the MoJ established an implementation team that managed and coordinated the implementation of the eISIR project and supervised the implementation of the material, time and financial plan. The established frequency of meetings was not always respected, especially in 2017 and 2018.

The MoJ made a total of 10 changes to the eISIR project between 24 November 2016 and 31 May 2022. It repeatedly extended the completion date and modified and postponed individual stages. The analysis of the technical and substantive requirements for the functioning of the IS was entrusted to the MoJ’s own staff, contrary to the original intention. The MoJ repeatedly rearranged PC and postponed their implementation. First, the complex public contract for the development and implementation of the required IS was divided into 7 smaller PC. Two years later, almost all of them were merged again into one large-scale PC. The MoJ was adding, expanding and also omitting sub-activities (judicial service bus). It redesigned the architecture of the project. The eSpis system was separated from the agenda IS of the Insolvency Register and included in the justice centre as its most important component. The new eSpis is to be a robust modular filing service system for the entire judicial system and a stand-alone application interconnected with the Insolvency Register agenda IS, or other agenda IS, and other elements of the justice centre.

## **2.2 Public contracts under the eISIR project**

The MoJ launched four tender procedures for the eISIR project, cancelled one of them (*Development and Implementation of eISIR*), completed two of them (*Development and Implementation – Registers of Judicial Officers*, *Development and Implementation – Random Assignment Generator*) and was still implementing one of them at the time of the SAO audit completion (*Development and Implementation of eISIR and common parts*).

The tender procedure for the above-the-threshold public contract *Development and implementation of eISIR* awarded in an open procedure was launched by the MoJ on 1 October 2018. The subject-matter of that PC was the creation and implementation of the eSpis and its extension for the insolvency proceedings agenda and ensuring their operation, support and development for 5 years. During the tender procedure, the MoJ received 33 requests for clarification of the tender documentation from tenderers, with more than 200 individual questions. After repeated explanations and additions to the tender documentation and extending the deadline for receipt of tenders, the Ministry of Justice terminated the tender procedure. The MoJ was not able to define the technical and commercial terms and conditions

for that PC in such a way that the tender conditions would allow the submission of mutually comparable tenders.

The tender procedure for the above-the-threshold PC *Ministry of Justice – Registers of Judicial Officers* awarded in an open procedure was launched by the MoJ on 15 January 2018. The subject-matter of that PC was the development and implementation of two registers of judicial officers, namely the Register of Judges and the Register of Public Prosecutors, and the provision of support and development services for these registers for a period of 5 years. The MoJ evaluated the tender with a tender price of CZK 2,868,000 exclusive of VAT as the most economical one. On 14 June 2018, the MoJ concluded a *contract for the creation of an information system – Ministry of Justice – Registers of Judicial Officers* and a *contract for the support of the information system – Ministry of Justice – Registers of Judicial Officers*. On the basis of the contract for work, the contractor created and submitted the IS *Register of Judges* and the IS *Register of Public Prosecutors* for acceptance on 17 December 2018. Both registers went live on 8 January 2019. Subsequently, the MoJ paid the contractual price of CZK 1,570,580 to the contractor on 13 February 2019. The acquired registers of judicial officers cannot be fully used for their purpose, as the eSpis and the agenda IS of the Insolvency Register, which are to be linked to them and draw data from them, have not been completed.

The tender procedure for the above-the-threshold PC *Ministry of Justice – Random Assignment Generator* awarded in an open procedure was launched by the MoJ on 15 February 2019. The subject-matter of that PC was the development and implementation of the random assignment generator<sup>10</sup> and the provision of its support and development services for a period of 5 years. The MoJ evaluated the tender with a tender price of CZK 3,890,000 exclusive of VAT as the most economical one. On 10 May 2019, the MoJ concluded a *Contract for Work for the development and implementation of the assignment generator* and a *Service Contract for the maintenance and support of the assignment generator*. In the course of the work execution, the time taken to complete the work was extended from the original 140 to 158 working days. On the basis of the contract for work, the contractor created and submitted the IS *Random Assignment Generator* for acceptance on 19 December 2019. Subsequently, the MoJ paid the contractual price of CZK 2,571,250 to the contractor on 3 February 2020. The generator was put into live operation on 1 March 2020. The acquired random assignment generator cannot be fully used for its purpose, as the eSpis and the agenda IS of the Insolvency Register, which are supposed to use its functions, have not been completed.

The tender procedure for the above-the-threshold PC *Development and Implementation of eISIR and common parts* awarded in a competitive dialogue was launched by the MoJ on 3 February 2020. The subject-matter of that PC was the creation and implementation of the eSpis and its extension for the insolvency proceedings agenda and ensuring their operation, support and development. In addition to the eSpis and the new Insolvency Register agenda IS, the MoJ intended, through the PC, to acquire the remaining elements of the justice centre – i.e., the register of names, code lists, central document production and work schedule. After several objections, requests for review to the Office for the Protection of Competition, requests for clarification of the exceptionally low tender price and the exclusion of one of the tenderers, the MoJ selected the contractor with a tender price of CZK 98,829,760 exclusive of VAT on 10 February 2022, i.e., two years after the tender procedure had been launched. On 2 June 2022, it entered into a *contract for the development and implementation of eISIR and*

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<sup>10</sup> Generator for random assignment of cases to the relevant judges.

