

## Summaries of projects selected for funding under the call for proposals JUST/2013/JPEN/AG

| Grant n°               | Project Title   | Project Coordinator      | Member State | Priority                              | Main Type of activities                                  |
|------------------------|---|--------------------------|--------------|---------------------------------------|--|
| JUST/2013/JPEN/AG/4475 | Improving the European judicial cooperation                                       | MINISTERUL PUBLIC-PICCCJ | Romania      | BEST PRACTICES-implementation         | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4476 | Project Infovictims II  | APAV                     | Portugal     | VICTIMS-Rights                        | Awareness-raising, information and dissemination         |
| JUST/2013/JPEN/AG/4479 | Building Bridges. Restorative dialogues with victims and offenders                | GND                      | Netherlands  | VICTIMS-Support                       | Training activities                                      |
| JUST/2013/JPEN/AG/4480 | EU criminal law for defence counsel: Focus on the European Arrest Warrant         | ERA                      | Germany      | EJT-legal instruments and policies    | Training activities                                      |
| JUST/2013/JPEN/AG/4481 | The admissibility of the electronic evidence (e-evidence) in criminal proceedings | ERA                      | Germany      | EJT-knowledge of criminal law systems | Training activities                                      |

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| JUST/2013/JPEN/AG/4487 | Judiciary and protection of victims   | JA SR                             | Slovakia       | VICTIMS-Protection            | Training activities                                      |
| JUST/2013/JPEN/AG/4488 | JUSTICE VOLUNTEERS IN EUROPE (JIVE)   | CLINKS                            | United Kingdom | BEST PRACTICES-implementation | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4489 | Reducing prison population: advanced tools of justice in Europe   | ASS. COMUNITÀ PAPA GIOVANNI XXIII | Italy          | DETENTION-Alternatives        | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4492 | Project IVOR - Implementing Victim-Oriented Reform of the criminal justice system in the European Union           | APAV                              | Portugal       | VICTIMS-Support               | Analytical activities                                    |
| JUST/2013/JPEN/AG/4493 | Towards a more comprehensive and coherent approach in understanding and improving conditions related to detention | ERA                               | Germany        | DETENTION-Implementation      | Training activities                                      |

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| JUST/2013/JPEN/AG/4495 | Social reintegration of sentenced persons: A comprehensive European approach      | CSM   | Romania      | EJT-legal instruments and policies | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4496 | Procedural rights in EU criminal law  | CSM   | Romania      | EJT-legal instruments and policies | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4498 | ALTERNATIVE TRACKS - integrated approach to minors offenders and their families   | EUGHENIA S.C.S.                               | Italy        | DETENTION-Alternatives             | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4503 | Automated Export of MS Data to European Court Database                            | BUNDESMINISTERIUM<br>FÜR JUSTIZ<br>ÖSTERREICH | Austria      | E-JUSTICE-New projects             | Analytical activities                                    |
| JUST/2013/JPEN/AG/4508 | European Communities of Restoration - in prisons and as alternatives to detention | SEEHAUS                                       | Germany      | DETENTION-Prisons                  | Awareness-raising, information and dissemination         |

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|------------------------|--|---------------------------|----------------|------------------------------------|--|
| JUST/2013/JPEN/AG/4510 | Creativity and Effectiveness in the use of Electronic Monitoring as an alternative to imprisonment in EU member states | University of Leeds       | United Kingdom | DETENTION-Alternatives             | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4511 | TOWARDS COMMON MINIMUM RULES ON PROCEDURAL RIGHTS FOR SUSPECTED AND ACCUSED PERSONS                                    | CGPJ-ES                   | Spain          | EJT-legal instruments and policies | Training activities                                      |
| JUST/2013/JPEN/AG/4519 | Mutual recognition instruments in the European Judicial Area   | EIPA                      | Netherlands    | EJT-legal instruments and policies | Training activities                                      |
| JUST/2013/JPEN/AG/4521 | ME.D.I.C.S. - Mentally Disturbed Inmates; Care and Support   | D.A.P. - NUCLEO FSE       | Italy          | DETENTION-Prisons                  | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4533 | The Practice of Pre-Trial Detention: Monitoring Alternatives and Judicial Decision-Making                              | FAIR TRIALS INTERNATIONAL | United Kingdom | DETENTION-mutual trust/recognition | Mutual learning, exchange of good practices, cooperation |

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| JUST/2013/JPEN/AG/4537 | Judicial response to terrorism in the EU:<br>Strengthening cooperation to better prevent and react                             | ECOLE NATIONALE DE LA MAGISTRATURE         | France         | EJT-knowledge of criminal law systems | Training activities                                      |
| JUST/2013/JPEN/AG/4538 | Strengthening the effective implementation and follow-up of recommendations by torture monitoring bodies in the European Union | LUDWIG BOLTZMANN INSTITUTE OF HUMAN RIGHTS | Austria        | DETENTION-mutual trust/recognition    | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4539 | Prison Overcrowding and Alternatives to Detention  | University of Ferrara                      | Italy          | DETENTION-Alternatives                | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4545 | Improving Prison Conditions by Strengthening Infectious Disease Monitoring   | IHRA                                       | United Kingdom | DETENTION-Conditions                  | Awareness-raising, information and dissemination         |
| JUST/2013/JPEN/AG/4546 | Practitioner training on Roadmap Directives  | FAIR TRIALS INTERNATIONAL                  | United Kingdom | EJT-legal instruments and policies    | Training activities                                      |

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| JUST/2013/JPEN/AG/4548 | European observatory on alternatives to imprisonment   | ANTIGONE                        | Italy          | DETENTION-Alternatives      | Awareness-raising, information and dissemination         |
| JUST/2013/JPEN/AG/4553 | AVIDICUS 3: Assessment of Video-Mediated Interpreting in Criminal and Civil Justice – Assessing the Implementation | University of SURREY            | United Kingdom | E-JUSTICE-New projects      | Analytical activities                                    |
| JUST/2013/JPEN/AG/4554 | Suicide preventive system development in imprisonment places   | LR IESLODŽĪJUMA VIETU PĀRVALDE  | Latvia         | DETENTION-Prisons           | Training activities                                      |
| JUST/2013/JPEN/AG/4556 | LIT Search   | KU LEUVEN                       | Belgium        | E-JUSTICE-Existing projects | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4558 | Réseau sur le contentieux pénitentiaire / Prison litigation network  | DIPARTIMENTO SCIENZE GIURIDICHE | Italy          | DETENTION-Conditions        | Awareness-raising, information and dissemination         |
| JUST/2013/JPEN/AG/4563 | Discovering efficient tools for protecting victims of hate crime   | IN IUSTITIA                     | Czech Republic | VICTIMS-Protection          | Training activities                                      |

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| JUST/2013/JPEN/AG/4564 | Victim support and Secondary Traumatic Stress within the Judiciary and judicial staff: What measures to be taken? | IGO- IFJ            | Belgium      | EJT-victims' rights           | Training activities                                      |
| JUST/2013/JPEN/AG/4570 | Project to create an European Network against Environmental Crime (ENEC)  | SEO/BIRDLIFE        | Spain        | BEST PRACTICES-implementation | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4571 | CoBS(2) Community Bonding for sentenced people Supervision  | CONSORZIO TENDA     | Italy        | DETENTION-Alternatives        | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4573 | J.O.D.A. - Juvenile Offenders Detention Alternatives in Europe  | IDC                 | Italy        | DETENTION-Alternatives        | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4581 | CHILDREN's RIGHTS BEHIND BARS. Human rights of children deprived of liberty: improving monitoring mechanisms      | DEI-BELGIQUE        | Belgium      | DETENTION-Prisons             | Mutual learning, exchange of good practices, cooperation |

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| JUST/2013/JPEN/AG/4587 | Restorative justice in cases of domestic violence.<br>Best practice examples between increasing mutual understanding and awareness of specific protection needs | VERWEY-JONKER<br>INSTITUUT | Netherlands  | BEST PRACTICES-<br>implementation | Mutual learning, exchange of<br>good practices, cooperation |
| JUST/2013/JPEN/AG/4591 | INASC - Improving Needs Assessment<br>and Victim's Support in Domestic<br>Violence related Criminal Proceedings   | CESIS                      | Portugal     | VICTIMS-Protection                | Analytical activities                                       |
| JUST/2013/JPEN/AG/4592 | ALTERNATIVES TO<br>IMPRISONMENT: AN EXCHANGE<br>OF GOOD PRACTICES BETWEEN<br>EU MEMBER STATES   | LIBRA ONLUS                | Italy        | DETENTION-Alternatives            | Mutual learning, exchange of<br>good practices, cooperation |
| JUST/2013/JPEN/AG/4594 | TraiLLD (Training in Languages of<br>Lesser Diffusion)  | KU Leuven                  | Belgium      | DEFENSE RIGHTS-Training           | Mutual learning, exchange of<br>good practices, cooperation |



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| JUST/2013/JPEN/AG/4595 | Prisons of the future  | DJI                                      | Netherlands    | DETENTION-Alternatives        | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4597 | Improving the data quality of EU criminals   | ACPO CRIMINAL RECORDS OFFICE             | United Kingdom | BEST PRACTICES-implementation | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4601 | Listen to the child - Justice befriends the child                                    | SOCIAL ACTIVITIES AND PRACTICES INSTITUT | Bulgaria       | VICTIMS-Protection            | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4602 | EVVI (EValuation of Victims) Evaluation personnalisée des victimes                   | MINISTRY OF JUSTICE                      | France         | VICTIMS-Protection            | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4603 | Language Training in the Field of Judicial Cooperation in Criminal Matters in the EU | KIM                                      | Hungary        | EJT-legal terminology         | Training activities                                      |

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| JUST/2013/JPEN/AG/4605 | Support for Transfer of European Prison Sentences towards Resettlement (STEPS 2 Resettlement)           | NOMS (UK)           | United Kingdom | BEST PRACTICES-implementation | Mutual learning, exchange of good practices, cooperation |
| JUST/2013/JPEN/AG/4616 | Realising the Directive on Access to a Lawyer in Criminal Proceedings: Best Practice and Implementation | ICCL                | Ireland        | DEFENSE RIGHTS-Implementation | Mutual learning, exchange of good practices, cooperation |

## **JUST/2013/JPEN/AG/4475**

Title: Improving the European judicial cooperation

Coordinator: MINISTERUL PUBLIC

Contact: taranu\_lavinia@mpublic.ro

Priority: BEST PRACTICES-implementation

Summary:

European judicial cooperation in criminal matters has its origins under Title VI as part of the Third Pillar (JHA) of the Treaty on European Union, signed on 7 February 1992 in Maastricht. Nevertheless, there have been important amendments to this Treaty and to the contents of the Justice and Home Affairs policy through the Treaty of Amsterdam, the Treaty of Nice and the Treaty of Lisbon. As the European construction advances, so do criminal activities and hence judicial cooperation in criminal matters has to become the cornerstone of the fight against illicit activities throughout EU and as criminals know no borders, neither should law enforcement. As a consequence, this project intends to erase the linguistic barriers and to dim the different judicial cooperation issues which may arise during the investigations of the criminal cases by enhancing the knowledge of the prosecutors of the judicial systems in 4 MS. Better judicial cooperation entails better results, successful prosecution and, in the end, a safer environment for the European citizens.

This project will start by trying to erase the linguistic barrier, by training 80 employees (civil servants, law clerks and prosecutors) of the Romanian Public Ministry as follows: 50 will acquire legal linguistic skills in English, 15 in Spanish and 15 in German.

The 80 employees will be selected from the personnel handling matter of judicial cooperation within the prosecutors offices so that once the language course is finished the European judicial instruments can be more easily handled and directly in the language of the other MS. These languages have been selected as a result of the findings in the statics concerning the demands in judicial cooperation: the countries with which Romanian prosecutor's offices had most contact and the languages mostly used.

But knowing the language is not always enough for successful prosecution at European level: knowing the national rules which are always interconnected with the European instruments can tremendously contribute to the successful resolution of a transnational criminal case. Hence, this project intends to stimulate the exchange of best practices among practitioners by a series of internships in the prosecutor's offices of the MS partners in the project. 15 of the best practitioners participating in the language course will attend a 2 week internship in PO in a MS partner and 15 prosecutors will come in internships in RO. Not only will the prosecutors be able to get acquainted with the legal systems of their counterparts, but they will also be able to establish closer relationships with their counterparts.

Once the internships are over, each prosecutor will have to write a report describing the work flow and the judicial cooperation instruments used in that particular MS. At the end, one expert will compile all the reports and will create a hand guide with the judicial cooperation instruments in the countries partner in the project. The hand guide will be drafted in English and translated into

Romanian, German, Swedish and Spanish and it will be distributed in all the MS partners in the project. The project will end with a round table organised in Bucharest where 3 representatives of each partner will be invited.

## **JUST/2013/JPEN/AG/4476**

Title: Project Infovictims II

Coordinator: APAV

Contacts:

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Priority: VICTIMS-Rights

Summary:

One of the worst obstacles that victims of crime still face across Europe is the lack of information available to them. This may lead to a general unawareness on how to exercise their rights, but also to further ordeals and secondary victimisation due to common lack of knowledge of police and judicial authorities regarding victim rights, needs and interests. It was with the intention of addressing these shortcomings that the Project Infovictims was designed by APAV in 2010. In result of the dissemination activities of the materials developed under this project, other Member States have demonstrated interest in developing these materials adapted to their own national realities.

The core objective of Project Infovictims II is therefore to contribute to increase the information given to victims of crime concerning the criminal justice system, their rights and the ways to exercise them in PT, DE, PL and UK. Project Infovictims II specifically aims to contribute to an increasing knowledge of the victims about their rights and ways to exercise them and contribute to the reduction of secondary victimisation. It is important to highlight that with this Project we also aim to contribute to the Implementation of the Directive on minimum standards on minimum standards on the rights support and protection of victims of crime is also one, especially in what concerns the right to information.

