



Evaluation of the 2011 European Judicial Training Strategy

and preparation of the future strategy

Analysis of the responses received to the
targeted consultation

May – 2018

*Justice
and Consumers*

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The present summary of the contributions received in reply to the targeted consultation cannot be regarded as the official position of the Commission and its services and thus does not bind the Commission.

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Introduction

Training of justice professionals on EU law is essential to ensure the correct and coherent application of EU law and smooth cross-border judicial proceedings. In 2011, the European Commission adopted a long-term [strategy on European Judicial Training](#)¹ which set specific objectives for the training of justice professionals to be reached by 2020.

The aim of the present consultation was to gather interested parties' views on the [2011 European judicial training strategy](#), to assess to which extent it was successful, what were the drawbacks and if the current strategy was still fit for nowadays' challenges and to prepare the future strategy.

The European Commission launched a public consultation and a targeted consultation² from 2 February until 26 April 2018, in order to obtain input from all possibly interested parties.

The targeted consultation comprised more detailed and specific questions than the general consultation and targeted specialists of European judicial training. The targeted consultation was advertised on the consultation webpage of the European Commission, it was provided to the respondents of the general consultation and it was sent to the main stakeholders of the European judicial training strategy: the EU-level training providers for justice professionals, EU-level representatives of justice professions and EU-level associations of justice professionals. It was available in English.

The summary of the 87 replies to the online targeted consultation is presented hereafter and the graphs resulting from the replies to closed questions are displayed in the annex³.

Respondents

This consultation was intended only for specialists in training of justice professionals on EU law in the EU. Most major EU-level actors replied to the targeted consultation: the European Judicial Training Network (EJTN), the Council of Bars and Law Societies of Europe (CCBE), the Council of Europe (HELP programme), the Academy of European Law (ERA), the European Institute of Public Administration (EIPA-Luxembourg). Nevertheless, the replies can only be taken as indications to feed into the evaluation of the European judicial training strategy and the preparation of the future strategy, not as representative replies for all providers of training on EU law for justice professionals in the EU.

Moreover, in view of the fact that almost half of the respondents represented EU judges and prosecutors, the replies can be taken as mostly indicative for these professions, and only partly for court staff and lawyers.

In detail [Graphs available in annex in section "About you"]:

In total, 87 replies to the general consultation were received. Of those replies, 24.1% emanated from an individual person and 75.9% were provided by people replying in their professional capacity or replying on behalf of an organisation [Graph question 1].

¹ 2011 Commission Communication "Building trust in EU-wide justice - A new dimension to European judicial training": <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52011DC0551>

² https://ec.europa.eu/info/consultations/training-justice-professionals-eu-law-evaluation_en

³ The factual summary of the replies to the general consultation is presented on the consultation website of the European Commission: https://ec.europa.eu/info/consultations/training-justice-professionals-eu-law-evaluation_en. The analysis of the replies to the general consultation is presented on the judicial training webpage of the European Commission: https://ec.europa.eu/info/law/cross-border-cases/training-legal-practitioners-and-training-practices_en.

Of the respondents, 46% were justice professionals (40). National-level training structures represented 19.5% of respondents (17), including many members of the European Judicial Training Network (EJTN). Another 11.5% of the responses came from a ministry or national public body (10). In addition, 4.6% of respondents were an individual trainer (4) or an EU-level training structure (4), including the EJTN, the Academy of European Law (ERA) and the European Institute of Public Administration (EIPA-Luxembourg). Of the total response, 2.3% came from a regional or local training structure (2), a national, regional or local level body representing a specific justice profession (2) or a European level body representing a specific justice profession, including the Council of Bars and Law Societies of Europe (CCBE) (2). A final 1.1% of the response came from a national judicial council or equivalent (1), an EU level public body (the European Union Intellectual Property Office – EUIPO), an international level public body (the Council of Europe), a trade union (1), a professional consultancy / law firm (1) or an NGO (1) [Graph question 13]. The vast majority of the respondents which replied to this questionnaire were non-profit organisations (90.9%) [Graph question 14].

The justice professions represented by the respondents who replied to this question were: judges (44.8%); prosecutors (32.2%); court staff (25.3%); lawyers (13.8%); bailiff or enforcement officers (9.2%); prison management and staff (9.2%); notaries (4.6%); probation officers (4.6%); mediators (3.4%); insolvency practitioners (3.4%); legal translators or interpreters (2.3%); and court experts (2.3%) [Graph question 16]. Seven respondents mentioned the following other professions: legal staff of the prosecution office, corporate lawyers, solicitors, jurors, regulators, national civil servants, EU staff, academics, law enforcement personnel.

The respondents were active in all areas of law: criminal law, administrative law, civil law, and fundamental rights law.

The replies originated from: Spain (19.5%), Italy (9.2%), France (8%), Germany (8%), Ireland (8%), Croatia (6.9%), Netherlands (4.6%), Belgium (3.4%), Cyprus (3.4%), Czech Republic (3.4%), Romania (3.4%), Greece (2.3%), Latvia (2.3%), Portugal (2.3%), the Republic of Moldova (2.3%), Sweden (2.3%), United Kingdom (2.3%), Austria (1.1%), Bulgaria (1.1%), Estonia (1.1%), Finland (1.1%), Hungary (1.1%), Lithuania (1.1%), Luxembourg (1.1%). No reply was received from the following EU countries: Denmark, Malta, Poland, Slovakia and Slovenia [Graph question 21].

More than three-quarters of the respondents had organised a European judicial training activity in the past three years [Graph question 22], mainly for judges (65.7%), prosecutors (53.7%) and to a lesser extent for court staff (37.3%), trainers (28.4%) and lawyers (23.9%). The other trained professions (less than 15%) were: bailiffs or enforcement officers, prison management and staff, notaries, insolvency practitioners, probation officers, court experts, mediators and legal interpreters or translators [Graph question 23].

Of the respondents, 28.6% were active training providers, which organise at least 10 separate training activities per year. Occasional organisers of training activities represented 22.2% of the response. More than a third of the respondents (36.5%) organised between 1 to 10 training activities per year and 12.7% organised one or more long-term training programmes [Graph question 25]. All types of training methodologies were used in the organised training activities. More than 50% of these training methodologies were exchanges between practitioners, conferences, interactive workshops and class activities. More than 40% were a combination of training methodologies, round tables and e-learning. More than 30% were linguistic training and a combination of face-to-face learning and e-learning [Graph question 26]. Five respondents mentioned other methodologies: on-the-job training, study visits, secondment to courts, competitions, quick polls or surveys, and live webinars. These answers show a preference for face-to-face training activities using interactive training methodologies and a lesser use of e-learning, which is nevertheless present in the training offer.

In total, 18.4% of the respondents were not organisers of European judicial training activities [Graph question 22]. These respondents were impacted by judicial training activities as organisers of training for prison staff, as assisting the EJTN's short term

exchanges, as cooperating with ACA-Europe and the Croatian judicial academy, or in setting training policy.

Most respondents cooperate very actively with partners from other EU Member States (73.8%) [Graph question 29]. This is representative of the target audience of the European judicial training strategy, but not representative of all training providers for justice professionals in the EU.

Training activities on EU law

[Graphs available in annex in section "Training activities on EU law"]

When asked what **types of training activities are best suited for training on EU law**, most respondents suggested a variety of training activities they deemed useful. A few respondents highlighted specifically that any type of training activity could be used, depending always on the purpose and content of the activity. The types of training mentioned most frequently (around one third of respondents each) were **interactive learning methods** as well as **exchanges between practitioners**. Those who referred to interactive learning methods mentioned for example workshops, seminars, round tables or debates. Exchanges between practitioners include exchange of practices in general and in the context of study visits to other Member States or EU institutions. One respondent indicated that in some cases, exchanges of court officials between jurisdictions may be useful, but also indicated that for sure the cost efficiency hereof is lower than for (multi-country) training.

The following types of training activities were also mentioned by a significant number of respondents (around one fifth of the respondents each): traditional class room training / lectures; online methods such as e-learning or webinars; practice-oriented methods such as case examples or moot courts; and "blended learning"⁴ or a combination of methodologies. Additional activities mentioned include the organisation of conferences and providing written guidelines / handbooks.

The benefits of multi-national activities, of legal language training and of cross-border case scenarios that are directly played out in the own national legal order are also emerging in different forms from the replies.

Furthermore, respondents mentioned some horizontal points such as the importance of qualified trainers, the need for training materials to be practically relevant. For example, one respondent indicated that participants would benefit more from programmes that are interactive and multicultural. Other respondents highlighted that classes on EU law should not be theoretical but rather always linked to a concrete practical case or implementation of national law.

The **criteria used to rank the quality of a training activity on EU law** indicated by respondents were mainly: the quality of the speakers (79.3%), interactivity with the speakers (69%), interactivity between the participants (66.7%), the distributed material (58.6%) and the size of the group (50.6%). Other important criteria were also indicated but to a lesser extent: the participation of peers from other Member States as participants, the language of delivery of the course, the duration, the quality of interpretation, whether there were peers among the speakers and the participation of peers in the activity [Graph question 2]. Criteria mentioned under the "Other" category of the questionnaire included the relevance of the training to professional practice, the use

⁴ Blended learning is a training program that combines online digital media with traditional classroom methods

of feedback e.g. via evaluation forms, definition of the objectives of the course and appropriate selection of the participants as well as organisational aspects (e.g. timing and venue).

In addition, some of the respondents explained why they selected certain criteria to rank the quality of the training activity:

- Quality of speakers: in this context, respondents mentioned e.g. the importance of expertise in EU law as well as the ability of speakers to get participants to engage actively.
- Interactivity with the speakers and interactivity between the participants: the importance of interactive participation was highlighted by several respondents. For example, one respondent explained that it is more likely that the objectives of a course can be achieved if participants are involved in the training activity, e.g. via dialogue, debates and discussions. In this context, some respondents also mentioned that multi-national groups of participants could be an asset, as it supports the exchange of practices in this context, the quality of interpretation is also important.
- Distributed material: the material distributed was ranked as important, among others because it affects the sustainability of the training activity. It was mentioned that the material should be clear and concise.
- Size of the group: one respondent indicated that workshops in which participants can engage actively are most useful and that smaller groups stimulate this.

Regarding the **factors that would contribute to an increase in the participation of justice professionals in training activities on EU law**, the majority of the respondents indicated that the quality and relevance of the training offer has an impact on the participation of justice professionals. In particular, more than half of the respondents indicated that the content of the activities is an important factor. The practice orientation of training and the connection with the reality of participants were also emphasised: "The activities should not be dedicated solely to EU law/developments, but connect to the reality of the participants: interplay of legal orders. That will increase the relevance of and interest in the activities". An idea mentioned by a respondent was to have modules of EU law embedded into national seminars. In addition, respondents mentioned the quality of the speakers and the methodologies used.

Furthermore, more than one third of the respondents indicated that the accessibility of the training offer in terms of time and budget is a significant factor determining participation of justice professionals in training activities on EU law. On the one hand, this depends on the costs of the activities and their organisation, e.g. duration, venue and format. For example, several participants mentioned that it is important that the venue is easily reachable, that classes are not too long and that costs are low or can be reimbursed. E-learning was also mentioned as an accessible format. On the other hand, the workload and work organisation of the justice professionals at their place of work as well as the support of their superiors also play a role.

The need for an effective and efficient information policy on the availability of training activities, and promotion of training offers was mentioned by around one fifth of the respondents. Some of the respondents explained that it is important to make clear in what way professionals are expected to benefit from individual training activities. In addition, some respondents mentioned that knowledge about the importance of EU law needs to be improved in general.

A fair share of the respondents also mentioned that the accessibility of the classes is influenced both by the language of the classes as well as the language knowledge of justice professionals. While some respondents argued that training activities should always be available in the mother tongue of participants or that good interpretation should be available, others argued that it should be ensured that justice professionals can also attend classes in English or other languages.

Finally, some of the respondents indicated that it is important to ensure that there is EU added value to the training offer, for example by ensuring that trainers and participants stem from different Member States. That way, an exchange between practitioners from different countries can be ensured.

As concerns the **factors contributing to the increase in the participation of justice professionals in training activities involving participants from several Member States**, participants mentioned similar aspects as for the previous question relating to training on EU law in general. Again, the aspects most frequently mentioned were the quality and relevance of the training offer as well as the accessibility of the training offer in terms of time and budget. As the question specifically refers to training involving participants from several Member States, the language of the classes as well as the language knowledge of justice professionals were considered more important in response to this question than in response to the previous question on EU law in general: around one third of the respondents mentioned this factor. Several respondents also considered strategies to disseminate information and promote training activities relevant.

Additionally, a good share of respondents indicated that it is important that participants are given the opportunity to network and interact with professionals from other Member States with similar interests, as this is an important element of the added-value of organising training in a transnational context. Closely related to this, several respondents indicated that the selection of the target group is relevant, including efforts to make sure that participants share the same interests in order to ensure the success of the training activity. Other points mentioned by individual respondents included the creation of an EU Court Staff network, the exchange of training materials on a platform like the European e-Justice Portal as well as providing for a common certification scheme for training.

Regarding the **factors which would contribute to an increase in the participation of justice professionals in training activities taking place in another country**, in addition to the points already mentioned above, around one fifth of the respondents specifically highlighted the need for adequate financing. For example, one respondent indicated that national funds for the purpose of training in other Member States should be increased and that continued co-funding by the EU should be ensured. Other respondents mentioned that an uncomplicated and transparent mechanism for the reimbursement of costs should be ensured. In addition, respondents specifically highlighted the need for encouragement and/or support from superiors (for example, that time would be allowed to take part in training, that their normal work should be facilitated, and that such training activities would add real value to their CV).

Further suggestions came from one respondent: "financial support should be available to enable the interpretation during training activities and the translation of materials. Also a site such as the European e-Justice portal is important to ensure access to training materials both before and after training has taken place. Finally, in some jurisdictions, a certificate proving the participant's participation/attendance at a given training activity is necessary or desirable. It would be useful if training organisers could have their programmes certified by the Commission in advance to meet certain quality standards and as such facilitate mutual recognition of such certificates."

Other ideas worth mentioning that were brought forward by respondents were: involving local institutions in the organisation of the activities (for example, as is the case with the EJN regional meetings); that the choice of the topic should reflect transnational aspects of the daily work of justice professionals in order to increase participation from several Member States; and that prior dissemination of an open questionnaire with issues of potential interest to trainees could also be an incentive to follow more training activities.

Some replies reflected solutions for a specific target group, such as court staff: "Focus on networking for groups of court staff of different countries. The creation of an EU Court Staff network (once a common definition will be set) would contribute to this."

When asked which **factors would contribute to an increase in the training offer on EU law**, respondents most frequently referred to financial aspects, including financial support from the EU level for the costs of preparing training on EU law as well as the costs of participation. Another aspect deemed important by almost one fifth of the respondents is to ensure awareness of the need for training on EU law among training providers, potential participants and persons who are responsible for deciding on the topics which will be presented in training activities at national level. Other aspects mentioned include increased support of and/or cooperation between training providers, opening existing activities to a larger number of participants, e.g. by increasing their frequency, ensuring a wide reach of the activity via the use of online tools as well as ensuring the availability of qualified trainers e.g. through train-the-trainer approaches. Some of the respondents referred to qualitative factors such as the adaptation of the training materials to national legal systems/the national context (for example the roll out of the Council of Europe's HELP training on European standards at national level). Others mentioned issues such as practical take-aways from the content of the training activity, pragmatic hands-on training, guidelines, use of modern training methodologies, direct links between the content of the training and daily practice. Finally, some respondents referred to the demand, indicating e.g. that the demand will grow with increasing relevance of EU law for national practitioners or that it is usually higher when there are changes in legislation.

As concerns **factors that would contribute to an increase in the integration of EU law into training activities on national topics**, respondents referred most frequently to an increase in awareness of the need for training on EU law among training providers and other stakeholders (almost one third of respondents) and a better understanding of the relevance of EU law for the daily practice of justice professionals across the EU. In addition, the following factors were mentioned by significant portions of the respondents: making sure that there are good trainers in place, e.g. through train-the-trainers programmes or through inviting experts from other Member States; practical support to national training institutes, e.g. by creating ready-made materials that they can use and freely adapt for domestic purposes, availability of training materials translated into national languages.

Other points mentioned included regular contacts between stakeholders, raising awareness of and increasing the responsibility of each of the stakeholders, e.g. of EJN contact points, ensuring adequate financing for training as well as coming up with common standards, e.g. on the integration of EU law in the initial training of justice professionals. Some respondents also referred to the fact that the national training offer is generally demand-based, so that EU law is integrated into national curricula whenever it is relevant.

One respondent suggested to create a network of training contact points in higher level courts to identify and apply common strategies in shared topics (Ambassadorship persons with knowledge of and interest in EU Law, illustrative examples of the influence of EU law on (the application of) national law on a practical level, geared to the specific interests/practice of national practitioners).

Making the integration of European law into national curricula mandatory not only for judiciary training institutions and Bar associations but also for other justice training institutions (prisons administration or probation) was suggested as well.

Scope of the European judicial training strategy

[Graphs available in annex in section "Scope of the European judicial training strategy"]

The majority of respondents who replied to this question (56%) considered that **the European judicial training strategy still addresses their current training needs and problems of the justice professions**. [Graph question 1].

Some of the respondents further explained their answers to this question. Regarding the strengths of the strategy, some respondents commented on the suitability of the goals of the strategy, welcoming e.g. the goal to train half of the EU's justice professionals by 2020 as a necessary and realistic objective. Respondents also welcomed the flexibility of the strategy. They indicated that the current European judicial training strategy has been sufficiently flexible to encompass emerging needs (e.g. enhanced training on data protection, asylum, labour rights, etc.). Furthermore, some respondents considered the target audiences, training contents and training methodologies referred to in the Strategy useful. For example, one respondent highlighted that practice oriented classes and staff exchanges are valuable.

Regarding the areas for improvement of the training strategy, several respondents pointed to issues such as the types of training offered (e.g. the need for an increased use of e-learning), the content of the training (e.g. judgecraft should be covered, there is an increased need for training on human rights, the rule of law, languages and case management), the target groups (an increase of training for court staff would be desirable, as well as an overall increase of the number of participants) and an increase of the financial means available to support and implement the strategy.

One stakeholder (EIPA) considered that "there remains a need for vigilance (a) to reduce the risk of centralising support for judicial training through a few European level networks and (b) to encourage the active involvement of national training organisers/providers as well as independent European level training providers in development of training programmes that meet specialised needs, which are difficult to fit into a standardised programme."

Regarding court staff, many improvements were suggested, associated to their different needs: "They (court staff) range from court wardens and technical staff to assistants for judges and partially independent clerks taking judicial decisions, in particular in the area of registers and execution of judgements. This diversity entails a wide variety of training needs on EU law or the law of another Member State for the different types of court staff. Although in all Member States court staff exist with respective training needs, the target of training 5% of the practitioners (court staff) on EU law or on the law of other EU Member States is reached only in 4 Member States for which data are available. In general there is not a clear objective in Member States for court staff to be trained in EU acquis."

A repeated suggestion was that the objectives should not be only numerical (relating to the number of justice professionals trained) but also more comprehensive and qualitative (even when measuring training impact is very challenging beyond the learning absorption level⁵). One respondent commented: "There should be less emphasis on the quantity (of people trained). The figures collected by the Commission are not reliable according to our assessment. Rather, thematic focal points should be taken into consideration."

