



Tender JUST/2012/JUTR/PR/0064/A4 –

Implementation of the Pilot Project – European Judicial Training

Lot 1

*"Study on Best Practices in training
of judges and prosecutors"*

Executive summary

Funded by the European Union

EUROPEAN COMMISSION

Directorate-General for Justice
Directorate B – Criminal Justice
Unit B.2 – Criminal Law

Contact: Heiko WAGNER

E-mail: just-judicial-training@ec.europa.eu

European Commission
B-1049 Brussels

Tender JUST/2012/JUTR/PR/0064/A4 – Implementation of the Pilot Project – European Judicial Training

Lot 1

*“Study on Best Practices in training
of judges and prosecutors”*

Executive summary

- 1.1.** In 2012 the Commission opened an invitation to tender for a project designed to investigate **Best Practices** in the training of judges and prosecutors across the European Union. Together with a budgetary allocation, this proposal originated in the European Parliament. Following a competitive tendering process, the European Judicial Training Network (EJTN) was awarded the contract in January 2013.
- 1.2.** The principal aim of the project was to identify by means of an empirical process examples of **Best, Good** and **Promising Practice** in the training of judges and prosecutors across the European Union, thereby promoting a dialogue and further co-operation between judges and prosecutors on issues arising from the project (1.2.1).
- 1.3.** The main work of the project was carried out by a group of seven senior experts, overseen by an internal EJTN Steering Committee and an external EU Commission Steering Committee, the latter composed of members of various European Institutions (1.3.1 and 1.3.3).

Methodology of the study

- 1.4.** The principal methodology adopted by the experts was to draft and circulate a questionnaire inviting all judicial training institutions across the European Union to put forward examples of training practices worthy of consideration and thereafter to analyse the responses and assess the relative merits of each proposal. The experts provided institutions with a training guidance framework to assist in the identification process. The working language of the experts’ group was English.
- 1.5.** In addition to delivering the final report containing the findings based on the responses received, the project also required the delivery of a series of fact sheets providing further information about each of the practices identified in the study as best, good, promising or unclassified. The practices described in the fact sheets come from a wide range of Member States with a broad geographical spread (3.3).
- 1.6.** The work of the project was time limited and had to be completed over a 12-month period from inception to delivery.
- 1.7.** The questionnaire was sent to the judicial training institutions of all 28 EU Member States, and to three European training institutions, the Academy of European Law (ERA), the European Institute of Public Administration (EIPA) and EJTN itself. Each responding institution was invited to provide up to 10 examples of practices they wished the experts to consider as either **Best, Good** or **Promising Practices**, grouped in the following categories: training needs’ assessment; innovative training methodology; innovative curricula or training plans; training tools to favour the correct application of EU law and international judicial co-operation; assessment of participants’ performance in training/effect of the training activities. The experts provided a broad definition of each type of practice as an annexe to the questionnaire. Analysis of the responses was reinforced by follow-up questions and some study visits (3.1).
- 1.8.** In total, responses were received from 23 training institutions. The total number of practices put forward for consideration in response to the questionnaire was 157 (3.1.5 – 3.1.7).

Recommendations of the study

1.9. Based on the above analysis, the study makes a number of key recommendations as follows:

- The training guidance framework designed by the study experts should provide the benchmark checklist against which the effectiveness of judicial training programmes in the EU is measured and assessed (9.1.1).
- Judicial training institutions should actively explore the potential to adapt the identified **Best, Good** and **Promising Practices** to their own training environment, as most practices are highly transferable (9.1.2).
- Judicial training programmes should (where appropriate) include sufficient opportunities for common training activities between judges and prosecutors and other professionals, both as trainers and participants. (9.1.3)
- Judicial training programmes should ensure the active participation of judges and prosecutors in the bulk of their training activities. (9.1.3)
- The European Commission should actively support transnational training in judicial skills and judgecraft (9.1.4).
- Judicial training institutions should make optimum use of new technologies (9.1.5).
- Judicial training institutions should take maximum advantage of the opportunities for cross-border collaboration in the development of new training methodologies (9.1.6).
- The training needs identified by programme evaluations should be fed directly back into the training cycle. The process of introducing long-term evaluation by judicial training institutions should be expanded, together with mechanisms for cross-border exchange of information on practices (9.1.7).
- The European Commission should encourage, strengthen and support transnational training in EU law as a core priority, taking maximum advantage of the structures and mechanisms already in place enabling the design and delivery of cross-border training programmes (9.1.8).
- Any additional pan-European training activities arising from the above recommendations should continue to be co-ordinated within the EJTN framework, or by EJTN members monitored by EJTN, or by other specialist institutions or universities in close co-operation with the EJTN in order to ensure the necessary co-ordination and to safeguard judicial independence (9.2.6).

- The EJTN will organise a series of follow-up events designed to maximise the impact of the findings of this study. Efforts will be made within the EJTN structures to ensure that trainer exchanges should prioritise direct engagement with those institutions where **Best, Good** and **Promising Practices** have been identified through this study (9.3).
- All documents associated with this study will be published on the EJTN website, and the fact sheets published on the e-justice Portal of the European Commission (9.3).

Funded by the European Union

HOW TO OBTAIN EU PUBLICATIONS

Free publications:

- one copy:
via EU Bookshop (<http://bookshop.europa.eu>);
- more than one copy or posters/maps:
from the European Union's representations
(http://ec.europa.eu/represent_en.htm);
from the delegations in non-EU countries
(http://eeas.europa.eu/delegations/index_en.htm);
by contacting the Europe Direct service
(http://europa.eu/eurodirect/index_en.htm) or calling 00 800 6 7 8 9 10 11
(freephone number from anywhere in the EU) (*).

(*). The information given is free, as are most calls (though some operators, phone boxes or hotels may charge you).

Priced publications:

- via EU Bookshop (<http://bookshop.europa.eu>).

Priced subscriptions:

- via one of the sales agents of the Publications Office of the European Union
(http://publications.europa.eu/others/agents/index_en.htm).