Project Infovictims II also directly relates to two of the priorities set out in the call for proposals:

- facilitating the provision of information to victims' on their rights, on the services that are available to them and on the progresso of the case (victims' rights) through: the development of tools and means to provide victims with information on their rights, both through the improvement the interactive website developed under Project Infovictims, with accurate, friendly, easily accessible and in a simple language; the adaptation of the website to the partner countries realities (PL, UK, DE); and through the development of an awareness raising campaigns targeted to victims on their rights and ways to exercise them.
- improving or establishing the provision of support (both general and specialist support) to victims in terms of emotional support, advice and information on criminal proceedings (victims' support): Project Infovictim II aims to inform and support victims of crime and/or their families, on the basis of knowledge on the situation of victims of crime and of their need to be informed and supported in the aftermath of crime victimisation.

Hence, in order to achieve the proposed objectives, the following outputs will be produced:

- interactive website with relevant information for victims of crime about their rights and the criminal justice system;
- leaflets and/or brochures containing the basics about the criminal justice system and victims' rights in a friendly language;
- awareness kit to distribute amongst judicial operators and police forces with the aim to call their attention to the importance of providing clear, complete and accurate information to victims of crime;
- meetings and awareness raising sessions with key persons from the judicial and police authorities, to highlight the importance of the duty to inform the victims of crime and also their needs;
- a raising awareness campaign to raise the awareness of the general public for victims' right.

## **JUST/2013/JPEN/AG/4479**

Title: Building Bridges. Restorative dialogues with victims and offenders

Coordinator: GND (Gevangenzorg)

Contact: j.dejager@gevangenzorg.nl

Priority: VICTIMS-Support

Summary:

Crime can be understood as violating behaviour which necessitates a social response and not only a legal one. Victims suffer from a number of effects in the aftermath of a crime: physical, psychological, financial, and social effects, and are therefore increasingly vulnerable to mental illness, traumatisation, or lower productivity than the general population. Psychological effects of crimes are common, but can be tackled using mediation or methods of restorative justice. A methodology known as the Sycamore Tree Project (STP), which has been tried and tested in North and South America as well as in some European countries, has shown positive effects in victim support. In the original STP methodology unrelated victims and offenders are brought together in prisons in a 5-8 weeks intensive programme dealing with crime effects. Victims get the possibility to confront offenders and to be paid back for the harm caused. Through the mix of unrelated offenders and victims in this restorative mediation programme, offenders also gain a chance of changing their perspective about their crime, its effect in the lives of victims and a chance to work on values (like respect, empathy and accountability) and behaviour change. However, this programme has only been piloted in some European countries with offenders and victims, but there has never been a coordinated effort to spread this methodology across Europe and in different settings in prisons and in the community.

The proposed project will aim at exploring possibilities of transfer for STP to those European countries without such programmes and further adaptation of the programme in a multi-cultural settings inside and outside prisons. Building Bridges, which shall be the new adapted name for STP in Europe, will be implemented 14 times in different settings inside and outside of prisons and facilitators shall be trained in the methodology. Building Bridges will undergo a comprehensive evaluation in order to be able to contribute to an evidence base for enabling and hindering factors of victim support on a European-wide basis.

The main outputs and deliverables of Building Bridges are

- A desk research report on victim support in Europe using victim-offender-mediation
- 14 pilot restorative dialogues “Building Bridges” with unrelated victims and offenders in prisons and communities in 7 countries
- A Building Bridges Guidebook for facilitators in 8 languages (mediators, social workers, psychologists, etc.)
- A Training Conference for facilitators in Italy with 70-100 participants
- A scientific evaluation of “Building Bridges” restorative dialogues

- A book publication focussing on the role of the victim in mediation and restorative justice across Europe

The project therefore contributes to the promotion of restorative justice processes between offenders and victims in Europe, claimed by the UN International Handbook on Justice for Victims and the Committee of Ministers of the Council of Europe in their recommendations for the use of mediation in penal processes, and to victim support processes in the European Member States.

The project is implemented in 7 European countries with partner organisations working with victims and offenders in Prison Fellowship as well as 2 academic partners undertaking the evaluation of Building Bridges.



## **JUST/2013/JPEN/AG/4480**

Title: EU criminal law for defence counsel: Focus on the European Arrest Warrant

Coordinator: ERA

Priority: EJT-legal instruments and policies

Summary:

This project will provide EU-wide training on EU criminal justice instruments and cooperation, tailor-made for defence counsel. Special focus will be given to the practical defence in cases of European Arrest Warrants as well as to the new measures taken under the roadmap for procedural rights. The seminar series will continue the successful training series for defence counsel implemented by ERA under the criminal justice action grants 2010 and 2011 (JUST/2010/JPEN/AG/1548 and JUST/2011/JPEN/AG/2893). The project is in response to the European Commission's priority to train defence practitioners on relevant EU legal instruments.

The project will consist of four seminars conducted throughout the EU. Each of these four seminars will be targeted at different groups of defence lawyers from selected EU Member States (ca. 4-5 Member States per seminar) to foster networking between them. In total, the project will be targeted at ca. 160 defence practitioners from 17 EU Member States and open to defence counsel from all remaining EU Member States.

Each seminar will consist of an introduction to the role of the defence counsel in judicial cooperation in criminal matters in the EU, lectures on the measures taken under the EU roadmap for procedural rights as well as relevant case-law of the CJEU and ECHR.

At the heart of the training will be questions arising from the perspective of the defence with regard to cross-border cases involving investigative measures where EU instruments are already in force, especially the European Arrest Warrant. In order to guarantee valuable practical training on these issues, the topics will be dealt with in 'national' workshops. In the 'national' workshops, a national expert will conduct cross-border case studies based on the individual national systems. In this way, participants will benefit from training that is tailor-made for the questions and problems arising in their daily practice when dealing with cross-border cases.

The increasing European dimension of criminal law also calls for an increasing network among defence lawyers in the EU. This project will contribute to the development of such a network in two ways: first, defence lawyers from different EU Member States will be given the opportunity to make personal contacts and to exchange best practice and experience in the course of training; second, part of the training will be dedicated to informing participants about the most effective ways to contact colleagues from other EU Member States.

All projects will be supported by the project partners, namely the ECBA, the Athens Bar Association, the Latvian Bar Association, the Illustre Col·legi d'Advocats de Barcelona (ICAB), and the Budapest Bar Association assisting with, e.g. recommendations for speakers and the conception of the programmes, marketing, and where possible, supporting the organisation of the seminars.

The overall results expected from this project include:

- Raised awareness and enhanced knowledge of European defence lawyers on EU cross-border cases and improved application of EU criminal justice instruments.
- Access to a strong defence also in cross-border cases and strengthened network among defence counsel in the EU.
- Level playing field with regard to the offer of EU-wide training for defence counsel.

# JUST/2013/JPEN/AG/4481

The admissibility of the electronic evidence (e-evidence) in criminal proceedings

ERA

EJT-knowledge of criminal law systems

Summary:

Full project title: The admissibility of electronic evidence (E-Evidence) in criminal proceedings.

General objectives of the project: to debate, assess and scrutinise the validity and admissibility of electronic evidence in criminal proceedings.

All in all, there will be three events which will be implemented in three different EU cities: Lisbon, Riga and Bucharest.

The first seminar will be of a more introductory nature, while the second and third will be more specialised. Each seminar will have a specific focus, which can be broadly identified as follows:

SEMINAR 1 (March 2014 - Lisbon, in cooperation with the Centro de Estudos Judiciarios) Fundamentals of electronic evidence: its practical foundations illustrated with relevant case law (it will discuss issues such as: definition of 'electronic evidence', practical illustrations and examples of analogue and digital evidence, practical challenges relating to its collection and use, basic case studies and jurisprudence);

SEMINAR 2 (May 2015 - Riga, in cooperation with the Latvian Judicial Training Centre) Planning and justifying the search and seizure of electronic evidence in criminal proceedings before presenting it to court (it will include more specialised issues such as: practical problems that judges, prosecutors and defence lawyers have to deal with in criminal proceedings when electronic evidence is involved, good practices in various EU Member States, practical demonstrations carried out by experienced investigators, etc.);

SEMINAR 3 (November 2015 - Bucharest, in cooperation with the National Institute of Magistracy) Specific legal and technical considerations for all players in the criminal justice system in handling electronic evidence (it will include highly specialised issues such as: Dead Box Forensics vs Live Data Forensics, capturing evidence from the Internet (open source and covert), challenges for international investigations (search and seizure rules and evidence in the cloud), trial considerations (methods of presentation and admissibility tests).

There will be 60 participants per event (judges, prosecutors, lawyers in private practice, ministry officials, etc.). It is intended to ensure a sound balance between participants from different Member States (and Candidate Countries) and a fair mixture of players from different sectors to guarantee better discussion and sound exchange of information during the seminars.

Representatives of the EU and other European Institutions, national experts and representatives of the internet industry will be invited as speakers at all events. The European Judicial Training Network (EJTN) as associate partner will provide judges and prosecutors active in this field of law.

Each seminar will offer a mixture of training methods, varying from introductory and more in-depth lectures to case studies and other types of interactive learning. Particular attention will be given to discussion in working groups. Lectures and workshop sessions will be presented by EU and national experts.

To comply with the priorities of the Criminal Justice Call for Proposals, the project will cover the largest possible number of EU legal systems and involve experienced legal practitioners who will be able to compare experience and practice of applicable European and international legal instruments.

The project will last 18 months. This includes a 3-4 month initial preparation phase. The main activity in the preparation phase will be the design of the programmes, the recruitment of speakers and the technical preparation of all events.

## **JUST/2013/JPEN/AG/4487**

Title: Judiciary and protection of victims

Coordinator: JA SR (Judicial Academy of the Slovak Republic)

Contact: jana.michalickova@ja-sr.sk

Priority: VICTIMS-Protection

Summary:

The presented project aims at covering the complex area of victims' protection from the very beginning to the end of the criminal proceedings. To this purpose 8 training activities in the form of 1,5 day seminars for 50 participants will be organised in the period of 24 months in all Visegrad countries - Slovak Republic, Czech Republic, Poland and Hungary. The conferences will be organised in the premises of the Judicial Academy of each respective country in accordance with the mutual agreement among the partners.

The training activities will cover two main areas. First area will cover the proper application of EU legislative tools for the victims by the judiciary and the second one will cover the respect for human rights of the victims, anchored in European Convention on Human Rights and Charter of fundamental rights of EU. To this purpose, the themes of the 8 conferences will include (further detailed in the description):

1. EU framework for victims' protection in the criminal proceedings:
2. EU specific tools for the protection of victims
3. Recovery of the pecuniary and non-pecuniary damage caused by criminal act in the criminal proceedings
4. Saturation of the needs of the victims by the use of criminal mediation.
5. Application of fundamental rights of victims contained in the Charter of fundamental rights of the EU
6. Application of fundamental rights of victims in the ECHR Case-law (summoning, hearing, effectiveness of the investigations), link between the human rights catalogue in the Convention and in the EU Charter
7. Protection of most vulnerable victims in the criminal proceedings
8. Protection of victims of domestic violence; legal tools for the protection of victims of domestic violence, respect for the rights of the victims and proper application of human rights.

The EU character of the Project is secured by the cooperation of the V4 countries, which population together encompasses more than 10% of the total population of EU. Innovative character of the training activities will include the comparative basis of the national legislation in connection with the presented EU legislation provided during the discussions and debates in the seminars. The added values will include the creation of the website (attached to the [www.ja-sr.sk](http://www.ja-sr.sk) website), where the

video/audio recordings of all the speeches from the seminars will be uploaded together with the written outcomes in the form of e-book. The practitioners from all over the EU may then click and watch the activity online anytime in the future or read outputs. The seminars will be held in English with the interpretation. The website will be in English.

## **JUST/2013/JPEN/AG/4488**

Title: JUSTICE VOLUNTEERS IN EUROPE [JIVE]

Coordinator: CLINKS

Contact: info@clinks.org

Priority: BEST PRACTICES-implementation

Summary:

This project intends to establish a network of non-Government organisations [NGOs] working in the criminal justice sector in order to exchange ideas and share good practice. There are two main areas of work that this project will concentrate on:

- 1] the and value of volunteers working with offenders, their families and victims and
- 2] working effectively in partnership with statutory and private organisations.

There is a variety of models of volunteering across Europe and the Policy Agenda for Volunteering in Europe [PAVE] produced at the end of the 2011 European year of Volunteering, offers excellent recommendations on various aspects of recruitment, training, supporting and managing volunteers in several policy areas. However, there is little reference to volunteers working in the criminal justice sector except in terms of support for victims. Within GB, there is a long history of volunteers working with Probation Services and NGOs supporting offenders and their families, including visiting prisoners. As the economic climate continues to require austerity in public sector services, the social and economic value of volunteers is increasingly recognised. NGOs and volunteers can make a critical and significant contribution to developing credible alternative penal sanctions. However, as EUCIS-LLL states in their key messages on the 2011 European Year of Volunteering, " is freely given, but not cost free - it needs and deserves targeted support from all stakeholders".

This project aims to build on the recommendations of PAVE and the opinion of the European Economic & Social Committee [SOC/431-EU Policies & Volunteering] by identifying the level and nature of volunteering in the criminal justice systems across Europe, review current practices in recruitment, training and supporting these volunteers and develop a best practice guide which can be adapted to suit the different judicial systems.

There is increased use of private and non-statutory organisations to deliver criminal sanctions, both custodial and community based. Many of these services are then sub-contracted to NGOs to deliver locally, creating a mixed economy and competitive commissioning environment. The nature of the relationship between NGOs delivering direct services to offenders and the commissioning organisation, private or statutory, can be challenging and this partnership will explore the different commissioning models, protocols and payment arrangements, to identify examples of good practice.