*common parts and a contract for the provision of eSIR maintenance and development services with that contractor.*

### **2.3 Implementation of the eSIR project**

The MoJ submitted two implementation reports and two simplified applications for payment. The first implementation report covered the period from 1 January 2016 to 30 June 2019. It was submitted on 26 July 2019. It was completed and approved on 25 September 2019. At the same time, on 29 July 2019, the MoJ submitted its first simplified application for payment, in which it indicated total eligible expenditure of CZK 1,570,570. All that expenditure was investment expenditure and related to the creation of two new IS (registers of judicial officers). The application was finalised and subsequently reimbursed on 5 September 2019. The second implementation report covered the period from 1 July 2019 to 31 December 2020. It was submitted on 29 January 2021. It was completed and approved on 4 March 2021. At the same time, on 29 January 2021, the MoJ submitted its second simplified application for payment, in which it indicated total eligible expenditure of CZK 2,571,250. All that expenditure was investment expenditure and related to the creation of a new IS (random assignment generator). The application was finalised and subsequently reimbursed on 1 March 2021.

The MoJ did not report the values of the monitoring indicators in the implementation reports. Nor did the MoJ continuously monitor and evaluate the fulfilment of the eSIR project objectives. With regard to the implementation process, the Ministry of Justice had not met the monitoring indicators or targets by the time the SAO audit was completed.

By June 2022, the MoJ had completed only the *IS Register of Judges* and *IS Register of Public Prosecutors*, i.e., registers of judicial officers, and the *IS Random Assignment Generator* under the eSIR project. A total of CZK 4,141,830 was spent on these IS. By creating the generator, it met specific objective 1.6 of the eJustice Strategy and by creating the registers it contributed to the fulfilment of objective 1.2 of the eJustice Strategy. At the same time, in connection with the eSIR project, the MoJ prepared an *analysis of the insolvency agenda of courts* and an *analysis of the creation and circulation of documents in courts*. Within the eSIR project, the functional requirements for the eSpis were developed. These activities of the MoJ also contributed to the fulfilment of objective 1.2 of the eJustice Strategy. On the other hand, the MoJ failed to create and implement the eSpis, a new agenda IS of the Insolvency Register and elements of the justice centre – the register of names, code lists, central document production and the work schedule. The creation of the eSpis, the Insolvency Register agenda IS and other IS is crucial for the fulfilment of five specific objectives of the eJustice Strategy (1.1, 1.2, 1.3, 1.7 and 2.2). The establishment of the eSpis is also a prerequisite for the launch of other activities and thus for the fulfilment of other specific objectives.

Prolonging the implementation of the eSIR project, or even its unsuccessful implementation, and thus not creating the planned IS, brings significant risks. The current agenda IS of the Insolvency Register is technologically and morally outdated and inadequate, the architecture of the solution is complex and inflexible, and the response is slow. Under the status quo, court files in the insolvency agenda will continue to be maintained dually, primarily in paper form. All electronic documents will continue to be printed and all paper documents will continue to be scanned. There will be no increase in transparency and long-term data archiving, no increase in performance, no cost, time and labour savings, no increase in electronic submissions, no increase in data safety and security, no reduction in bad information links and system failures. The application, which is used for keeping records of insolvency

administrators, is even at risk of losing its functionality as the provider has stopped its development and support and it cannot be further modified and upgraded. Similarly, the filing service systems in the judicial system are technically and morally obsolete and have limited functionality. The implementation of most of the tools of modern eJustice is almost impossible without the outputs of the eSIR project. For example, without a functional register of names, it will not be possible to implement a linked data pool. Delays in implementation also entail the risk that, by the time of the launch of the eSpis, the new Insolvency Register agenda IS and other IS, the defined functional requirements and the technologies used will be outdated and technologically obsolete.

The implementation of the eSIR project so far shows a lack of conceptual management and a vague idea of the form and scope of the project. The necessity to extend its implementation until 31 December 2023 was caused by the MoJ at least in the first years of implementation. Due to the little progress in its implementation, the MoJ is in a time crunch. If it does not complete the implementation of the eSIR project and does not fulfil its purpose by 31 December 2023, expenditure up to CZK 177,848,578 will become ineligible for reimbursement from EU funds. The MoJ would thus have to cover all the expenditure of the eSIR project from the state budget. At the same time, it would have to repay the funds already reimbursed by the EU. The specific rules for applicants and beneficiaries consider the completion of the project to be the demonstrable completion of all activities under the project. The acquired IS must serve its purpose and enable the performance of the relevant agendas by the date of completion of the implementation at the latest. The handover and acceptance of the work must include the removal of defects and deficiencies preventing use.

In connection with the need to complete the eSIR project by 31 December 2023, at the time of the SAO audit the MoJ was planning to shorten the individual milestones and omit the pilot operation for the *PC Development and Implementation of eSIR and common parts*. This requires an amendment to the contract, which had not been signed by the MoJ by the time the SAO audit was completed. However, this solution is highly problematic. Shortening individual milestones runs the risk of poor quality and rushed execution that may lead to dysfunction or additional expenditure in the future. The original schedule for the implementation of the PC from the end of 2019 envisaged a contract duration of 34 months. With the signing of the contract in June 2022, the period of performance was reduced to just 19 months. The cancellation of the pilot operation entails the risk that the MoJ may take over and accept IS that have not been sufficiently tested and where all defects have not been detected and corrected. Last but not least, there is a risk that the MoJ will violate the provisions of Section 222 of Act No 134/2016 Coll., which prohibits the contracting authority from allowing a substantial change in the obligation under the PC during its term without conducting a new tender procedure.

### **3. Projects implemented by the Probation and Mediation Service**

#### **3.1 Electronic monitoring of persons**

The introduction of the EMS was one of the specific objectives of the eJustice Strategy. The EMS was to allow for effective and immediate inspection of the execution of alternative sentences or other restrictive measures imposed. At the same time, it was to be a necessary precondition for the wider application of, among other things, house arrest. The benefits of the introduction of the EMS was to be, for example, a reduction in the frequency of random personal checks carried out by the PMS staff in the homes of convicts.