⁵ In accordance with the KirkPatrick Model of evaluation, the evaluation should cover 4 levels: **Level 1: Reaction** (the degree to which participants find the training favorable, engaging and relevant to their jobs); **Level 2: Learning** (the degree to which participants acquire the intended knowledge, skills) attitude, confidence and commitment based on their participation in the training; **Level 3: Behavior** (the degree to which participants apply what they learned during training when they are back on the job; **Level 4: Results** (the degree to which targeted outcomes occur as a result of the training and the support and accountability package)

A large majority of respondents (71.4%) considered that the future European judicial training strategy should set **new objectives** [Graph question 3], which should be both quantitative and qualitative for most respondents (71.2%), or only qualitative for less than a quarter of the respondents (23.7%) [Graph question 4].

Respondents provided a diverse range of suggestions. The types of new objectives most frequently mentioned (around one fourth of respondents each) were to establish common coordinated training programmes as well as to adjust the target groups e.g. by improving training activities for court staff. Those who referred to common coordinated training programmes suggested the introduction of e.g. cooperation tools, exchange of information and establishing a common learning framework. In addition, some respondents mentioned that the rule of law, the independence of the judiciary and ethics were important topics to be included in European judicial training curriculum.

Furthermore, a few respondents considered improved networking among justice professionals important. Some respondents stressed the missing practical component in the training activities and advocated for such components to be included in the new objectives of the European judicial training strategy. Finally, one respondent emphasised that the training activities should also deal with new challenges in the digital domain, such as cybercrime.

In support of adding new qualitative objectives, one respondent suggested: "cross-border training projects should include a post-training evaluation of the effect of training, i.e. to which extent could the knowledge/know-how/skills be transferred and the personal and professional networks having been established during the training be used after the training and/or facilitated the participants' work and, finally, to which extent such knowledge/know-how/networks have been shared with colleagues." A new quantitative objective for the future European judicial training strategy was also suggested. One respondent suggested training all legal practitioners having daily professional tasks related to EU law in the Member States by 2025.

A number of respondents supported the idea that the European Judicial Training Network should expand its activities to include court staff from Member States and should develop a new strategy in order to design and implement training activities dedicated not only to judges and prosecutors, but to court staff too. Including legal staff in courts and prosecutor's offices as a target group, e.g. for joint training activities with judges and public prosecutors, was also suggested.

The rule of law, the independence of the judiciary and ethics were also considered to be important topics to be included in European judicial training.

A large majority of the respondents (73.7%) considered that the **objectives** of the future European judicial training strategy should be **differentiated per justice profession** [Graph question 6].

Respondents who thought that the objectives should be differentiated per justice profession considered that the needs for training differ between justice professions. For example, some respondents highlighted that the needs depend on specific roles e.g. judges and prosecutors have different training needs than lawyers and bailiffs. In addition, several respondents highlighted that training activities should be split by profession. Another reason mentioned to differentiate the objectives was that needs depend on the degree of complexity and the area of law that the justice profession deal with.

A minority of respondents argued that the future European judicial training strategy should have common objectives for all justice professionals in the EU in order to provide a coherent and harmonised direction in the judicial training activities of the Member

States. One respondent suggested that, while the overall objectives of the new strategy should be the same as those identified under the current strategy, it might be possible to include sub-objectives for individual professions.

An additional suggestion made by respondents was for the future strategy to define the notion of "court staff", which covers numerous professions whose tasks are very different from one country to another (for example: "Rechtspfleger, district notaries, representatives of the notary, notary, clerk, master clerk, clerk of the court").

A large majority of the respondents (70.6%) thought that the European judicial training strategy should also **focus beyond the European Union on other countries, namely on the countries that wish to join the EU and possibly other neighbourhood countries** [Graph question 9].

Some respondents considered it helpful to work with justice professionals from countries outside of the EU, mostly for the possibilities to network with fellow practitioners and improve their knowledge. Respondents also highlighted that in international cases it was important to know the law of countries outside the EU and cooperate on topics like terrorism and migration. Therefore, the information provided by the EJM (in civil and commercial matters as well as criminal matters), for instance, has been already very useful to them in the past. Furthermore, respondents indicated that being part of the new European judicial training strategy could be a chance for those countries that wish to join the EU to serve as preparation to become familiar with EU law. Two inspiring comments underlined this point:

- "A coherent and realistic European judicial training strategy should contribute to creating a strong foundation and legal framework for countries that wish to join the EU."
- "The need for international cooperation doesn't stop at EU borders."

A minority of respondents, who did not think the European judicial strategy should also focus on countries outside of the Union, specified amongst other things that the implementation of the strategy was not yet sufficiently harmonised enough within the European Union. These respondents would thus suggest that efforts should be deepened within the Union before addressing countries outside of it.

Regarding **how the training offer on EU law for justice professionals could take into account the way people learn**, more than two thirds of the respondents provided replies and many offered suggestions. In particular, the EJM and several of its members recommended that training institutes should employ modern training methods and training tools; that they should employ a "learning by doing" method; that the substance of the training should be directly related to the daily practice of participants; that training should be precisely targeted; that "on job the training" should be further developed; and that training institutes should reflect the approach that "training should be the place to work and work should be the place to learn", that training should be based on an exhaustive training needs analysis, including thorough evaluation of past training activities; and that training should use training tools fit for adult professionals. The Dutch judicial training institute specified that "When designing training activities, learning objectives and the way people learn are the key point of departure. Judicial training, on any topic, concerns training of adult professionals and the methodologies that are chosen must be appropriate for that target group. Judges, prosecutors and their legal staff work in a national context most of the time. Therefore, training on EU law must be linked to that context, e.g. through the use of examples which illustrate how they (are likely to) encounter EU law in the cases they deal with on a daily basis."

EIPA-Luxembourg suggested that training should be practice-oriented and allow time to "do" (i.e. apply) the rules or procedures covered by the training and allow time for exchanges between peers from different countries. The ERA emphasised the need to use

modern training methods and training tools. The Council of Europe added that training materials should be designed by justice professionals and experts; that training activities should be led by justice professionals rather than academics; that e-learning should be favoured since it is particularly suited for lawyers and for newer generations of justice professionals. Another respondent added the need to train small groups in face-to-face training workshops. One respondent recalled the usefulness of using varied training methods. Another one underlined the importance of meeting colleagues face-to-face and to network because judges and prosecutors may feel very isolated when they have to deal with some cases. Another respondent suggested to organise train-the-trainers workshops. Another one suggested the training of multipliers who are available as contact persons in their courts and public prosecution offices, or to prepare hand-outs / forms / EU-related documents and pass them on to colleagues. This was in line with another suggestion to designate specialists/specialist teams which can be contacted easily and directly if problems arise in practice.

In order to better take individual learning behaviours into account, one fifth of the respondents suggested to increase the support of the EU for the design of activities and to increase EU funds for training providers. The EJTN and several of its members suggested to support projects raising awareness of the training providers and professionals; to identify as criterion of co-financing not only the content of the proposed training projects but also the methodology to be applied; to invest in modern e-tools; to address national level stakeholders and senior members of the judiciary with awareness raising activities on training opportunities; to provide funding for small-sized training activities and for training activities that support learning on the job and to always involve national judicial training institutes/organisations when it comes to training projects/activities for judges, prosecutors and legal staff.

The support of the training providers wished for by the respondents involved e.g. developing and providing methodologies and guidelines for the training of trainers. Moreover, two respondents found it useful to introduce uniform standards for training providers. In addition, the use of e-learning tools was mentioned by several respondents, explaining that it could be useful to improve the knowledge of justice professionals. The need to update the training materials available on the European e-Justice Portal was also mentioned. EIPA-Luxembourg insisted on the need for supported training activities to include a pre-training needs analysis and a post-training effect evaluation. Further points mentioned included study visits of judicial professionals, exchange programmes between practitioners, and high-quality learning material available in the national language.

Results of the European judicial training strategy

[Graphs available in annex in section "Results of the European judicial training strategy"]

The respondents' replies to the questions on the different results of the European judicial training strategy show that according to them **the strategy was successful in meeting its objectives** either to some extent, to a large extent or to a great extent at more than 50%. Some results were more tangible than others. More than 4/5th of the respondents thought that the following results were the **most successful**: increasing the number of participants in the exchanges of new judges and prosecutors (91.3%); increasing the number of participants in the exchanges of experienced judges and prosecutors (87.5%); the European Commission increasing its financial support to the EJTN (86.7%, with which the EJTN agreed to a great extent); Member States reinforcing the financial contribution to their national judicial training structures in the European Judicial Training Network (EJTN) (85.7%, with which the EJTN agreed to a large extent); improving the quality of training activities on EU law (85.7%); supporting training on legal terminology of foreign languages (84.5%); drafting guidelines on training methodologies (84.3%); increasing the number of participants in EU co-funded training

activities on EU law (82.5%); national judicial training structures reinforcing their participation in the EJTN (82%, with which the EJTN agreed to a large extent) and the European Commission increasing its financial support to European judicial training in general (83.7%). More than 2/3rd of respondents indicated that the following results were **very successful**: increasing EU financial support to high quality projects (79.5%); encouraging consortia or regional groups of national judicial schools to develop common training (79.2%); increasing the number of participants in training activities on EU law (79%); developing the European e-Justice Portal to support European judicial training (72.9%); training on EU law being integrated into the initial training of legal practitioners (70.7%); that training activities attended abroad are recognised for one's national training obligations (69.2%); promoting the development of e-learning (67.8%) and organising annual gatherings to promote best practices (66.7%). More than half of the respondents indicated that the following results were **successful**: targeting all legal practitioners (60.4%) and encouraging public-private partnerships to develop innovative training solutions (59.5%, though 54.9% of the respondents didn't know about this particular objective) [Graph question 1].

Some of the respondents provided explanations on their rating of the extent to which the strategy achieved its objectives. Some respondents provided examples of benefits of the strategy, including e.g. an increase of the number of the training activities on EU law held at national level and the possibility to reach a higher number of practitioners due to the financial support provided by the EU (including structural funds). The EJTN and several of its members mentioned that in some areas, the achievements resulted from various factors not limited to the European judicial training strategy, but also to the Member States reinforced in-kind contribution (expertise, hosting possibilities) in network.

Several respondents mentioned limitations in terms of the achievement of the objectives, including the need to ensure a wider reach of participants e.g. by broadening the geographical coverage and offering more activities in local languages as well as increasingly targeting other types of practitioners such as lawyers. Another respondent indicated that the current strategy hardly covered training of prison and probation staff. Respondents also considered that there is room for improvement in terms of the relevance and quality of the training. One respondent highlighted that training needs, tools and target groups have changed, so it is necessary to rethink the solutions.

Some respondents made the horizontal comment that it is not always clear to what extent positive achievements are linked to the strategy.

Roughly 2/3rd of the respondents considered that the European judicial training strategy and its implementation **brought added value**, over and above what could reasonably have been expected from national interventions in the Member States alone (66.2%). [Graph question 3] They also indicated that the strategy has been **relevant to answer the training needs** of justice professionals on EU law (67.6%), [Graph question 5] and that the strategy has had a **lasting effect on the justice professionals** who took part in EU law training, in particular regarding their attitude towards EU law in their daily practice (68%) [Graph question 7], and that the strategy has **complemented national policies** on training of justice professionals (64.5%) [Graph question 11].

Some of the respondents provided explanations of their rating of the **EU added value** of the strategy. Respondents who commented positively on the EU added value of the strategy highlighted mostly that the same volume and variety of training could not have been offered without the support of the EU, due to limited financial means at national level. In addition, some respondents highlighted specific benefits of the strategy, such as the positive effects of networking with colleagues from other Member States. As one respondent commented: "the added value of EU funding and strategy is creating the possibilities and facilities to bring the Judicial Training institutes and magistrates from all over the EU together in common activities which a national member couldn't do alone."

A few respondents provided reasons why the added value of the strategy is limited in their view. In particular, respondents mentioned the limited impact, e.g. because EU topics are covered by national training curricula independently of the strategy. It was also mentioned that staff visits / exchanges are not yet available for judicial officers.

Some of the respondents provided explanations of their rating of the extent to which **the strategy addressed the training needs of justice professionals on EU law**. Respondents who provided positive ratings welcomed for example the wide range of training topics. The satisfaction rates of training activities were mentioned as an indicator reflecting the relevance of the strategy. Cooperation within the EJTN was welcomed for exchanging information about training needs and developing common solutions.

Respondents indicated that there is room for improvement in relation to the reflection of different needs between Member States, the target groups (court staff not sufficiently being covered), the focus on quantitative targets as opposed to ensuring that training is of high quality, as well as the number of practitioners reached so far (including based on knowledge of languages). One respondent commented: "EU funding in terms of the Justice program has been very much focused on the involvement of as many actors as possible in the training offer - side effects of this approach reflected on the quality of training - not always in-depth nor reflecting the problems arising from the daily work."

Some of the respondents provided explanations of their rating of the extent to which the strategy brought **lasting effects to the justice professionals who took part in EU law training**. Several respondents highlighted that training on EU law could help raising the awareness of practitioners of EU law. Other lasting effects mentioned included the establishment of networks and an increase in the experience of participants. Some respondents mentioned the feedback of participants as an indicator of the benefits. Another respondent mentioned the quality of judgments as an indicator, stating that judges who participated in training on EU law issued very effective judgments. Other indicators of lasting effect mentioned were the aptitude to find information needed, the feeling of belonging to a common judicial culture, changed attitudes towards EU law in daily judicial practice, the fact that the quality of court decisions has increased and that the reasoning in judgments takes into consideration and refers to both EU Law and CJEU case law.

A couple of respondents mentioned that EU law has been part of national curricula for a long time and that it is not possible to identify a change of attitude due to the strategy. Another respondent mentioned that not all relevant target groups could be reached.

Some of the respondents provided explanations of their rating of the extent to which the **strategy complemented national policies** on training of justice professionals. Respondents welcomed that the strategy supported the extension of the national training offer, including through financial support. In addition, practical guidelines, training materials or methodologies prepared at the EU level are used by national training institutes. Exchange programmes and training provided by the EJTN and other suppliers are considered to be useful, and provide complementary added value compared to domestic offers, such as through contact with participants from different Member States. Some respondents expressed the need to have exchanges also for court staff. Here are a few relevant quotes: "At national level, the European strategy has accelerated mechanisms for continuous training on EU law by integrating it into national training activities." "Moreover, when drafting the curriculum for judicial cooperation in civil and criminal matters, either within the framework of initial or continuous training organised by the National School of Clerks, practical guidelines, training materials or methodologies drafted at EU level are taken into consideration." "As a (project) partner, the NIM benefited from a great number of cooperation projects funded by the EU that complemented national or other donors' efforts to provide tailored training based on the actual needs of judicial professionals."

Half of the respondents indicated that the strategy has had a **lasting effect on the main stakeholders** (mainly the training providers for justice professionals), regarding their training offer on EU law [Graph question 9].

Some of the respondents provided explanations of their rating of the extent to which the strategy brought **lasting effects for the main stakeholders** regarding their training offer. Examples mentioned by training providers included an increased number of national training activities with an EU dimension, participation in EU calls for funding, the higher quality of training on offer as well as cooperation between training providers, close cooperation of national training providers with European training institutions, such as the EJTN and others, encouragement of trainers to incorporate EU Law in every national topic, and greater awareness of the benefits of joint training activities with judges from other Member States. "The capacity of national training providers has been considerably strengthened in terms of ensuring quality of the training offer on the basis of the opportunities provided by the European judicial training strategy." One respondent mentioned that: "the strategy triggered the multiplying effect but was missing the tool to measure its extent."

Some respondents thought that there were limited effects of the strategy, including because not all target groups were sufficiently reached. In addition, some respondents reported an increase in their administrative burden as a consequence of the strategy, due to the high number of EU calls and applications as well as the need for regular collection of statistics.

The question **what factors linked to the European judicial training strategy have most influenced progress since 2011** was answered by roughly half of the respondents. The range of factors highlighted by the respondents was diverse, implying that progress in this field depends on various factors simultaneously. A factor often mentioned in the responses was the influence of networking and cooperation between all stakeholders on the one hand and between the single Member States on the other. Increasing mutual trust among justice professionals from different countries and raising aspirations to the implementation of EU law and case law among participants in training activities were mentioned in this context. Special emphasis was put on the regular exchanges between the European Commission and the stakeholders. Additionally, the financial support provided by the EU constituted a crucial factor regarding progress for more than a third of the respondents, on top of flexibility and simplification of the administrative burden. The work of training providers and the cross-border exchanges between them was considered to be an important factor by a quarter of all respondents. One responded commented: "Since the strategy facilitates the cooperation of existing providers within a network instead of creating new administrative structures, it is possible to react with flexibility to the need for training and to ensure the coordination of international and national training offers". Besides the provision of financial support, the EU constitutes a relevant factor as a policy actor and as a basis of common values. This factor was mentioned by one-sixth of the respondents. The improved exchange of information between stakeholders and practitioners was assessed to have had an influence on progress by just a few respondents. The functions of the strategy as providing a solid ground for long term planning, sustainability, providing a strong ground to advocate for judicial training at both EU and national level and highlighting the importance of judicial training both nationally and internationally were also mentioned. Raising the awareness of the relevance of EU law to court staff and bailiffs, e.g. through the "Study on the state of play of court staff training in EU law and promotion of cooperation between court staff training providers at EU level", and through conferences hosted by the European Commission were mentioned as other positive factors.

Furthermore, some horizontal points were mentioned such as the improved, broadened knowledge of EU legislation and case law of training participants, which encourages the strengthening of a European area of justice. For example, one respondent stated that the challenges Europe has had to face over the last years (financial crisis, influx of refugees,

growing inequalities etc.) have renewed the interest of justice professionals in European values and underlined the high level of importance of European law.

The **first and foremost drawback** in the implementation of the strategy was that justice professionals **did not have time to take part in training** (65.8%). The main two following drawbacks were that there was not enough **budget** to organise the needed training activities (41.8%) and that justice professionals were not replaced when they took part in training (39.2%). The following factors were considered to be of almost equal importance: training did not count as working time (34.2%), justice professionals did not get approval from their hierarchy to take part in training (32.9%), there was not enough budget to cover the expenses of the justice professionals to be trained (32.9%) and that EU law was not systematically included in national law training as intended by the strategy (31.6%) [Graph question 14].

Only six respondents provided specifications in relation to the question what factors were considered to be drawbacks in the implementation of the strategy. They mentioned additional factors not included in the answering options, such as that the strategy does not sufficiently cover prison professionals, that there are difficulties with training in foreign languages, that for some aspects of the strategy there is no need for implementation, as training needs are sufficiently covered at the national level, and that the importance of EU law is not sufficiently recognised and training is not considered important enough in practice.

When asked what the respondents saw as the **benefits of the European judicial strategy**, almost one third assessed the improved quality of legal decisions as the main benefit of the European judicial training strategy. Quality in this context includes the degree of knowledge of legal practitioners, the efficiency they work with as well as the sustainability of their decisions. Further benefits often mentioned were the improved access to and quality of training opportunities for legal practitioners, as well as the intensified cooperation and networking between stakeholders.

Furthermore, some horizontal points were mentioned such as the broadened understanding of and stronger integration of EU law in practice. In addition, almost one fifth of the respondents stated that the strategy created the basis for long-term planning of the individual Member States in this area.