The project partnership represents a broad spectrum of judicial systems and different experiences of working with volunteers, providing a good opportunity to learn from each other. Several of the partners have worked together previously on offender-related transnational projects, but new

partners are also included with active participation. The work streams are organised in logical progression to deliver the objectives and outputs;

1] a report on the current contribution and value of volunteers in the criminal justice systems in Europe for dissemination to relevant statutory and non-statutory organisations and European bodies;

2] a best practice guide on volunteer recruitment, training and support, including a process map and generic and offender specific training materials;

3] an evaluation of current practices in cross sector partnerships to include recommendations for effective cooperation;

4] a cross sector seminar in each partner country to explore ideas and promote the use of volunteers in criminal justice;

5] regular e-bulletins of project development to be circulated through partners and relevant networks, eg CEP, EXOCOP, Prison Regime Forum, 2011EYV Alliance etc.

There will be a final conference to promote and celebrate the value of volunteers working in the criminal justice system and the new forms of cross sector partnership to deliver justice for offenders, their families and the community.



## **JUST/2013/JPEN/AG/4489**

Title: Reducing prison population: advanced tools of justice in Europe

Coordinator: COMUNITÀ PAPA GIOVANNI XXIII

Contact: [progetti@apg23.org](mailto:progetti@apg23.org)

Priority: DETENTION-Alternatives

Summary:

Activities of "Reducing prison population: advanced tools of justice in Europe" will be aimed at improving the knowledge and at exchanging innovative measures of practices alternative to imprisonment, both in pre and in post-trial phase. The first step of activities will regard the collection of information both from scientific literature (in order to enlarge the knowledge on pre and post-trial non-custodial measures with an update of relevant legislation) and from research activities (in order to collect the existing practices on alternatives to detention in the 7 countries involved in the project - IT, BG, LV, GB, RO, FR, DE). Then, according to some shared common criteria, every partner will identify some good practices in its own country and will bring the different experiences to the staff exchange which will be implemented in Rimini. At this point, partnership is going to have enough information both for the definition of a first draft of Guidelines for the implementation of alternatives to detention in every country and for the definition of a Training Package targeted to staff working in services providing alternatives to prison settings. The project will also foresee the involvement of an external experts committee, in order to implement a feasibility study of the Training Package and a transferability study of the Guidelines; according to the indications coming from experts, the two main products of the project will be finalized and then disseminated through various activities.

Foreseen actions:

WPO: management and coordination of the project;

WP1: research phase;

WP2: Good practices analysis;

WP3: Experts' validation and final products;

WP4: Mainstreaming and dissemination.

Main deliverables:

1. Realization of the Project Website to share the results and the outputs of the project with free access to all stakeholders interested in deepening the key issues implemented by the project;
2. Realization of a final document containing the Guidelines for the implementation of alternatives to detention targeted to referees of judicial systems of the country involved in the project;
3. Realization of a final document containing the Training Package with some operative indications coming from good practices related to alternatives to prison;
4. CD-ROM containing the Training Package and the Guidelines.

A Final Conference in Brussels will be held at the conclusion of project activities in order to present the project results, the main contents of Guidelines and of Training Package to a specific target composed by DG Justice policy officers and LIBE Committee MEPS. Moreover a National Seminar will

be implemented in every country, in order to present the Guidelines and the Training Package with a specific attention to the peculiar aspects characterizing the single national context.

## **JUST/2013/JPEN/AG/4492**

Title: IVOR - Implementing Victim-Oriented Reform of the criminal justice system in the European Union

Coordinator: APAV

Contact: apav.sede@apav.pt

Priority: VICTIMS-Support

Summary:

2012 could prove to be a milestone year for the position of victims of crime in criminal proceedings across Europe. The EU adopted a Directive on minimum standards concerning the rights, support and protection of victims of crime, which will replace the EU Framework Decision on the same topic. The directive seeks to remedy many of the established shortcomings of the Framework Decision (see Project 'Victims in Europe'). The instrument therefore offers the promise of victim-oriented reform of the criminal process across Member States (MS) of the EU.

The extent to which the Directive will fulfil its potential, however remains to be seen. The current dire economic situation in many MS restricts the extent to which additional financial resources will be available, which in turn may negatively influence the implementation of the Directive's articles. Aside from the financial restrictions, implementation of victims' rights across Europe could be fostered by increasing insight into three closely related aspects, namely their internal and external coherence and evidence base.

Internal coherence: The success of victim assistance (i.e. the measures in and surrounding the criminal justice system geared to protecting and supporting victims, including victims' rights) is largely a function of the extent to which the measures, services and rights afforded to victims form a coherent whole. This in turn is contingent on the extent to which the main actors (incl. police, judiciary, victim support organisations) cooperate and share common goals. This project will review the internal coherence of MS' models of victim assistance, through an analysis of existing materials, coupled with a survey of MS victim assistance models. This will form the basis for the development of a typology of different organisational models of victim assistance.

External coherence: Victim assistance does not exist in a vacuum, but is best viewed in a societal 'ecology'. Other actors, for instance mental health services, insurance providers or social welfare organisations, have more or less overlapping goals in relation to victims of crime. The access to and availability of these services forms a first point of consideration concerning the external coherence: does victim assistance align itself with these auxiliary services and if so, how? More generally the external coherence concerns the historical, cultural and current political reality in MS. Understanding the role that different actors can or should play in victim assistance brings into view the different views that inhabitants of MS across Europe may have of these actors. For instance the trust in and perception of the police and the judiciary varies widely from one country to the next. This project will review this ecological context of victim assistance and analyse the typology of organisational models of victim assistance against this background. In part this will draw upon the survey used to evaluate internal coherence and the analysis will be strengthened by the development of a database of key indicators of societal characteristics.

Evidence-base: Bar a number of relatively well-researched elements of victims' rights - in particular restorative justice and victim impact statements - the impact of and the prevalence of use of many victims' rights in different jurisdictions is poorly documented. The project will provide a full overview of current research into and experience with victims' rights and services, identify lacunas in the knowledge base and offer a model which can serve to connect experience and research in one area to another. This model draws upon the typology developed to represent internal coherence across the EU and the database of societal characteristics of external coherence.

The project is both pivotal ground in academic research into the experience of victims of crime and timely to policy makers and practitioners through recommendations on the implementation of the EU Directive

## **JUST/2013/JPEN/AG/4493**

**Title:** Towards a more comprehensive and coherent approach in understanding and improving conditions related to detention

**Coordinator:** ERA

**Priority:** DETENTION-Implementation

**Summary:**

The project consists of three seminars that will be implemented in two different European cities, Strasbourg (France) and Trier (Germany) as follows:

- November 2014 (Strasbourg), focussing on the case law of the ECtHR and national courts in dealing with issues related to detention. Best practice will be examined and an overview of relevant ECHR articles given. The issue of mutual trust and mutual recognition of judicial decisions relating to detention amongst EU Member States will be examined, with the aim of assisting in the strengthening of these provisions. Pre-trial detention and its impact on individuals in the context of the ECHR will also be analysed, as will the effect of the European Arrest Warrant in relation to detention.

- May 2015 (Strasbourg), looking at the Council of Europe's work in the field of detention, analysing the work of the CPT in the process. The Council's legal body of recommendations, conventions and resolutions will be explained, particularly the European Prison Rules and how they are being used in practice. Members of the CPT and European members of the SPT will be invited to speak at the seminar, as will officials from the European Human Rights Commissioner and the UN High Commissioner's Office for Human Rights (OHCHR), in order to present UN OPCAT and the NPMs available under it. A focus will also be on alternatives to imprisonment and actions on improving detention conditions, also in relation to juveniles and asylum seekers. Speakers from CPT, SPT, Human Rights Commissioner and OHCHR will be invited to discuss actions on how to improve prison monitoring coordination amongst themselves and with representatives from the EU and Member States (amongst others with national prison monitoring bodies).

- November 2015 (Trier), focussing on the European Commission's Green Paper itself and the ongoing debate and developments surrounding it. The European Parliament's goal of harmonising legislation on detention throughout Europe will also be presented and discussed by their representative(s), as will good practices in prison management throughout the EU Member States by means of workshop groups of participants and presentations by representatives from various Member States' prison administrators, monitoring bodies, etc. Alternatives to detention will be discussed and explored, as will an effective implementation of the framework decisions mentioned in the Green Paper on detention.

Each event for up to 50 participants (legal professional, officials from judicial training institutions, prison administrations, the probation system, prison monitoring bodies and ministry officials) will take the form of a 1.5 day seminar in English. It is intended to ensure a sound balance between participants from the Member States, EEA and Candidate Countries and a good mix of players from different sectors, in order to guarantee a comprehensive exchange of information.

Representatives from the Council of Europe, ECtHR, OHCHR, SPT, EC and EP, as well as other organisations dealing with detention issues in all its forms and national experts, will be invited as speakers.

The project will last 18 months, commencing with an initial preparation phase and ending with project evaluation and report writing.

Before and during seminars, participants will be provided with comprehensive background documentation including all relevant legal texts and speakers' contributions. It will also be possible to freely download the documentation from ERA's website.

## **JUST/2013/JPEN/AG/4495**

Title: Social reintegration of sentenced persons: A comprehensive European approach

Coordinator: CSM

Priority: EJT-legal instruments and policies

Summary:

The objective of the project is to facilitate the social rehabilitation and reintegration of sentenced persons in the EU Member States, through common training seminars open to Romanian legal practitioners from the competent judicial authorities in Romania as well to representatives from 5 Member States. The main goal of the project is to enable the national authorities in the partners' Member States to ensure a sound practical application of the new mutual recognition legal instruments, while safeguarding the human rights. Thus, the project covers mainly the Council Framework Decision 2008/909/JHA of 27 November 2008 and the Council Framework Decision 2008/947/JHA of 27 November 2008. The project will be implemented within a 24 months period in Romania, the activities` being the follows:

1. Organization of one Preliminary Meeting of the multinational team of trainers.
2. A series of 6 Common Training Seminars(task-oriented working groups) that will guarantee the involvement of 180 EU legal practitioners from 6 different MS: 54 judges and 72 prosecutors, and also, 54 other legal practitioners (probation officers, legal advisers of the Romanian Ministry of Justice, prison officers, court clerks and lawyers).
3. Final Conference on dissemination of the project results that will bring together approximately 120 legal practitioners, both participants in the project and contact points of the European Judicial Network (in Criminal Matters).

The multinational team of trainers formed in the project will bring together different EU experiences (throughout a competitive and transparent procedure under the project should be selected a core of 5 Romanian trainers specialized in the field and also one national trainer/expert proposed by each national/European Partner).

The Co-ordinator of the project will be the Romanian Superior Council of Magistracy, as the coordinating body of the National Institute of Magistracy and National School of Clerks that are also, Partners in the project; and the Ministry of Justice as central authority for judicial cooperation.

The Romanian initiative is supported by a number of 5 other national judicial training institutions from Belgium, Italy, Poland, Spain, and France and the Academy of European Law (ERA).

Based on the project partners` extensive experience in developing innovative training methodologies, the common training sessions will be delivered in a modern manner, by a deeply practical approach that will require strong interactivity between participants (selected by each national Partner upon unitary common selection procedure elaborated under the project). The seminars will provide a blended training centre both, on the practical implementation of the new mutual recognition legal instruments, as well as on linguistic training. The seminars will focus on

practical exercises that will cover the new Framework Decisions in this matter using the best tools for the implementation of them and pointing out the EU efforts to contribute to the social rehabilitation and reintegration of the sentenced persons in the origin countries.

The impact and quality of the activities will be evaluated throughout developing a questionnaire to measure the quality of the activity delivered and by evaluation report and debriefing meeting of the multinational team of trainers.

Although a formal study will not be carried out within this project, the recommendations' and practical issues aroused for the duration of the training activities will be published in a Project handbook. The materials used/produced within this project will be made available in electronic format (in English version) to EJTN, the EU judicial training institutions for legal practitioners and other on-line judicial platforms. Furthermore, 300 pages of training materials will be translated in English and a Project handbook will be published on the partners' web site (in English version).



## **JUST/2013/JPEN/AG/4496**

Title: Procedural rights in EU criminal law

Coordinator: CSM

Priority: EJT-legal instruments and policies

Summaries:

The main goal of the project “Procedural rights in EU criminal law” is the strengthening of the safeguards of procedural rights of victims and offenders and the promotion of judicial cooperation, through common dedicated training for judges and prosecutors, lawyers and court clerks from 6 Member States for proper implementation and application of new EU legal instruments on procedural rights. The main objective of the project is to provide training in a modern manner, by a deeply practical approach, to legal practitioners involved in criminal proceedings and to ensure a platform for debates on the added value of the new EU standards on victims and offenders rights.

The seminars will require strong interactivity between participants (selected by each national Partner upon unitary common selection procedure elaborated under the project). The training will focus on practical exercises in order to identify the EU-law mechanisms to protect procedural rights of the victims of crimes and, respectively, of the suspect and accused persons. Thus, the seminars will be organized as mock trials, where the involved participants from the Member States will play different roles.

The impact and quality of the activities will be evaluated throughout developing a questionnaire to measure the quality of the activity delivered and by evaluation report and debriefing meeting of the multinational team of trainers.

Although a formal study will not be carried out within this project, participants in the events organised will be also asked to provide their opinion on the balance between offenders and victims procedural rights ensured by the European Union’s legislative framework. Their conclusions will be published in a handbook on procedural rights in EU criminal law.

To achieve these ambitious objectives the project Partners will select, throughout a competitive and transparent procedure, a multinational team of trainers, composed of a core of 5 Romanian trainers specialized in the field and also, one national trainer/expert proposed by each national/European Partner.

The project will be implemented within a 24 months period in Romania and the activities will be the following:

1. One Preliminary Meeting of the multinational team of trainers will be organised.
2. Throughout a series of 6 Common Training Seminars (task-oriented working groups) the project will ensure participation of 180 European legal practitioners from 6 Member States: 54 judges, 102 prosecutors, 12 lawyers and 12 court clerks.

3. Final Conference on dissemination of the project results will bring together approximately 120 legal practitioners, participants to the project and members of the European Judicial Network in Criminal Matters as well as other MS representatives.

Romanian partners: Co-ordinator of the project will be the Superior Council of Magistracy, as the coordinating body of the National Institute of Magistracy and National School of Clerks that are also Partners in the project. Also, 5 national judicial institutions from Belgium, Bulgaria, Italy, Poland, Spain, as well as the Academy of European Law (ERA), will support our endeavour.