In 2012, the PMS implemented a pilot project, the *Electronic Monitoring Experiment*. In view of this experience, it was supposed to execute a PC for the procurement of the entire system, while the MoJ was to supervise the project. However, the PC was cancelled as a result of the presidential amnesty of January 2013 and the related change in the expected number of convicts.

In 2014, the MoJ commissioned the Probation and Mediation Service to prepare a new PC, which was stopped in mid-2014 due to doubts about the transparency of the tender procedure. The MoJ then took over the implementation of the project itself. In the same year, however, the MoJ found that the PMS had to be the contracting authority for the PC, so it entrusted the PMS with its implementation again. The latter first attempted to award the PC in an open tender procedure. However, no tenderers applied. Subsequently, the PMS proceeded to award the PC in the competitive dialogue regime.

The PMS concluded a contract with the selected EMS provider on 26 September 2017. The subject-matter of the contractual relationship was the supply of so-called terminal devices, which were electronic bracelets, base stations for the bracelets, communicators and alcohol testers. In addition, a monitoring centre, including the relevant software, was to be supplied and maintenance and development services were to be provided. The total value of the contractual relationship was CZK 92,923,857. The PMS stipulated a wide range of contractual penalties in the contract and obliged the provider to present an irrevocable bank guarantee in the amount of CZK 15 million.

The first complications in the contractual relationship appeared as early as 5 days after the signing of the contract. The provider did not present a bank guarantee within the deadline set. The monitoring system and the first supply of the terminal equipment were to be delivered by the provider as part of the so-called initial delivery. The provider completed the initial delivery with a 197-day delay, which was mainly caused by the implementation of the monitoring centre. The PMS applied contractual penalties against the provider for that delay. The EMS was launched on 7 September 2018. In 2019, the PMS ordered another delivery of terminal equipment with a total value of CZK 2,995,898. The provider was not able to deliver that in time either. The PMS thus applied a contractual penalty of 100 % of the value of the order. During the operation of the EMS, the PMS applied additional penalties against the provider for non-fulfilment of contractual obligations, as there were delays in resolving operational incidents and in sending regular reports on operation, and complaints about the terminal equipment were not addressed. On 15 June 2020, the PMS sent to the provider a summary demand for payment of contractual penalties in the amount of CZK 36,720,620.

Despite the above complications, the PMS continued the contractual relationship in an effort to keep the EMS in operation, as it assessed that this option was more economical. However, the provider did not pay the contractual penalties, which the PMS resolved by offsetting them against invoices for services provided in the period from September 2019 to May 2020. It did not pay these invoices to the provider and instead deducted them from the total amount of the penalty. Finally, the PMS proceeded to draw on the bank guarantee and withdrew from the contract on 2 December 2021. After the termination of the contractual relationship, the provider sued the PMS for the payment of CZK 3,659,024, representing unpaid invoices for maintenance services. The PMS filed a counterclaim against the action, in which it sued the provider for the payment of unpaid contractual penalties and damages, which it quantified in aggregate at CZK 139,479,859. In total, the PMS paid CZK 13,446,370 to the provider over the

term of the contractual relationship. On 24 May 2022, a bank guarantee of CZK 15 million was paid to the Probation and Mediation Service.

Other services such as legal and consultancy services, feasibility studies and mobile and data services were also related to the provision of the EMS. The PMS paid a total of CZK 7,839,099 to providers for the provision of these services.

As of December 2021, the PMS switched to a regime of unannounced physical checks by probation officers when checking convicts, as in the pre-EMS period. According to the SAO calculation, the average monthly cost of these checks was in the range of CZK 232 thousand to CZK 464 thousand. However, due to inflation and rising fuel prices, these costs can be expected to increase in the future.

At the time of the SAO audit completion, the PMS was preparing a new PC for the provision of electronic monitoring of persons.

The PMS did not have sufficient staff or technical capacity to implement the EMS project. Since the beginning of the project, it sought to strengthen its headquarters in terms of staffing, but was not accommodated by the MoJ in this respect. The introduction and operation of the EMS was built on the mutual cooperation of the PMS and the MoJ. Although only the PMS was the contracting authority and a party to the PC, its personnel were only responsible for installing the electronic bracelets on the bodies of the convicts and related devices at their places of residence, handling deliveries and complaints about these electronic devices, and administering the contractual relationship with the contractor.

Most of the activities related to the monitoring itself were carried out by the MoJ. Its staff carried out round-the-clock supervision of convicts within the so-called monitoring centre, ensured the operation of the entire system, resolved incidents, etc. The monitoring centre IS was installed on the MoJ's ICT infrastructure and its staff played a key role in its delivery and implementation. That system of cooperation represented a two-track management of the project, without any binding definition and division of competences and responsibilities between the PMS and the MoJ. This situation was not remedied until ten months after the conclusion of the contract with the contractor, when the PMS and the MoJ concluded a written agreement setting out clear rules of cooperation.

### **3.2 Agenda IS PMS**

The project *agenda information system PMS*, reg. no CZ.06.3.05/0.0/0.0/16\_034/0006422, is co-financed from the European Structural and Investment Funds under the *Integrated Regional Operational Programme*, specifically from its specific objective 3.2 through Call No 26 *eGovernment I* announced on 24 March 2016. The subject-matter of the project is the acquisition of a new AIS PMS to replace the older, technologically non-compliant system. The total eligible expenditure was quantified at CZK 48,620,000, of which EU funds were to amount to CZK 39,315,591 and state budget funds to CZK 9,304,409. The anticipated start date was set for 1 January 2017. The implementation was to be completed by 31 December 2020. By June 2022, the PMS had made a total of 9 changes to the project, which, among other things, postponed the completion date to 30 September 2022.