Almost 2/3rd of the respondents considered that **there were areas where the strategy could be improved** [Graph question 17].

Some of the respondents gave explanations why they think that the strategy could be improved and how. While these explanations were varied overall, respondents most frequently referred to the way different stakeholders are involved in the implementation of the strategy. For example, several respondents voiced the opinion that the strategy should aim more at triggering national level efforts and linking EU and national level actions. Other respondents indicated that cooperation between different stakeholders should be improved, including by setting incentives for national training providers to put more efforts into cooperation across borders.

In addition, some respondents commented on the geographical scope of the strategy. For example, several respondents indicated that the strategy should differentiate more between the needs and capacities of different Member States. Other respondents suggested broadening the geographical scope, e.g. by including relevant third countries.

Furthermore, several respondents would welcome changes in relation to the topics of training offered as well as the quality of the training. For example, some respondents

suggested topics that should be covered (to a larger extent), such as ethics and corruption. Respondents who commented on the quality of training mentioned, for example, the need to make more use of modern training methodologies and to focus more on the sustainability of training.

Others areas for improvement mentioned by a few respondents each related to the administration of the strategy (e.g. alleviating the bureaucracy of agreeing on priorities, ability to plan on more long term), funding, the target groups covered, the number of training opportunities and number of practitioners reached as well as how information on training is disseminated, equal attitude to all justice professionals, funding opportunities clearly identified to implement the actions included in the strategy, promoting (in EU projects) the development and distribution of widely usable training materials, taking into consideration very diverse capacities of national training institutions, broadening its scope, including geographical scope, focusing on sustainability, aiming at triggering national level efforts and linking EU and national level actions.

However, some respondents specifically highlighted that the current efforts are sufficient in their view.

Means and actors of the European judicial training strategy

[Graphs available in annex in section "Means and actors of the European judicial training strategy"]

The replies to the question on how **justice professionals fulfil their training needs** reflects partly how people learn in general: respondents replied that they mainly trained themselves on EU law via the internet (69.8%), through interaction with colleagues (59.3%) and with face-to-face training (58.1%). The library was another tool used by respondents (47.7%) and to a lesser extent online training (39.5%) [Graph question 1]. Other ways in which justice professionals fulfil their training needs include cross-border cooperation and judicial exchanges. One respondent insisted on the fact that people usually learn through practical cases.

Almost 2/3rd of respondents indicated that **justice professionals were informed about good practices on EU law** that could be applicable to their work [Graph question 3]. They are mainly informed by internet (75.7%). Other sources of information are EU law court coordinators or equivalent (27.1%), or newsletters (20%) [Graph question 4]. Additional sources mentioned were meetings, training, colleagues, and information from public authorities (emails, handbooks, guidelines). Moreover, one respondent noted that practitioners have to take action themselves to stay updated, while another one noted that a lack of capacity hindered the ability to inform members of the judiciary in a systematic way of recent developments in EU law in the country. On the positive side, the Romanian experience of the EuRoQuod network was shared. The Network's website contains three sections: one dedicated to the network, another one for preliminary references and a section dedicated to specific areas of law where EU law is applicable. The network has also organised several conferences a year, including sessions where members reported on their activities as court coordinators, followed by debate on challenges and suggestions to improve, as well as training sessions on how to provide assistance on various topics and on a number of substantive issues of high relevance.

Half of the respondents indicated that **justice professionals were informed to a good extent, to a large extent or to a great extent of the training offers on EU law available in other Member States**. However, more than 1/3rd were of the opposite opinion [Graph question 7]. The ones who were informed received the information mainly via the internet (56.9%) and by Intranet (45.8%) [Graph question 8].

Respondents provided a number of recommendations for the **improvement of information on training opportunities of EU law**, including:

- Awareness raising: a couple of respondents mentioned that although the necessary information is normally available on the internet, there is not enough awareness of the availability of this information; the EJTN and several of its members advised the Commission to focus on broad dissemination of the available training offer.
- Targeted information: some respondents, including the EJTN, highlighted that the activities targeted at specific audiences should be communicated to those audiences only. The EJTN and several of its members underlined the need to send the information through the right channels, so that it reaches its target audience. Another respondent suggested that the information is sent in a more direct way, for example through email or personal invitation letters. In addition, one respondent stated that the practical relevance of the training to the target audience should be emphasised. Another suggestion linked to this was to send a short questionnaire to professionals on their field(s) of activity and to base the information they receive on this information.
- Social media was pointed out as a potential channel for disseminating information on training opportunities.
- Creation of a dedicated EU platform, possibly on an improved European e-Justice Portal, was mentioned by a number of respondents, which could contain information on available training activities, their respective target groups, the conditions of participation, an enrolment function and indicating whether such training is taken into account in national training curricula for judges, prosecutors and other. This is also linked to suggestions for improved use of technology and information online on training offers, funding opportunities and sharing of information in general.
- One respondent indicated that cooperation in training should be promoted more, and that they did not believe in the possible success of a training platform as such, because comparable platforms at the national level were also rarely used.
- More accessible training offers was also recommended which would better suit the schedule of legal professions e.g. weekend activities. Linked to this, a number of respondents pointed out that better planning of training activities and the provision of timely information is needed.
- One respondent suggested the organisation of a 1 day workshop by DG Justice for national and European level training providers and networks to exchange (good) practices in the communication of training offers. Another respondent suggested that DG Justice should send monthly newsletters to national training providers.

Many respondents provided suggestions to **promote training on EU law for justice professionals**:

- Support by the hierarchy: one respondent underlined the importance of hierarchical support for training activities, and the EJTN and several of its members underlined the need to address national justice stakeholders, senior members of the judiciary, and superiors in general.
- The importance of the available resources: justice professionals need to have time to attend training and funding must be available.
- Inclusion of training on EU law in the national training offer was advised by the EJTN and several of its members.
- Securing the quality of the training was another advice of the EJTN and several of its members, as well as addressing practical daily issues of the participants in the training.
- The creation of a network of national contact points about EU law was also suggested by one respondent.
- Regarding the promotion of training court staff on EU law, a training provider for court staff provided detailed suggestions: (1) organising cross-professional training activities (seminars/conferences/workshops) dedicated to court clerks in EU Member States on the following topics: EU law, judicial cooperation in civil and criminal matters at European level, linguistic skills, time management and work prioritising skills, communication/interpersonal skills, and the Charter of Fundamental Rights of the European Union; (2) organising cross-border exchanges and study visits, which would allow EU court clerks to spend some time in a court in another EU Member State and to attend and observe the activities of

that court; (3) organising summer schools for European clerks patterned after the EU magistrates summer schools on the above mentioned topics; (4) inviting representatives of professional organisations of court staff to events organised by the European Commission on EU law; (5) setting up proper links/cooperation between the EJTN and European training institutions for court clerks.

For **justice professionals to be best made aware of the importance of EU law for their daily work**, the EJTN and several of its members suggested promoting the creation of new national networks of EU law experts such as the Dutch Eurinfra, the Italian European Gaius and the Romanian EuRoQuod for judges and prosecutors and supporting the existing ones.

A significant number of responses focused on the need for training to make justice professionals more aware of the importance of EU law to the daily work of practitioners. All types of training were mentioned from classroom style to online training. In particular, the EJTN and several of its members stressed the importance of using practical examples of the application of EU law in national practice to illustrate the importance of EU law. References were made to working with case studies, practical workshops, mock trials, hands-on self-learning tools, up-to-date information on EU law and on the case law of the CJEU, and demonstrating the impact of EU law on national cases. The importance of starting training on these topics at university level, at initial training level and continuing throughout the career was also highlighted. The EJTN and several of its members suggested making visible where and how national law is influenced by, or has been replaced by EU law.

Another point raised in connection with this issue was the need to improve communication on the importance of EU law. As mentioned in the replies to previous questions, references were made to providing targeted practice-oriented information, as well as sector-specific information, and using social media and articles in professional journals and on the websites of professional organisations. One respondent further pointed out the importance of communicating on the EU beyond the circle of justice professionals, in terms of its general implications, including on the rights and responsibilities of citizens.

Exchange programmes between justice professionals were also mentioned several times as an action that could be used more to promote the importance of EU law. This included exchanges between peers both nationally and internationally. The use of specific professional networks, conferences and summer schools were also mentioned.

Roughly half of the respondents (52.5%) had had **contacts with training providers from other Member States** [Graph question 13]. Half of the ones who replied to this question had frequent contacts: every month (27.5%) or every week (22.5%) [Graph question 14], and interacted mainly on training topics (68.3%), participation in a common EU-funded cross-border training project (63.4%), best training practices (56.1%) and training needs (53.7%) [Graph question 15]. A few respondents added that they interact mainly on the following topics: exchange programmes for trainers; study visits; capacity building; questions on specific topics and joint training events. They interact mostly via email (89.7%) but also during meetings of the network they belong to (69.2%) and during bilateral face-to-face meetings (66.7%) [Graph question 17]. A few respondents additionally mentioned the use of phone calls or Skype meetings. Among the ones who had an opinion, most found it easy to have contacts with training providers from other Member States (61.2%) but still more than 1/3rd were of the opposite opinion (38.8%) [Graph question 20].

The vast majority of respondents considered that **cooperation at EU level between the training providers** of a given justice profession was either important, very important or extremely important (86.7%) [Graph question 22] and that **EU-level networks of training providers of a given justice profession** were either useful, very useful or extremely useful (81.7%) [Graph question 24].

Of the respondents indicating that it is easy as a training provider to have contacts with training providers from other Member States some indicated that this is particularly easy when providers are part of a network, such as the EJTN, the CCBE, EPTA or a university network. Technology (email, video-conferencing) also facilitates exchanges between providers in other Member States. Three respondents further noted that although contact with other providers is easy and that exchanges are useful to discuss needs and develop ideas, it is more difficult to maintain the relationship and materialise the ideas into something concrete, due to staff fluctuations and lack of resources. The respondents which indicated that it is not easy to have contacts with training providers mentioned language barriers, a lack of funding and different training as reasons for this. It was further noted that for court staff training providers, no EU network exists. On a different note, one respondent indicated that due to the different legal systems in EU Member States, and the different languages and legal terminologies being used, the benefit of cooperation in this field would not justify the administrative workload.

Regarding the **importance of cooperation at EU-level between the training providers of a given profession**, one of the strongest points emerging from the responses was the benefit of sharing knowledge, best practices and lessons learned between training providers. It was noted by several respondents, including the EJTN and the CCBE, that sharing allows for the creation of better training programmes and strengthens standardisation of EU professional training. One respondent also mentioned that cooperation between training providers helps to avoid unnecessary overlaps in the training offers. Another stated that it could lead to the implementation of common EU-funded cross-border training projects.

Another key reason for cooperation is the impact it has on promoting mutual trust among justice professionals across the EU, thus ensuring smooth cross-border judicial proceedings. Some respondents noted that cooperating across borders helps the common goal of increasing the efficiency and transparency of justice in the Member States. Respondents also noted that cooperation helps to provide a better understanding of the various judicial training systems in EU Member States as well as the similarities and differences between the judicial systems themselves.

The **usefulness of EU-level networks of training providers** was praised. Several specific benefits were again highlighted, notably the ability to make better use of existing resources, to discuss with providers on training topics, to find new partners, to work together on common training initiatives and even to learn about other judicial systems.

A few respondents added that networks are only useful if:

- the majority of their members (are able to) participate actively;
- there is good coordination to prevent overlap with other (inter)national networks;
- their activities are relevant for the members;
- there are no or just minor language barriers;
- the network does not exclude non-members from being active in the field.

The particularly positive achievements and the usefulness of the EJTN were mentioned several times. The CCBE indicated that the cooperation between lawyers' training providers should be encouraged. The Council of Europe called the HELP Network of judicial training institutions and Bar associations the "soul of the programme". The online forum of ACA-Europe was given as another positive example of a useful networking tool.

The vast majority of respondents considered that **discussions between justice professionals of different Member States** were either helpful, very helpful or extremely helpful to raise awareness of the importance of EU law in daily practice (84%) [Graph question 26]. Many respondents noted that engagement of professionals on common issues of concern is very vital. Several respondents, including the EJTN and the Council of Europe, noted that training activities with participants from different Member States trigger awareness and understanding of the importance of EU law in daily practice, as well as generating mutual trust and the feeling of belonging to a common European judicial community. These discussions enable participants to exchange views on the difficulties encountered and solutions found in other Member States. They provide

learning opportunities, networking opportunities and added value compared to abstract learning based on theoretical cases.

Almost three quarters of the respondents also thought that **national thematic networks of justice professionals** help either to some extent, to a large extent or to a great extent in raising awareness of EU law among justice professionals (73.6%) [Graph question 28]. Most of the respondents indicated that national thematic networks were very useful for their ability to focus on topics of particular relevance for professionals. They allows for specific debates on common issues and strengthening the framework for information exchange on EU law. Another respondent noted that by focusing on a theme, the most in-depth and up-to-date knowledge could be shared. Nevertheless, the EJTN noted that in practice, efforts could still be undertaken to increase the impact of national thematic networks.

An overwhelming majority of respondents considered that the EU should support training of justice professionals on EU law (93.8%) [Graph question 30], first and foremost via financial support (94.6%). The other possible **measures of support** mentioned were mainly by promoting training methodologies (63.5%), by fostering cooperation among training providers at EU level (62.2%), by providing guidelines or handbooks on specific topics of EU legislation (60.8%), by improving the training section of the European e-Justice Portal (55.4%) and by raising the awareness of the relevant stakeholders (52.7%). To a lesser extent, political support (37.8%) and yearly monitoring (28.4%) were mentioned [Graph question 31]. Individual respondents also mentioned promoting the provision of dedicated time for training away from core judicial commitments; increasing cooperation with the judicial training providers; providing training materials in national languages; promoting certain modern teaching methods, such as e-learning; raising awareness at the political level of the importance of EU law in the daily work of the judiciary so that there is sufficient personnel resources for training; and providing a list of experts who are available as speakers for national training. One respondent specified that guidelines and handbooks should be concise (short) and concern a specific area of application (and should not be formulated in a general manner). The EJTN recalled the principle that judges should be trained by judges. In contrast, the Deutsche Anwalt Akademie GmbH stated that the EU should not support the training of lawyers; the training of lawyers is a market, in which there is no need for interference.

Regarding the **promotion of the quality of EU (co)funded projects**, the recommendations from respondents can be grouped into five main areas:

- **Monitoring and evaluation:** Respondents stated that the EU could conduct independent supervision of the training activities funded and the fulfillment of the intended learning objectives. The supervision could also serve the purpose of providing additional guidance to training providers to ensure quality. This would also be supported by an evaluation process post-training that would focus on seeking feedback from participants on the impact. Linked to this, one respondent suggested disseminating the results and deliverables of the implemented projects, within the framework of conferences organised by the EU or by publishing on the European e-Justice Portal.
- **Funding:** Respondents noted that funding could be increased, documents made available in national languages, application methods simplified but also that guidance could be provided during the application phase. Two respondents further suggested that only projects that are well designed according to well-established educational models and standards should be funded and one respondent suggested that further support should be extended to projects that demonstrate good practice and proficiency. A few respondents also asked to remove unnecessary bureaucratic requirements and the Council of Europe requested to ensure predictable funding via a multi-annual framework. One respondent indicated that integrating training into work and providing opportunities for strengthening professional competences beyond the conventional learning environment is another trend that needs continued support at EU level.
- **Increased cooperation:** one respondent pointed out the role of national training institutes and that they should be encouraged to apply for funding. Another

suggested that it should be obligatory to involve national institutes in the design and development of judicial training activities for judges, prosecutors and their legal staff.

- Pre-training needs assessments and post training evaluation: one respondent mentioned the need to raise the quality standards and prioritise the needs and objectives. For this purpose, it is necessary to tailor the training to the audience (i.e. judges, prosecutors, magistrate investigators), the level of competence (supreme, appellate, district and regional level), and the trainees' professional experience. The EU should support this practice when assessing the quality of EU funded projects. Another respondent underlined the importance of the evaluation of the post training effect on the participants.

Roughly half of the respondents had already **taken part in applying for EU (co)funded projects** (51.4%) [Graph question 35]. The ones that didn't take part in such applications indicated that they didn't do so mainly because they considered that it was too complicated to answer an EU call for proposals (61.1%), because their organisation was too small (44.4%) or because their organisation didn't know of any EU (co)funding possibilities (38.9%) [Graph question 38]. A few respondents also indicated their lack of experience as well as the lack of human resources to implement EU funded projects. Another respondent also mentioned that the procedures are too complicated and require a lot of time, and that therefore, the effort dedicated to an application is out of proportion in comparison to the possible benefit. The financial risks in case of failure or poor performance of the partners was also mentioned as being too high by some respondents.

Several respondents who had **taken part in EU-level training projects** provided additional feedback:

- Positive feedback: eight respondents provided positive feedback concerning their projects. According to them, EU funding is necessary to develop and promote transnational activities, which could not be organised without the support from the EU. They also indicated that these projects create great opportunities for judges and court staff. One respondent in particular explained that the application procedure is now simplified, and it is therefore easier to apply.
- Negative feedback: respondents mentioned the following points:
 - Bureaucratic procedures: the Council of Europe highlighted the burdensome nature and length of the procedures for registration and operationalisation under Horizon 2020.
 - Logistical difficulties: three respondents explained they faced logistical difficulties when implementing the activities (especially visits and exchanges). One respondent indicated that the reasons for it were different procedures and legal provisions between the partners that were part of the consortium.
 - Limited funding: the Council of Europe indicated that the financial envelopes of calls for proposals are not enough for European level organisations.

Half of the respondents indicated that there were **elements of EU financial support to European judicial training that could be simplified or otherwise improved**. [Graph question 40]. The main element pointed out by the respondents for improvement is the bureaucracy. According to stakeholders, the procedures are still too complicated and burdensome and they should be harmonised across the Commission. In particular, the application procedures for action grants should be simplified, especially for small administrations as pointed out by some respondents. Two respondents suggested that EU funding for training should be provided on simplified terms as long as the objectives and activities of their projects are well targeted. The reporting process could also be simplified.

The requirements on the budget for a project and the reimbursement process were also mentioned as points to be simplified. The respondents consider that the provisions related to financial aspects are still too heavy, even if one respondent acknowledged that some simplifications have been introduced. The requirement of providing detailed project

budgets is very time consuming and reduces the flexibility of the project to meet unexpected circumstances. One judicial training provider underlined that the new rules relating to the obligation of the partners to contribute financially to the projects was difficult to implement not only at their level but also by their partners, due to their limited resources. This new approach limited their involvement in the projects. Criticism was also directed at the rule that unit costs could not be claimed for participants coming from less than 100km. The reason given for this criticism was that the infrastructure of the country does not allow participants to travel back and forth and the training provider believed that this change would severely affect their possibility to apply for or to be partners in projects under the calls for proposals for action grants. Related to the budget, a few respondents indicated the need to clarify and provide consistency to the funding and reimbursement conditions. Regarding the operating grant, the EJTN asked for more predictability and continuity. Lastly, one stakeholder mentioned that the overall level of financial support should be increased, and another one that national training projects on EU law should also be supported by EU funds.