The materials used/produced within this project will be made available in electronic format (in English version) to EJTN, the European judicial training institutes for legal practitioners and other online judicial platforms. Furthermore, 250 hard-copies of the handbook on procedural rights in EU criminal law will be published on paper as well in electronic version on the partners' web site (in English version).

## **JUST/2013/JPEN/AG/4498**

Title: ALTERNATIVE TRACKS - integrated approach to minors offenders and their families

Coordinator: EUGHENIA S.C.S.

Contact: pia.antonaci@yahoo.it

Priority: DETENTION-Alternatives

Summary:

The motivation for the consortium project "ALTERNATIVE TRACKS - Integrated approach to minors offenders and their families" (Alternative tracks) is to answer two tangible and emerging needs in EU:

a) the need to categorize and characterize more accurately the needs of minors incorporated in the juvenile justice system, focusing on their protection regarding their capacity, their learning needs and their potential in terms of competences.

b) the need to build and provide tangible alternatives to imprisonment, for minors offenders, their victims and family, considering background, individual and social perspectives.

The operational objectives of the project in hand is to map and scope good practices, build up innovative approaches for programmes and services as alternatives to strictly detention, and to build a Vademecum comprising:

- socio-educational services designed to promote the overall well-being of the deviant youngster, to foster self-expression, the respect for dignity and autonomy, to promote the reinsertion and social education of minors subjected to judicial penalties, reduce the risk of possible aggravations or relapse following the punishment;

- Paths motivational orientation and individualized work aimed at the social inclusion.

- restorative justice aimed to the responsibility of the offenders and the recovery of the victim.

- involvement of the offenders' families in the programme of re-education, re-habilitation and re-integration supported by a work-based tangible approach, all sustained by a variety of materials such as: open web platform, handbooks and tool-kits, and videos recording, in English and also in the participating countries languages.

The sustainability of the project is ensured during the project scope and after it is terminated thanks to a clear campaigning and outreach plan. Awareness raising and public knowledge of the issues addressed by the project in hand are key in guaranteeing social well-being for all. The activities will also consider and discuss the needs for and a launch of an improved communication strategy that include campaigning and outreach mechanisms promoting the project beyond its natural stakeholders. This plan will define in detail the overall strategy, the activities planned for external dissemination, dissemination products, expected results, timing and target groups for the anticipated events.

Objectively verifiable indicators used in the activities will emphasise the wide and pertinent benefits of the project, as well as the precise competences acquired and enhanced by the use of the project's methodology and pedagogical concepts.

A special web tool e-Tracks will be designed for sustainability purposes to ensure the best visibility to the project not only at European level but also at a certain international degree. This web tool will be supported by the existing structured networks of the consortium, as well as all associated partners.

The dissemination activities will be aiming at:

1. Promoting and raising awareness about the project contents, developments and results with inclusive tools such as webinars, workshops, work-based training programmes, citizen panels, and conferences at EU level.
2. Encouraging individual end-users (social, civil and justice stakeholders and operatives) to adopt and/or apply the results, during the project scope and beyond.

The exploitation plan incorporates:

3. Multiplication: which is the process of encouraging the adoption of the project's outcomes among pertinent and influential stakeholders
4. Transfer: successfully delivering the results to pertinent and influential stakeholders and decision-makers
5. Development watch and permanent e-TRACKS steering council, represented by a group of experts collecting and scrutinizing policies and trends, learning tools and pedagogical concepts
- 6 Project continuum programme under other EU programmes and framework

## **JUST/2013/JPEN/AG/4503**

Title: Automated Export of MS Data to European Court Database

Coordinator: Ministry of Justice - AT

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Priority: E-JUSTICE-New projects

Summary:

Background:

The European Court Database is a cornerstone and prerequisite for many functions of the European e-Justice Portal and all associated e-Justice projects like e-CODEX and projects implementing IT-support for cross-border cases. They all need to solve the problem of finding the competent court for a claim in another Member State outside of the home-country of the claimant.

The European Commission is currently developing a concept for a European Court Database at the e-Justice Portal where in the first phase the European cross-border civil law instruments shall be covered. This COM concept will include a database model and structure for the European Court Database and an specification for an automated import mechanism allowing automated import of national data. Based on the results of this concept and following the COM defined common interface specification for automated import of national data via web-services, the project proposed will design and implement the functions needed on the Member State side to perform the automatic export of national data into the European Court Database.

Reasons, which make it necessary to undertake this project:

The concept for the European Court Database developed by the European Commission together with the Member States is planned to be available approximately by end of 2013. When this concept is available, the Member States must design and implement the national interfaces in order to fill and maintain the European Court Database via the automated import mechanism.

Project Objectives:

- 1.) Analysis of the solution concept for the European Court Database developed by the EC from the perspective of the national databases which shall be interconnected.
- 2) The concept and the architecture for the MS side part of this interconnection and for the court data export from the national court databases shall be written. This documentation shall also include architectural and design recommendations for existing respectively new national court databases.
- 3.) Implement this interconnection between the national DBs and the European Court Database by making common and Member State specific software components.
- 4.) Perform the integration tests for the interconnection together with the European Commission responsible for the European Court Database at the e-Justice Portal.

5.) Make the roll-out and go-live, this is done by the Member States together with the European Commission.

## **JUST/2013/JPEN/AG/4508**

Title: European Communities of Restoration - in prisons and as alternatives to detention

Coordinator: SEEHAUS

Priority: DETENTION-Prisons

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Summary:

There is international policy concern on the long-term implications of a rising prison population, as well as significant questions regarding the issue of whether 'prison works'. Whilst imprisonment is necessary for dangerous offenders who pose a risk to the public, systematic incarceration and warehousing of all offenders is counter-productive and economically inefficient. The financial cost of imprisonment is significant, but the social cost – the lost labour-market productivity, the loss to families, and the disruption of relationships and breakdown of social cohesion is immeasurable, and serve often only to strengthen criminality, resulting in higher rates of reoffending and recidivism, thus contributing further to the social costs of imprisonment. Evidence clearly illustrates that alternatives to conventional custody are more effective than standard imprisonment in reducing recidivism, and that the continuation of support programmes into the post-release period help to maintain lower recidivism levels. However the availability of such programmes is scarce; decision makers are lacking a body of knowledge on best practice in alternative approaches, and no European standards or benchmarks have been set by which to implement and monitor such programmes. Without such standards, alternative approaches to conventional imprisonment will continue to be side-lined in favour of the 'tried and tested', placing an absolutely unnecessary burden on public expenses and social well-being

The project ECOR is concerned with the exchange and development of good practice in the improvement of detention conditions in prisons, and the promotion of alternatives to conventional detention and development of post-release integration programmes. It seeks to adapt a methodology used successfully in Latin America, in which communities of restoration help participants to learn to take responsibility – for themselves and their community, for their past and their future. The methodology, known as APAC, encourages participants to acknowledge victim perspectives, whilst challenging them to achieve educational and vocational qualifications, and promoting sports and athletics as a means of enhancing self-worth, encouraging legitimate affirmation and developing 'team spirit'. Staff and volunteers of the programme demonstrate positive-group culture, and show by their example what it means to put positive, pro-social and pro-community values into practice, thus mitigating the influence of negative inmate subculture. These norms and values can also be internalised – where possible - through participating in positive community-based activities in cooperation with community groups, youth groups, athletic clubs, NGOs and with the local economy.

The project ECOR will explore the current possibilities for alternatives to conventional detention in Europe, using the results of this research to set up 5 new APAC sites, both in prison wings and in post-release care centres, each capable of supporting up to 20 participants at a time. Thorough

evaluation and documentation of the implementation process will allow for the establishment of best-practice standards. Based on the results, the project will publish a comprehensive manual and training guide for implementing APAC in a European context, which will be presented, along with a high-quality video documentary on the methodology, at a final European conference.

Demonstrating the adaptability and effectiveness of the programme in Europe, the project ECOR seeks, in the long-term, to promote the methodology as a credible and viable solution to the problems of prison overcrowding, isolation and social disengagement, reoffending and recidivism.



## **JUST/2013/JPEN/AG/4510**

Title: Creativity and Effectiveness in the use of Electronic Monitoring as an alternative to imprisonment in EU member states

Coordinator: University of Leeds

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Priority: DETENTION-Alternatives

Summary:

Growing prison populations are an urgent and major challenge for penal administrations across the EU (Council of Europe, 2013) which is reflected in the call priority of alternatives to imprisonment which this proposed Action addresses. The Action focuses on the potential of electronic monitoring (EM) to provide a credible and workable alternative to imprisonment, therefore assisting in the management and reduction of EU prison populations. The use of EM has grown rapidly in the EU and elsewhere and it is likely to continue to do so, but knowledge about its operation and effectiveness are limited.

Currently EM is used in most EU member states but it is employed differently providing an opportunity to undertake comparative research to examine the similarities and differences between jurisdictions and enhance our knowledge and understanding of best practice. A core element of the Action is the first empirical study of the use of EM at three stages of the criminal justice process - pre-trial, sentence and post-release - across 4 member States(5 jurisdictions) which coupled with a systematic and comprehensive analysis of legal and policy frameworks at the national and European levels provides a unique comparative study of EM. The findings will fill a significant knowledge gap about the capacity of EM to operate as an alternative to imprisonment as well as informing recommendations on best practice to enhance its effectiveness and ensure its legal, ethical and humane use across the EU.

The Action comprises of four substantive, sequenced and complementary workstreams. Workstream 1 analyses the legal and policy context in which EM operates, identifying ways in which EM is implemented in each jurisdiction and identifying and analysing European frameworks, rules and decisions relevant to EM. Workstream 2 employs empirical research methodologies and an analysis of statistical data to identify how EM is implemented and used in each jurisdiction, explores conceptions of effectiveness and a range of outcomes including compliance and offending rates. Workstream 3 utilises the findings from workstreams 1 and 2 to compare practices and outcomes between jurisdictions to reach conclusions about best practice in the implementation of EM. Workstream 4 disseminates the Action findings and recommendations about best practice which is a key component of the Action. Dissemination activities will be embedded into the Action throughout but will be the sole focus of this workstream. Multiple avenues of dissemination will be used including a bespoke website, documentary material (reports, briefing papers and articles), conferences and workshops and social media. The tangible nature of the outputs will ensure that the Action findings continue to be available after its completion to influence the future direction of EM.

The main target groups for the Action are EU institutions, national governments, national and local policy-makers and practitioners (prison and probation services) and private EM companies. The benefits of the Action will be an increasing use of EM as an alternative to imprisonment aiming for less recourse to prison and significant economic savings. Defendants/offenders (and their families) will benefit by serving their sentences in the community rather than prison. The potential for EM to contribute to the transfer of defendants/offenders between EU member states will be explored.

The Action will be taken forward by a proven team of highly regarded experts in the fields of prisons and community sanctions, including acknowledged academic experts in EM in Europe. The team is currently working together in a working group of COST Action IS1106 Offender Supervision in Europe. The team will draw upon the knowledge and expertise of an Advisory Board comprising key representatives from government, prison and probation services and EM providers who will inform project planning and its implementation, problem-solving and dissemination strategies.

## **JUST/2013/JPEN/AG/4511**

**Title: TOWARDS COMMON MINIMUM RULES ON PROCEDURAL RIGHTS FOR SUSPECTED AND ACCUSED PERSONS**

**Coordinator: CGPJ-ES**

Priority: EJT-legal instruments and policies

Summary:

The Stockholm Programme sets out the European Union's (EU) priorities for the area of justice, freedom and security for the period 2010-14. Building on the achievements of its predecessors the Tampere and Hague programmes, it aims to meet future challenges and further strengthen the area of justice, freedom and security with actions focusing on the interests and needs of citizens.

As Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 stated the, "European Union provides for the establishment of minimum rules applicable in the Member States so as to facilitate mutual recognition of judgments and judicial decisions and police and judicial cooperation in criminal matters having a cross-border dimension. The second subparagraph of Article 82(2) refers to 'the rights of individuals in criminal procedure' as one of the areas in which minimum rules may be established. Common minimum rules should lead to increased confidence in the criminal justice systems of all Member States, which, in turn, should lead to more efficient judicial cooperation in a climate of mutual trust. Such common minimum rules should be established in the fields of interpretation and translation in criminal proceedings." Also Directive 2012/13/ EU of the European Parliament and of the Council of 22 May 2012 established "to measure B of the Roadmap. It lays down common minimum standards to be applied in the field of information about rights and about the accusation to be given to persons suspected or accused of having committed a criminal offence, with a view to enhancing mutual trust among Member States.

The project aims at improving the mutual knowledge of judges about the procedural rights for suspected and accused persons as established by different European legal systems. This enhanced comparative knowledge will contribute to reinforcing mutual trust and thus contribute to a better functioning of the EU criminal justice instruments. The project moreover aims at identifying common principles and standards. The course is addressed to judges and prosecutors who are in charge of applying EU instruments and will therefore focus on issues that have created problems in practice. It will moreover also involve academics that will provide insights into the general framework of the evolving EU criminal law

The core of the project is a 2,5 day seminar that will take place at the headquarters of the Spanish Judicial school. It will be attended by 70 judges and prosecutors (35 Spanish and 35 sent by the Partner institutions). Working languages will be Spanish, English and French (with interpretation). The seminar will be organised as follows. On the first day there will be two lectures in the morning delivered by keynote experts on the topic followed by discussion among the participants. The afternoon session will be devoted to Workshops. Participants will be split into three groups and each of the three Workshops will debate around a framework report that will be prepared before the seminar. Each workshop will nominate a rapporteur among the participants who will be in charge of

reporting the outcomes of the individual Workshops to the Plenary. This structure will be repeated on the second day. The last morning will be devoted to a debate in the Plenary of the outcomes of the workshops as presented by the Workshop rapporteurs and lead to the adoption of a document containing the common principles and standards. The meeting will close with a final lecture.