In connection with the AIS PMS project, the PMS awarded four PC. Three of them were related to support activities – preparation of the project application, preparation of background documents for the technical part of the tender documentation and expert consultation and supervision of the implementation. The PMS paid a total of CZK 903,870 to the contractors for

these PC. The subject-matter of the fourth PC was the delivery and implementation of the AIS PMS. The PMS concluded a contract for work with the selected contractor on 28 May 2021 with a performance value of CZK 33,740,632. By the time of the SAO audit completion, the contractor had completed and handed over only the first phase of performance, which was the delivery of architecture and documentation for CZK 6,748,126.

#### **4. Management of ICT development and use of funds in the justice department**

The Ministry's Information Concept together with the Enterprise Architecture, the architectural plan and the architectural model are the core management documents for ICT development and a tool for efficient management. None of these documents had been approved by the MoJ by the time the SAO audit was completed. The Information Concept and Enterprise Architecture were still being developed and it was unclear when they would be completed. By failing to have a prepared, approved and accredited information concept for the department, the MoJ violated the obligation under Section 5a(2) of Act No 365/2000 Coll.<sup>11</sup> In the near future, the Department of the Chief Architect of the Ministry of the Interior will not grant approvals for ICT implementations to ministries that do not have an approved and accredited information concept.

As of 14 December 2018, the MoJ has a framework contract in place for the provision of professional roles. The contractor agreed by that contract to provide the Ministry of Justice with the services of specific ICT specialist roles, particularly in the areas of project management, data and process analyses and systems engineering. Various activities related to the IC of the MoJ, the architectural model and the Enterprise Architecture were requested by the MoJ from September 2019 from two employees of the contractor. Over 29 months, these external ICT specialists created a total of 31 background documents for the MoJ, including the *Architectural Framework of the Judicial System* and the *Architectural Methodology of the Judicial System*, and reported 379.371 man-days of activity at a rate of CZK 14,520/man-day. The MoJ paid to the contractor a total of CZK 5,508,467 for the activities and background documents. Considering the above-mentioned statutory obligation of the MoJ and the fact that the performed activities and background documents did not lead to the development and approval of the IC of the MoJ and the Enterprise Architecture over the 29 months of cooperation with the contractor, the SAO assessed that the MoJ had spent the funds up to CZK 5,508,467 inefficiently.

The individual project roles were requested by the MoJ on the basis of written orders at six-month intervals. The activities carried out were reported by each role in monthly statements of work, which were approved by representatives of both parties. Individual tasks were mostly outsourced by the MoJ Service and Architecture Development Department. That department was fully responsible for the creation of the information concept and the background documents for the Enterprise Architecture. In all posts, the main service area was *ICT* (branch 28). In particular, two employees were to process, among other things, analytical documentation of simpler IS, applications or partial application units and logical and structural diagrams of applications. They were also to participate in defining IS development requirements, designing and creating the application architecture, IT of the justice architecture, IT concept and strategy of the judicial system. They were therefore to carry out the activities that were required of the external staff.

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<sup>11</sup> Act No 365/2000 Coll., on public administration information systems.

The MoJ used common tools and project standards to manage ICT operations and development. To manage the operation and development of ICT, it developed a project management methodology designed primarily for the management of projects financed by EU funds. The *Methodological Manual for Project Management* was attached to it. As the main body for project management, the MoJ set up a “Project Management Committee”, which was supervised by the European Subsidies Department. The actual management and coordination activities were carried out by working groups established for individual IS and implementation teams formed for individual projects. In 2019, the MoJ created a new department dedicated to eJustice management. However, this set-up of ICT operations and development management could not fully replace the role of the IC of the MoJ.

Although the MoJ established a new department for the coordination of eJustice projects and for the development of substantive analyses, concepts and proposals for functional requirements for IS, i.e., for activities requiring specific knowledge in the field of ICT, it filled all the posts with lawyers with the main service area of *Legislation and legal activities* (branch 22). This is also why the MoJ had not been able to successfully implement the necessary projects of eJustice or to award PC in the long term.

The provision of ICT needs is mainly related to current expenditure budget items 5172 – *Software*, 5042 – *Software usage fees*, 5162 – *Electronic communication services*, 5168 – *Data processing services*, and capital expenditure budget items 6111 – *Software* and 6125 – *Computer equipment*. The amounts of reported budgeted and actual expenditures for these items in chapter 336 as per the *Integrated Information System of State Treasury* (hereinafter the “IISSP”) are shown in Tables 2 and 3.

**Table 2: Amount of reported budgeted expenditure on selected items in chapter 336 for the period of 2016-2021**

Item	Budgeted expenditure (in CZK)					
	2016	2017	2018	2019	2020	2021
5042	57,453	43,862	49,951	48,753,232	173,344,355	113,818,975
5162	90,731,820	48,701,682	50,906,630	52,661,982	58,580,114	63,915,594
5168	381,435,239	360,549,623	341,728,318	410,713,231	430,004,685	509,748,139
5172	16,575,865	63,322,340	73,204,889	52,532,786	14,425,847	11,399,381
6111	164,349,830	177,237,030	206,092,143	191,044,860	60,499,715	142,494,197
6125	251,158,080	130,064,960	185,465,702	242,838,115	336,901,952	381,028,072
Total	904,335,287	779,919,497	857,447,633	998,544,206	1,073,756,668	1,222,404,358

Source: IISSP, data as of 21 June 2022.

