

# Commission

European judicial training

2022

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Well-trained justice professionals play an important role both in ensuring that justice is being served to all EU citizens and businesses and in upholding our shared values, such as fundamental rights and the rule of law. This applies even more in the context of the various challenges we have been facing in recent years and the speed of developments affecting our national societies and justice systems. Judicial training can help justice professionals to be fit for these emerging challenges and to keep pace with the EU acquis.

This **eleventh report** measures the participation of targeted justice professionals in training on EU law and non-legal skills, and the quality of training. It helps to monitor the implementation of the quantitative and qualitative objectives set by the <u>European judicial training strategy for 2021–2024</u>.

In 2021, over 240 000 justice professionals received training on EU law. Compared with the years before the pandemic, the report shows a close-to-30% increase in the number of justice professionals trained on EU law. This is less than in 2020, which was an exceptional year with a major increase in lawyers' online training as a practical response to and enabled by the pandemic lockdowns. In 2021, we can see an upward trend for most professions: prosecutors, lawyers, court and prosecutors' office staff and notaries, and an increase in the training of young professionals. However, judges and bailiffs have not yet caught up with their pre-pandemic-years levels of participation. Also, huge differences remain not only between the different professions but also between Member States. This may have a negative impact on the correct and consistent application of EU law.

This confirms that training of justice professionals must remain a high priority. Considering the continuing challenging times, it is essential to ensure constant training, and the expansion of skills and knowledge of justice professionals is crucial. We need to upskill justice professionals accordingly and equip them to adapt and respond to unprecedented challenges. This is in line with the 2022 Commission Communication 'Enforcing EU law for a Europe that delivers', which underlines the role of judicial training to correctly apply and effectively enforce EU law, and with the '2023 European year of skills'. Therefore, more high-quality training is needed, whether national or cross-border, and whether EU (co-)funded or not. To complement the training on EU law, the training offer should also focus on judgecraft, professional skills and competences, including digital skills and the use of new technologies.

This is why the European Commission is pursuing its ambition to modernise and digitalise the justice systems, and to support Member States and training providers in their efforts on European judicial training. With the European judicial training strategy for 2021-2024, the Commission set a new impetus to boost the training of justice professionals, to go beyond legal education and to support the development of professional skills. To reach these new objectives, the Commission will continue to support and promote dedicated training for justice professionals. We will, for example, continue to develop the European judicial training platform. And we will organise an online conference in April 2023 specifically dedicated to the digitalisation of justice and the skills justice professionals need to embrace it. The conference will focus on both the content of the training and the training methodologies. But it is equally essential that national training providers respond to emerging training needs accordingly and keep improving the EU law training offer.

I therefore encourage everyone to keep putting training at the top of your agendas.

I trust you will enjoy reading the 2022 report.

Didier Reynders Commissioner for Justice



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- In **2021**, more than **240 000 justice professionals** or **18 % of all EU justice professionals** received training on EU law or on the law of another Member State.
- In comparison with 2020, which marked a record, we can see a **substantial decrease** in the total number of justice professionals trained. This is mainly due to training of lawyers on EU law, who in 2020 achieved exceptionally high numbers. For all other professions, the report shows an increase in the total number of justice professionals trained.
- In comparison with pre-pandemic years<sup>1</sup>, we can see the **upward trend** continuing for **lawyers, court prosecutors' office staff and notaries**, notably due to an increase in online training. The report shows that **prosecutors are catching up** with pre-pandemic years, whereas **judges and bailiffs** are **slowly recovering** from the impact of the COVID-19 pandemic.
- **Between 2011 and 2021, over 1.7 million** justice professionals took part in training on EU law.
- Training for more than **36 000** participants 15 % of all the justice professionals who received training on EU law, representing 2.7 % of all EU justice professionals was **(co)-funded by the EU** in 2021.
- **Considerable differences** in the level of participation in training remain across Member States and the various justice professions.
- In spite of this small upward trend, no profession reached the new quantitative target set for annual continuing training by the European judicial training strategy for 2021-2024. **Further efforts are needed.**
- Better and more targeted training activities answering the needs of justice professionals need to remain the ultimate goal.

# **Objectives of this report**

This is the eleventh report on training on EU law for justice professionals (in particular judges, prosecutors, court and prosecutors' office staff, lawyers, notaries and bailiffs, and more generally prison and probation staff). It is based on the results of a dedicated online questionnaire sent in 2022 to Member States' authorities, European networks of justice professionals and their national members, and the main EU-level providers of training for justice professionals. This report charts the progress towards the qualitative and quantitative objectives set by the European judicial training strategy for 2021-2024<sup>2</sup> adopted by the Commission in December 2020.

Like last year, you will find in this report detailed information on judicial training on EU law, including on the training of young justice professionals, the variety of training activities offered by training providers and the quality of training. The report covers a geographical scope relating to the EU and also to the Western Balkans<sup>3</sup> and to more professions, i.e. prison and probation staff, in line with the 2021-2024 strategy.

<sup>&</sup>lt;sup>1</sup> Especially in comparison to the years 2018 and 2019.

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0713

Montenegro, North Macedonia, Albania, Serbia, Bosnia and Herzegovina and Kosovo (This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence).

# Main results of the survey

# Over 240 000 justice professionals trained in 2021

In 2021, over 240 000<sup>4</sup> EU justice professionals (judges, prosecutors, court and prosecutors' office staff, lawyers, bailiffs, and notaries) and their corresponding trainees took part in training activities on EU law. Compared with 2020, which marked a record with over 320 000 justice professionals having received training on EU law, this year's report shows a substantial decrease in the total number of participants by -25 %. This applies mainly to the training of lawyers, who in 2020 achieved exceptionally high numbers. Nevertheless, in comparison with the prepandemic years of 2018 and 2019<sup>5</sup>, the report confirms the continuing upward trend for some justice professionals: lawyers, court and prosecutors' office staff and notaries. However, the report clearly shows that the level of participation in training still differs considerably across Member States and among justice professions.

Close to 85 000 practitioners were trained on EU law in the course of their initial training and over 155 000 received continuing training<sup>6</sup> on EU law.



For this eleventh survey, data were available for less justice professionals than in 2020, especially concerning judges and prosecutors. There is also room for improvement as regards the completeness of the provided data.

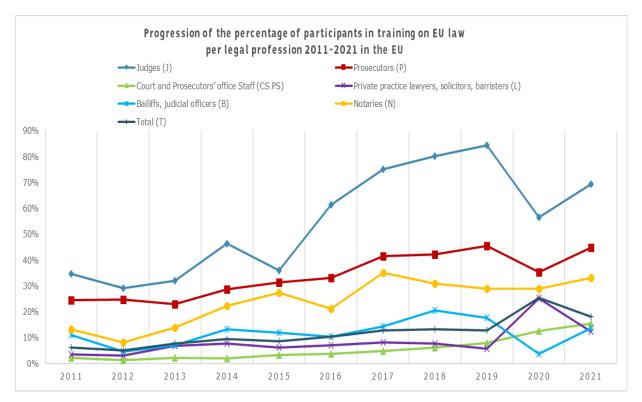
#### Progress per profession between 2011 and 2021

Between 2011 and 2021, over to 1.7 million justice professionals from the EU took part in training on EU law. The absolute numbers of participants and the percentage they represent in relation to the total number of practitioners vary greatly between the professions and Member States, notably because of different training needs, training offers but also because of training gaps and data collection issues.

<sup>&</sup>lt;sup>4</sup> This figure is a lower estimate, due to some gaps in the data. The data are based on information received from Member States, training providers and professional organisations and may be incomplete. In compiling the figures, we have taken account of respondents' statements that EU law had been covered in the training of all trainees or in all training activities, where these were accompanied by information on the length of time devoted to EU law or on the topics covered.

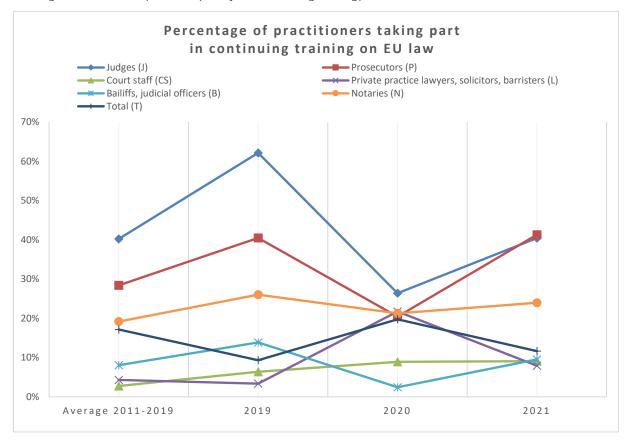
In 2018, more than 185 000 justice professionals received training on EU law; in 2019, more than 182 000.