## **JUST/2013/JPEN/AG/4519**

Title: Mutual recognition instruments in the European Judicial Area

Coordinator: EIPA

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EJT-legal instruments and policies

The European Centre for Judges and Lawyers will, in cooperation with the partners (the Consortium partners'), design and implement, between January 2014 and July 2015, 3 seminars to be held in 3 different Member States.

Each seminar will last 2 days and 3 experts will be invited per seminar.

In order to ensure as smooth and timely organisation of each seminar as possible, the seminars will in principle be delivered every 4 months. The summer and holidays periods will be avoided to attract the right number of participants.

Each seminar will be opened for a maximum of 25 participants, composed of judges and prosecutors.

Our partners will have a pre-defined number of seats assigned.

Every seminar will therefore be open to:

- national practitioners from our consortium partner countries, i.e. DK and RO
- national practitioners from other EU Member States.

The seminars will be as interactive and practical as possible and combine presentations of the various EU instruments or policies with discussion sessions, group works, exchange of best practices and case studies.

As a novelty, the project will also develop a Common Practice Training Manual (CPTM). The CPTM will contain all training materials used during the seminars and detailed trainers notes as regards main learning points, train methodologies, etc., for each training session. The CPTM will be made freely available via the Consortium partners' websites' and the e-Justice Portal.

Furthermore, the project will include:

- a kick-off meeting, to be held in Brussels end of March 2014.
- two partner representatives' meeting, the so-called Steering Committee Meetings (SC Meetings)

The first SC Meeting will be held in Luxembourg in March 2014. In this meeting, partners will define the exact number of participants per category, approve the draft

programmes including speakers and set the dates for all three seminars.

The second SC Meeting will be held in Luxembourg in January 2015. In this meeting, the seminar evaluation results, quality and effect evaluation, of the first seminar will be presented. Furthermore, possible encountered problems and necessary improvements will be discussed and approved for implementation.

- Evaluation of the quality, effect, impact and European added value of the project activities

## **JUST/2013/JPEN/AG/4521**

Title: ME.D.I.C.S. - Mentally Disturbed Inmates; Care and Support

Coordinator: D.A.P. - NUCLEO FSE

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Priority: DETENTION-Prisons

Summary:

The project has been developed in the aftermath of a preparatory study on the detention conditions of inmates suffering from mental disorder, recently conducted by the Italian Penitentiary Administration at national level, on the eve of the forthcoming closing of six judicial psychiatric hospitals in Italy. The study showed a significant increase of critical events linked to mental disorders in the whole prison system, and the necessity of a strong supportive intervention in the treatment of those inmates. The preparatory study has also highlighted the necessity to combine healthcare and prison standpoints in a joint operational pattern for the management of the above-mentioned inmates.

In the perspective of fully achieving all projects results, the proposal promotes a comparison at trans-national level with three European partner countries, UK, Croatia and Catalonia aiming at collecting data, info and possible solutions adopted by those European countries, on the management of inmates with mental troubles. It is our proposal to underline that a strong connection between juridical profiles and specific psychiatric sciences determines a tight cross-institutional relationship between the national Healthcare Service and the Penitentiary Administration, and a twin management of mentally disturbed inmates. And it is also basic to verify to what extent this interrelation is justified and/or wanted at trans-national level, what results it has produced in each partner country and how trans-national practices can be reproduced in a national dimension in the perspective of a more extensive operative action. The data and info collection at trans-national level will be carried out by each partner country in the respective scopes of intervention through a shared questionnaire, agreed between project partners.

In Italy, a detailed statistical-scientific inquiry that could survey from one side the number of inmates with mental troubles, and on the other the nature of troubles (pathology, double diagnosis, and so on) has never been carried out. To this goal, a domestic survey will be started in three Italian pilot regions (Piedmont, Emilia-Romagna and Sicily), where the phenomenon is most incisive and collaborative interventions have been experienced (Piedmont and Emilia-Romagna) or where the projects results can envisage excellent propulsive actions (Sicily). Together with contributions from the European partners, the domestic survey will represent the starting platform for performing a re-examination of interventions currently carried out in the prison context relevant to mental disordered inmates, while foreseeing the drafting of a joint plan of intervention, through a shared standardized action model.

Collected results, and their consequent analysis, will be discussed during two comparison-based study visits (Spain and UK), each one followed by a workshop, to which all project partners will participate, and a final seminar. They will also be an occasion for outlining a pilot pattern for the

reception, care and treatment of mentally troubled inmates, which will be tested in the three Italian pilot regions.

At the same time, training courses addressed to healthcare and prison professionals will be planned and implemented in the three participating regions, on the pilot pattern resulting from the project. The project training courses will also receive contributions from the European Penitentiary Training Academies (EPTA) network, which will share training curricula and well-established best practices in the management of inmates with mental diseases. The project implementation will also provide a vocational training course for 30 mentally troubled inmates (10 per each Italian region participating in the project), as a result of the project pattern performance, leading to the resettlement of those inmates during sentence time or after release in the job market, to acquire a sufficient level of independence in everyday life



## **JUST/2013/JPEN/AG/4533**

Title: The Practice of Pre-Trial Detention: Monitoring Alternatives and Judicial Decision-Making

Coordinator: FAIR TRIALS

Contact: office@fairtrials.net

Priority: DETENTION-mutual trust/recognition

Summary:

Objectives:

The overall objective is to inform the development of future initiatives aiming to reduce the unnecessary use of pre-trial detention (PTD) within the EU. In order to achieve this, the project will build a unique evidence-base regarding what, in practice, is causing the use of PTD as well as information on good practice (as opposed to just an assessment of the legal frameworks) in 10 EU countries and disseminate the findings among policy-makers, judges, prosecutors and defence lawyers across the EU.

Activities:

The Coordinator, Partners and Advisory Panel will undertake the following activities:

Data Collection on Local Practice – Partners will gather qualitative information on the PTD decision making process and the use of alternatives in their country. This will include: i) conducting an in-depth survey of defence practitioners; ii) monitoring detention hearings and/or reviewing a cross-section of case files; and iii) interviewing prosecutors and judges.

Country Reports – Partners will produce a report on the use of PTD in their country, containing: i) an overview of existing knowledge and statistical information on the use of PTD; ii) an analysis of the information gathered on local practice; and iii) an analysis of the compatibility of local practice with international standards and domestic law.

Experts Seminar – Fair Trials International (FTI) will coordinate a seminar for the Partners and Advisory Panel, as well as PTD experts from the remaining 18 Member States, to discuss the information gathered, to identify common problems and areas where good practice can be shared.

Regional Report and Launch Event – FTI (with input from Partners and Advisory Panel) will produce a major report, containing a comparative analysis of PTD practice and highlighting common themes and significant differences within the EU. The report will be launched at a major event in the European Parliament.

Beneficiaries:

EU Citizens: The project intends to support the development of effective initiatives to reduce the unnecessary use of PTD and thereby to improve respect for citizens' Charter rights.

Legal Practitioners: The project will provide over 500 lawyers with information on best-practice on the use of alternatives and hearing management.

Policy Makers: This project will provide 200 policy-makers in the EU with a clearer understanding of what is happening in practice in the area of PTD. This will add to the existing information gathered on the legislative framework in EU Member States and highlight priority areas to address.

#### Results:

The expected result of the project will be a unique knowledge-base about how PTD is being used in practice. This will include information on the decision-making process (such as the factors taken into account when making decisions, the role of defence practitioners, and the approach to the use of alternatives) and an insight into how the findings relate to practice in other Member States.

The knowledge will have immediate and practical results for the use of practitioners and policy-makers including specific knowledge and reform recommendations relating to the countries covered by the project, examples of patterns of bad practice across the EU, and examples of good practice on PTD decision-making and alternatives to detention.

#### Outputs and Deliverables:

Outputs will include: i) a unique knowledge base of PTD practices in different Member States and transferable examples of best practice; ii) a European Parliament event bringing together policy-makers and PTD experts; and iii) an Experts Seminar bringing together PTD experts from 28 Member States.

Deliverables will include: i) A printed report on regional PTD practice and the use of alternatives; ii) practitioner questionnaires and information gathering tools; iii) individual reports on 10 Member States; and iv) comparative data, including interview transcripts and completed questionnaires and case-file monitoring forms.

## **JUST/2013/JPEN/AG/4537**

Title: Judicial response to terrorism in the EU: Strengthening cooperation to better prevent and react

Coordinator: ECOLE NATIONALE DE LA MAGISTRATURE

Contact: valerie.perot@justice.fr

Priority: EJT-knowledge of criminal law systems

Summary:

The recent terrorist attacks in Toulouse, Boston and London have confirmed the importance of the terrorist threat in the EU. Increased by the instability of the Arab world after the Arab Spring, the unrest in the Sahel-Saharan and new types of terrorism, this threat justifies to urgently foster the effectiveness of the fight against terrorism, especially by strengthening cooperation between EU Member States (EU MS), their judges, prosecutors and law enforcement officials. For this purpose, this project proposes to organise five training events aiming at improving the knowledge of criminal law systems of the EU Member States involved, adopting a comparative approach to the issue of judicial response to terrorism.

Building upon the results of a previous activity successfully undertaken by the ENM, these training sessions will gather up to 224 EU judges and prosecutors from 6 EU MS which have been faced with terrorism (France, Belgium, Spain, UK, Italy and The Netherlands) and from other EU MS selected through the European Network on Judicial Training (EJTN). Judges and prosecutors from non-EU countries also concerned with the issue of terrorism which are particularly relevant in terms of international cooperation will also take part in certain activities, for instance Algeria, Morocco and Niger (Associate Partners - non-eligible and thus not requiring EU co-financing).

In order to promote a comprehensive approach to the terrorist phenomenon, the two conferences and three specialized seminars of the project will focus on strengthening practical knowledge of EU legal instruments and policies, supporting victims of crime and considering procedural rights for suspects and accused persons. They will address issues such as the link between organised crime and illegal drug trade, judicial perspective on intelligence in the fight against terrorism and inter-service cooperation. Each seminar will present a different phase of the judicial process, from intelligence gathering to the trial.

The methodology of the project will be based on two strong and innovative aspects: a dedicated project website will be used as a platform for exchange of information – both on the topic of judicial response to terrorism and on the project's activities and results – and as a unique tool to reinforce the Community of Practice created by the project at the European level. A single case study will be used as common theme to the three seminars in Spain, France and Belgium: a mock-up case of a terrorist attack involving several EU Member States will be tackled in each of its phases in the seminars to be organized.

The project will benefit from the long-standing experience of the ENM and its partners in judicial training as well as from the expertise of a Scientific Committee composed of high-level national experts who will design the programmes of the conferences and seminars and select the scientific

material. The EU Counterterrorism Coordinator, who had already cooperated with the ENM on the above mentioned project, will be invited to participate in training events.

This project will overall foster mutual knowledge and confidence between EU legal practitioners in the fight against terrorism and enable them to share best practices. It will therefore reach its final objective of creating a more effective prevention and response to terrorism across the EU.

## **JUST/2013/JPEN/AG/4538**

Title: Strengthening the effective implementation and follow-up of recommendations by torture monitoring bodies in the European Union

Coordinator: LUDWIG BOLTZMANN INSTITUTE OF HUMAN RIGHTS

Contact: bim.office@univie.ac.at

Priority: DETENTION-mutual trust/recognition

Summary:

The project proposes a series of analytical, participatory activities that serve the purpose of improving the coordination between torture prevention monitoring bodies - National Monitoring Mechanisms (NPMs), the European Committee on the Prevention of Torture (CPT) and the United Nations Subcommittee for the Prevention of Torture (SPT) - with the overarching goal of strengthening the effective implementation and follow-up of recommendations made by torture monitoring bodies on the national, regional, the EU and the international level.

The project aims at supporting a process by which the follow-up procedures of different monitoring mechanisms at the three levels enhance their potential to be mutually supportive, substantively cross-fertilising and strategically consistent. In addition, given the competences of the EU for standard setting and policies in the field of justice and security, the project engages key EU actors in its activities since the EU institutions can potentially play an important role in following-up and integrating these recommendations into EU level policies and decision-making to promote effective implementation of standards to prevent torture and other ill-treatment.

In the first workstream of this project a baseline document will be produced based on the research carried out on the standards, principles, procedures and mechanisms of the follow-up to the recommendations of the various torture monitoring bodies at national level. The baseline study will serve as a basis for defining the analytical framework for consultations on and comparative analysis of good practices in following up to recommendations. Targeted questionnaires will be circulated as a first activity involving the target groups of the project. These questionnaires will retrieve further national data in order to fill potential gaps in the preceding desk research.

In the second workstream a series of activities will take place that provide a platform for the target groups to exchange experiences and practices of follow-up procedures and methodologies and the modalities of a systematic dialogue with State authorities on different political levels. The collected practises and lessons learnt will subsequently be analysed in a good-practice study. Experts in the field will be invited to peer-review the study which will then be presented at a stakeholder conference where – based on the results of the study – the participating stakeholders will discuss the role of EU institutions in the follow-up of the recommendations of torture monitoring bodies and will jointly formulate recommendations for these institutions. The conference will, due to the broad range of participants including EU representatives, raise awareness and ensure wide dissemination of the good practice study which will also be published as a booklet and useful for practitioners and policy-makers. The final dissemination activity at the European Parliament has the objective of

providing EU decision-makers with a reference for following up recommendations of monitoring bodies.

The project will target representatives of the torture prevention monitoring bodies operational in the EU (16 EU NPMs, CPT, and SPT) as well as representatives of relevant authorities from those Member States which have already entered in a structured dialogue with the respective NPM and have established the corresponding mechanisms and channels of communication. Since the involvement of civil society actors in the work of monitoring bodies is an important factor in the follow-up of recommendations, the project will aim at including civil society representatives in its activities. Secondly, the activities will target representatives of EU institutions which are or could potentially be involved in following up recommendations of torture monitoring bodies. Sharing experiences and enhancing cooperation between these groups, individuals and institutions are main cornerstones of this project.