**Table 3: Amount of reported actual expenditure on selected items in chapter 336 for the period of 2016-2021**

Item	Actual expenditure (in CZK)					
	2016	2017	2018	2019	2020	2021
5042	57,047	42,362	49,443	4,281,167	123,297,482	110,153,788
5162	86,570,538	45,794,326	47,577,005	48,553,728	55,934,562	58,888,462
5168	344,139,408	349,474,057	296,374,011	344,785,682	390,663,287	455,642,349
5172	14,219,647	57,909,489	47,025,811	44,423,335	10,597,790	4,772,479
6111	18,918,101	21,990,757	56,631,532	48,982,749	17,511,432	33,996,172
6125	107,652,803	41,521,490	106,343,785	111,534,686	180,540,882	181,121,229
Total	571,557,544	516,732,481	554,001,587	602,561,347	778,545,435	844,574,479

Source: IISSP, data as of 21 June 2022.

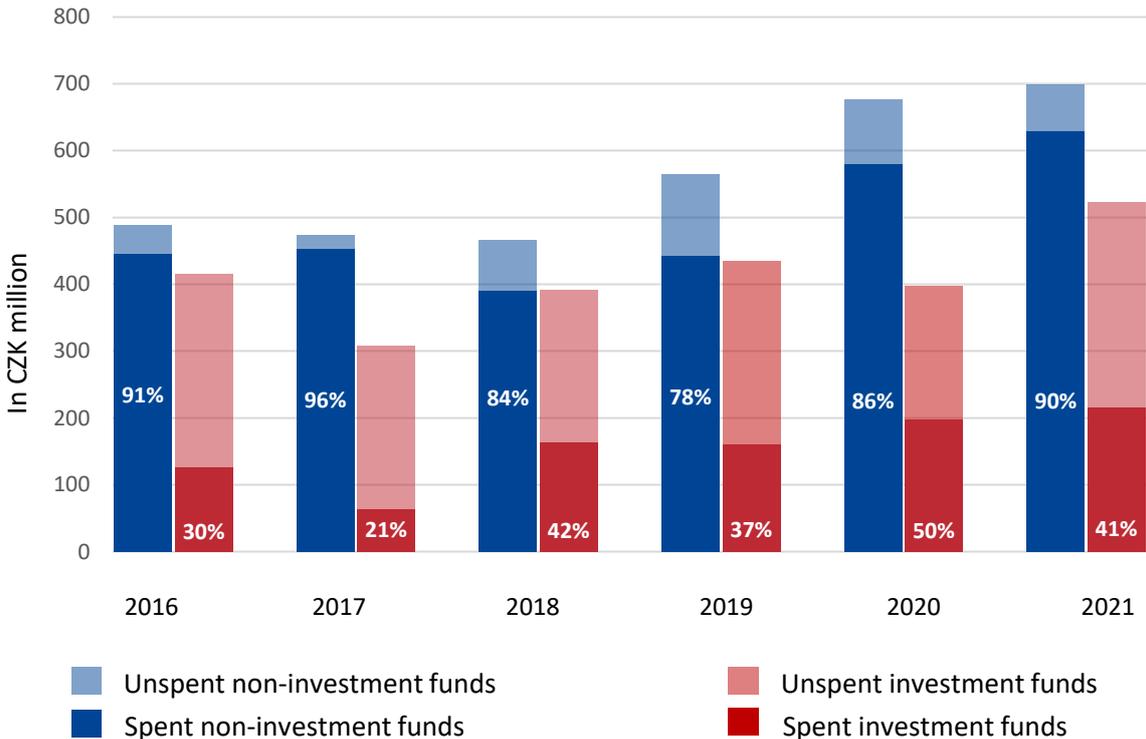
The data available in the IISSP shows that the bulk of chapter 336 ICT expenditures were for the operation and maintenance of departmental IS and for the provision of communication

infrastructure and licences, i.e., expenditures for the overall provision of day-to-day ICT operations. For the most significant budget item 5168, the MoJ implemented the majority of expenditures in the framework of central provision of departmental ICT on the basis of long-term contracts.

The largest part of the investment funds spent on ICT each year was drawn from budget item 6125, which is used to purchase computer equipment. These purchases were mostly made through framework and similar contracts. In 2020, for example, the amount of expenditure reported under this item was approximately CZK 180 million, of which more than CZK 100 million was the expenditure of individual courts. Each court then incurred expenditure of usually up to CZK 3 million.

The available financial data also shows that the MoJ was not able to implement the relevant eJustice projects and related key PC as planned. This shortcoming is also illustrated by the volume of capital expenditure spent, which, for budget items 6111 and 6125 combined, ranged between 21 % and 50 % of the allocated funds between 2016 and 2021 (see Chart 1).

**Chart 1: Aggregate utilisation rate of non-investment and investment funds on selected budget items<sup>12</sup> in chapter 336 in 2016-2021**



Source: IISSP, data current as of 21 June 2022; prepared by the SAO.

A specific example is the eSIR project, which was almost three years behind schedule, which was reflected in the volume of claims from unused expenditure. These claims amounted to over CZK 45.4 million in budget item 6111 alone on the last day of the current year 2018. Two years later (2020), the profiling claims from unused expenditure for that project in budget

<sup>12</sup> Operating (non-investment) budget items 5042, 5162, 5168 and 5172; capital (investment) budget items 6111 and 6125.

item 6111 amounted to almost CZK 190 million. In the same year, the claims from unused expenditure were committed under the provisions of Section 47 of the Budgetary Rules<sup>13</sup> for an amount of CZK 2.571 million in connection with the implementation of the PC *Ministry of Justice – Random Assignment Generator*, but in the total volume of claims from unused expenditure for this project it was a negligible amount. As of the last day of the current year 2021, claims from unused expenditure for the whole action amounted to CZK 215.8 million.