<sup>&</sup>lt;sup>6</sup> 'Continuing training' is training received after appointment as a fully qualified justice professional, excluding initial or induction training, i.e. basic training received immediately after appointment.



Source: European Commission and Deloitte (based on European Commission data for the years 2011-2017).

The following graph aims at monitoring the implementation of the quantitative objectives regarding continuing training on EU law set by the European judicial training strategy for 2021-2024:



Source: European Commission and Deloitte (based on European Commission data for the years 2011-2017).

#### Towards 2022 and beyond

Increases or decreases of training on EU law may not always correspond to a particular reason. In general, in some cases the reasons may relate to aspects of data collection. In other cases, important improvements in the training offer have occurred in the concerned Member State for a certain profession. Fluctuations for a given Member State or profession may reflect more or less participation or, in certain cases, just data gaps (e.g. where the scope of available data narrows from one year to the next). Available data from a Member State might relate only to certain training providers, regions or types of practitioners. For 2021, the report still shows the impact of the COVID-19 pandemic on training activities concerning the training of judges and bailiffs. However, for the other professions – prosecutors, lawyers, notaries and court prosecutors' office staff, we can see a return to pre-pandemic levels of professionals trained or even increases. This is notably due to the availability of more online training.

#### Data collection method and coherence of collected data

The Commission asked various bodies to collect data:

- The European Judicial Training Network (EJTN), for judges, prosecutors and court staff and prosecutors' office staff
- Member States, for court staff and prosecutors' office staff;
- The Council of Bars and Law Societies of Europe (CCBE), for lawyers;
- The European Union of Bailiffs (UEHJ), for bailiffs;
- Notaries of Europe (CNUE), for notaries;
- The Academy of European Law (ERA), the European Institute of Public Administration (EIPA), the European Union Intellectual Property Office (EUIPO), the European Patent Office (EPO), the European Asylum Support Office (EASO) and the European Union Agency for Law Enforcement Training (CEPOL) as regards their courses on EU law for justice practitioners; and
- Its own Directorates-General managing funds for European judicial training activities.

The total numbers of practitioners in each justice profession (as used to calculate the percentages) and the definitions of the professions were taken from the 2022 CEPEJ study on European judicial systems: Efficiency and quality of justice (2020 data)<sup>7</sup> and the Explanatory note to the scheme for evaluating judicial systems 2020-2022 Cycle, except for court and prosecutors' office staff. For the definition of court and prosecutors' office staff in need of training on EU law as well as the total number of such professionals in the EU Member States, please refer to the Study on the Training Needs of Court Staff on EU Law in the EU.

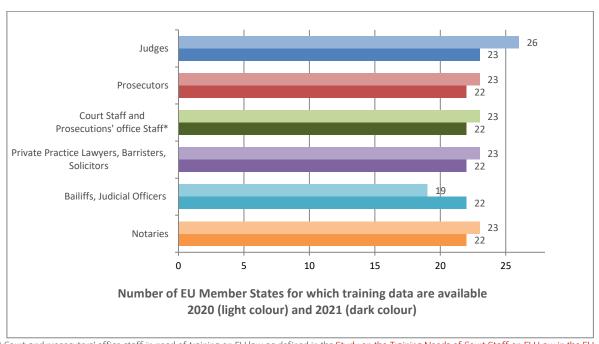
Below, as in previous reports, we include diagrams showing year-on-year comparisons of relevant data concerning different aspects of the participation of justice professionals in training on EU law.

The first diagram illustrates the number of Member States for which at least some data on European judicial training of justice professionals were available from the above-mentioned contact points<sup>8</sup>.

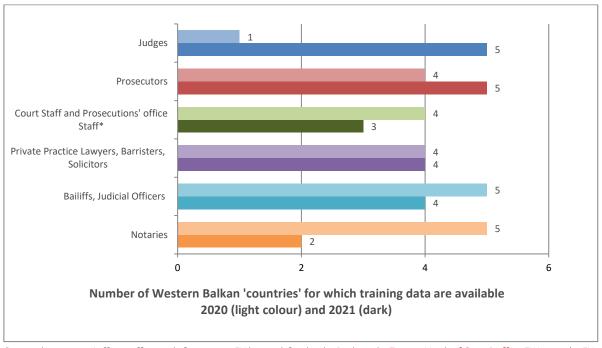
The second graph illustrates the number of Western Balkans 'countries' for which at least some data on European judicial training of justice professionals were available. Although the Western Balkans 'countries' contributed only since the 2021 report to the annual report on European judicial training, the level of contributions received has already slightly improved in comparison with 2020. However, the level of contributions and the data provided can still be further improved.

No new or no data were available for 2020 for DK prosecutors, EE notaries, CY notaries, FI notaries and RS bailiffs so the data was taken from the previous 2020 CEPEJ study on European judicial systems (data 2018): Efficiency and quality of justice. For ES bailiffs data is available, updated from 2012.

Data providers from all Member States responded to the Commission's request but did not always provide all the requested data.



\* Court and prosecutors' office staff in need of training on EU law as defined in the Study on the Training Needs of Court Staff on EU Law in the EU.



\* Court and prosecutors' office staff in need of training on EU law as defined in the <u>Study on the Training Needs of Court Staff on EU Law in the EU</u>.

#### Big differences among Member States and justice professions

The participation rate varies considerably across the various justice professions and Member States. To some extent, this reflects different training needs, different training offers or missing data. However, while the needs of the different professions for training on EU law differ, more training may be required to meet the actual needs of some professions in some Member States especially in view of the various challenges national systems are confronted with and the emerging training needs of justice professionals to face those.

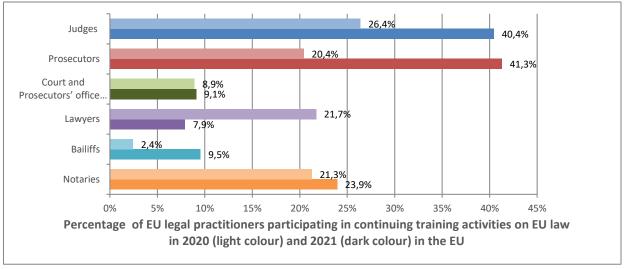
# Participation by profession at EU level

The number of participants in training activities may not correspond to the number of individuals trained, since the same person may have taken part in more than one training activity. However, for a given year, the figures are likely to be similar, since it is reasonable to assume that few practitioners are likely to take part in more than one training activity on EU law in any one year.

As initial training does not exist in all EU Member States and for all professions, the 'European judicial training strategy for 2021-2024' set quantitative targets regarding the continuing training of justice professionals on EU law, adapted to the differing training needs of the professions and to the reached participation levels in training on EU law. The targets and participation by profession are detailed further down in this report.

Overall, the ratio of practitioners participating in continuing training activities on EU law in 2021 in the EU (as a proportion of practitioners by profession) is approximately:

- 40.4 % (33 991) of all EU judges;
- 41.3 % (14 841) of all EU prosecutors;
   or 40.7 % (48 832) of all EU judges and prosecutors,
- 9.1 % (16 026) of all EU court staff and prosecution' office staff in need of EU law training;
- 7.9 % (72 461) of all EU lawyers in private practice;
- 9.5 % (6 229) of all EU bailiffs; and
- 23.9 % (11 911) of all EU notaries.



\* Court and prosecutors' office staff in need of training on EU law as defined in the Study on the Training Needs of Court Staff on EU Law in the EU.

The absolute numbers of professionals trained in continuing training on EU law in the EU in 2021 increased remarkably for bailiffs (+930 %), due both to more reported data and to more training activities held. For lawyers, who reached remarkable numbers in 2020, the report shows a substantial decrease (-63 %). Training of judges, prosecutors and notaries increased in comparison with 2020 by +56 % for judges, +108 % for prosecutors, and +23 % for notaries.

# Participation by profession broken down by Member State

The percentage of justice professionals in a given profession participating in initial or continuing training on EU law varies considerably among Member States.

Below, we report on participation in training by country by judges, prosecutors, lawyers, notaries, court and prosecutors' office staff and bailiffs (professions for which we received data from most Member States and Western Balkans 'countries') for **both initial and continuing training activities**. For the sake of completeness, we show participation in absolute numbers and as percentages of all members of the profession<sup>9</sup> in a year-to-year comparison. The graphs regarding absolute numbers report data per Member State in protocol order<sup>10</sup>.