## **JUST/2013/JPEN/AG/4539**

Title: Prison Overcrowding and Alternatives to Detention

Coordinator: University of Ferrara

Contact: [ricerca.internazionale@unife.it](mailto:ricerca.internazionale@unife.it)

DETENTION-Alternatives

Summary:

The overall goal of the project is to promote the development and the implementation of alternatives to detention at a EU level, in order to reduce the disproportionate resort to incarceration by legislators and judicial authorities.

The abuse of custodial measures first of all determines prison overcrowding across Europe, that violates fundamental rights of individuals and compromises the mutual trust necessary to underpin judicial cooperation in Europe. What is more, incarceration proves to be dysfunctional both to the rehabilitation of the offenders and to the prevention of recidivism.

Therefore, the project activities are directed to criminal justice operators and policy-makers with the objective of improving their ability to appropriately implement the alternative strategies to detention.

To this end, the project aims to provide criminal justice operators and policy-makers with a strong comparative knowledge of alternatives to detention existing in other Member States. A series of training meetings addressed to legal practitioners and other professionals will be organised by both the coordinator organisation and the partners. In order to organise the meetings, a preliminary study of legal provisions in force in the selected Member States will be carried out. Drawing on this legal analysis, the researchers will then assess the efficiency of a selected number of alternative measures, identifying the best practices and the problems to solve.

Additionally, the project will propose a set of guidelines on the alternatives to detention. The purpose of these guidelines is twofold. On the one hand, they aim to promote the adoption and the implementation of alternatives to incarceration in accordance with Council of Europe standards and rules. On the other hand, they intend to encourage the circulation of best practices on a European level with the aim of fostering mutual recognition and mutual trust in cross-border judicial cooperation.

The focus will not only be limited to analysing the alternatives to detention in the sentencing phase, but will also envisage strategies to avoid incarceration before the trial, as required by the EU Council Roadmap on procedural rights of suspected or accused persons.

The research action will be focused upon Belgium, France, Italy, Romania and Spain, and it is intended to obtain scientific results which may also be useful and effective in other Member States. For this reason, a combined methodology will be used in order to maximise the validity of the results.

The activities will include:

- a comparative study of legal provisions on alternative to detentions in the selected Member States;
- the elaboration of a questionnaire to collect practical data on the implementation of alternatives to detention according to scientific standards;
- three meetings among researchers and law practitioners in order to verify existing good practices and to raise awareness on the advantages of alternatives to detention;
- an integral analysis of legal and empirical findings;
- the practical guidelines and legislative proposal on the alternatives to detention in the EU;
- a two days international congress, to discuss and disseminate the results of the project;
- other activities of dissemination of the results of the project:
  - a) creation of a website (e-newsletters, progress reports);
  - b) presentation of the project to the media, distribution of brochures and leaflets;
- publication of a handbook outlining the guidelines to implement alternatives to detention in the EU.

The results of the investigation and the relationship established among academic partners and the criminal justice operators shall form a starting point for a follow-up of the research beyond the deadline of the EU initial financial support. Furthermore, the core-idea of the project shall be applied to the analysis of the legal systems of other EU Member States.



## JUST/2013/JPEN/AG/4545

Title: Improving Prison Conditions by Strengthening Infectious Disease Monitoring

Coordinator: IHRA

Priority: DETENTION-Conditions

Summary:

There are a number of international, regional (including European) and national mechanisms in place to monitor and inspect prisons and other places of detention based on human rights agreements. Within the EU, 20 countries have ratified the Optional Protocol to the UN Convention against Torture (OPCAT) and over 17 of them have designated a National Preventive Mechanism (NPM). Other European human rights mechanisms also play a major role in prison monitoring (CPT).

Prisons represent high risk environments for the transmission of infectious diseases, and clinical guidelines and indicators on prison healthcare have been adopted. However, these do not sufficiently or consistently come into play in the work of human rights-based prison monitors. In addition, despite international and European jurisprudence that the absence of adequate medical services in places of detention, can contribute to, or even constitute, conditions that meet the threshold of ill treatment, inspection of infectious diseases is not part of the current approach to the prevention of ill treatment, and is therefore not a priority during monitoring unless it forms a specific aim of the mission.

This action will address this important gap. Based on expert consultation, desk-based research and legal analysis, it will compile key indicators, rooted in international human rights law, public health standards, and national best practice. These will be collated into a tool for rights-based prison monitoring mechanisms for consistent and sustainable improvement in infectious disease monitoring as part of their mandates.

Overall objective: To reduce ill-treatment of persons in detention and improve prison conditions through improved and standardised monitoring and inspection mechanisms on infectious diseases (TB, HIV and HCV)

Specific objectives:

1. To collate, promote and share knowledge on an integrated approach to public health (with particular reference to infectious diseases) and human rights monitoring of prisons in European countries (WS 1, 3 and 4)
2. To provide a mechanism for better informed, more consistent, and sustained monitoring of infectious diseases (TB, HIV and HCV) in prison settings by international, European and national human rights monitoring mechanisms (WS 2 and 4)
3. To promote the adoption of more consistent infectious diseases monitoring mechanisms in prisons at national, European and international level, within existing monitoring bodies (WS 3 and 4)

4. To strengthen civil society capacity in the area of human rights, public health and prison reform to monitor infectious diseases in target countries and to interact effectively with monitoring and inspection bodies at national level (WS 3)

The target audience for the proposed action includes the above monitoring mechanisms and their staff; prison health and management staff; policy makers; and a wider network of stakeholders involved in the prison monitoring at national, European and international levels. The focus is on both practice and advocacy to ensure results on the ground and sustainable progress.

Expected results will include:

- A resource library on infectious disease monitoring in prisons is set up
- Country specific research publications on infectious diseases monitoring in prisons
- Europe-wide analysis of infectious diseases monitoring in prisons
- A monitoring tool for infectious diseases inspection is developed and used at national, European and international levels (SPT and CAT)

Activities under this project include but not limit to:

Research and data gathering (WS1)

Developing the monitoring tool (WS2)

Dissemination and advocacy of the tool in 7 target countries, at European and international levels (WS3, 4).

## **JUST/2013/JPEN/AG/4546**

Title: Practitioner training on Roadmap Directives

Coordinator: FAIR TRIALS

Contact: [office@fairtrials.net](mailto:office@fairtrials.net)

EJT-legal instruments and policies

Summary:

Objectives

The project will provide in-person training to 240 lawyers from 28 Member States, including in-person training, online resources and video toolkits, focused on key elements of the Procedural Rights Directives and how they can be used to challenge systemic problems within justice systems. We will increase practitioners' understanding of EU justice systems and obstacles to judicial cooperation. We will also help lawyers to build international networks and facilitate the on-going exchange of best practice.

Activities

Design of Training – FTI will organise a meeting to collate Partners' experiences and agree course modules. The courses will be designed to include current information on the Directives, developments in Member States, strategies to improve protection of defence rights, networking and exchange of ideas between practitioners from different Member States.

Recruitment of Trainees – As well as drawing on our Partners' networks, we will advertise the course through law schools, bar associations and legal publications. Candidates will be chosen to ensure an effective spread of geography, type of legal practice and levels of expertise and their capacity to incorporate the learning into their daily practice and share it amongst other lawyers.

In-Person Training – FTI will organise training courses in Greece, Hungary, Lithuania, Poland, Romania and the UK, each (except the UK) co-hosted by a domestic NGO with regional networks and expertise. 40 lawyers will attend each course with participants also drawn from neighbouring countries. Training will be provided by FTI, Partner NGOs and independent criminal justice experts.

Online Training and Networks – FTI will develop a webpage with online training resources and videos in which lawyers discuss how they have used the Directives in practice. We will promote the webpage through Bar Councils, legal press and FTI and Partner networks, asking trainees to do the same through their own networks.

Beneficiaries

Defence Practitioners: 240 defence practitioners across the EU will participate in in-person training courses, selected to ensure a range of experience and specialisms and to bring together lawyers from neighbouring EU Member States. Participants will be equipped to use the Directives in their home countries and given opportunities for networking and peer support across Member States.

Other Legal Practitioners: Course participants will be supported in passing on knowledge to other practitioners. FTI will produce a training webpage containing information from the course that will be actively marketed to reach the greatest number of practitioners. We will also engage existing training providers and ensure they can build on this work.

EU Citizens: The large number of lawyers who receive training and information (both directly and indirectly) will be able to contribute to the improvement of criminal justice standards throughout the EU, benefitting all EU citizens

#### Results

The training will equip practitioners to use the new laws to increase respect for defendant's rights during criminal proceedings across the EU. 240 lawyers will learn about the Directives and the ways they can be used to defend rights, with this knowledge being shared wider through legal networks.

Participants will be given a chance to build links and networks with legal practitioners in neighbouring countries, facilitating the sharing of experience and ideas from different Member States amongst participants and other legal practitioners.

#### Outputs and Deliverables

Outputs will include: i) increased knowledge of Roadmap Directives; ii) networking and exchange of ideas practice examples; iii) 240 lawyers trained in-person and many more through online media; iv) improved knowledge for domestic training providers.

Deliverables will include: i) an engaging new webpage with training modules and testimonies from experienced lawyers; ii) training materials; and iii) feedback forms for all course participants

## **JUST/2013/JPEN/AG/4548**

Title: European observatory on alternatives to imprisonment

Coordinator: ANTIGONE

Contact: [segreteria@associazioneantigone.it](mailto:segreteria@associazioneantigone.it)

DETENTION-Alternatives

Summary:

Various international recommendations on community sanctions and measures promote the use of alternatives to prison in order to reduce reoffending and prison population. At the same time legislators, academics and public administration members within the EU area know that imprisonment is not the only way to balance security needs and social justice, and every Member State have implemented different alternative to imprisonment systems, with its own rules, organizational set up and procedures.

The present proposal would intervene creating a functional network between the partner countries, in order to reduce the disharmony and the gaps among the various systems. It is coordinated by Italian Associazione Antigone. All the co-beneficiaries but the one are members of the European Prison Observatory.

The main goal of the project is to provide, in a comparative way, a comprehensive picture of different alternatives to detention, which are in force within each partner country. These pictures would enable us to identify those alternative measures to detention that have determined:

- a decrease of recidivism rates;
- a decrease of detention rates.

To do so, starting from historical analysis, objective of the project is to compare the legal frame of the systems, their goals, the contents of the measures and their impact on the whole penitentiary system. The differences between the official objectives and the actual effects of the alternatives will be pointed out, in order to identify the conditions to reduce the prison population and the recidivism rates. This will be done in Workstream 1, that will produce:

- 9 national reports on alternatives to imprisonment;
- 1 comparative report on alternatives to imprisonment in the partner countries.

Building of this first step, one of the main goal of the project is to identify in every country best practices in relation to alternatives to custody, in order to innovate criminal policies and implement new measures. To make this possible Workstream 2 will produce:

- 9 detailed proposals on the implementation of alternatives to imprisonment at the national level;
- a European handbook on best practice on alternatives to imprisonment, to be diffused, and hopefully used, across all European countries.

Another objective of the present proposal is to make available to social workers, NGOs and human rights campaigners a set of multimedia tools and the strategy to launch a campaign to explain to the general public and to promote alternatives to imprisonment. In order to do so Workstream 3 will produce:

- a European manifesto on alternatives to imprisonment;
- a video on alternatives to imprisonment.

The main target groups are, on one side, practitioners, social workers, NGOs and human rights associations staff and, more in general, all the justice operators and, on the other side, decision makers and legislators. The first group should influence the second, explaining that a more committed approach to alternatives to imprisonment could have a positive influence not only within the detention system, but also on criminal justice itself.

## **JUST/2013/JPEN/AG/4553**

**AVIDICUS 3: Assessment of Video-Mediated Interpreting in Criminal and Civil Justice –  
Assessing the Implementation**

**Coordinator: University of SURREY**

**E-JUSTICE-New projects**

Summary:

### **BACKGROUND**

AVIDICUS 3 will focus on the use of videoconferencing in bilingual legal proceedings that involve an interpreter. The rationale is twofold. Firstly, videoconferences (VCs) are frequently used in both national and cross-border proceedings e.g. to link to a defendant in prison or a witness in another country. The current scale of migration and multilingualism in Europe means that such proceedings are often bilingual and require the integration of an interpreter into the VC. Secondly, VCs are used to gain access to remotely located legal interpreters. References to this use of VC are incorporated in Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings and Directive 2012/29/EU on the rights, support and protection of victims of crime.

Given these developments and the important role of videoconferencing in European eJustice, bilingual VCs are likely to become so frequent in legal proceedings across Europe that the implementation of VC facilities in European jurisdictions needs to make appropriate provisions for the integration of interpreters. The findings of the AVIDICUS 1 and 2 projects, which have assessed the viability and quality of VC-based interpreting in criminal proceedings and on which AVIDICUS 3 directly builds, suggest that such provisions should include

a) Measures for identifying and mitigating basic communication and interpreting problems in VCs including awareness-raising and training of legal practitioners and interpreters; specification of appropriate communication procedures; and development of guidelines.

b) Due regard for technological and design-related factors such as the quality of the VC equipment, room layout, participant distribution and positioning; the desirable mode(s) of interpreting in legal proceedings (simultaneous and consecutive); and the impact of these factors on the efficiency and fairness of justice.

### **AIM**

Whilst AVIDICUS 1 and 2 have each focused on different aspects of point a) above, AVIDICUS 3 will turn to the design and implementation of bilingual VC solutions. The main aim is to conduct a comprehensive assessment of the VC solutions used in different types of legal institutions across Europe in order to ascertain whether these solutions are suitable for bilingual communication. A related aim is to make the training solutions developed in AVIDICUS 1 and 2 more accessible. Based on the insight that traditional face-to-face training can be costly or impractical, AVIDICUS 3 will develop an innovative method for using the medium of VC itself to deliver training in bilingual videoconferencing.