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<sup>13</sup> Act No 218/2000 Coll., on budgetary rules and on amendments to certain related acts (the Budgetary Rules).

## List of terms and abbreviations

AIS PMS	agenda information system of the Probation and Mediation Service
VAT	value added tax
eSIR	electronic information system of the Insolvency Register
eJustice	digitalisation of the judicial system
EMS	electronic monitoring system
eSpis	electronic filing service system (Czech name)
EU	European Union
ICT	information and communication technology
IISSP	<i>Integrated Information System of State Treasury</i> (Czech acronym)
IC of the MoJ	information concept of the Ministry of Justice
IS	information system(s)
JAAS	justice authentication and authorisation service
chapter 336	state budget chapter 336 – <i>Ministry of Justice</i>
MoJ	Ministry of Justice
SAO	Supreme Audit Office
PMS	Probation and Mediation Service
eSIR project	project <i>eJustice 2020 – eSIR part</i>
eJustice Strategy	<i>Departmental Strategy for the Development of eJustice 2016-2020</i>
PC	public contract(s)

## List of annexes

Annex 1: Overview of eJustice Strategy objectives, activities and implementation

Annex 2: Overview of IS operated in the justice department

## Annex 1: Overview of eJustice Strategy objectives, activities and implementation

Strategic objective	Specific objective	Activity	Scheduled completion	Updated scheduled completion	Funds spent (in CZK)	Implementation	
1. Support the conditions for fair, lawful and prompt decision-making and performance by the organisational units of the justice department	1.1 Enable efficient and user-friendly management of the filing service to facilitate the recording of all necessary and relevant data and the automation of repetitive tasks	eSpis – robust filing service	2019	2024	–	✗	The activity is implemented within the eSIR project.
	1.2 Extend the implementation of the electronic file to other organisational units of the judicial system and to other judicial agendas	Compiling a set of functional requirements for an electronic filing service system according to the <i>National Standard for Electronic Filing Service Systems</i>	2017	–	Provided by internal activities	✓	
		Analysis of document circulation in courts and public prosecutor's offices	2017	–	Provided by internal activities	✓	
		Establishment of a justice centre (central registers, code and other lists, records)	2018	2024	1,570,580	✗	The activity is implemented within the eSIR project.
	1.3 Ensure long-term and secure data archiving	Creation of a digital filing system connected to the eSpis	2020	–	–	✗	The activity is implemented within the eSIR project.
		Modernisation of existing methodological guidelines for archiving and shredding	2018	2024	–	✗	Negotiations with the Ministry of the Interior are still ongoing in relation to the implementation of the activity. At the same time, it is necessary to wait for the creation of the eSpis within the eSIR project.
		Implementation of changes and mechanisms for SIP packet generation in existing justice systems	2019	2025	–	✗	The implementation of the activity is pending the creation of the eSpis within the eSIR project.

	1.4 Facilitate the retrieval of information relevant to case decisions from other agenda information systems outside the judicial system and ensure efficient internal communication between information systems used in the justice department	Use of services presented on the eGon Service Bus	2018	2025	2,403,989.28	✗	Although the JAAS component <sup>14</sup> was built in 2021, at the time of the audit completion it was only used to a limited extent by a small number of IS.
		Implementation of the judicial service bus	2017	2023	580,800	✗	The judicial service bus project had not been implemented; the relevant PC was being prepared at the time of the SAO audit completion.
	1.5 Enable the expeditious conduct of court hearings (records of proceedings and evidence taking)	The voice-to-text project	2016	2024	–	✗	Only a pilot operation was implemented; the project was under preparation at the time of the SAO audit completion.
		UŠI project	2020	–	186,266,472.19	✓	Completed with a delay.
	1.6 Introduce an automatic generator for random assignment of cases to the relevant judges	Random assignment generator project (emphasis on parameterisation of inputs)	2019	–	2,571,250	✓	Completed with a delay. Although the random assignment generator had been put into operation, at the time of the SAO audit completion it was used only in the insolvency agenda.
	1.7 Creation of an interface for central communication with so-called hybrid mail (expansion of the existing model of system connection into a unified whole)	Connection of the eSpis to hybrid mail (it is necessary to include the ePo functionalities into the eSpis)	2019	2024	–	✗	The activity is implemented within the eSIR project.
	1.8 Provide an electronic system for the examination and checking of private individuals	EMS project	2018	–	11,762,707.35	✗	Although the EMS project had been implemented and the system had been in operation for some time, it had been terminated at the time of the SAO audit completion; at the same time, a PC for a new system was being prepared.
	1.9 Developing the possibility of e-learning education in the judicial system	Creating a knowledge base (wiki)	2018	–	–	✗	Although the knowledge base website had been created, it had not been updated at the time of the SAO audit completion, and its further operation and development was abandoned by the MoJ.

<sup>14</sup> Justice authentication and authorisation service.