# Participation of judges and prosecutors in training on EU law per Member State<sup>11</sup>

The following graphs show the participation of judges and prosecutors in initial and continuing training on EU law in separate tables for an easier comparison. The double-column diagrams allow for a comparison between 2020 and 2021 data.

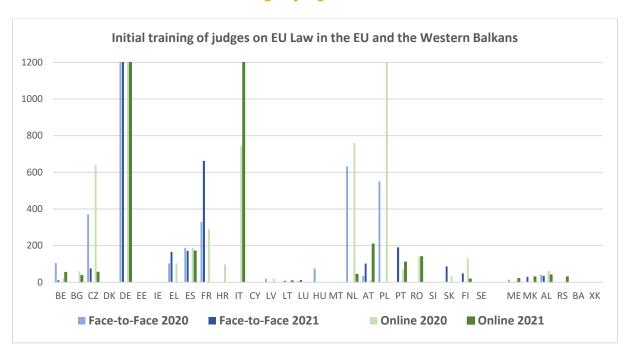
In the graph for continuing training with percentages, a red line indicates the new quantitative objective. By 2024, continuing training on EU law should yearly reach 65 % of judges and prosecutors. This objective is currently not reached by almost all Member States submitting data for judges and prosecutors notably due to the continuing impact of the COVID-19 pandemic. Member States with only a few judges and prosecutors can achieve high percentages of trained practitioners by organising only a few activities. For the same reason, percentages in these Member States can easily change from one year to the next, since small differences in absolute numbers cause significant percentage changes. For judges and prosecutors, there is a substantial increase for most Member States in comparison with the especially low numbers of 2020.

<sup>&</sup>lt;sup>9</sup> For Court and prosecutors' office staff, the total number of those in need of training on EU law as defined in the <u>Study on the Training Needs of Court Staff on EU Law in the EU</u>.

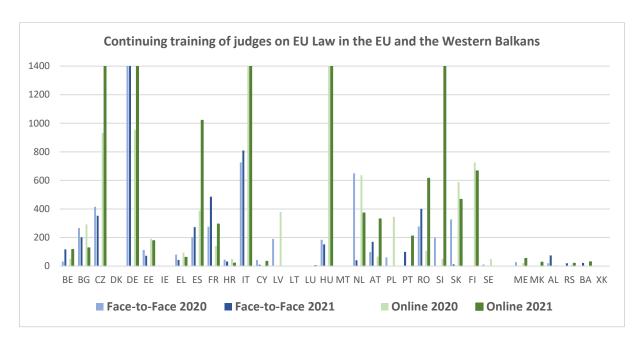
http://publications.europa.eu/code/en/en-370100.htm

See list of country abbreviations at the end of this report.

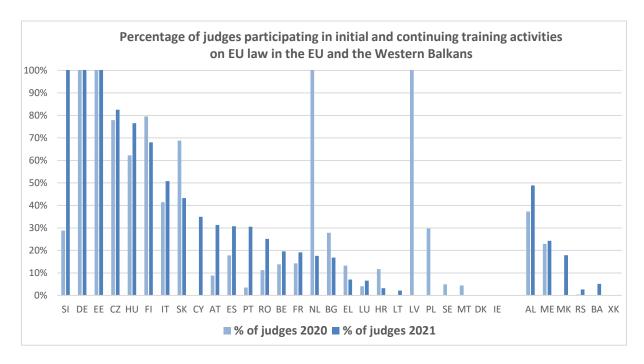
# Training of judges on EU law



Note: FR and AT figures include prosecutors. \*\*No initial training in LV and SI. \*\*\*Exact figures for: DE face-to-face 2020: 9 643; DE face-to-face 2021: 11 019; DE online 2020: 7 449; DE online 2021: 9 060; IT online 2021: 1 218; PL online 2020: 1 951. \*\*\*No data available for IE, MT, PL, SE and XK in 2021.

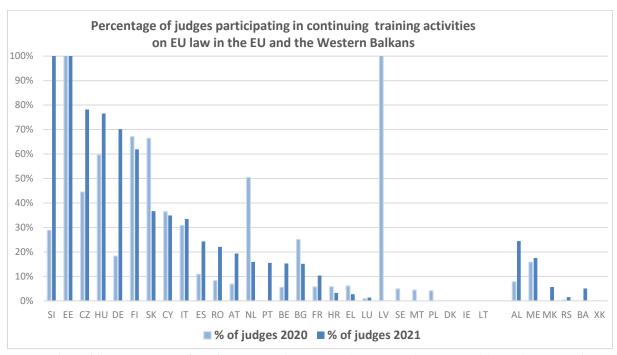


Note: AT figure includes prosecutors. \*\*Exact figures for: CZ online 2021: 1998; DE face-to-face 2020: 2761; DE face-to-face 2021: 8758; DE online 2021: 5829; IT online 2020: 1436; IT online 2021: 1540; HU online 2020: 1539; HU online 2021: 1984; SI online 2021: 1520. \*\*\*No data available for IE, MT, PL, SE and XK in 2021.



Note: FR and AT figures include prosecutors. \*\*No initial training in LV and SI. \*\*Exact figures for: SI 2021: 174%; DE 2020: 102%; DE 2021: 167%; EE 2020: 130%; EE 2021:107%; NL 2020: 105%; LV 2020: 109%; (some judges participated in more than one activity). \*\*\*No data available for IE, MT, PL SE and XK in 2021.

The following graph shows that in 2021 only the judges from 5 EU Member States reached the yearly target of 65 % of all judges participating in continuing training on EU law. Overall, 40.4 % of all judges took part in continuing training on EU law in 2021: an increase from the 26.4 % in 2020 but still less than the 62.1 % in 2019.

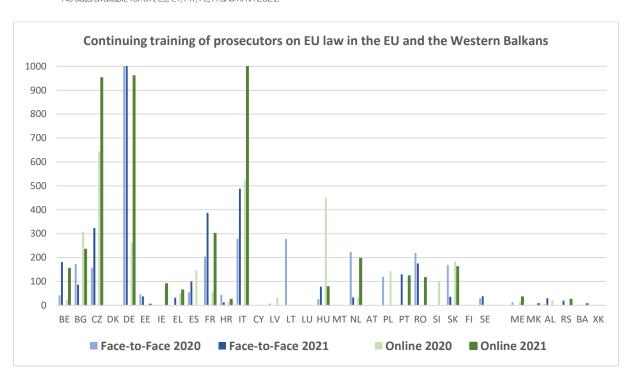


Note: AT figure includes prosecutors. \*\* Exact figures for: SI 2021: 174%; EE 2020: 130%; EE 2021: 107%; LV 2020: 102%; (some judges participated in more than one activity). \*\*\* No data available for IE, MT, PL, SE and XK in 2021.

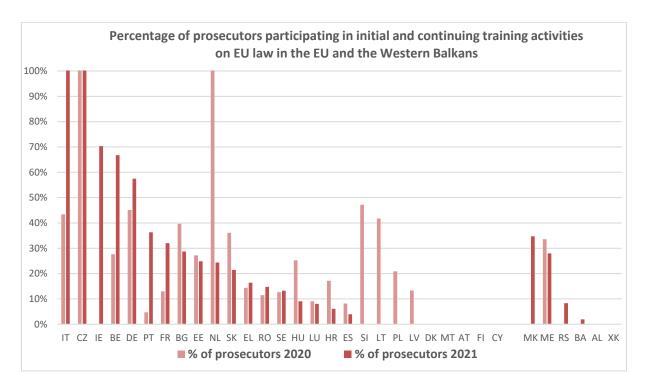
# Training of prosecutors on EU law



Note: FR and AT figures included in data for judges. \*\*No initial training in EE, IE, LV, LT and SI. \*\*\*Exact figures for: NL: online: 2020: 1 408; PL online 2020: 869. \*\*\*\*No data available for: DK, ES, CY, MT, PL, FI and XK in 2021.



Note: AT figure included in data for judges. \*\*Exact figures for: DE face-to-face 2020: 1 171; IT online 2021: 3002. \*\*\*No data available for: DK, ES, CY, MT, PL, FI and XK in 2021.