Among the ones who had an opinion, a large majority of the respondents (72.4%) considered that the **funds associated with the implementation of the European judicial training were not sufficient for the current training needs on EU law of the justice professions** [Graph question 42]. The following reasons for this were indicated:

- There are new training needs to be covered, such as new aspects of EU law, new target groups such as court staff, and a new geographical scope of action. Future financial means and resources should be aligned with the expectations deriving from the EU training strategy;
- Only a small part of legal practitioners has been trained. In particular, one respondent indicated that this is due to language barriers, and therefore, more national linguistics activities would be needed;
- There have been continued cuts in public spending in general and training budgets in particular since 2008 in most (if not all) EU member states, which according to one respondent would call for support to training via service contracts rather than 80% co-funding to increase participation in projects from many Member States. Another respondent asked for investment in the most efficient and trusted beneficiaries, such as the EJTN, and measures to secure the sustainability of successful projects.

On the other hand, a few respondents considered that the funds allocated for the implementation of the Strategy are actually sufficient to cover the training needs. One of the respondents explained that although the capacity of eligible institutions/organisations, the complex application procedures and the need for specialised human resources might be sensitive issues, the amount of EU funds available for the implementation of the Strategy is sufficient.

The **vast majority of respondents didn't know of any public-private partnership in the field of European judicial training** (82.2%) [Graph question 44]. Of the ones who knew any, a few respondents mentioned two public-private partnerships related to court staff training, which involved national public court staff training providers, a public entity and a private EU-level training provider. Another respondent mentioned that universities and consultancies are becoming involved in projects funded under the Justice Programme and other funding programmes. **Only 7 respondents replied to the question on the usefulness of public-private partnerships**, out of whom 3 didn't know whether they had been useful, 1 thought that they had been a little bit useful, 1 thought that they had been useful to some extent and 2 that they had been useful to a large extent [Graph question 46]. Nevertheless, 45.8% of the respondents thought that they could be useful for the implementation of the future strategy. A handful of respondents highlighted that this type of partnership could bring different approaches, expertise and background and additional means into judicial training, creating a benefit for the strategy. One respondent underlined that this type of partnerships should comply with the principles of transparency. On another note, one respondent indicated that academic input can be of added value to the expertise of judicial training institutes, provided that judicial training institutes are always involved when designing and conducting training activities for judges, prosecutors and their staff.

Almost half of the respondents (47.3%) thought that the **European e-Justice Portal had been useful in supporting the European judicial training strategy**. However, roughly 1/3rd had no idea [Graph question 49]. The 16 respondents to this question can be grouped in the following categories:

- Four respondents considered the European e-Justice Portal to be an excellent tool that serves as a reference in the context of judicial training. The Portal provides information on training providers and training events, ensuring easy access to legal databases and high quality training material as well as access to the EU co-funding possibilities;
- Seven respondents considered that the Portal is useful to some extent. These respondents agreed that the Portal contains important and useful information. Two respondents, however, highlighted the serious need to update the training material on a regular basis and take out the out-dated material. Another respondent indicated that the Portal is useful only in relation to traditional training. Another one mentioned the need to have a direct reference to the EJTN's website on the Portal in order to reflect the synergy and coherence between the e-learning objectives set by the European e-learning portal and EJTN's e-learning policy.
- Three respondents considered that the Portal still needs to be improved as it is still in a development phase. One respondent pointed out that there are translation issues.
- Two respondents considered that the platform is not very useful. One of them qualified the European Training Platform project as superfluous.

A bit more than half of the respondents thought that the **training section of the European e-Justice Portal should be further developed** (54.1%) [Graph question 51]. Several responses focused on the need to **promote** the European e-Justice Portal. One respondent explained that more promotional efforts would enable the development of e-learning as a flexible tool to reach more end-users. In particular, some respondents mentioned specific elements to be included in the Portal such as:

- practical guidelines regarding specific learning behaviour in the judicial world and the best adapted training methodologies, which should also cover evaluation of quality and impact of training activities and the use of common quality criteria and indicators;
- cross-references to other portals such as the Council of Europe's HELP portal;
- on-line activities, language activities;
- training tools for court staff.

The CCBE requested that the European Training Platform tool be inserted in the Portal.

One respondent highlighted the need to develop the training section taking into account the EJTN's training resources and tools. Another respondent repeated the importance of keeping the material up-to-date, while another one stressed the importance of translating the content.

More than 2/3rd of respondents thought that **the EU should help develop more technological support for European judicial training activities** (69%) [Graph question 53]. A significant number of stakeholders considered that the EU should provide further IT support in training activities. In particular, most of the respondents mentioned e-learning as the solution to be promoted. The existing e-learning activities should be further promoted, while new ones should also be created. Other IT solutions indicated by the respondents were the development of databases of judgements as well as of e-platforms at the EU level.

Other respondents considered that the interaction with other stakeholders is key to supporting European judicial training activities.

It was also pointed out that the EU should acknowledge the topics where training is needed the most. In addition, some stakeholders provided specific examples of measures the EU could implement: using modern training methodologies; providing modules and guides on specific issues; exchanging best practices; promoting innovative training formats; providing language and linguistic training; developing self-learning tools,

practical hands-on workshops and promotion of certification or accreditation of e-learning projects. Lastly, a few stakeholders indicated that the EU could raise awareness of existing projects and resources, including through social media for example.

A judicial training provider shared that the need for development of self-learning tools, including handbooks, manuals and reference guides containing an up-to-date synthesis of EU legislation and EU case law on specific subject matters, which would be easily accessible and available in digital format for all justice professionals, had been clearly identified in a series of needs assessment analyses and of trainees' perceptions that they had carried out. It added that it would eagerly support new initiatives at European level to boost the trend.

More than half of respondents (58.8%) didn't know if there were elements of the strategy that could be simplified or otherwise improved but **more than 1/3 thought that it could be simplified** (35.3%) [Graph question 55]. Some stakeholders pointed out the need to increase the target of the strategy: all justice professionals should be encouraged to participate in training activities, including for example prison and probation staff. A higher number of places per training activity should be available. One respondent indicated that the geographical coverage of the strategy should be expanded, without providing further information. Concerning the training activities to be targeted, some respondents highlighted that it would be necessary to first launch a consultation on training needs. The strategy should take into account the differences between legal systems, and provide more specialised training activities. Other stakeholders indicated that the translation of training materials into different languages is key. The communication of the training offers should be improved, and the application process simplified. Some stakeholders also stressed the need to encourage direct exchange programmes between practitioners, as they are the best way to obtain hands-on knowledge of Union instruments and other legal systems. A judicial training provider suggested that new avenues for the professional, linguistic and cultural immersion of entrants to the judicial profession should be explored, in terms of early development of their European profile. Regarding monitoring, one respondent asked for fewer statistical surveys. Lastly, one respondent highlighted that the current strategy only refers to the quantitative dimension of judicial training by setting targets in term of legal practitioners to be trained, but does not mention the quality of training.

Monitoring of the European judicial training strategy

[Graphs available in annex in section "Monitoring of the European judicial training strategy"]

A relative majority of respondents thought that the **strategy's process for reporting and monitoring had been timely** to either some extent, to a large extent or to a great extent (47.2%), but many didn't know (41.7%) [Graph question 1]. Similarly, 40% of the respondents thought that the strategy's process for reporting and monitoring had been **efficient** either to some extent, to a large extent or to a great extent, but many didn't know (44.3%) [Graph question 3]. A few respondents added that the reporting takes a long time, but recognised its importance for the prioritisation of future needs and the preparation of future programmes. Of the more negative responses, difficulties were highlighted in providing data for the annual reports because the questions did not always match with the national context. The EJTN suggested that the yearly report be published only a few months after the expiry of the civil year with the most recent data. The CCBE underlined that the number of trained lawyers in some countries does not correspond to reality since there is no unified system for the collection of statistics on this issue.

Nevertheless, more than half of the respondents indicated that **there should be a yearly monitoring system to follow the implementation of the future European judicial training strategy** (56.8%) [Graph question 5].

Several respondents suggested having **quantitative and qualitative indicators** to monitor the implementation of the future strategy. Among the **quantitative** indicators, it was suggested to monitor the number of training activities organised on EU law, the number of participants in training activities organised on EU law, the number of EU law topics discussed within the framework of training activities organised, and the number of participants and practitioners willing to participate.

Regarding the **qualitative** indicators, several respondents indicated the usefulness of the evaluation of the training activities by those who have participated in them. Several other respondents suggested to measure the impact of training on the daily practice of the participant several months after participation in the activity. Other indicators were also suggested, such as the satisfaction of participants in training activities, the types of methodology used in training, the trainers' (practice-oriented) performance, the quality of the training materials and resources used, the types of certification and the use of native speakers in language activities. Regarding the measuring of the impact of training on the European area of justice, one respondent suggested to monitor the references to the case law of the CJEU in national judgments. Another respondent suggested that the indicators be specific per profession.

Several pieces of advice were given regarding the future reporting and monitoring process: that it should be simple and less time consuming, and that it should take place online. One respondent asked for reporting and monitoring to be targeted towards the different professions and national contexts. Another respondent asked for national training providers to be more actively involved in the process.

Yet another respondent suggested that the way the number of training activities for lawyers was calculated did not seem very reliable, that the reported number was based on estimates and that the work of the Commission should concentrate less on lawyers and more on those working for courts and prosecutors.

Any other feedback

One respondent recommended that the general awareness of the strategy should be improved and another one that EU judicial training of court staff should be included in the EU justice scoreboard. Another respondent suggested that the European judicial training strategy should support the efforts of national training providers as well as European judicial training providers (e.g. the EJTN); that it should reflect changing needs in judicial training depending on changes and developments both at EU and member state level, and that it should promote mutual cooperation of EU member states via EU funded projects, judicial exchanges and exchanges of best practices.

The EJTN and several of its members requested that the future judicial training strategy invest in the most efficient and trusted beneficiaries and secure the continuation and outreach of successful projects while securing their sustainability in the long run via adequate financial means, and that resources are aligned with the expectations deriving from the new strategy.

The Council of Bars and Law Societies (CCBE) stated that it fully agrees that the training of justice professionals on EU law is essential to ensure the coherent application of EU law and smooth cross-border judicial proceedings. The CCBE supports the efforts to strengthen the European judicial culture and an area of shared values and fundamental rights and principles. Lawyers play an essential role in this context, defending citizens and ensuring the rule of law and confidence in the European judicial area. This requires the continuing development of lawyers' skills and knowledge, which the CCBE strongly supports. The CCBE has always advocated for high-quality training of legal practitioners, as well as development of mutual understanding of different legal systems in Europe. At the same time, the organisation of training must fully respect the independence of lawyers and the diverging systems of training under national law, since continuous

training is not mandatory in all Member States. Mutual recognition of continuous legal education has been a key issue that the CCBE has been working on in the past years. In February 2017, 40 Bars and Law Societies signed the CCBE Memorandum on Mutual Recognition of Lawyers' Cross Border Continuing Professional Development. The aim of the Memorandum is to promote and facilitate the free movement of lawyers within the CCBE member countries where Continuing Professional Development (CPD) is mandatory or recommended. The CCBE welcomes the efforts of the European Commission to further develop the strategy on judicial training for justice professionals, especially for lawyers. The CCBE is committed to providing its input in this regard.

Annex: Graphs for all the closed questions of the general questionnaire

Introduction

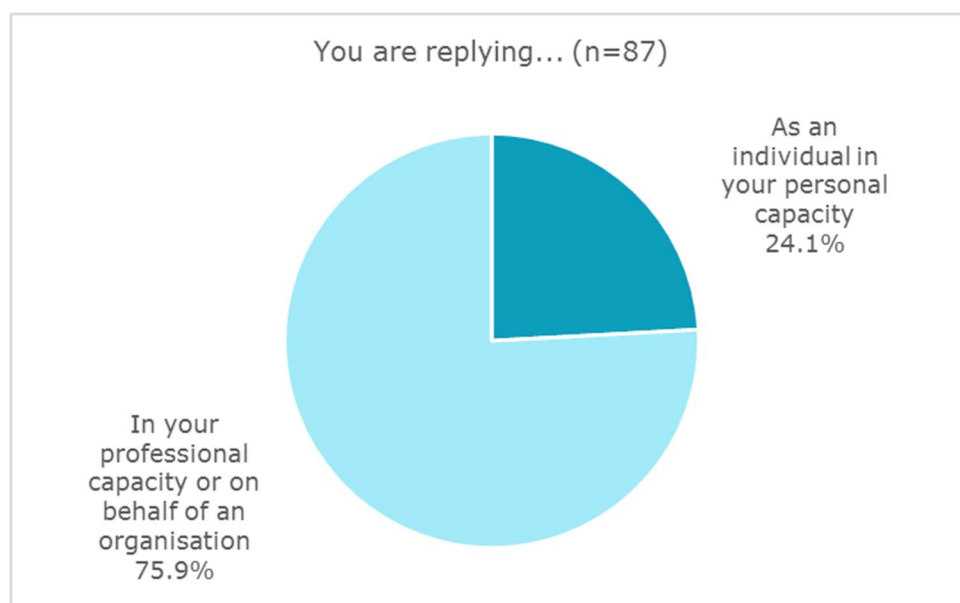
This annex includes graphs for the closed questions of the targeted questionnaire of the open public consultation on European judicial training.

The annex contains headings indicating the sections and question numbers in the original order of the targeted questionnaire. Only the closed questions for which graphs have been prepared are included.

Each graph includes the wording of the original question as a title followed by the number of respondents who replied to a certain question ("n").⁶ The number or percentage represented by "no answer" is not displayed.

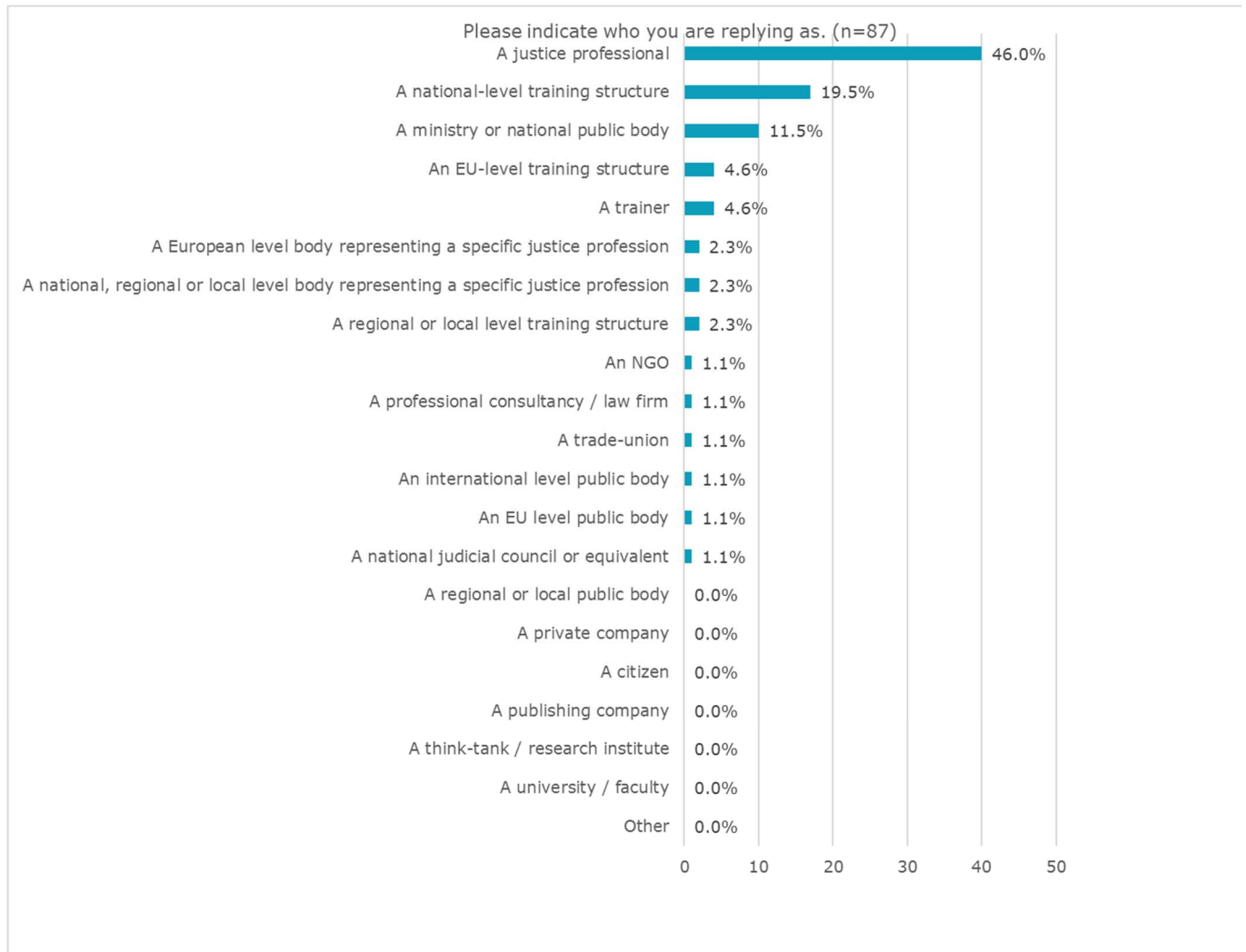
About you

Question 1



⁶ It was possible for respondents to skip certain questions. Thus, the number of respondents to individual questions may differ from the overall number of respondents for the individual questionnaires.