2. Form – to enable easy and user-friendly communication with the parties to proceedings, the public and other public authorities, including improving and extending the range of information provided		Address the verification of qualified signatures on the part of the ePodatelna	2018	–	4,373,232.01	✓	Completed with a delay.
	2.1 Enable easy receipt of electronic submissions	Project for the implementation of client authentication mechanisms via electronic ID cards	2018	2023	2,403,989.28	✗	Although the JAAS component was built in 2021, at the time of the SAO audit completion it was used only to a limited extent, by a small number of IS; greater use of JAAS is conditional on the implementation of other eJustice projects.
	2.2 Enable remote viewing of files by the relevant parties and increase awareness of judicial proceedings	eSpis – component for accessing one’s own file (authentication using electronic ID cards is described in objective 2.1)	2019	2024	–	✗	The activity is implemented within the eSIR project.
	2.3 Enable and facilitate cashless payment of court fees	Strengthening inter-ministerial cooperation	2020	–	–	✗	The fulfilment of the activity and objective should be addressed through a central payment gateway at the level of the Ministry of the Interior.
	2.4 Enable a hearing or examination to be held by video conference	Video conferencing project	2017	–	61,129,617	✓	Completed with a delay.
		Integration of the solution into the eSpis	2019	–	–	✗	Completion of the activity is conditional on agreement on the current legislation; only then will it be possible to amend the legislation.
	2.5 Publicly and clearly provide data on the organisational units of the justice department	New justice portal	2017	–	5,214,446.60	✗	The MoJ has created the <i>Justice Portal</i> , but the portal has not proved itself in practice; it suffers from a number of shortcomings and is not user-friendly; the MoJ plans to rebuild it as part of the procurement of a new PC.
		Creation of a framework for central registers implementing, among other things, libraries for public access to data	2018	–	–	✗	The MoJ did not implement the project due to insufficient financial resources and staff capacity.

	2.6 Obtain, process and provide broad and accurate statistical data on the organisational units of the justice department	Proof of Concept restructuring of the data warehouse, implementation of modern tools and determination of how to document these procedures	2017	–	2,709,190	✗	The MoJ did not implement the project due to insufficient financial resources; only the proof of concept was implemented.
		Full implementation according to the results of the Proof of Concept (complete coverage of the requirements of the judicial system for the publication of statistical data and reports)	2019	–	–	✗	The MoJ did not implement the project due to insufficient financial resources.
	2.7 Provide information on court rulings	Creation of a system for the collection and structured presentation of court rulings	2020	–	47,190	✓	Completed with a delay. However, court rulings are published electronically only in selected agendas and only in district, regional and high courts.
3. Technology, finance and administration – adjustment and optimisation of the system of technical infrastructure, financing and maintenance of information systems and technologies in the judicial system	3.1 Develop and implement a functioning infrastructure and architecture system	Analysis and description of the Justice Enterprise Architecture at all levels	2018	2022	Within SKAIPP	✗	At the time the audit was completed, the MoJ did not have a developed and accredited Enterprise Architecture.
		Increasing the maturity of the ICT procurement process and the management of built solutions	2018	2024	–	✗	Procurement of PC at the MoJ is still problematic.
	3.2 Establish functioning administration and maintenance of information systems and technologies	Expansion of central UNIX administration capabilities for the justice centre applications	2017	–	–	✗	The MoJ withdrew from the implementation of the activity due to insufficient staff capacity.
		Establishing processes for managing and maintaining the existing solutions	2018	2023	–	✗	At the time the audit was completed, the MoJ did not have a developed and accredited IC of the MoJ; the new division of competences does not work in practice.
		SKAIPP	2019	2023	39,133,847.83	✗	Cooperation with the State Treasury Shared Services Centre is not efficient; the main outputs of the cooperation had not been processed by the time the audit was completed.
	Setting uniform and binding rules for development and integration in the judicial ICT environment	2017	2023	–	✗	The relevant methodology was being prepared by the MoJ at the time of the audit completion; the fulfilment of the activity is	

							conditional on the implementation of the judicial service bus.
		Introduction of management processes	2019	2022	–	✗	At the time the audit was completed, the MoJ did not have a developed and accredited IC of the MoJ or Enterprise Architecture.
	3.3 Ensure the security of information systems and data	SIEM projects, vulnerability management, mobile device management and security policies	2020	2025	1,798,943.34	✗	At the time of the audit completion, only the ELISA system was operational; the implementation of the other systems was still being planned by the Ministry of Justice.
		Detecting cyber vulnerabilities with vulnerability management tools	2018	–	11,946,414.87	✓	
		Secure access to critical data of the justice department	–	–	–	✗	The MoJ did not implement the relevant project.
	3.4 Modify legal and licensing terms	Clear identification of intellectual property by a direct article in the contract (software clause)	2016	–	–	✗	The licensing arrangements in favour of the MoJ were only included in the new ICT contracts; the MoJ failed to modify the licensing arrangements in the existing contracts. At the time the audit was completed, 35 IS (out of 59) were burdened with non-compliant arrangements.

## Annex 2: Overview of IS operated in the justice department

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
BI Oracle	Oracle statistical tool	Use of Oracle statistical data in the insolvency agenda	MoJ	NO	YES
CEPO/CEVY/VEPO	Central e-filing room/e-dispatching/public e-filing room	Receipt and dispatch of electronic submissions within the justice department	All units	NO	YES
CEPR	Central electronic payment order	Electronic payment orders agenda	District and regional courts	NO	YES
CESO	Central register of prosecuted persons	Records of persons prosecuted (non-public)	Public prosecutor's offices	NO	YES
CEUP	Internal application for the management of insolvency administrators	Agenda of the insolvency administrator management	MoJ	NO	YES
CSLAV	Central IS of statistical sheets and reports	Statistics and reporting	All units	NO	YES
Document Centre	Document centre	Conversion of documents to PDF + sealing	All units	NO	YES
INFODATA	Statistical information	Public statistics on the performance of the activities of the judicial system and public prosecutor's offices	All units, public	NO	YES
INFODOKUMENT	CEPR documents	Publishing documents from the CEPR application	District and regional courts, public	NO	YES