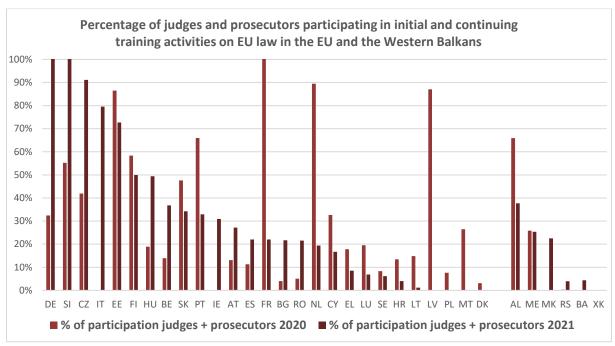
Note: FR and AT figures for initial training included in data for judges \*\*No initial training in EE, IE, LV, LT and SI. \*\*\*Exact figures for: IT 2021: 169 %; CZ 2021: 112 %; NL 2020: 242 %. \*\*\*\* No data available for: DK, CY, MT, PL, Fl and XK in 2021.

The following graph shows that in 2021 only the prosecutors from 3 EU Member States reached the yearly target of 65% of all prosecutors participating in continuing training on EU law. Overall, 41.3% of all prosecutors took part in continuing training on EU law in 2021: an increase from the 20.4% in 2020 and better than the 40.5% in 2019.



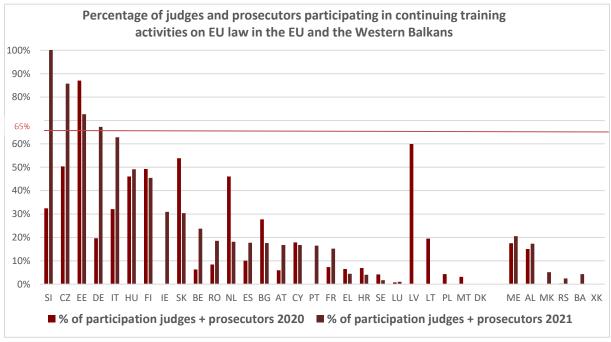
Note: AT figure included in data for judges. \*\*Exact figures for: IT 2021: 154 %; CZ 2021: 104 %. \*\*\* No data available for: DK, CY, MT, PL, FI and XK in 2021.

# Training of judges and prosecutors on EU law



Note: FR and AT figures for initial training included in data for judges. \*No initial training in EE, IE, LV, LT and SI. \*\*Exact figures for DE 2021: 142 %; SI 2021: 141 %; FR 2020: 138 %. \*\*\*No or partial data available for DK, IE, CY, MT, PL, FI, SE and XK in 2021.

The following graph shows that in 2021 only the judges and prosecutors from 4 EU Member States reached the yearly combined target of 65% of all judges and prosecutors participating in continuing training on EU law, while judges and prosecutors from 1 Member State almost reached the target (63%). Overall, 40.7% of all judges and prosecutors took part in continuing training on EU law in 2021: an increase from the 24.6% in 2020 and but still less than the 55.7% in 2019.



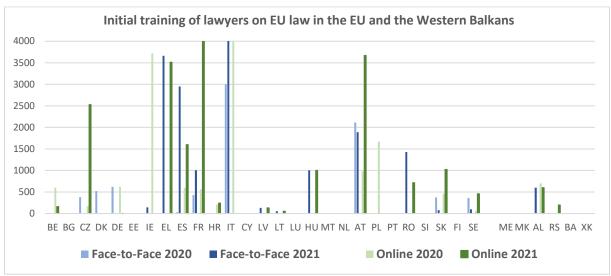
Note: AT figure included in data for judges. \*\*Exact figures for: SI 2021: 141 %. \*\*\*No or partial data available for: DK, IE, CY, MT, PL, FI, SE and XK in 2021.

65% = quantitative objective for continuing training of judges and prosecutors on EU law, set by the European judicial training strategy for 2021–2024.

# Participation of lawyers in training on EU law by Member State

After the exceptionally high number of training of lawyers in 2020, the 2021 data shows a **substantial decrease** in the number of lawyers participating in EU law training. Nevertheless, in comparison with pre-pandemic years there is a **continuing modest increase** for the training of lawyers as indicated below. The lack of data from lawyers' private training providers remains an issue and means that we might only have a partial picture. No private training providers (not connected to bars) provided data, even though in some Member States lawyers rely on them in significant numbers. In some cases, data were available only for certain regions of a Member State or a certain type of lawyer. But the report shows that a lot has been done since 2011 and that also the reporting has improved.

In the graphs with percentages, the red line indicates the new quantitative objective. By 2024, continuing training on EU law should reach yearly 15% of all EU lawyers. In 2021, this objective was reached only by a very small number of Member States for which we received an answer.



Note: No initial training in: BG, EE, ES, MK and BA. \*Exact figures for: FR online 2021: 5975; IT face-to-face 2021: 7100; IT online 2020: 12800. \*\*\*No data available for lawyers in CY, LU, MT, NL, PL, ME and XK.

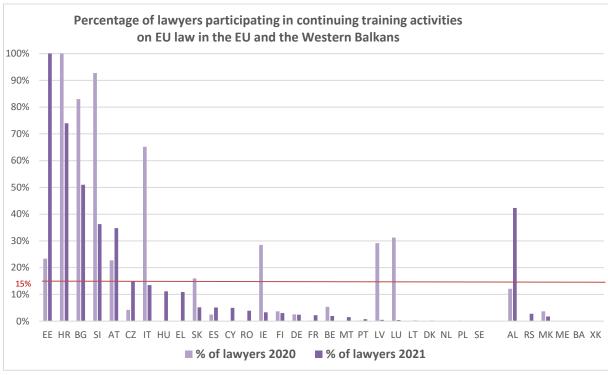


Note: Exact figures for: BG online 2020: 8280; BG online 2021: 6800; ES face-to-face 2021: 3985; HR online 2020: 11151; IT: 2020 face-to-face: 15500; IT online 2020: 137 300; IT online 2021: 31615. "No data available for lawyers in CY, LU, MT, NL, PL, ME and XK in 2021. ""Minimal data for LV, LU, MT, NL MK

After reaching an overall percentage of 25 % of participation in training on EU law in 2020, 12.4 % of all lawyers took part in such training in 2021, more than half of the participation level of 2019 (6 %). Regarding continuing training, the situation improved even more in comparison with pre-pandemic years as the participation of lawyers in continuting training on EU law increased from 3.4 % in 2019 to 7.9 % in 2021, down from 21.7 % in 2020. Nevertheless, only 6 EU Member States and 1 candidate country, reached the 15 % target for continuing training in 2021.



Note: No initial training in: BG, EE, ES, MK and BA. \*\*Exact figure for: EE 2021: 168 %; AT 2021: 118 %; HR 2020: 239 %. \*\*\*No data available for lawyers in CY, LU, MT, NL, PL, ME and XK in 2021.



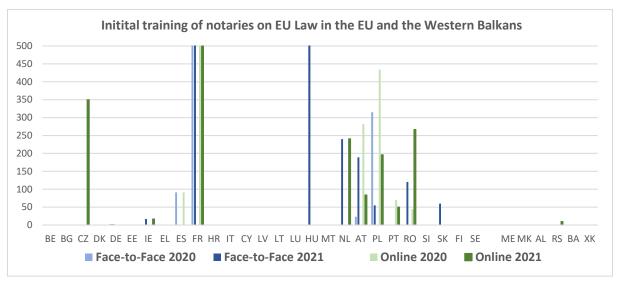
Note: Exact figure for: EE 2021: 168%; HR 2020: 234%. \*\*No data available for lawyers in CY, LU, MT, NL, PL, ME and XK in 2021. \*\*\*The data for PT, FR and LT are minimal.

15 % = quantitative objective for continuing training of lawyers on EU law, set by the European judicial training strategy for 2021-2024.

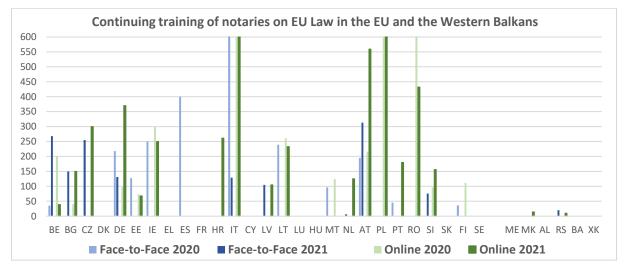
#### Participation of notaries in training on EU law by Member State

This report uses the definition of 'notary' of the <u>2022 CEPEJ study on European judicial systems</u>: *Efficiency and quality of justice*: 'a legal official who has been entrusted by the State with public functions such as the safeguarding of the freedom of consent and the protection of the rightful interests of individuals' and who is a 'guarantor of legal certainty'<sup>12</sup>. Depending on the system of the Member State in question, the notary can be private or public, with different competences and functions. In less than half of the Member States for which we received data, initial training for notaries does not exist.