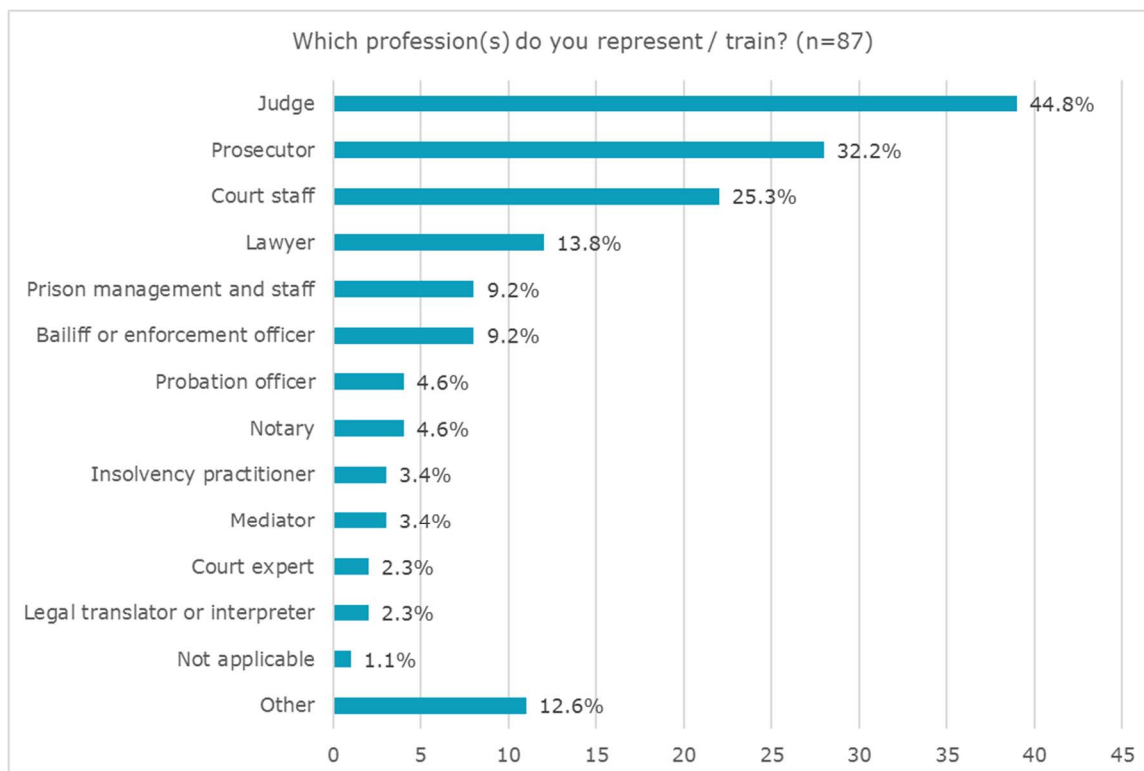
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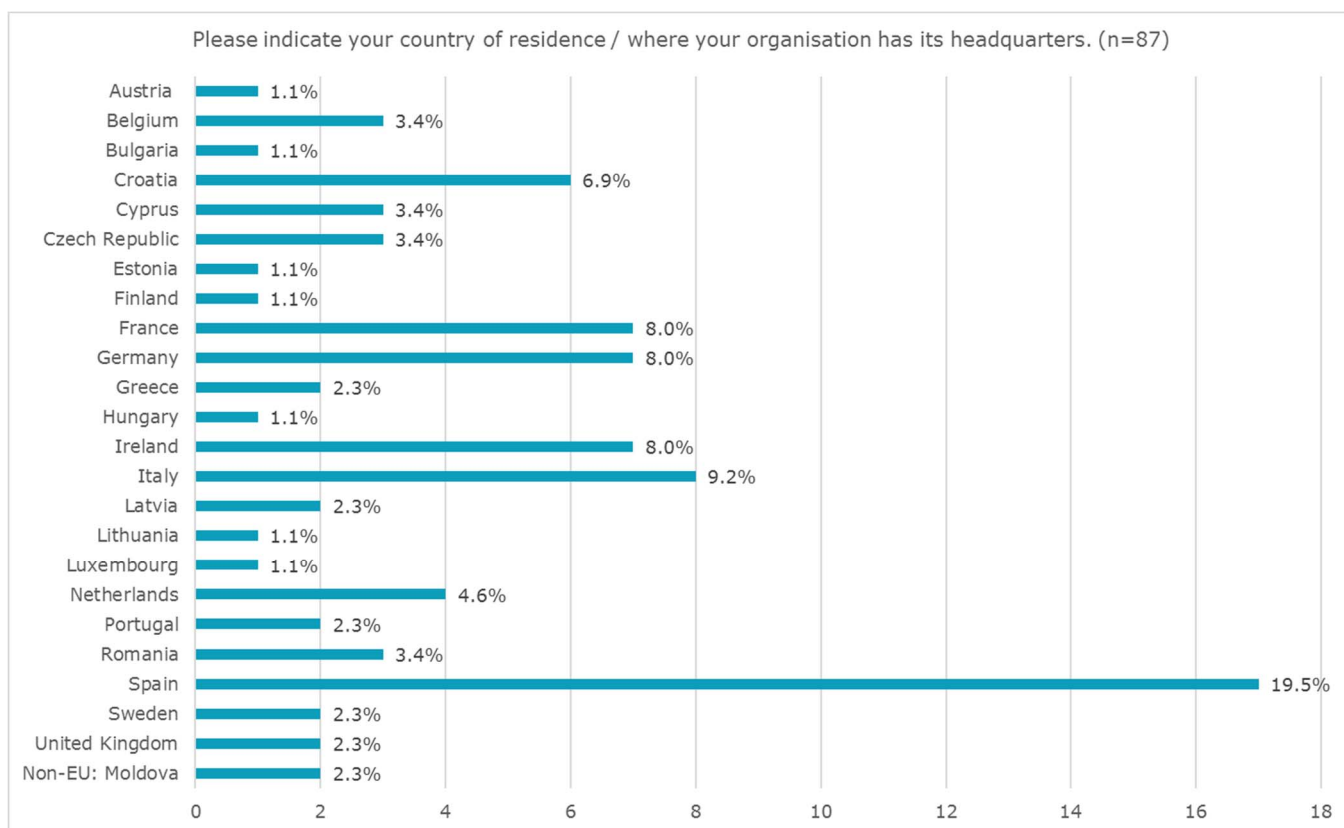
Question 14



Question 16



Question 21



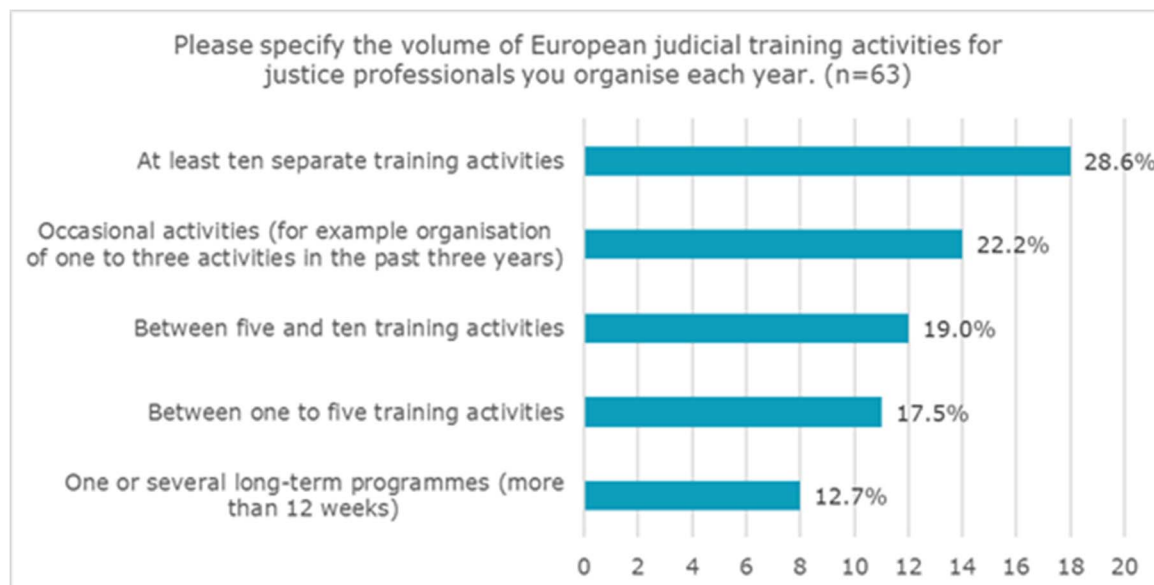
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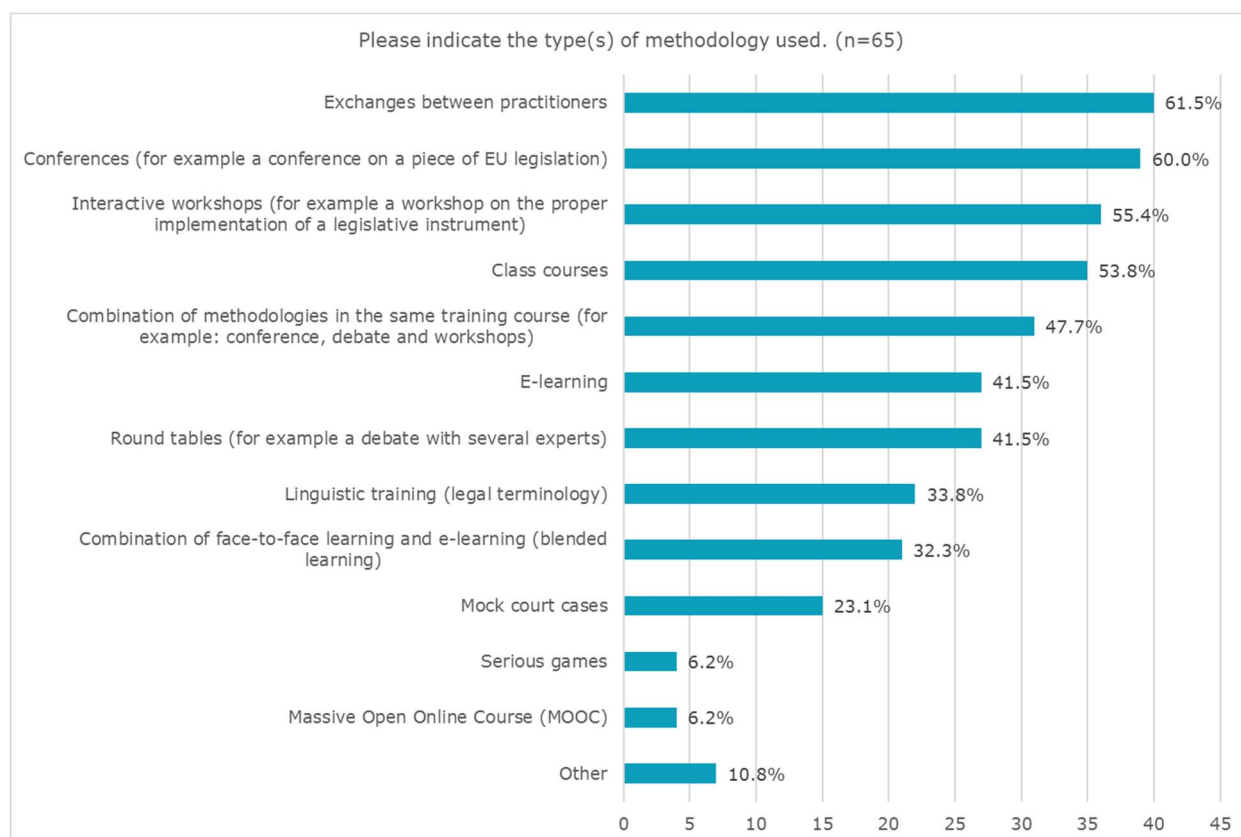
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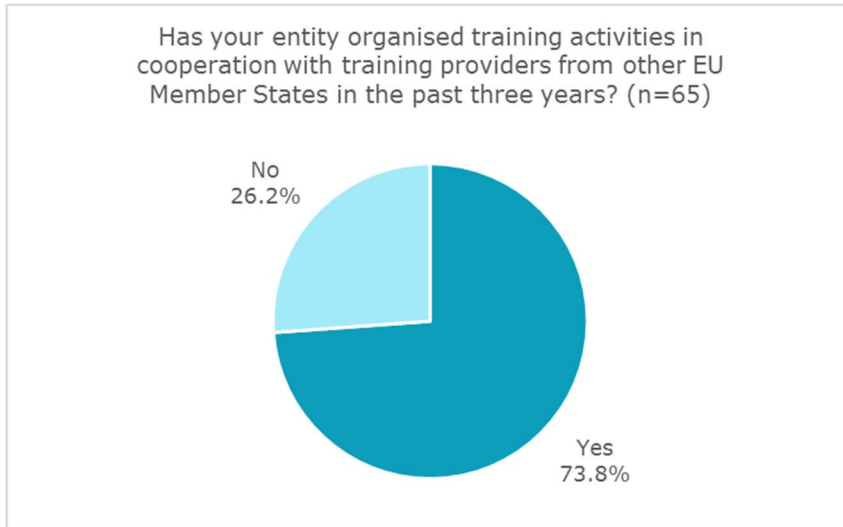
Question 25



Question 26



Question 29



Training activities on EU law

Question 2

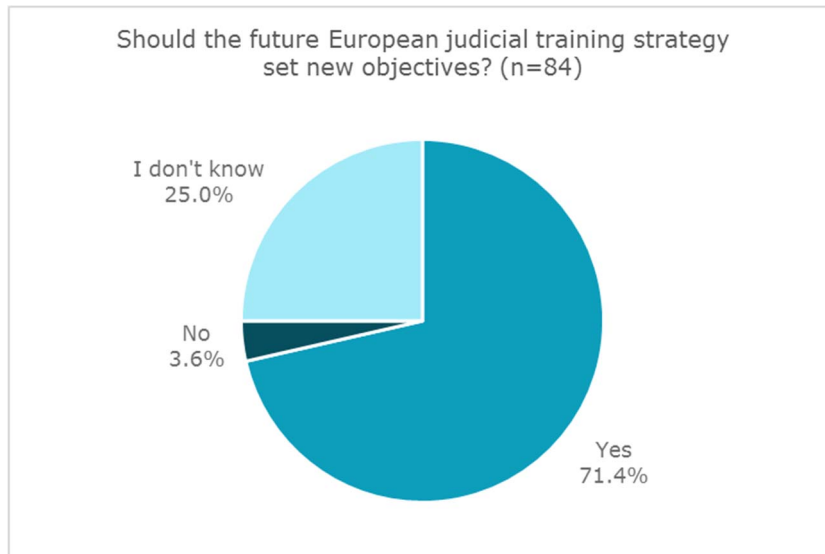


Scope of the European judicial training strategy

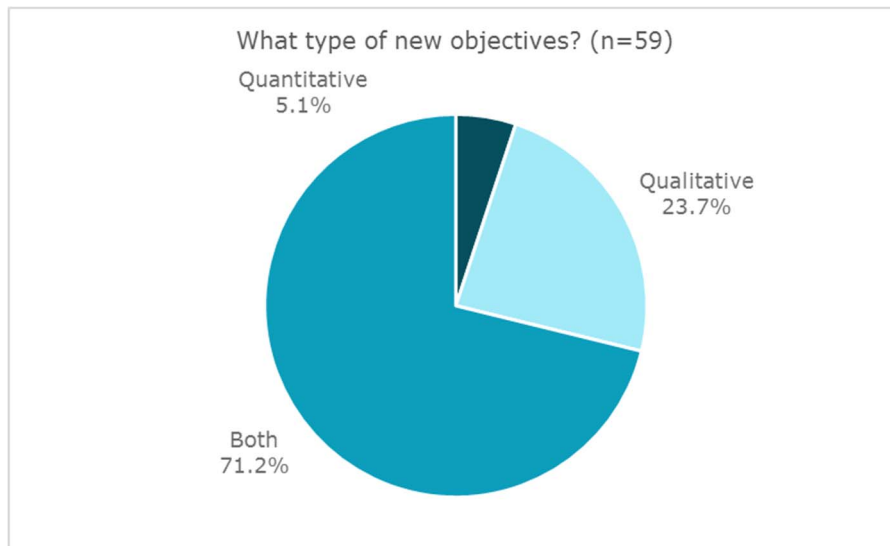
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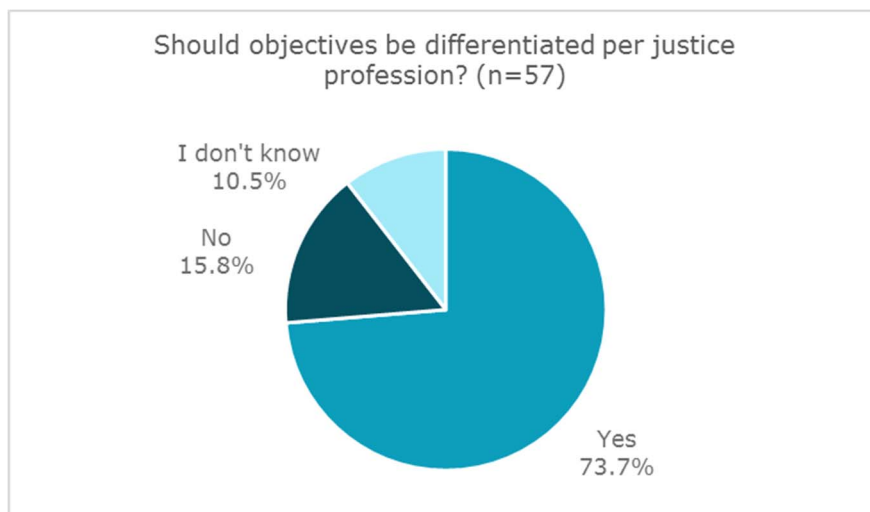
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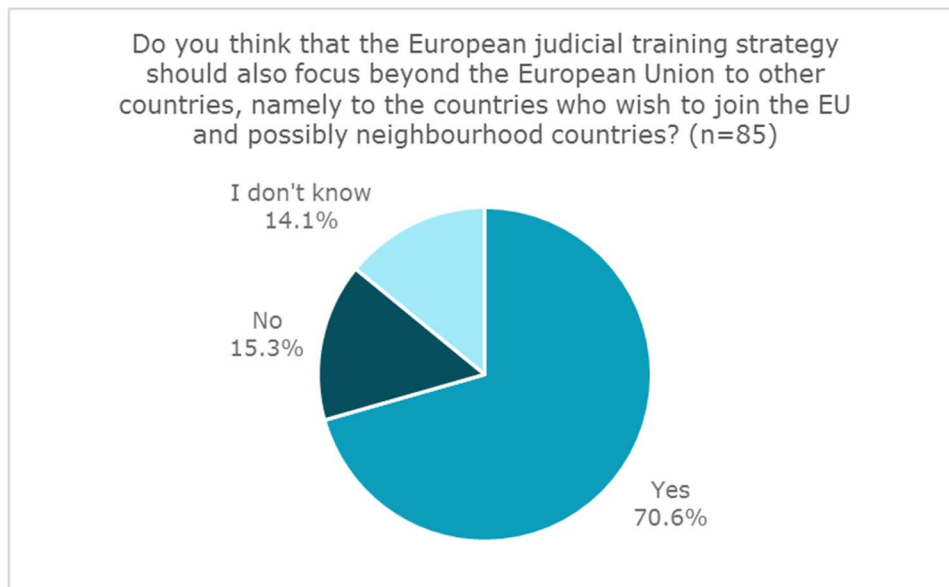
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Question 6