## OUTCOMES

By the end of its lifetime, the project will have:

(A) Developed a set of consolidated design specifications and criteria for assessing different uses of VC in bilingual proceedings

(B) Assessed VC solutions currently used in legal institutions in Europe in terms of how they support bilingual communication and interpreting, and identified good practice as well as potential and real problems

(C) Established major principles to guide the implementation of VC facilities that provide optimal support for bilingual communication and interpreting

(D) Developed a method for using VC itself to deliver training in bilingual videoconferencing to legal practitioners and interpreters

(E) Produced a comprehensive handbook of bilingual videoconferencing in legal proceedings for integration into the eJustice portal.

## IMPACT

These outcomes will be of direct relevance to European eJustice. Following AVIDICUS 1 and 2, the AVIDICUS3 project will constitute a final step in the assessment of VC-based interpreting in legal proceedings, by focusing attention on in situ implementation and with the aim of making the practice of bilingual videoconferencing in European legal proceedings as user-friendly and efficient as possible, as a step towards ensuring equality of all citizens before the law, irrespective of the need for linguistic and/or technological mediation



## **JUST/2013/JPEN/AG/4554**

### **Title: Suicide preventive system development in imprisonment places**

Coordinator: Latvian Prison Administration

Contact: [ievp@ievp.gov.lv](mailto:ievp@ievp.gov.lv)

Priority: DETENTION-Prisons

#### Summary:

Latvia stands out with a high suicide rate in imprisonment places. In addition, suicide rate in the Latvian society decreases but in prisons is growing. Although inmates in places of imprisonment are regularly monitored, suicide prevention-oriented system cannot show to appreciable progress in suicide and suicidal behaviour prevention.

At the same time, other European countries imprisonment places have the same problem.

For these reasons, the Latvian Prison Administration has proposed the implementation of this project, in transnational best practice established system for suicide prevention in imprisonment places. Its objective is to consummate and implement effective suicide prevention system: to improve conditions of detention in Latvian imprisonment places and to promote conditions for implementation of system in other European countries.

To achieve this goal will be summarized foreign good practice, developed methodological materials, trained staff. Developed materials and knowledge will be approbated in practical suicide prevention system action.

The project will result in a functional, effective suicide prevention system, with well-trained staff. Results of the project will be presented to partner countries and other European countries interested in

## JUST/2013/JPEN/AG/4556

Title: LIT Search

Coordinator: KU LEUVEN

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Priority: E-JUSTICE-Existing projects

Summary:

At present, judicial stakeholders and citizens of EU Member States in need of a legal interpreter and/or translator in another EU Member State are confronted with a variety of registers/databases of legal interpreters and translators. While a few countries have developed workable and practical solutions for their national and/or regional registers, there are several EU Member States where such registers/databases do not exist at all. In some countries these registers/databases have not been updated for considerable periods of time, and in other countries they form part of more general registers/databases. Moreover, quite a few of the current registers/databases do not meet the quality standards required by Directive 2010/64/EU. The admission criteria to national and/or regional registers/databases vary considerably, as do follow-up measures reviewing the performance and availability of legal interpreters and/or translators. This accounts for major inconsistencies in the language services that are provided in criminal proceedings in EU Member States. In many cases, the legal interpreters and/or translators listed in national and/or regional registers/databases have not been security vetted and are unaware of deontological standards. Delays in criminal proceedings, caused by the non-availability of appropriately qualified legal interpreters and/or translators for specific language combinations, have an impact on fair trial standards and result in considerable and unnecessary litigation costs. With the growing mobility of EU and other citizens, the demand for language assistance in criminal proceedings is growing at a rapid pace. A suitable EU database with reliable and comparable parameters would speed up the search for legal interpreters and/or translators and facilitate the cross-border recruitment of legal interpreters and/or translators for investigative procedures and court hearings, videoconference interpreting in court rooms and/or police stations, as well as for the translation of the essential documents in criminal proceedings.

The "LIT Search" project aims at making cross-border access to legal interpreters and/or translators easier and faster. Police officers, judges, prosecutors, and lawyers, as well as EU and other citizens, who may become involved in criminal proceedings as defendants or witnesses, will benefit from the more expeditious access to legal interpreters and/or translators. The EU database of legal interpreters and/or translators will automatically collect and match data from several national and/or regional registers/databases and display the information according to pre-selected search criteria. The partners in the "LIT Search" pilot project will agree on a set of uniform and user-friendly search criteria which, at the same time, make comprehensible some of the differences that exist in the legal interpreting and/or translation professions in European countries.

In the course of defining the search criteria, the project partners will analyse the data on admission criteria for registers/databases of legal interpreters and/or translators in the participating countries, as well as the management practices and administration of such registers/databases. They will draw up a template so that EU Member States which are not participating in the pilot project can develop

their national registers/databases along similar lines. The final report on the pilot project, together with the pilot database of legal interpreters and/or translators, which will integrate data from the participating countries, will enable those EU Member States not participating in the pilot project to adapt and/or implement their national and/or regional registers/databases of legal interpreters and/or translators more quickly, thus effectively implementing one of the provisions of Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings.

## JUST/2013/JPEN/AG/4558

Title: Réseau sur le contentieux pénitentiaire / Prison litigation network

Coordinator: University of Florence

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Priority: DETENTION-Conditions

Summary:

Afin de renforcer la protection juridictionnelle des droits fondamentaux des personnes détenues dans les pays de l'Union, un réseau européen des praticiens et des chercheurs investis dans la défense en justice des droits de l'homme en prison sera constitué. Il permettra de renforcer la connaissance des exigences du droit européen, de faire connaître les systèmes des différents pays, en vue d'une meilleure circulation des normes les plus protectrices, et de mettre en commun les acquis des actions conduites au plan national pour la défense des droits fondamentaux en prison.

Le projet présenté constitue la première étape de cette démarche. Il met l'accent sur les pays ayant été condamnés par la Cour de Strasbourg à raison de violations décrites par le juge européen comme résultant de problèmes structurels/systémiques du système pénitentiaire national (arrêts pilotes, quasi-pilotes ou apparentés), et nécessitant la mise place de recours effectifs. Il s'agit, en particulier, de l'Italie, de la Roumanie, et de la Bulgarie, dont les conditions de détention ont été jugées constitutives de traitements inhumains et dégradants et qui sont appelés, selon les arrêts rendus à leur encontre, à créer un mécanisme de plainte à même d'y remédier.

Pour faciliter la réalisation de ce processus, le projet entreprend d'explicitier les exigences européennes pesant sur les autorités nationales et de rendre compte des différents modèles existants en Europe, afin d'en analyser les mécanismes et de mettre en évidence ceux qui apparaissent les plus adéquats. Seront ainsi également étudiés les droits de l'Allemagne, l'Autriche, la France, le Luxembourg, l'Irlande, le Royaume-Uni, l'Espagne, la Belgique, les Pays-Bas, la Roumanie et la Bulgarie.

Le réseau a vocation à être étendu à l'ensemble des États du Conseil de l'Europe.

S'appuyant sur un site Internet en plusieurs langues (anglais, français, espagnol, italien, bulgare et roumain), le réseau :

- assurera l'analyse et la veille de la jurisprudence de la Cour de Strasbourg et, plus généralement, des productions des organes internationaux des droits de l'homme, s'agissant en particulier des décisions et recommandations relatives aux obligations procédurales applicables à la prison.
- mettra en commun les avancées réalisées dans certains droits nationaux et les argumentaires ayant permis leur avènement, afin de rendre possible leur extension aux autres pays ; à cette fin, seront publiées des analyses décryptant les évolutions jurisprudentielles ou législatives obtenues pour permettre leur exploitation par l'ensemble des membres du réseau ;
- élaborera des stratégies judiciaires concertées sur les problématiques les plus sensibles en matière de droits fondamentaux en prison, s'agissant en particulier de l'interdiction de la torture et des

traitements inhumains ou dégradants ; cette démarche inclura un travail d'exploitation des recherches publiées dans les disciplines concernées par la thématique en cause, de manière à étayer les actions juridictionnelles ;

- effectuera un suivi de l'exécution des arrêts de la CEDH en matière pénitentiaire, au travers en particulier de communications au Comité des ministres, compétent en la matière ;
- développera, sous forme de séminaires, les échanges entre praticiens du droit et chercheurs en sciences sociales sur le thème de l'usage du droit en prison et de l'incidence du développement du contentieux pénitentiaire sur les rapports sociaux en détention, afin d'analyser les obstacles se présentant concrètement à la saisine des tribunaux par les détenus, en particulier les plus vulnérables, et de mesurer l'adéquation des orientations des actions judiciaires et des attentes concrètes des détenus;

## **JUST/2013/JPEN/AG/4563**

Title: Discovering efficient tools for protecting victims of hate crime

Coordinator: IN IUSTITIA

Contact: in-ius@in-ius.cz

Priority: VICTIMS-Protection

Summary:

Discovering efficient tools for protecting victims of hate crime' is an international project implemented by three non-profit organizations (Czech Republic, Slovakia and Poland) in the Central European Region. It aims at the protection of victims of hate crime through the introduction of an efficient assessment tool for victim support providers and community organizations.

Victims of hate crime are in the EU recognized as vulnerable and thus entitled to specific protection and treatment. However, most hate incidents remain unreported due to the lack of information about the rights possessed and available aid on the side of the victims, but also insufficient hate crime identification skills on the side of victim service providers, community organisations and other helping institutions.

In the project, members of three experienced hate crime counselling centres from the CEE region will form an international team, share examples of good practice in counselling and aid to victims of hate crime, develop their skills by receiving training from renowned specialists in hate crime in the EU, transmit their knowledge to victim service providers, community workers and other relevant agents in identifying victims of hate crime and providing subsequent support, collect necessary data through national desk researches and field researches consisted of direct client-centred work to finally create and publish an assessment tool with guidelines for victim service providers and community workers.

The main objectives of the project are to exchange good practice in hate crime victim identification, protection and support internationally, to train trainers in hate crime victim identification, protection and support led by recognized UK experts, to train first-in-line victim services providers, community organizations, and other relevant agents, to identify specific needs of hate crime victims through desk research and practise of national experts, and to develop an assessment tool with guidelines for victim support services and other relevant agents working with victims of hate crime.

The project team will be composed of In IUSTITIA, the first counselling centre for victims of hate crime in the Czech Republic, L'udia proti rasizmu, a long-term contributor to the creation of tolerant, open, multicultural inclusive society in Slovakia, and NOMADA, aiming at the popularisation and protection of human rights, focusing especially on immigrants, foreigners, ethnic and religious minorities in Poland.

The final output of the project – assessment tool and guidelines to identify victims of hate crime and their specific needs in order to prevent secondary victimisation will be written in all 3 project languages (Czech, Slovak and Polish) and eventually translated into English. It will be downloadable for a European-wide use.

## **JUST/2013/JPEN/AG/4564**

Title: Victim Support and Secondary Traumatic Stress within the Judiciary  
and Judicial staff: What measures to be taken ?

Coordinator: IGO- IFJ

Contact: info@igo-ifj.be

Priority: EJT-victims' rights

### Summary

This project consists of the preparation and organisation of a two day training seminar entitled: "Victim Support and Secondary Traumatic Stress within the judiciary and judicial staff: What measures to be taken?"

The overall objective is (1) to sensitize magistrates for the position of victims in criminal proceedings and (2) to identify specific psycho-social support mechanisms (with special focus on secondary and tertiary prevention) which are available within other EU Member States coping with secondary traumatic stress among judicial staff (judges, prosecutors, registrars) on which basis IGO-IFJ will elaborate an integrated course/support offer.

Specific objectives of the training are:

1. Update the knowledge on EU and national legislation on victim support with special focus on its implementation;
2. Sensitize judges for the important position of victims in criminal proceedings;
3. Get an overview of good practices available in other Member States on psycho-social support measures for judicial staff suffering from secondary traumatic stress.
4. Provide a forum to exchange experiences among judicial staff from different countries.

The training seminar will contribute to:

(1) the improvement knowledge of the implementation of the EU Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime which has been adopted on 25 October 2012. Member States have adopted recently new legislation and administrative provisions in order to comply with this directive.

(2) the improvement of knowledge of the criminal law systems of the Member States by focusing on the implementation of its victim support legislation.

The seminar includes 40 Belgian penal/investigative judges, prosecutors and registrars who are interested to gain knowledge on victim support and are also interested to participate in the debate on what type of psycho-social support measures should be made available at national level.

Furthermore, 2 participants from each of the 26 EU Member States will participate. They will be selected via the European Judicial Training Network (EJTN) Contact Points.

With regard to the methodology, a preparatory working group will be established in order to finalize the conference programme and to conceptualize a workshop. Members of the working group are Belgian judges, prosecutors and registrars who are expert-trainers in the area of victim support as well as experts nominated by our EJTN-partner institutions which are the following: Studiecentrum Rechtenpleging (SSR)(NL), the National Institute of Magistracy (Romania), the Escuela Judicial de Espana in Barcelona and the Centro de Estudios Juridicos in Madrid, as well as the Interactie Academie in Antwerp.

The expected results deriving from the project are the following:

- (1) Participants should have acquired sustainable knowledge on EU and national legislation and its implementation with regard to victim support;
- (2) Participants should have a comprehension of the important position of victims of crime;
- (3) Participants should have a better overview of the type of psycho-social support mechanism available in other Member States.

The output of the conference will be an E-Book containing the presentations, practical guidelines and concrete suggestions for establishing psycho-social support mechanisms to deal with secondary traumatic stress among the judiciary



## **JUST/2013/JPEN/AG/4570**

Title: European Network against Environmental Crime (ENEC)

Coordinator: SEO/BIRDLIFE

Contact: [gestion@seo.org](mailto:gestion@seo.org)

Priority: BEST PRACTICES-implementation

Summary:

The main aim of this Project is to improve the implementation and application of the Directive 2008/99/EC on the protection of the environment through criminal law.

The project will create the European Network against Environmental Crime (ENEC) with the aim of strengthening the work of the partners of BirdLife Europe in the fight against environmental crime, facilitating the exchange of information and the experience of legal and other practitioners in working to prevent or prosecute this type of crime.