In the graphs with percentages, the red line indicates the new quantitative objective. By 2024, continuing training on EU law should reach yearly 30% of all EU notaries. For 2021, this objective was reached by 12 of the responding Member States, i.e. performing better than other professions. In comparison with 2020, in 2021, slightly more notaries participated in EU law training.

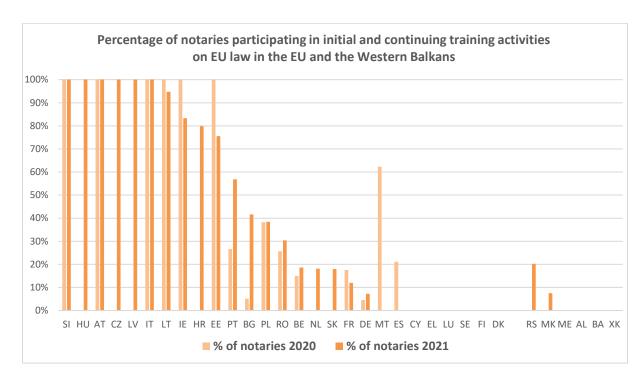


Note: No initial training in BE, BG, DE, EE, HR, IT, LV, LT, LU, MT, SI and MK. \*\*No data available for notaries in EL and ES. 
\*\*\*Exact figure for: FR face-to-face 2020:1 300; FR face-to-face 2021: 1 400; FR online 2020: 800; HU face-to-face 2021: 760. 
\*\*\*\*No data available for notaries in EL and ES in 2021. \*\*\*\*\*CY, DK, IE, FI, and SE have a different legal system.



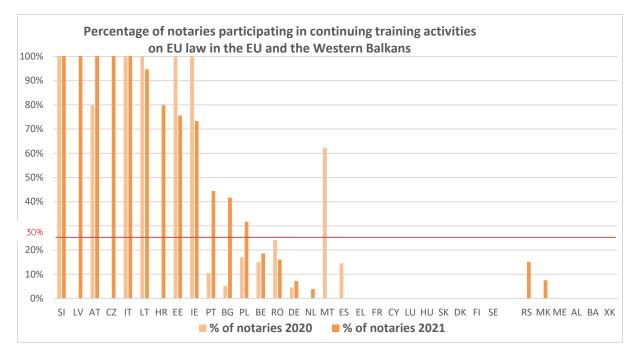
Note: Exact figure for: IT face-to-face 2020: 1840; IT online 2020: 3399; IT online 2021: 6084; PL online 2020: 599; PL online 2021: 1166; RO online 2020:650. \*\*No data available for notaries in EL and ES in 2021. \*\*\*CY, DK, IE, FI, and SE have a different legal system.

European Commission for the efficiency of justice (CEPEJ), Explanatory note to the scheme for evaluating judicial systems 2020-2022 Cycle, CEPEJ (2020)18rev, Council of Europe, May 2021.



Note: No initial training in BE, BG, DE, EE, HR, IT, LV, LT, LU, MT, SI and MK. \*\*Exact figure for: SI 2020: 103 %; SI 2021: 252%; HU 2021: 243 %; AT 2020: 139 %; AT 2021: 220 %; CZ 2021: 208%; LV 2021: 204%; IT 2020: 105 %; IT 2021: 122%; LT 2020: 192 %; IE 2020: 175 %; EE 2020: 222 %. \*\*\*No data available for notaries in EL and ES in 2021. \*\*\*CY, DK, FI, and SE have a different legal system.

The following graph shows that in 2021 more than half of the responding EU Member States reached the yearly target of 30 % of all notaries participating in continuing training on EU law. Overall, 23.9 % of all notaries took part in continuing training on EU law in 2021: an increase from the 21.3 % in 2020 and but still less than the 26 % in 2019.



Note: Exact figure for: SI 2020: 103 %; SI 2021: 252%; LV 2021: 204 %; AT 2021: 168 %; CZ 2021: 128 %; IT 2020: 105 %; IT 2021: 122 %; LT 2020: 192 %; EE 2020: 222 %; IE 2020: 175 %: \*\*No data available for notaries in EL and ES in 2021: \*\*\*CY, DK, FI, and SE have a different legal system.

30 % = quantitative objective for continuing training of notaries on EU law, set by the European judicial training strategy for 2021-2024.

# Participation of court and prosecutors' office staff in training on EU law by Member State

Member States have different types of court and prosecutors' office staff. They 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 the execution of judgments. This diversity entails a wide variety of training needs on EU law. To better acknowledge the actual training needs of court and prosecutors' office staff this report monitors and refers only to court and prosecutors' office staff whose tasks require or may require the application of EU law as defined in the Study on the Training Needs of Court Staff on EU Law in the EU<sup>13</sup>.

Although all Member States have court and prosecutors' office staff with their own training needs, the collection of data for such staff still proves complex. They have varying roles and are sometimes trained under different training schemes and by different institutions. This also affects the process of data collection. Most countries answered the dedicated questionnaire, but many did not provide any actual figure. This lack of data on court and prosecutors' office staff remains a challenge, which needs to be addressed. In the graph for continuing training with percentages, a red line indicates the new quantitative objective. By 2024, continuing training on EU law should reach yearly 15% of all EU court and prosecutors' office staff in need of EU law training. The majority of Member States for which we have received an answer did not reach this target in 2021.

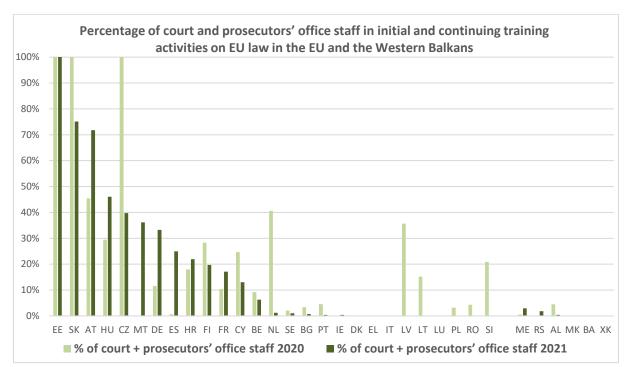


Note: No initial training for court and prosecutors' office staff in EE, IE, LV, LT, PT and SI. \*\*Exact figures for: DE face-to-face 2020: 1 868; DE face-to-face 2021: 4316; DE online 2020: 1 359; DE online 2021: 3579; FR face-to-face 2020: 1 170; FR face-to-face 2021: 1 024; FR online 2021: 815. \*\*No data available for court and prosecutors' office staff in EL, IT, LU, PL, RO, MK, BA and XK in 2021. \*\*\*Data for CY, SE, AL, and RS are minimal.



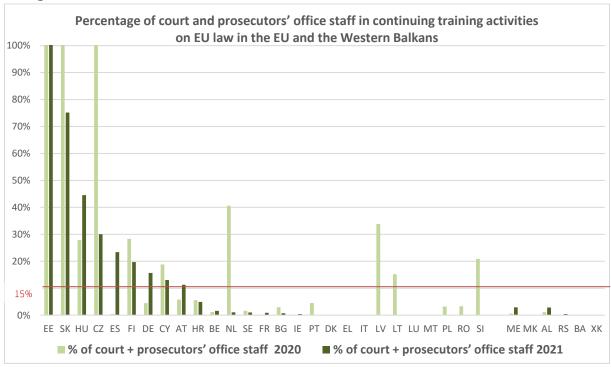
Note: Exact figure for: CZ online 2020: 2788; DE face-to-face 2021: 5810; ES online 2021: 2950, NL online 2020: 1772. "No data available for court and prosecutors' office staff in EL, IT, LU, PL, RO, MK, BA and XK in 2021. "\*Data for BE, BG, IE, FR, HR FR, CY, SE, ME, AL, and BA are minimal.

<sup>13</sup> See the Study annexes for country data.



Note: No initial training for court and prosecutors' office staff in EE, IE, LV, LT, PT and SI. \*\*Exact figures for: EE 2020: 100%; EE 2021: 102%; SK 2020: 143%; CZ 2020: 140%. \*\*\*No data available for court and prosecutors' office staff in EL, IT, LU, PL, RO, MK, BA and XK in 2021. \*\*\*\*2021 Data for PT, IE and AL are minimal.

The following graph shows that in 2021 the court and prosecutors' office staff in need of EU law training from 7 EU Member States reached the yearly combined target of 15 % of participation in continuing training on EU law. Overall, 9.1 % of all court and prosecutors' office staff in need of EU law training took part in continuing training on EU law in 2021: a small increase from the 8.9 % in 2020.