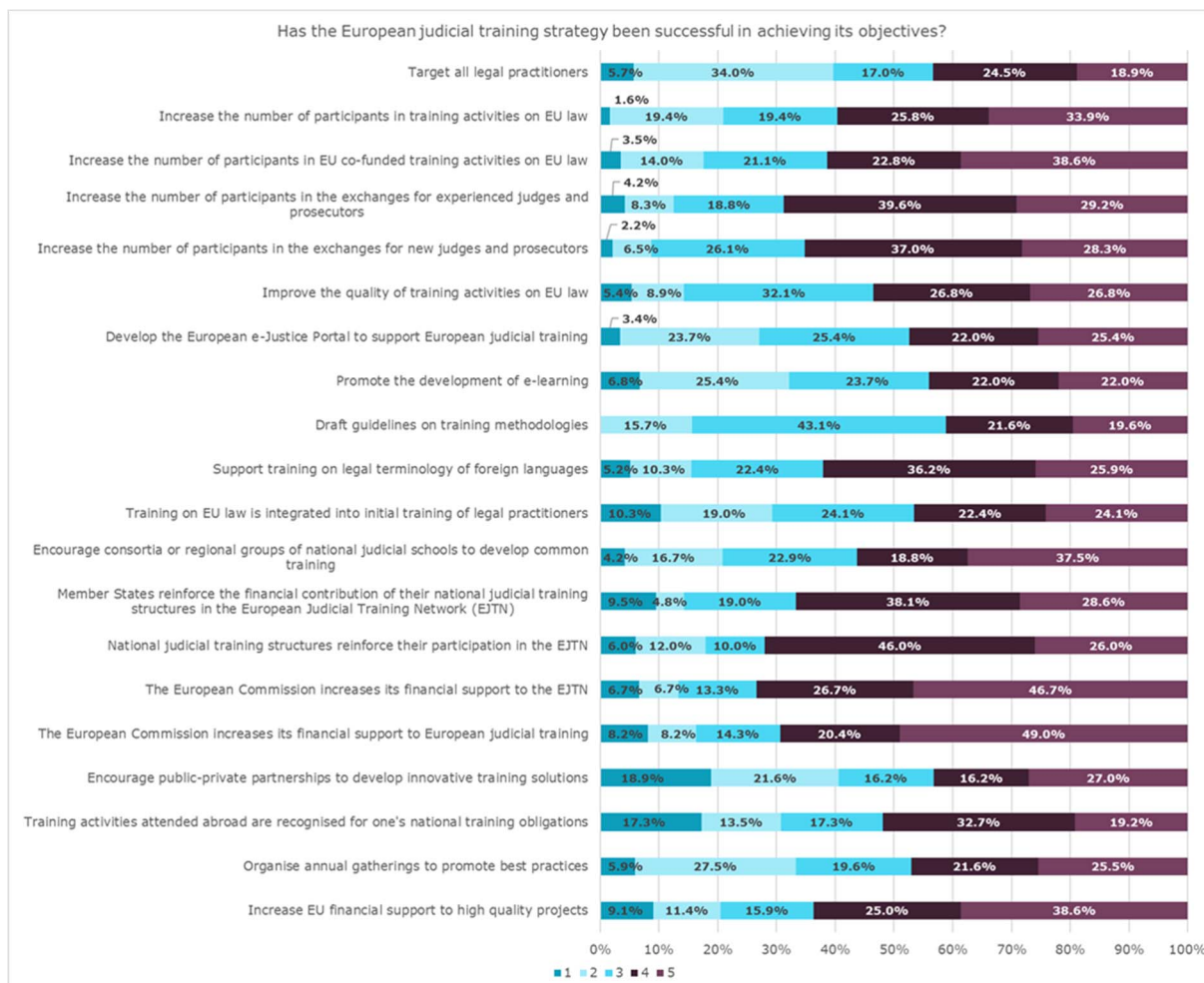


Question 9

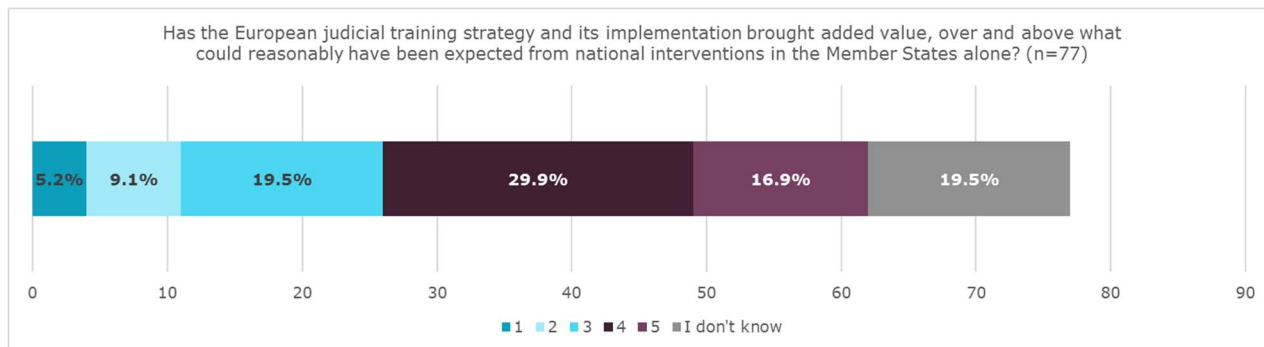


Results of the European judicial training strategy

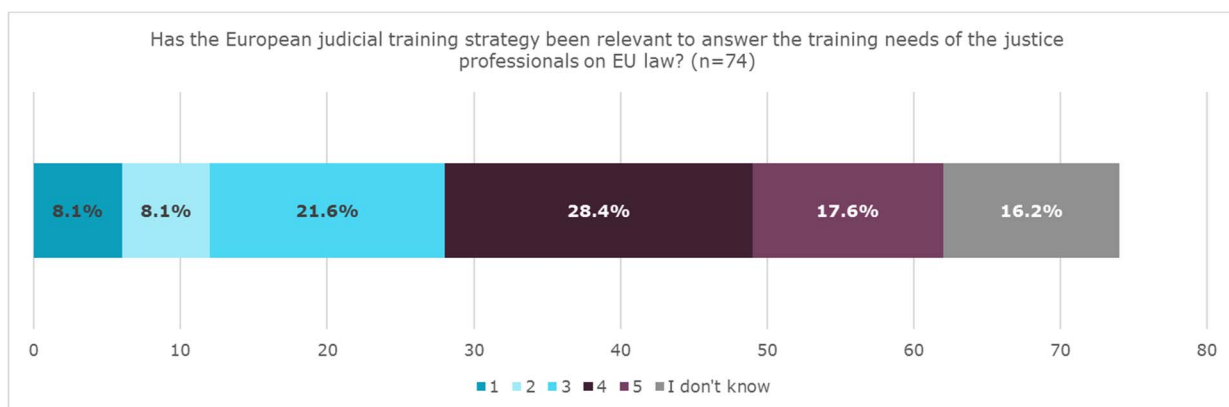
Question 1



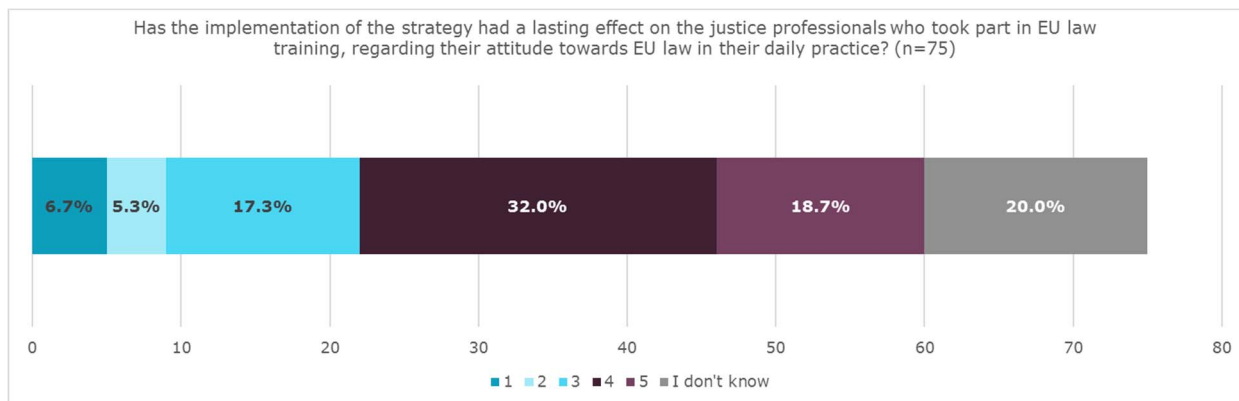
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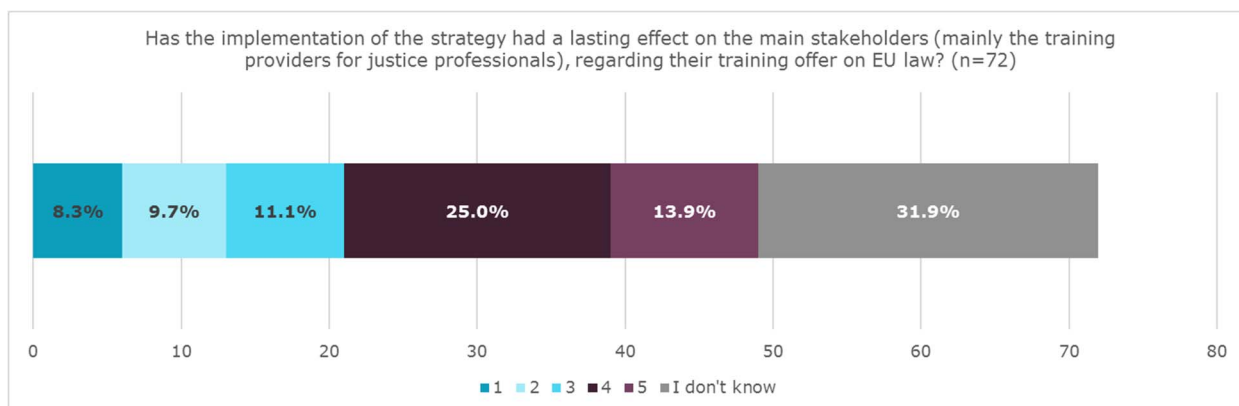
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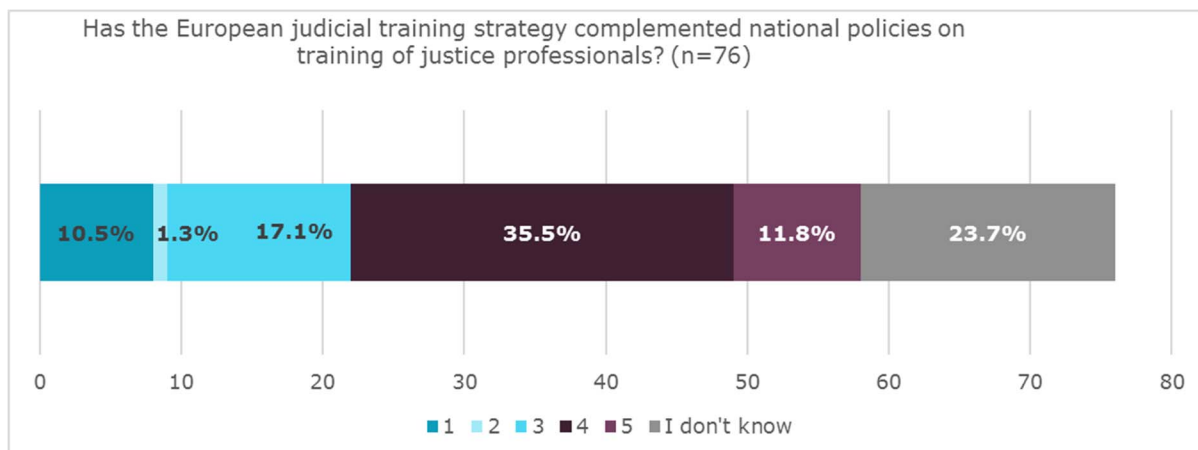
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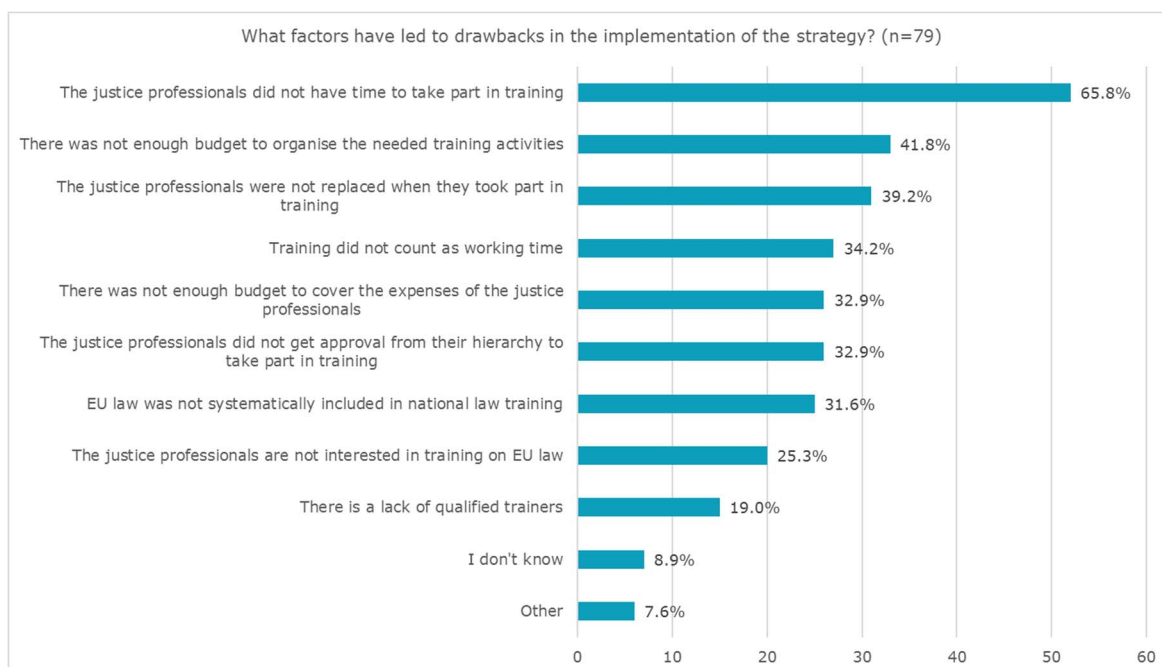
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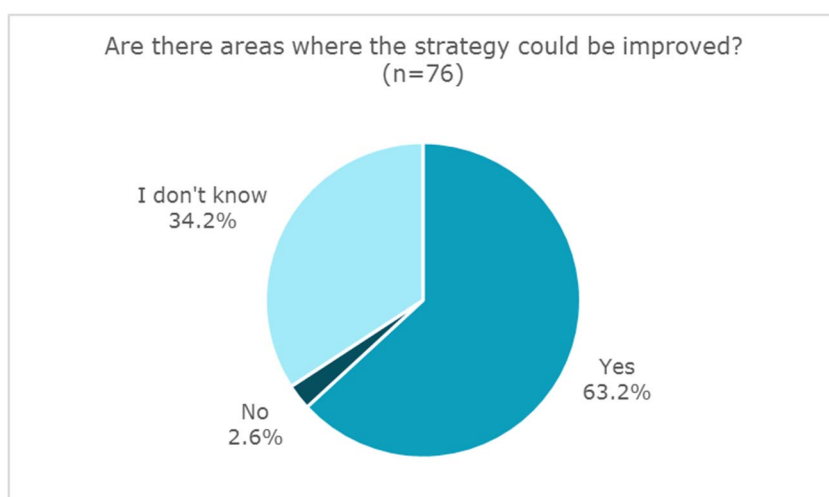
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Question 14