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
INFOJEDNÁNÍ	Information about court hearings	Disclosure of information about court hearings	Courts, public	NO	YES
INFOSOUD	Information on the course of judicial proceedings	Disclosure of information on judicial proceedings	Courts, public	NO	YES
IRES	Information, budget and economic system	Records of fees, receivables, payables, assets, etc.	All units	NO	YES
ISAS	IS of district court administration	Support for the registration of court files and judicial proceedings in district courts	District courts	NO	YES
ISIR	IS of the Insolvency Register	Support for the registration of court files and proceedings in insolvency courts	Regional and high courts, Supreme Court, public	NO	YES
ISKS	IS of bankruptcy courts	Support for the registration of court files and bankruptcy proceedings	Regional courts	NO	YES
ISNS	IS of the Supreme Court	Support for the registration of court files and judicial proceedings in the Supreme Court	Supreme Court	NO	YES
ISNSS	Information system of the Supreme Administrative Court		Supreme Administrative Court	NO	NO
ISSPOL	IS of common parts of the CCA applications	Support for registry entries and common functions of support for judicial proceedings and	Courts, public prosecutor's offices	NO	YES

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
		proceedings before public prosecutor's offices			
ISYZ	IS of public prosecutor's offices	Support for recording files and proceedings before public prosecutor's offices	Public prosecutor's offices	NO	YES
ECtHR	Case law of the European Court of Human Rights		MoJ	NO	NO
ISVKS	IS of high and regional courts	Support for the registration of court files and judicial proceedings in regional and high courts	Regional and high courts	NO	YES
Case law	Case law	Support for the publication of case law	Regional and high courts, Supreme Court	NO	YES
Experts and interpreters (original)	Register of experts, interpreters and expert institutes	Maintenance and administration of the register of experts, expert institutes and interpreters	MoJ, regional courts, public	NO	YES
ESF	Register of trust funds	Support for the registration of court files and proceedings in registry courts	Regional courts, notaries, public	YES	YES
ESM	Register of beneficial owners	Support for the registration of court files and proceedings in registry courts	Regional courts, notaries, public	YES	YES
ISVR	IS of public registers	Support for the registration of court files and proceedings in registry courts	Regional courts, notaries, public	YES	YES

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
JAAS	Justice authorisation and authentication system		MoJ	YES	YES
Acta	Filing service of the MoJ	Filing service of the MoJ	MoJ	NO	YES
APSTR	Assistant for drafting the texts of rulings and decisions	Support for drafting rulings and decisions using templates	District courts, Supreme Court	YES	YES
CEÚ	Central register of bankrupts	Public list of bankrupts according to Act No 328/1991 Coll., on bankruptcy and settlement	Regional courts, public	YES	YES
CEVO	Central register of prisoners	Agenda of the General Directorate of the Prison Service	Prison Service	NO	NO
Coreport	Anonymisation and publication of court rulings	Application for the publication of case law	District, regional and high courts	YES	YES
CRO	Central register of notifications	Recording of notifications by public officials	MoJ, public	YES	NO
Surveillance Systems		MoJ surveillance systems – operational monitoring	MoJ	NO	NO
eGP	Assignment generator	Random case assignment generator in the insolvency agenda	Regional and high courts	YES	YES
EMS	Electronic monitoring system	Probation	PMS	NO	NO
Extranet	Extranet of the justice department		MoJ	YES	YES

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
Flux PAM	MoJ personnel system		All units	NO	NO
MoJ Helpdesk	MoJ Helpdesk	Recording of reports and requests	All units	YES	YES
Hybrid Mail and Conversion Mail		Dispatch of items (CEPR and part in the ISAS) via hybrid and conversion mail operator	District and regional courts	YES (for part of the module)	YES
INFODESKA	Electronic official notice board of justice	Publication of information on the electronic official notice board	All units, public	NO	YES
Insolvency Forms		Electronic forms for insolvency proceedings	Public	YES	YES
MoJ Intranet		MoJ internal portal	MoJ	YES	YES
IS PMS	Information system of the Probation and Mediation Service		PMS	NO	NO
IS VS	Information system of the Prison Service		Prison Service	NO	NO
ISEP	Records of offences		Criminal Records	NO	NO
IS RT	IS of the Criminal Records	Information system of the Criminal Records	Criminal Records, public	NO	NO
Trainee Judges	Registration of applicants for admission to the judges training	Operation terminated	MoJ	YES	YES

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
KoBra	Communication gateway	Web services communication interface	MoJ	YES	YES
PAM	Departmental personnel system		All units	NO	NO
Portal	Portal of the Ministry of Justice	Public portal of the MoJ and ministerial organisations	All units, public	YES	YES
Register of crime victim assistance providers	Register of providers of assistance to victims of crime		MoJ, public	NO	NO
ReJČ	Register of judicial officials	Keeping and managing the register of judicial officials	MoJ, public	YES	NO
RZE	Register of initiated distrains and enforcement	Conducting and administering distrains and enforcement on the basis of an appointment of an enforcement officer by the court (unclear contract with the contractor, services provided by the ISIR)	District courts, enforcement officers	YES	YES
SAKO	List of accredited persons	Maintenance and administration of the list of accredited persons under the Insolvency Act	MoJ, public	YES	YES
List of mediators	List of mediators	Maintenance and administration of the list of mediators	MoJ, public	YES	YES
List of arbitrators	List of arbitrators	Maintenance and administration of the list of arbitrators	MoJ	YES	NO

Name of IS	Full name	Agenda processed	Users	Major problems according to the MoJ information	
				Licence rights/copyright in favour of the MoJ	Other (see Section IV.1 of this Audit Report)
VESTA	Voluntary registration of entities providing proposals for debt relief	Keeping and managing the register of entities providing services in the preparation of proposals for debt relief (on the basis of voluntary notification of entities)	MoJ	YES	YES
VTS	Proceeds from criminal sanctions	Recording and management of proceeds from criminal sanctions	MoJ	YES	NO