Note: Exact figures for: EE 2020: 100 %; EE 2021: 102 %; SK 2020: 140 %; CZ 2020: 115 %. \*\*No data available for court and prosecutors' office staff in EL, IT, LU, PL, RO, MK, BA and XK in 2021. \*\*\*2021 Data for FR, BG, PT, IE and RS are minimal.

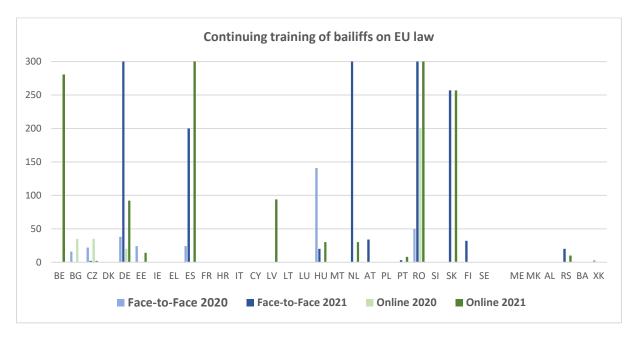
15 % = quantitative objective for continuing training of court staff prosecutors' office staff on EU law, set by the European judicial training strategy for 2021-2024.

# Participation of bailiffs in training on EU law by Member State

The professional status and backgrounds of judicial officers and bailiffs differ in terms of status (public officials/private officials) and competencies (enforcement/service of documents) depending on the Member State. Civil enforcement procedures also differ from one country to another. They are court staff in roughly a third of the EU Member States.

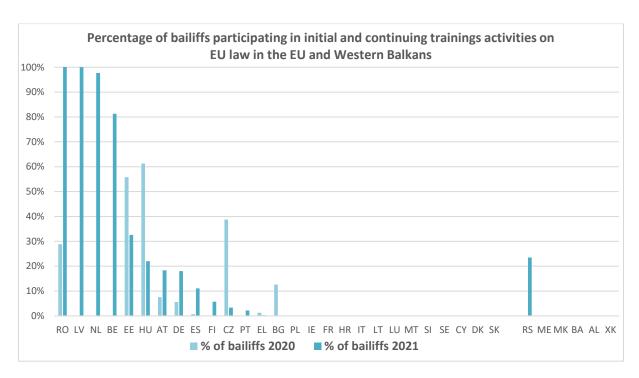
In the graphs with percentages, the red line indicates the new quantitative objective. By 2024, continuing training on EU law should each year reach 20 % of all EU bailiffs.

There is room for improvement concerning the number of EU Member States and Western Balkans 'countries' contributing to the data collection. As the data concerning initial training of bailiffs received is marginal<sup>14</sup>, it is not displayed below.



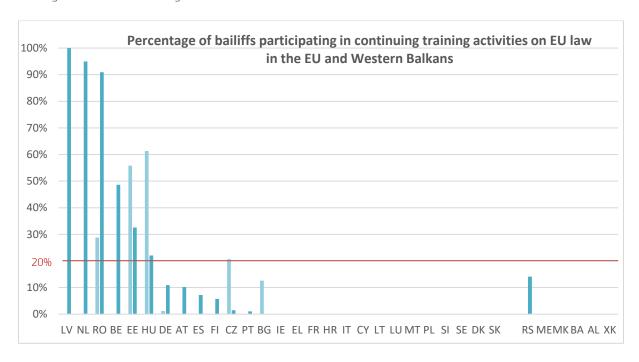
Note: Exact figures for: DE face-to-face 2021: 453; ES online 2021: 2950; NL face-to-face 2021: 631; RO face-to-face 2021: 300; RO online 2021: 500. \*\*No data available for bailiffs in IE, HR, LT, MT, SE, AL and BA in 2021.

<sup>14</sup> Only data concerning four Member States was submitted. No initial training for bailiffs in BG, DE, EE, FR, LV, HU, SI, ME, MK and XK.



Note: No initial training for bailiffs in BG, DE, EE, FR, LV, HU, SI, ME, MK and XK. \*\*Exact figure: RO 2021: 136 %. LV 2021: 100 %. \*\*\*No data available for bailiffs in IE, HR, LT, MT, SE, AL and BA in 2021.

The following graph shows that in 2021 only the bailiffs from 6 EU Members States reached the target of 20 % of all bailiffs participating in continuing training on EU law. Overall, 9.5 % of all bailiffs took part in continuing training on EU law in 2021: a great increase from the 2.4 % in 2020 and but still less than the 13.9 % in 2019.



Note: \*Exact figure: LV 2021: 100 %. No data available for bailiffs in IE, HR, LT, MT, SE, AL and BA in 2021.

20% = quantitative objective for continuing training of bailiffs on EU law, set by the European judicial training strategy for 2021-2024.

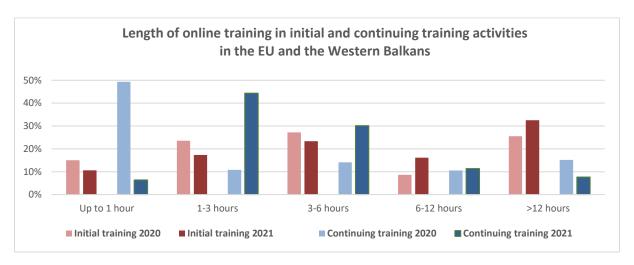
# Length of training on EU law

In this section, we measure the duration of face-to-face and online training activities in initial and continuing training in the EU and the Western Balkans 'countries' by year-to-year-comparison.

Overall, the duration of continuing face-to-face training activities is shorter than the duration of initial face-to-face training activities. In 2021, 77 % of all continuing face-to-face and 53 % of all initial face-to-face training on EU law activities lasted two days or less. Young practitioners may be in need of longer training activities. Of the responding countries, the relative majority (30 %) of initial face-to-face training activities on EU law lasted 10 days or more whereas a relative majority (34 %) of continuing face-to-face training activities lasted 1 day<sup>15</sup>.



The duration of **online training activities** on EU law is on average shorter than 6 hours for both initial and continuing training. In 2021, 51 % of all online initial training activities and 81 % of all online continuing training activities lasted up to 6 hours or less. 32.5 % of online initial training activities on EU law lasted 12 hours or more whereas only 8 % online continuing training activity lasted 12 hours or more.

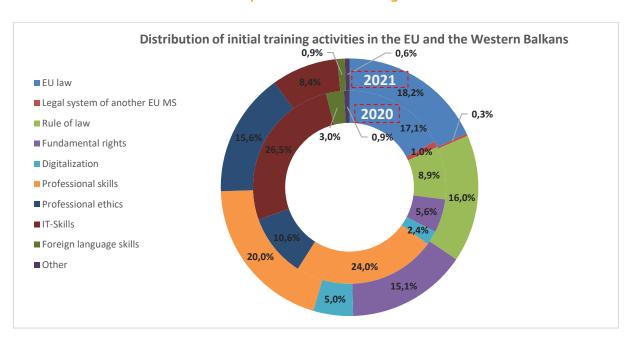


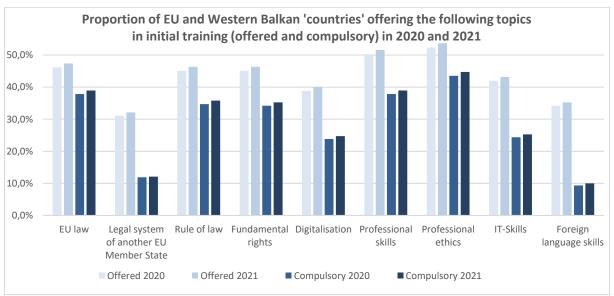
It is not possible to produce a breakdown of the length of the training activities by profession, as for most countries only aggregate data on training activities for several professions are available, in some cases because training providers cater for a range of professions.

# Wide range of training topics

Training covered a wide range of EU law topics and topics going beyond legal training (professional skills, professional ethics and language skills) in 2021<sup>16</sup> in the EU and the Western Balkan 'countries'. As underlined by the European judicial training strategy, training should go beyond legal training and also cover non-legal/professional skills, as confirmed by the collected data. In 2021, training on 'professionals skills' accounts for 20 % for initial training activities and 20,5 % for continuing training activities.

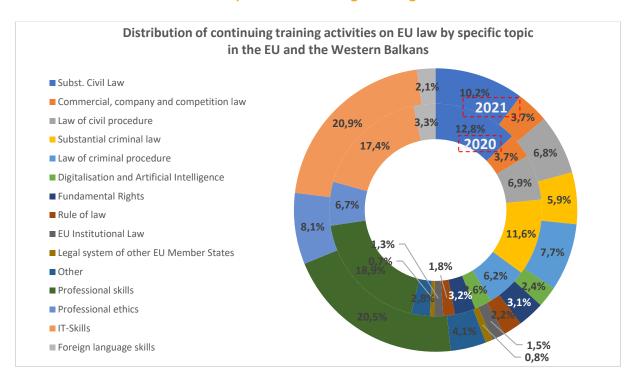
# Topics of initial training





<sup>&</sup>lt;sup>16</sup> A breakdown by profession is not available (see previous footnote).