Question 17

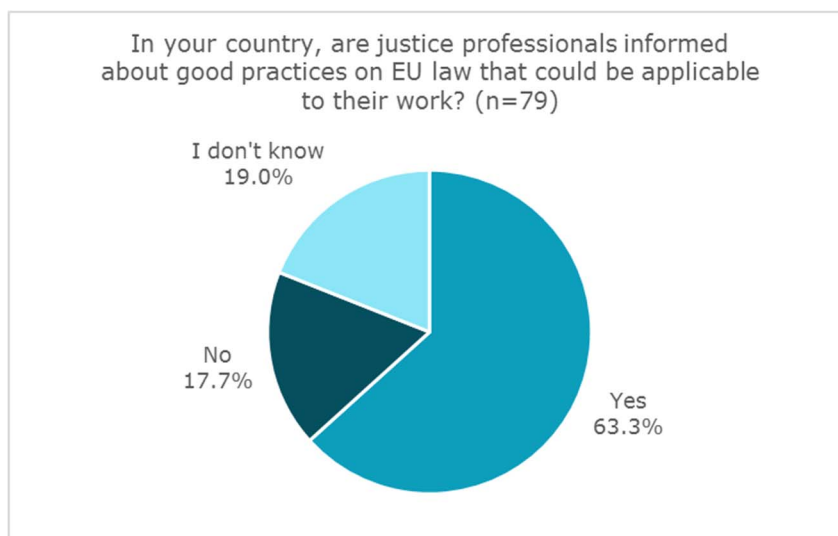


Means and actors of the European judicial training strategy

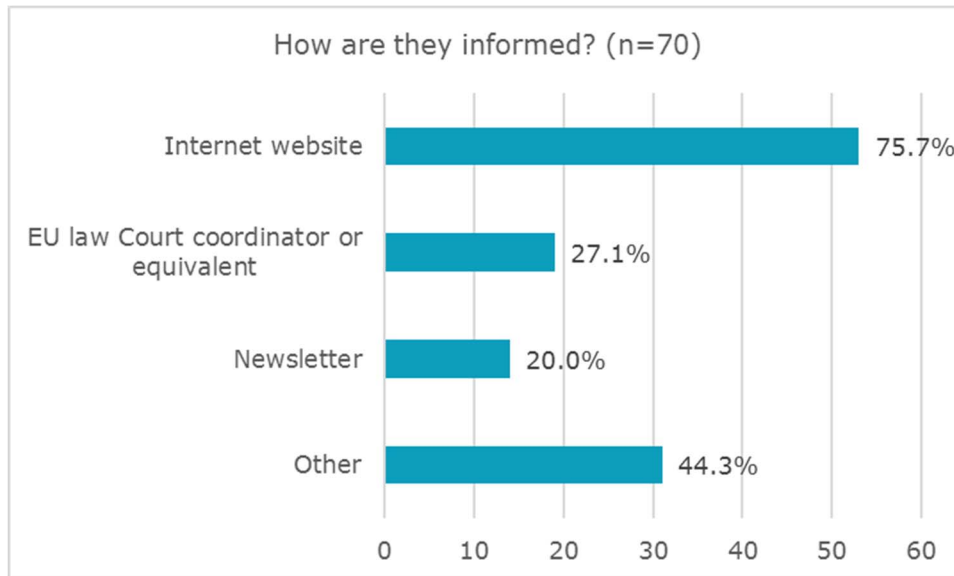
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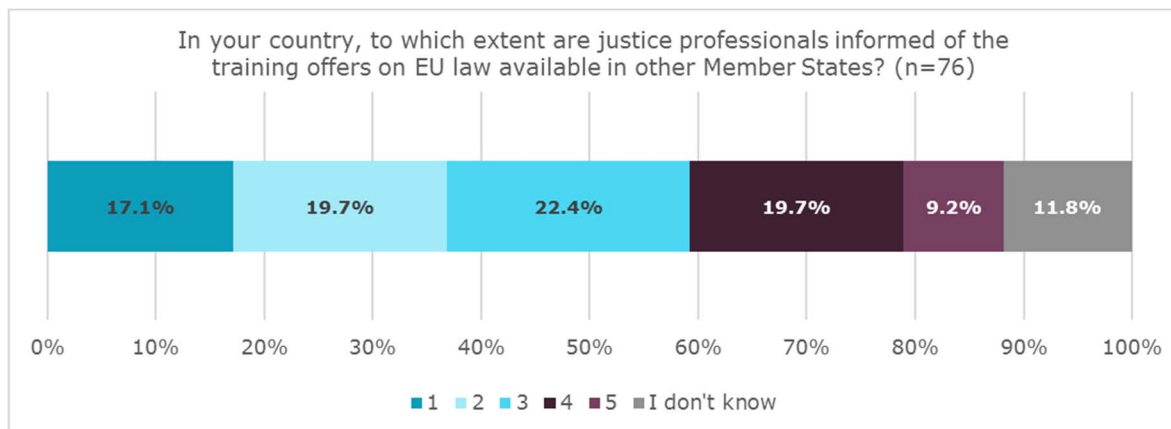
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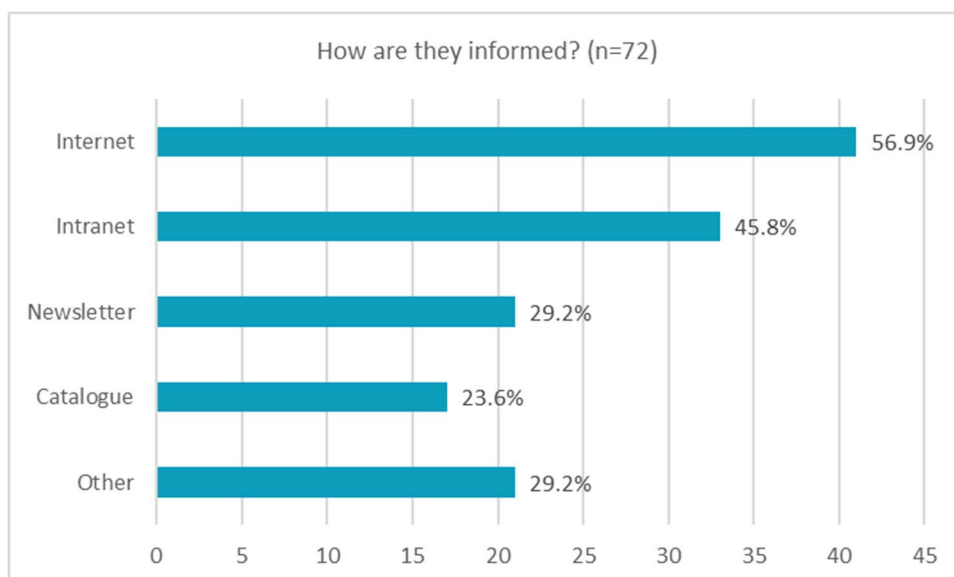
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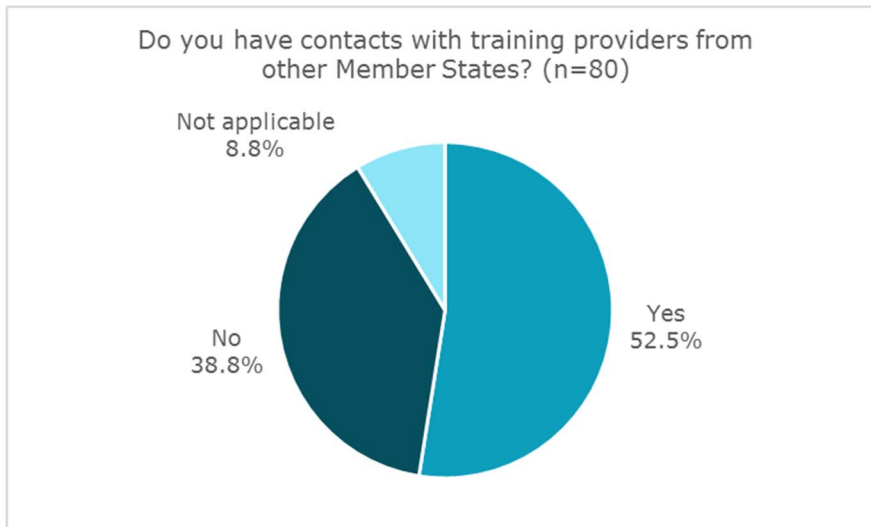
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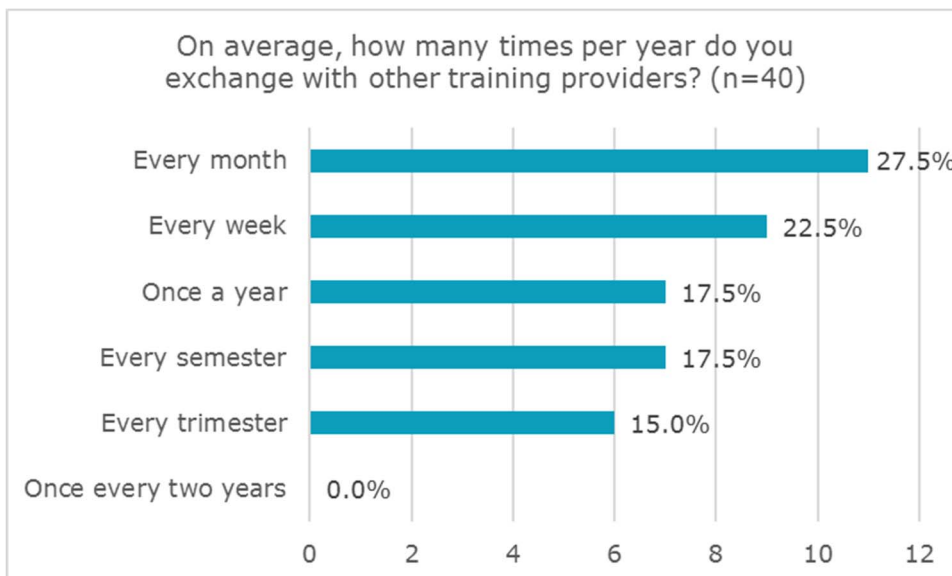
Question 8



Question 13



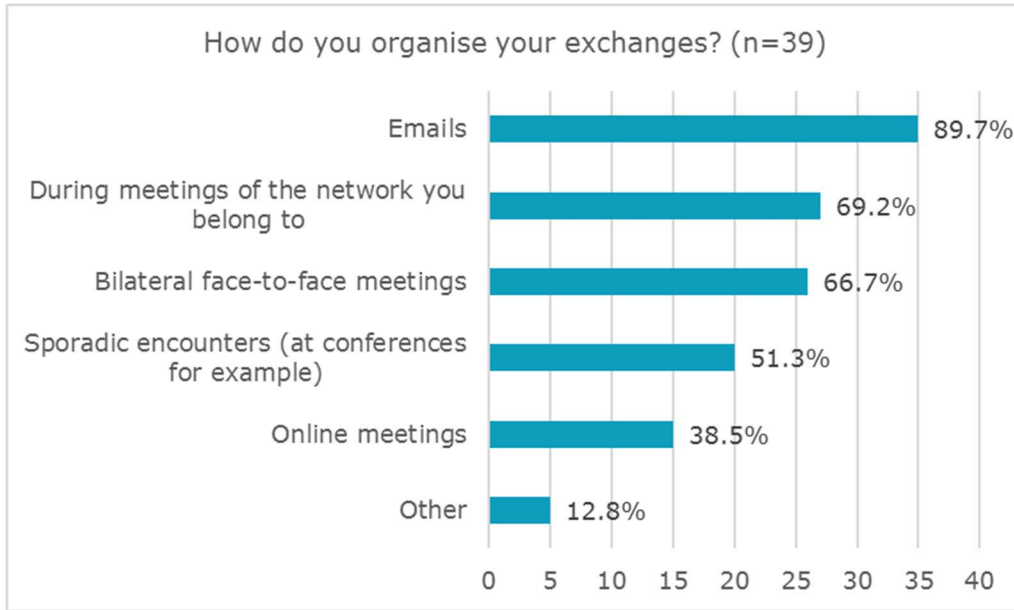
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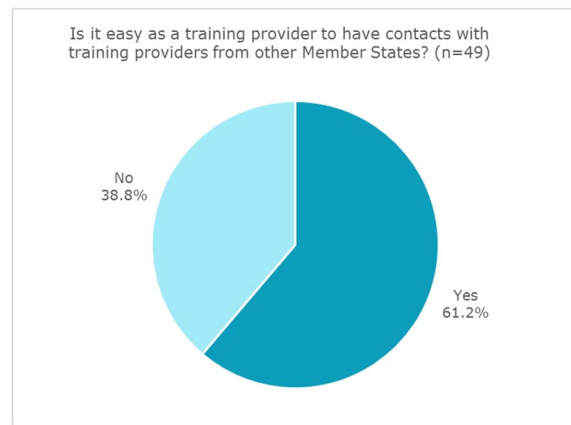
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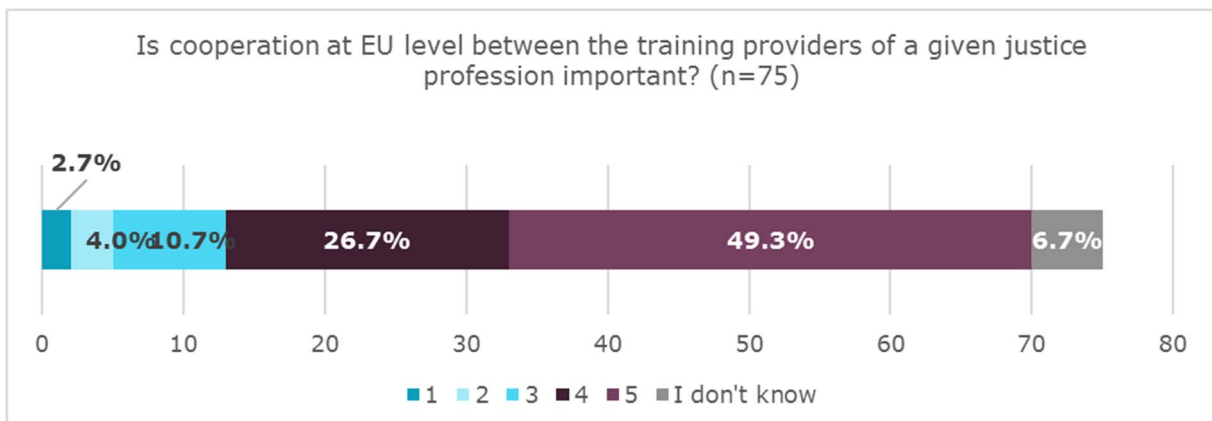
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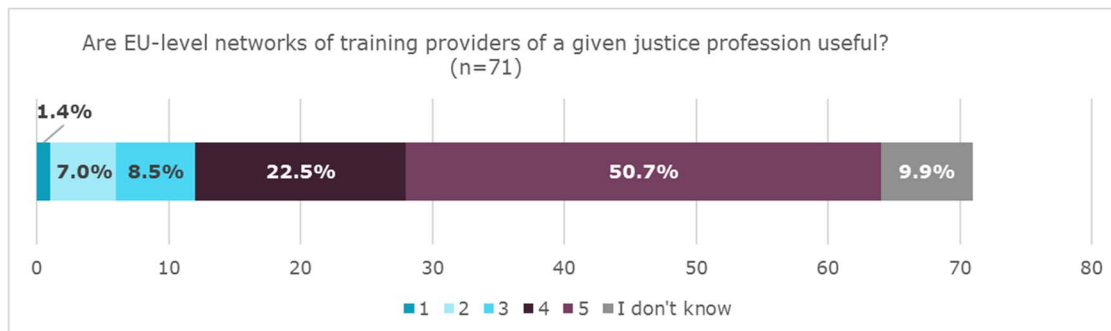
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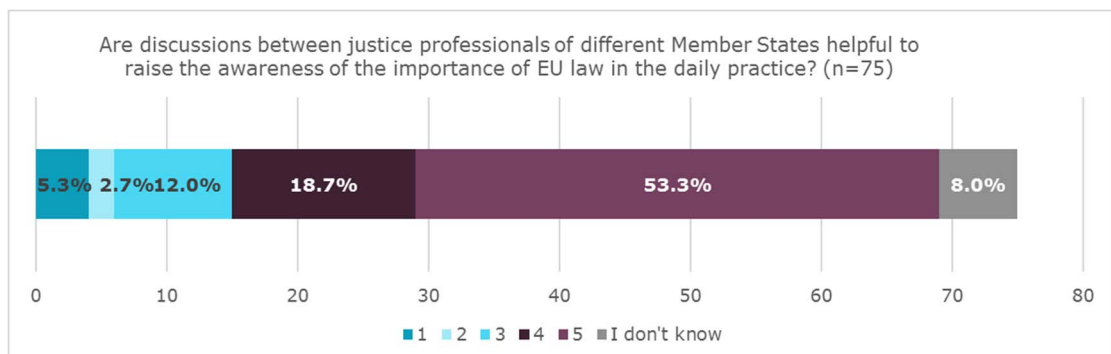
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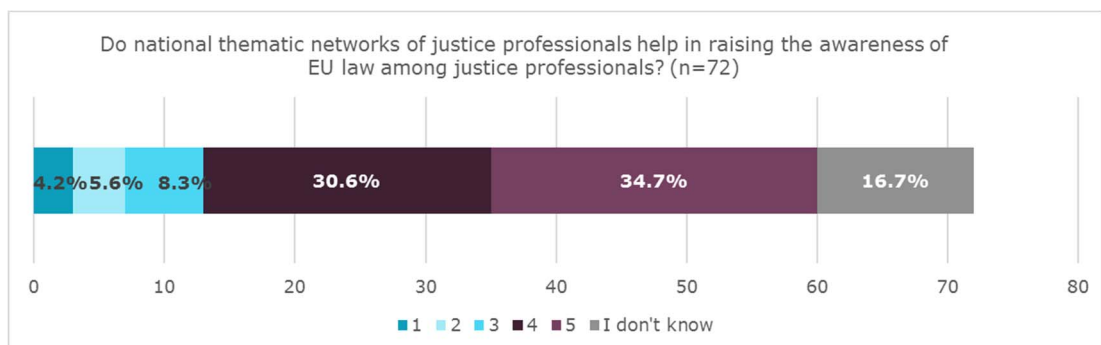
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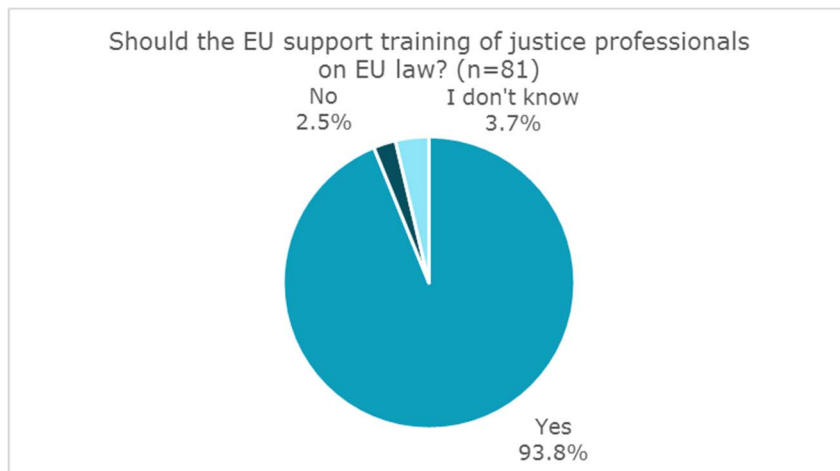
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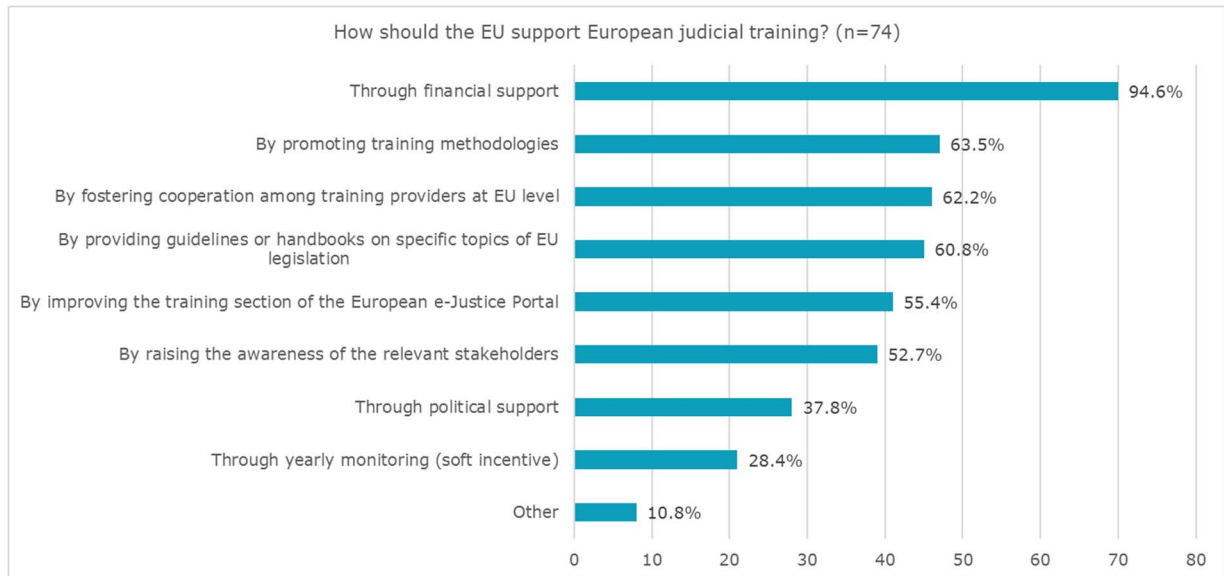
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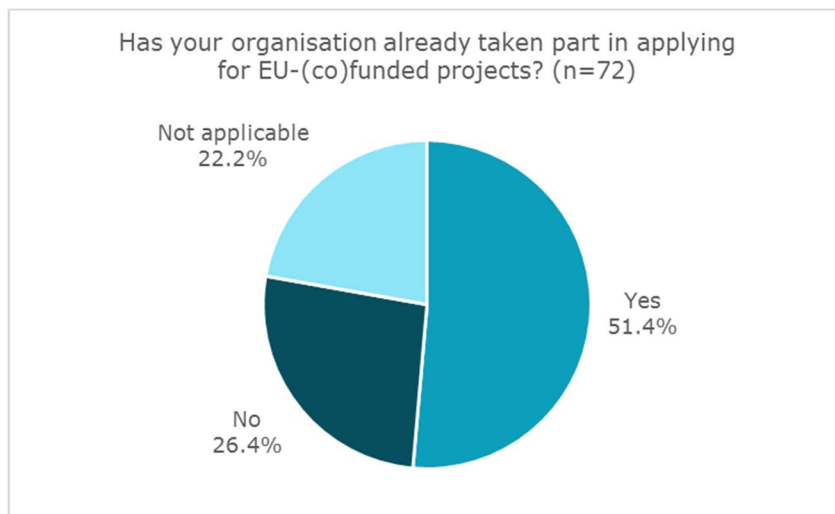
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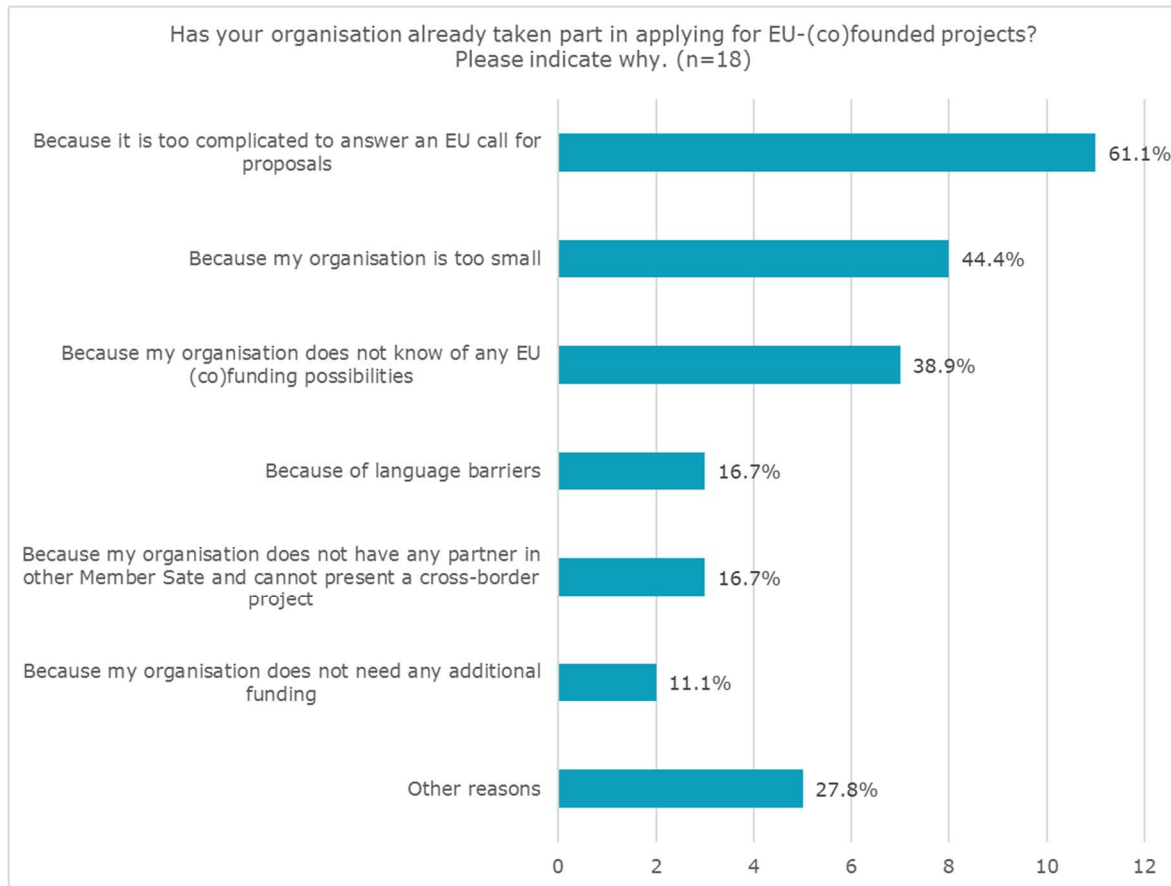
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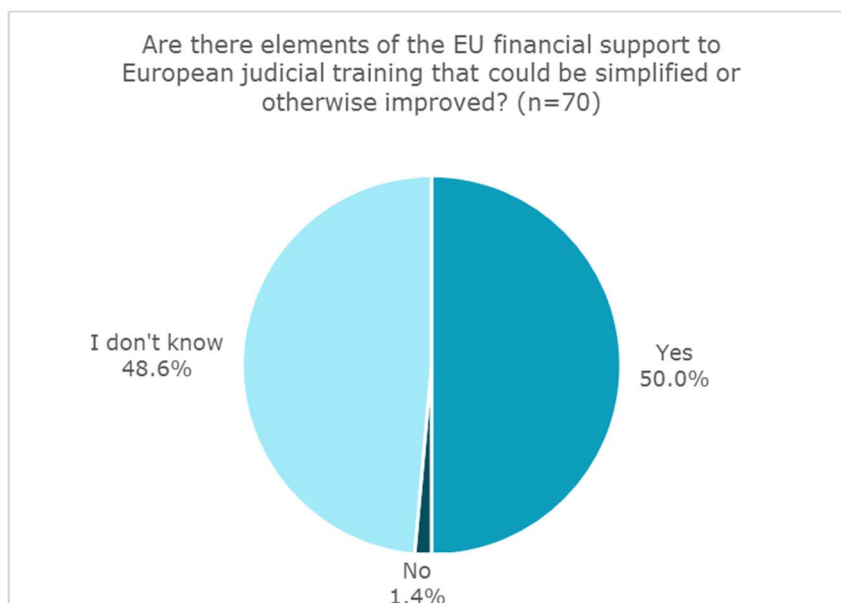
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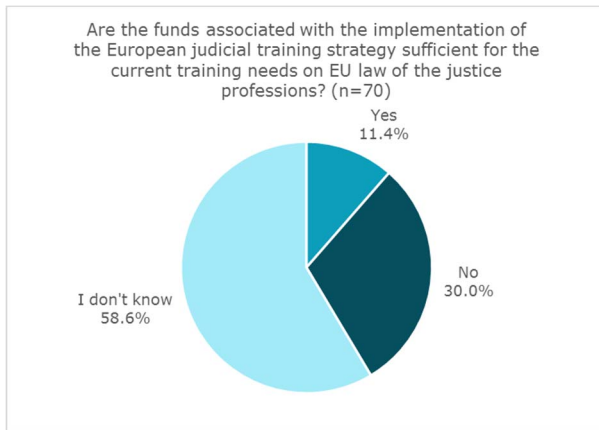
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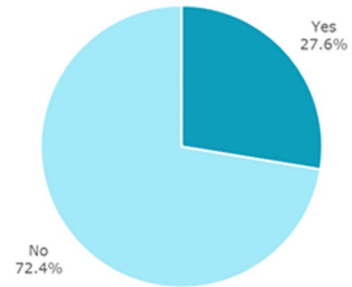
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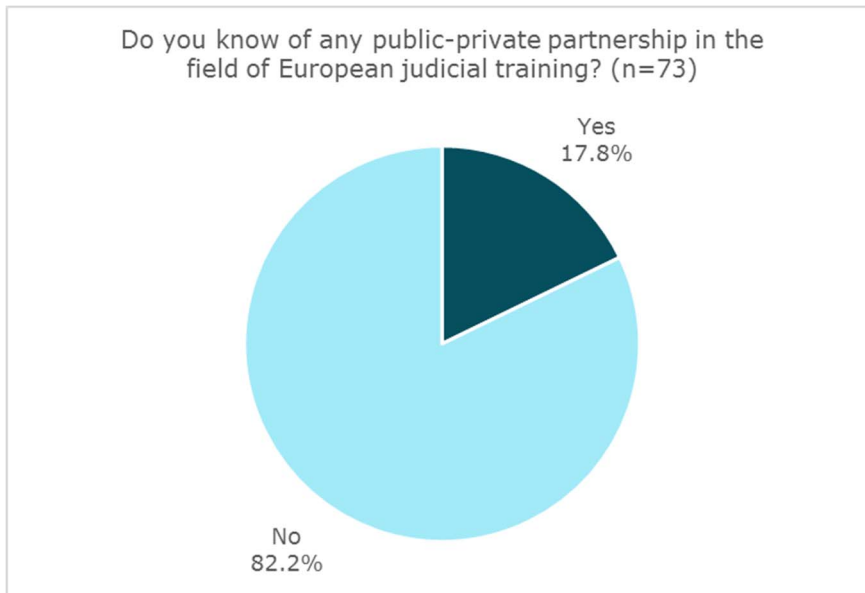
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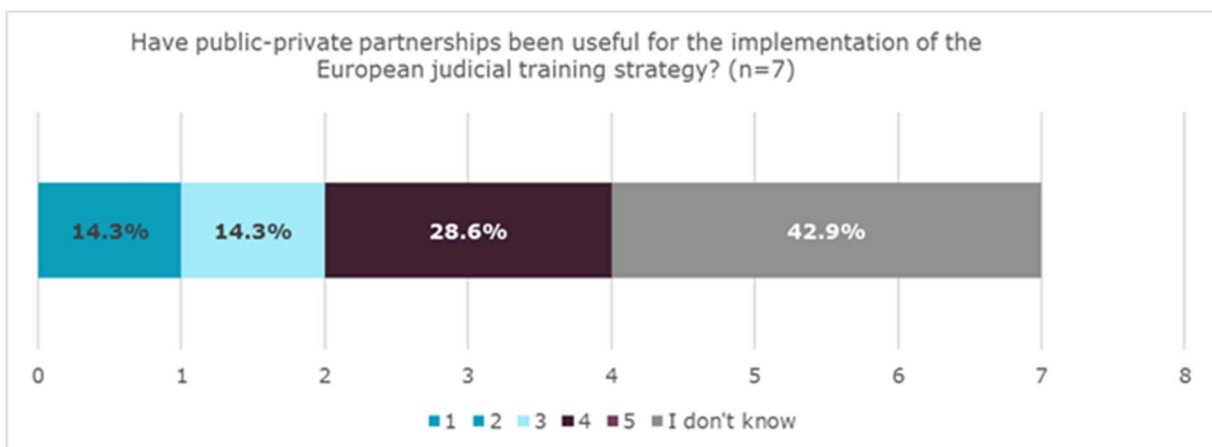
Are the funds associated with the implementation of the European judicial training strategy sufficient for the current training needs on EU law of the justice professions? (n=29)