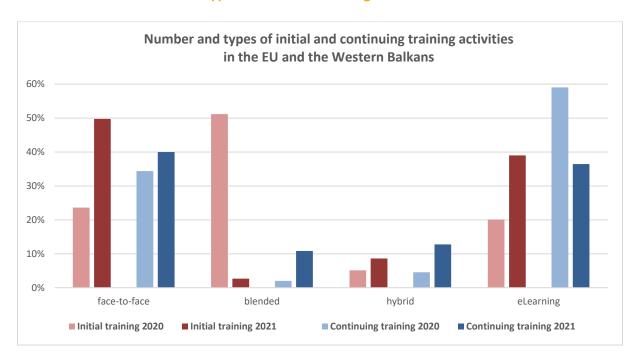
# **Topics of continuing training**



# Types of EU law training activities

In 2021, the majority of training activities organised in the responding EU Member States or the Western Balkans 'countries' were held in a face-to-face format, in contrast to 2020, where due to the impact of COVID-19 pandemic, the majority of training activities were held online. The report shows a decrease of continuing eLearning training activities from 59 % in 2020 to 36 % in 2021 and an increase for initial eLearning training from 20 % in 2020 to 39 % in 2021.

# Types of EU law training activities



# Professions in cross-professional training

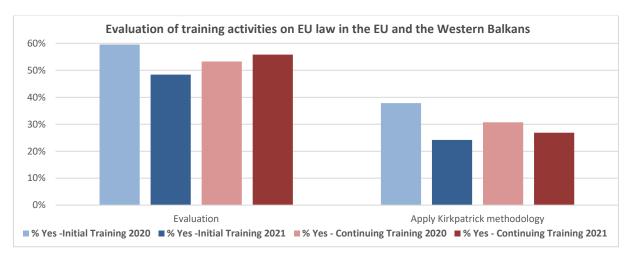


# **Quality of training**

Effective judicial training is not only about numbers of participants. The training activities must also be of good quality. Training providers should promote high quality and efficient training activities, using modern training tools, benefiting from digitalisation. It is however complex to assess the quality of training. In this section, we present different possible indicators that can allow an assessment; such as the evaluation of training activities, training needs assessment, training for trainers and the methodology applied in training activities on EU law in the EU and the Western Balkans 'countries'.

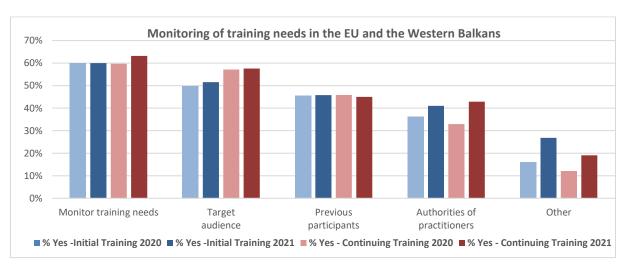
# **Evaluation of training activities**

In 2021, more than half of the responding countries (48 % for initial training and 56 % for continuing training) evaluated the training activities on EU law they organised. Only 24 % for initial and 27 % for continuing training applied the Kirkpatrick methodology to evaluate the training activities whereas the majority used different methods for evaluation, slightly less than in 2020.



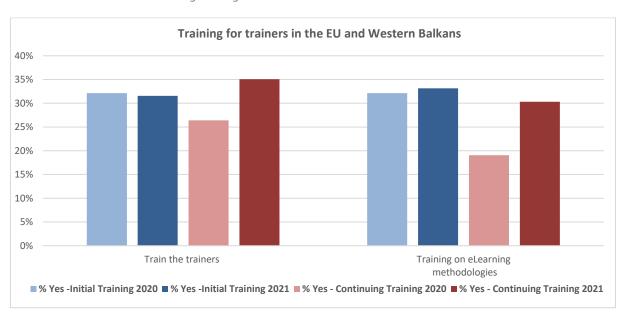
#### Monitoring training needs

More than half of the responding countries (around 60 % for both initial and continuing training) monitored training needs. The majority of countries for which we have received a reply consulted the target audience for the training needs assessment.



# Training of trainers

Training of trainers on EU law training is only offered in a minority of responding countries (32 % for initial training and 35 % for continuing training). The same applies for training of trainers on e-learning methodology. In 2021, 33 % of the responding countries offered training on e-learning methodology for their trainers in initial training and 30 % for their trainers in continuing training.

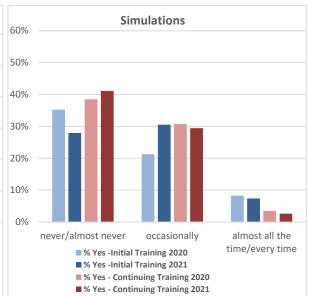


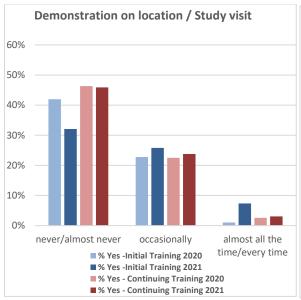
# Methodologies of training activities

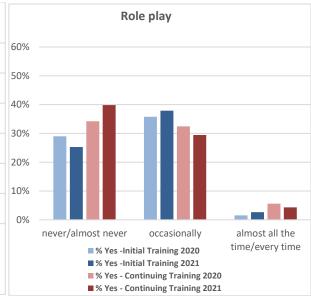
The methodology applied in training activities on EU law is as diverse as the topics of EU law training. All responding countries and all responding professions applied different methodologies in initial and continuing training offer.

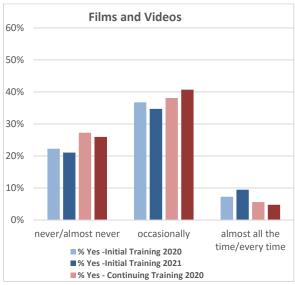


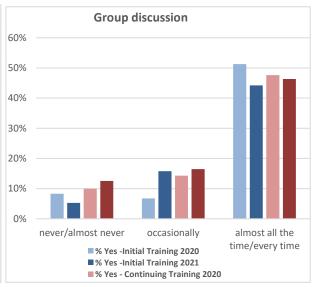








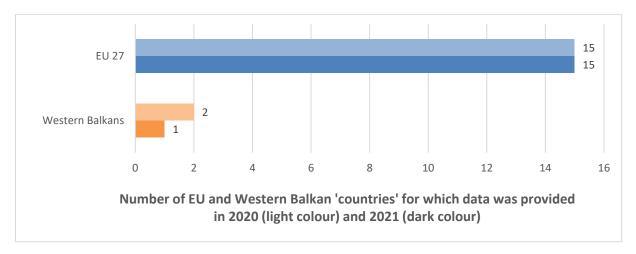


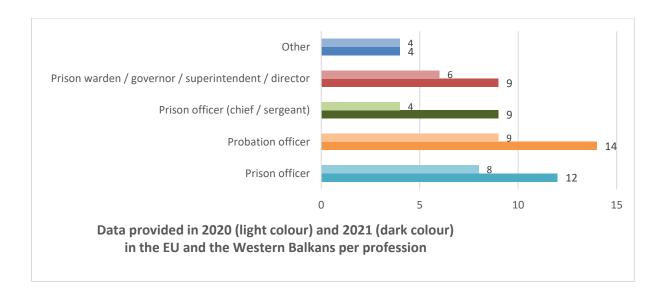


# Prison and probation officers

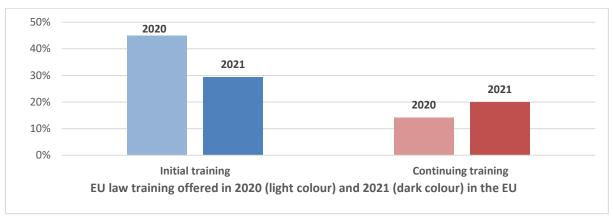
Prison and probation officers may be concerned by EU law and EU policies in their daily tasks and are therefore in need of specialised training. With its 2021-2024 strategy on European judicial training, the Commission acknowledged the importance of training of prison and probation officers on EU law and started monitoring the EU law related training needs of prison and probation staff. Since 2021, on a yearly basis, a dedicated questionnaire is sent to the training institutions of those professions in the EU Member States and the Western Balkans 'countries'.

In 2022, 15 out of the 27 EU Member States replied to the dedicated questionnaire. For some of the responding Members States more than one training institution provided data for the different professions.



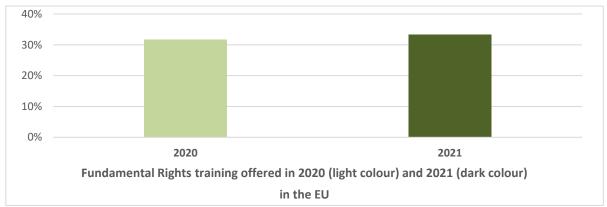


#### European judicial training 2022



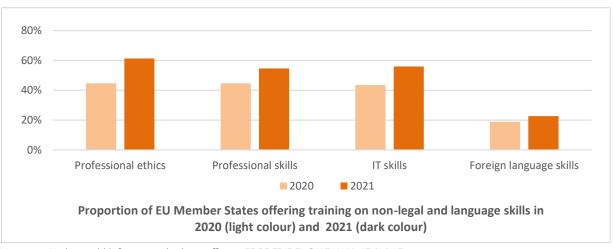
Note: No data available for prison and probation officers in BE, DE, EE, IE, EL, CY, LT, LU, NL, AT, SI, SK, FI.

In comparison with 2020, the 2021 data shows a **decrease** in the offer on EU law training in the responding EU Member States for **initial training** and a slight **increase for continuing training**. In 2021, 29 % of the responding EU Member States offered training on EU law in **initial training**, whereas for **continuing training**, EU law training was offered in 20 % of the EU Member States for which we have received a reply.



Note: No data available for prison and probation officers in BE, DE, EE, IE, EL, CY, LT, LU, NL, AT, SI, SK, FI.

In 2021, training on fundamental rights was offered in 33 % of the responding EU Member States.



Note: No data available for prison and probation officers in BE, DE, EE, IE, EL, CY, LT, LU, NL, AT, SI, SK, FI.

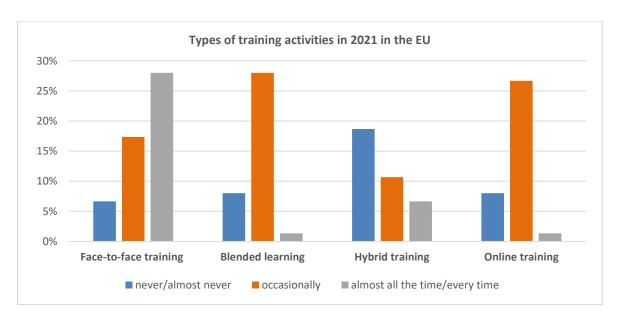
In 2021, 61 % of the responding EU Members States offered training on **professional ethics**, 55 % on **professional skills**, 56 % on **IT-skills** and 23 % on **foreign languages**.



Note: No data available for prison and probation officers in BE, DE, EE, IE, EL, CY, LT, LU, NL, AT, SI, SK, FI.

Assessing the quality of training is complex. In the report and the dedicated questionnaire, we propose different possible indicators that can allow an assessment; such as the evaluation of training activities, training needs assessment, training for trainers and the methodology applied in training activities on EU law.

In 2021, 32 % of the responding EU Member States indicated to offer training for trainers, whereas only 8 % offered training for trainers on eLearning methodologies. 44 % of the responding EU Member States evaluated their training activities but only 1 % used the Kirkpatrick evaluation system. 40 % of the EU Member States for which we received a reply monitor training needs.



Note: No data available for prison and probation officers in BE, DE, EE, IE, EL, CY, LT, LU, NL, AT, SI, SK, FI.

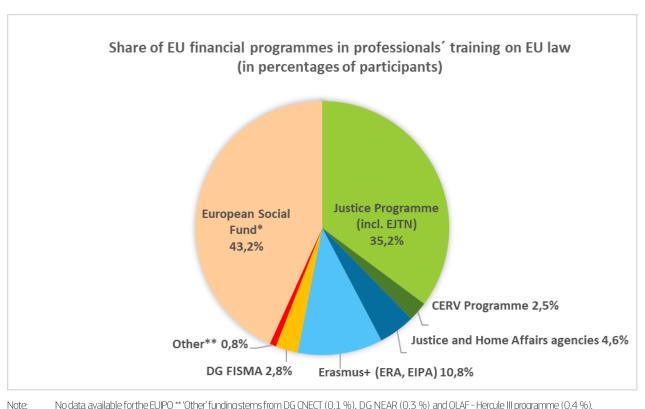
The ways in which training is offered to prison and probation staff in the responding EU Members States is diverse. Face-to-face training activities are used in 28 % of the responding EU Member States almost all the time/ every time. Blended learning is offered occasionally in 28 % of the responding EU Member States. Hybrid training is never/almost never used in 19 % of the responding EU Member States and online training occasionally in 27 % of the responding EU Member States.

# **EU-funded training**

In 2021, the EU (co-)funded European judicial training for around 36 000 justice professionals, i.e. 15 % of all those who took part in EU judicial training. In comparison with 2020, this year's report shows a substantial increase. This is notably due to the availability of data for the judicial training activities supported by the European Social Fund, which were not available in 2020.

The provider of judicial training on EU law that received the biggest single financial support by the European Commission in 2021 was the European Judicial Training Network (EJTN). Operating grants to support their training activities were also awarded to the Academy of European Law (ERA) and the European Institute of Public Administration (EIPA). The European Patent Office (EPO), the European Asylum Support Office (EASO) and to a larger extent the European Union Agency for Law Enforcement Training (CEPOL) also used EU funds to train justice practitioners. For 2021, no data was available for the European Union Intellectual Property Office (EUIPO).

In addition, the Commission awarded action grants under several of its financial programmes – the Justice programme in the areas of civil and criminal justice, fundamental rights and competition law; the Citizenship, equality, rights, and values programme (CERV) and Hercule III.



No data available for the EUIPO \*\* 'Other' funding stems from DG (NECT (0.1 %), DG NEAR (0.3 %) and OLAF - Hercule III programme (0.4 %).

# **Next steps**

2021 continued to be a difficult year including for training providers. The reported figures are still partially influenced by the COVID-19 pandemic and its impact on training activities. Still, we can see an increase and a recovery to pre-pandemic times for most professions. For some professions faster than for other professions such as judges.

The eleventh report shows that the level of participation in EU law training still differs considerably across Member States and among justice professions, while the need for dedicated training continues to increase, notably due to new challenges justice professionals and justice systems are confronted with. It confirms that more still needs to be done and that ambitious training initiatives are needed for most justice professions. Better and more targeted training activities answering the needs of justice professionals should remain the ultimate goal.

The implementation of the 2021-2024 strategy's objectives will encourage such needed ambitious approaches and initiatives. The implementation is well ongoing and will remain a key priority for the next years to come. As milestones in the successful implementation of the 2021-2024 training strategy, the Commission co-organised two important conferences for stakeholders. In May 2021, the Commission organised together with the Portuguese Presidency of the Council of EU and the Centro de Estudos Judiciários (CEJ) a high-level digital conference entitled 'Modernising EU Justice Systems by boosting training of justice professionals'. In February 2022, the Commission co-organised a two-day hybrid conference with the French Presidency of the Council and École nationale de la magistrature (ENM) devoted to initial training of justice professionals, in particular magistrates and lawyers, and the respect for the rule of law within the European Union. In spring 2023, the Commission will organise an online conference specifically dedicated to the digitalisation of justice and the skills justice professionals need to embrace it.

To ensure a successful implementation of the European judicial training strategy for 2021-2024, ambitious actions and joint efforts from all stakeholders involved are needed to reach by 2024 the yearly objectives set by the strategy, while ensuring a good quality of training.

# **Abbreviations of Member States**

ΑT	Austria	FR	France	PT	Portugal
BE	Belgium	HR	Croatia	RO	Romania
BG	Bulgaria	HU	Hungary	SE	Sweden
CY	Cyprus	ΙE	Ireland	SI	Slovenia
CZ	Czechia	ΙΤ	Italy	SK	Slovakia
DE	Germany	LT	Lithuania	ME	Montenegro
DK	Denmark	LU	Luxembourg	MK	North Macedonia
EE	Estonia	LV	Latvia	AL	Albania
EL	Greece	MT	Malta	RS	Serbia
ES	Spain	NL	Netherlands	BA	Bosnia and Herzegovina
FI	Finland	PL	Poland	XK	Kosovo <sup>17</sup>

 $^{17}$  This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

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