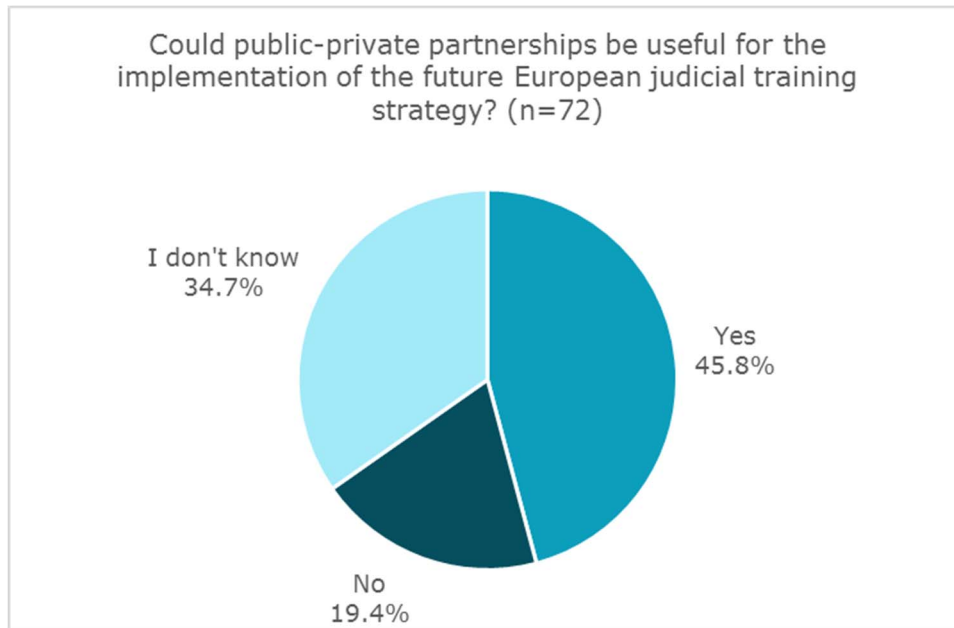
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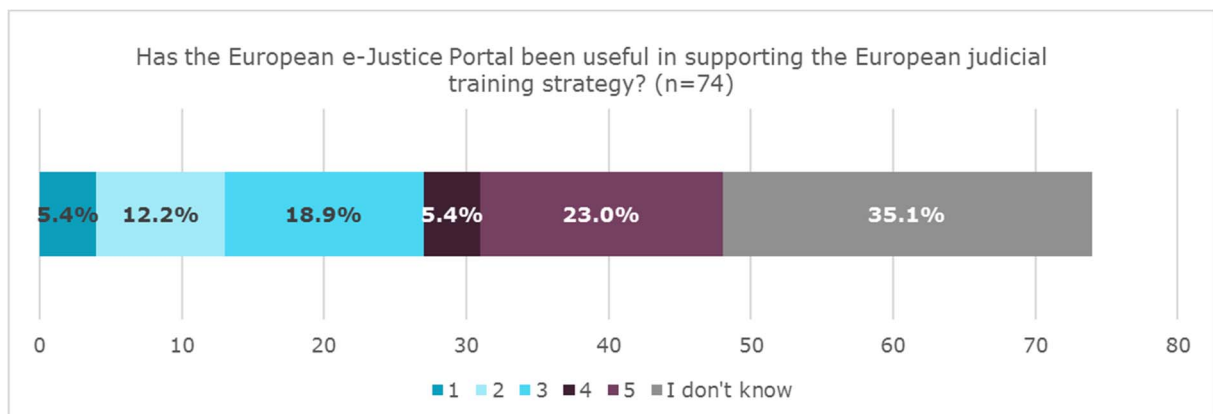
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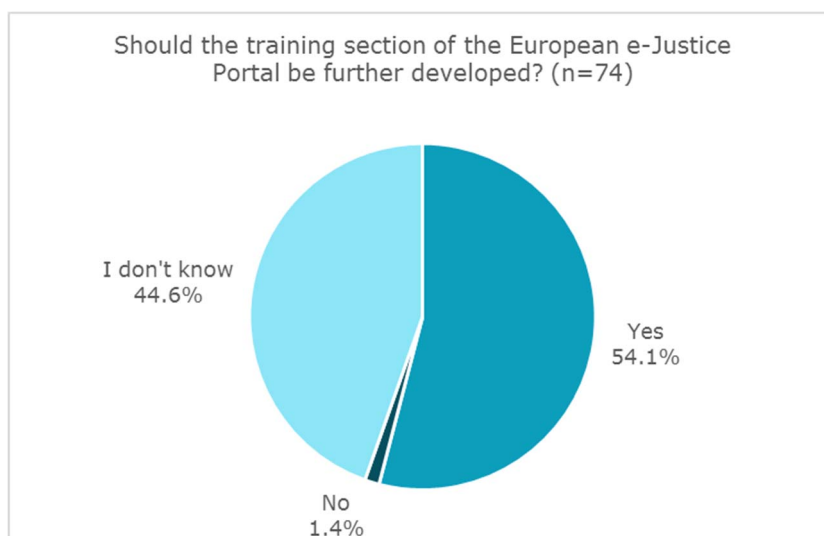
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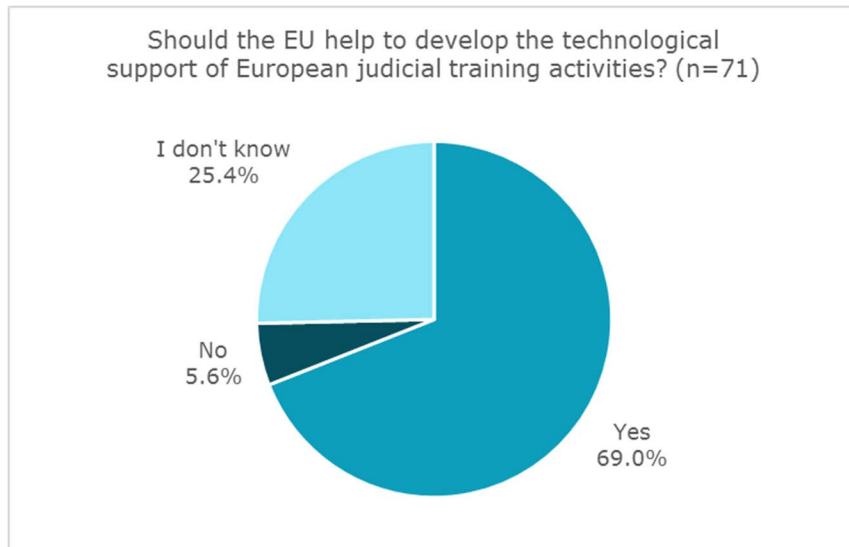
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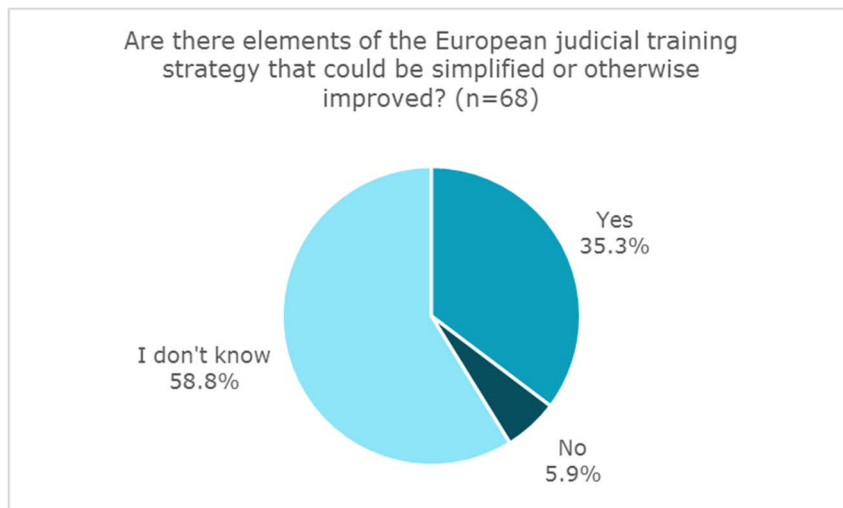
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Question 53

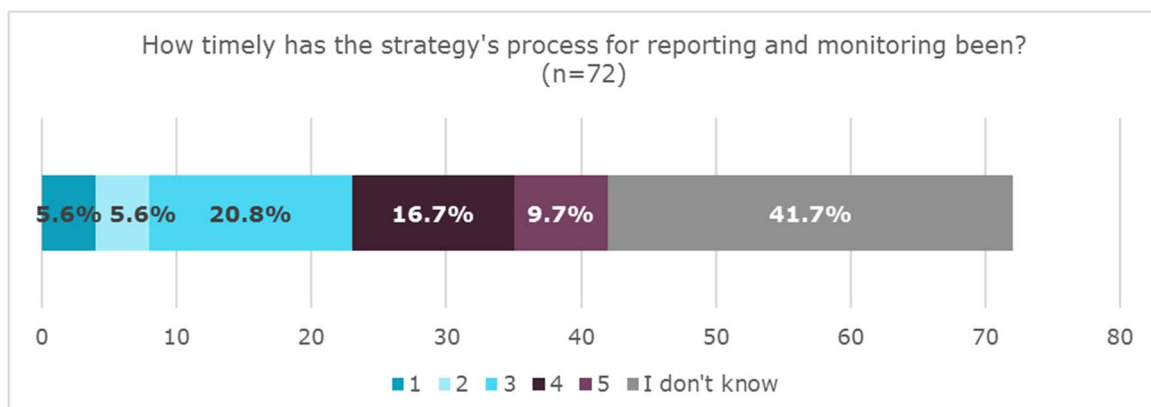


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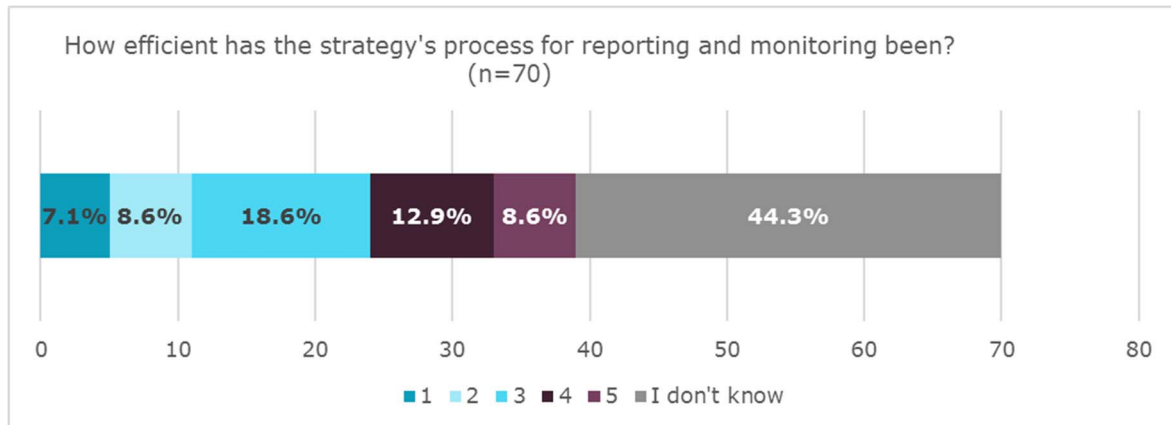


Monitoring and any other feedback

Question 1



Question 3



Question 5