To achieve this aim the project will carry out the following activities:

1) Carry out a study to assess the degree of implementation of Directive 2008/99/CE in the EU Member States (MS)' national legislation and practice, comparing the criminal law provisions of the 27 EU MS where the partners of BirdLife Europe carry out their activity, thus providing a detailed picture of the degree of implementation of this aspect of Community law in the EU. This information will be used to identify possible gaps in the protection of the environment through criminal law and inform the need for future measures to be adopted by the European Commission, Member States and/or the members of the ENEC.

2) To bring together legal and other practitioners who work in the fight against environmental crime. The first project meeting will launch the ENEC partnership with the attendance of lawyers, policy and investigations experts who work on behalf of the partners of BirdLife Europe. During the meeting the results of the study on Directive 2008/99 will be presented, establishing a series of conclusions and future courses of action on criminal law at EU level and in the different MS.

3) To strengthen the application of criminal law in the fight against wildlife crime in the EU. The project includes three concrete lines of action through ENEC: illegal bird killing and capture, poisoning and habitat destruction. The joint action of ENEC members will allow efforts to be combined, supporting action in EU countries with fewer resources, and sharing knowledge and experience in the fight against these crimes. With this in mind, three workshops will be held which will make recommendations for strengthening the application of criminal law in MS.

4) To integrate with the activities of other networks and international institutions involved in the protection of the environment. ENEC will establish coordination and communication channels with other networks that work on the application and implementation of Community environmental law, as well as the Secretariats of the international nature conservation conventions.

5) To create a technical and computer support facility to organize and present the work of ENEC. The project will create a simple computer platform that facilitates data storage and the exchange of

information between ENEC members. In addition, a website will be created to spread information about ENEC's work, acting as a channel between the general public and nature conservation organizations.

SEO/BirdLife (Spain) and the RSPB (UK) are the two main project partners. The Stichting BirdLife Europe (NL), the Hellenic Ornithological Society (GR) and the Czech Society for Ornithology (CZ) are associated partners of the project. All of them are non-profit organizations.

The following results are expected from this project:

- 1) A new coordination mechanism for European partners of BirdLife International to tackle environmental crime. This mechanism will have computer and technical support for its activities.
- 2) A model network in the fight against environmental crime that can be extended to other types of organization or other areas of non-compliance with the law.
- 3) Identification of gaps in the implementation and application of European environmental criminal law and, where necessary, proposals for harmonization of associated legislation in EU MS.
- 4) A publication which describes the degree of application of Directive 2008/99/EC.

## **JUST/2013/JPEN/AG/4571**

Title: CoBS(2) Community Bonding for sentenced people Supervision

Coordinator: CONSORZIO TENDA

Contact: [progetti@consorziotenda.it](mailto:progetti@consorziotenda.it)

Priority: DETENTION-Alternatives

### Summary

The project name CoBS(2) comes from the idea of trying a new and a second reading of the Community Based Sanctions, which would start from enquiring on a specific interlocutor, to whom many people in alternative measure are compared to: co-operatives and social associations responsible for designing, monitoring and evaluating the pathways of external detention.

The project wants to encourage the exchange of good practice on the subject, questioning the methods and processes of community bonding supervision. The project idea begins with an experimental project taking place since 2011, in Italy, in the Lombardy Region, attended by Consortium Tenda and Cooperative A& I, as leaders of the provincial territories of Brescia and Milan. From the results achieved and monitored over the past 18 months of the project, the partners established a core project, shared with public bodies, for a total of 6 partners in the world of social intervention, 1 Association active internationally in raising awareness, 2 cooperative networks, 1 University, 4 Institutional partners.

The need addressed by the project is an absence, to date, of studies that are able to focus not only on the operating procedures, but also on all parties involved in the supervision, with an emphasis on the need to think not from the perspective of individual interventions but community connections between sanctioned, social worker and judicial operator.

For this reason, the action proposed wishes to respond to the priority of JUSTPEN/2013 with regards to improving conditions relating to detention, focusing on alternative measures, starting from the interpretation of the "European Prison Rules" and questioning on existing experience in field of economics and social support, with regard to procedures offering housing, employment, training and social reintegration. From these issues, the project aims to share practical experience that can be enhanced in the process of a judicial area characterized by mutual trust and mutual recognition, not only relative to the plane of the laws and conventions, but transversely as a shared responsibility, communal, for the safety of all people involved, directly or indirectly. CoBS(2) intends, therefore, to:

- Obtain 1 European map of co-operative entities operating in the pathways of external prison, their experiences and their links with the institutional world,
- Promote the exchange of good practice and mutual learning, organizing 4 exchange visits in 4 Countries, each one with a specific focus among those selected by the "European Prison Rules".

At the end of the project, the partnership aims to propose and share between different stakeholders (private social institutions, government agencies and research institutions) implementation to the "European Prison Rules", with attention to alternative measures and to interpret them as an opportunity of the offender's autonomy defence, such as procedures that require mutual trust,

recognition and cooperation between stakeholders with different features and tasks in a vision for the enhancement of community bonding. The materials developed will be available on the project website and they will be promoted through the two large cooperative networks of reference (CeCop and Confcooperative-Federsolidarietà).

## **JUST/2013/JPEN/AG/4573**

Title: J.O.D.A. - Juvenile Offenders Detention Alternatives in Europe

Coordinator: IDC (Istituto Don Calabria)

Contact: [mediazione@doncalabria.it](mailto:mediazione@doncalabria.it)

Priority: DETENTION-Alternatives

Summary:

Priority: The priority addressed by J.O.D.A project is Priority E – improving conditions relating to detention. In specific, it aims to identify good practice in alternative detention measures addressed to juvenile offenders inserted in the juvenile justice system taking into account these two key elements: the need of security coming from media and social society; the youth's right to rehabilitation and re-inclusion.

Partnership: Istituto don Calabria (Applicant IT); IJJO (BE); Kesa-CPE (EE); Fundacion Diagrama (ES); Include Youth (GB); Defence for Children (NL).

The general approach of the project intends to assume the mutual learning and the close cooperation between partners at European and national level as critical success factor for the implementation of the activities. The methodology that will be used in developing different WPS will focus firstly on a desk and benchmarking analysis of the different contexts and legal frameworks in the involved Member States in relation to detention alternatives targeted

Target group: The selected target group is composed by key stakeholders operating in the field: public referents, private operators and professionals interested in deepening the topic faced by J.O.D.A project.

Indirect beneficiaries: juvenile in conflict with the law inserted in the juvenile justice system

Overall objectives: Exchange of knowledge, know-how and good practices on detention alternatives addressed to juvenile in conflict with the law in Europe.

Specific objectives: to investigate detention alternatives applied in participating Member States; identify best practices related to detention alternatives targeted to juvenile offenders; promote the exchange of best practices at national and European level; promote and enhance the close cooperation among public and private; promote the horizontal and vertical mainstreaming and dissemination of identified good practices and their transferability in multiple contexts.

Actions:

WS0 Management and Coordination of the project (Months 1-24; 24 months);

WS1 Research and analysis (Months 1-4; 4 months);

WS2 Design and develop of the Exchange pathway addressed to main stakeholders (5-15; 11 months);

WS3 Exchange Pathway finalization and validation. Creation of the final toolkit (Months 16-24; 9 months);

WS4 Mainstreaming e dissemination (4-24; 21 months)

The main expected result is the promotion of know-how, knowledge and good practices on detention alternatives in Europe addressed to youth offenders.

Other expected results: to enhance of cooperation among public and private stakeholders operating in the field; to enhance the use of detention alternatives in European member states to promote the horizontal and vertical dissemination and mainstreaming of good practices to strengthen national and European networks to Impact both on policies and practices through dissemination of identified good practices to enhance already existing measures to promote and develop coordination, cooperation and mutual understanding on faced topic among key actors to organize and develop and ad hoc exchange pathway dedicated to stakeholders and professionals to draft a final toolkit composed by 1. Manual of good practices; 2 online training course.

Deliverable: The final toolkit will be composed by: 1. Manual of good practices in English and other ps languages for European and national mainstreaming and dissemination (n. 500 copies on USB and freely downloadable on partners' websites). 2. Online course managed by IJJO through the international school for juvenile justice platform. A first pilot edition will be carried on seeing the participation of n.40 person (selection criteria to be defined on-going). The course will last 9 months (from 16th to 24th month) and will be structured in n. 4 modules (n.2 session for each module).

## **JUST/2013/JPEN/AG/4581**

Title: CHILDREN'S RIGHTS BEHIND BARS. Human rights of children deprived of liberty:  
improving monitoring mechanisms

Coordinator: DEI-BELGIQUE

Contact: info@defensedesenfants.be

Priority: DETENTION-Prisons

Summary:

Several international human rights institutions conduct monitoring visits to places of detention with the aim of supervising conditions of detention and preventing torture and other human rights violations. At the European and UN levels: the CPT, the SPT, the NPM under the OPCAT and the CAT. These monitoring bodies, in particular the CPT and the SPT, implement regular visits to detention centres to verify living and procedural conditions of detainees, including juvenile detention facilities and police cells. Practical guidelines do exist and are used by these organisations, when visiting detention centres for adults. They establish the procedures for the visits to detention centres. According to the UNCRC "a child has the right to special protection given her/his vulnerability and special needs" (art. 37 and 40). Across Europe there are many children in closed centres deprived of their liberty. However, there are no – contrary to the situation for adults - guidelines to properly monitor living and detention conditions of these children. Children are not adults and have particular needs and rights. Thus, when it comes to visit closed centres, special criteria must be taken into account. For example, different techniques apply when interviewing children; special multidisciplinary procedures (pedagogical, psychological, etc.) must be applied in order to properly assess the situation of the child. At the ultimate aim of the detention is rehabilitation: one must therefore work towards the child's reinsertion into society. Based on this, international human rights law includes specific standards for children in detention. Monitoring juvenile detentions also requires specialization, with precise methodology and trained monitors. Currently there are not harmonised criteria in Europe for the assessment of the situation of these children. Lack of basic criteria jeopardises adequate coordination and harmonisation of practices between the monitoring bodies, and also hampers the obtainment of comparable information on the actual situation of these children and the strength of these mechanisms. This leads to a misuse of existing resources in the plight to prevent human rights violations. The ultimate goal of this project is the respect of human rights of children deprived of liberty. To achieve this goal it is essential that monitoring bodies work in a cooperative, mutual trust and harmonised way at international level but also between international and national level, and that they have practical tools to do so. The main outcome of this project will be a practical Guide to be used by professionals when visiting centres where children are being deprived of their liberty, particularly juvenile detention facilities. The Guide will be based among others on: national researches conducted by each partners; the expertise of several professionals: lawyers and academics, experts working for the monitoring bodies (SPT, CPT,..), active NGOs at international level as well as in the field; relevant European and international legal standards; results and inputs from the 3 European meetings. Other deliverables, besides the Guide, will be a website and an explanatory brochure. Expected results of the project are: cooperation between EU member States; a common assessment criteria that will take into account special needs

of children deprived of liberty; more effective methods to identify and react to the human rights violations of children in the framework of detention; better coordination and harmonised practices between existing monitoring bodies, fostering synergies and complementarities; regional impact: the Guide is to be used and applied by professionals throughout all MS. It will be presented at a final conference where representatives of MS will be invited and it will be presented to the experts of the monitoring bodies. For the follow-up of the project several activities using this Guide will be undertaken at the national and international level.



## **JUST/2013/JPEN/AG/4587**

Title: Restorative justice in cases of domestic violence. Best practice examples between increasing mutual understanding and awareness of specific protection needs

Coordinator: VERWEY-JONKER

Priority: BEST PRACTICES-implementation

Summary:

Restorative justice has developed over the last decades in legal and social contexts in different European countries. The European Directive on minimum standards on the rights, support and protection of victims of crime (2012) declares that victims must have access to safe and competent restorative justice services. But in cases of domestic violence RJ is not evident. The United Nations (UN) and the Council of Europe have issued guidance that prohibits their member states from using mediation in all cases of Violence against Women. Domestic violence is a diverse phenomenon with a complex dynamic. Victims want safety, and go to the police for protection. The criminal system does not always give the protection needed. The dynamics of domestic violence create particular challenges for the practice of restorative justice, especially achieving safety and voluntary participation. The appropriateness and inappropriateness of RJ with cases of DV remains largely unexplored and in depth research is needed, as well as exchange of best practice through Europe. RJ in case of DV also needs specialized training.

The objective of this workstream is threefold: to get a clear picture of the regulation of RJ/mediation and practical approaches concerning DV in different European countries, to get insight in the needs of victims of DV concerning RJ and to get insight in the conditions under which RJ is possible in cases of DV. What are risk points and best practice?

The partners are: Verwey-Jonker Institute (Netherlands), Institut für Konfliktforschung (IKF, Austria), Landsorganisationen for Kvindekrisecentre (LOKK, Denmark), European Public Law Organisation (EPLO, Greece), Independent Academic Research Studies (IARS, UK), Ministry of Justice (MJF, Finland), European Forum for Restorative Justice (EFRJ). Partners with different judicial background and experience. The result will be a guide and manual with a set of rules based on research (evidence based) and practice based. Researchers and practitioners from different countries work together in meetings to develop this European guide and a manual. Also police officers, prosecutors, probation officers and judges will benefit from the guide: it will improve the knowledge about RJ in cases of DV and therefore they improve their role as referral or legal authority. A network of practitioners will be set up to increase mutual understanding between different judicial systems and RJ practises in the member states.

The following activities will be set up to get answers:

- Research: Existing research/literature, descriptions of RJ projects on DV and interviews with stakeholders will be used to describe the legal and empirical situation in different European countries. Interviews will be held with victims and offenders about their needs and experiences. A focus group with experts in every country will validate the national results which are laid down in a country report. A comparative analysis will give an overview of the state of the art in Europe.

- Writing a practical guide for RJ practitioners: Based on the knowledge gained in the previous phase a guide will be developed by researchers and practitioners. This (innovative) guide will be discussed in a joint meeting. A small pilot in every country will be carried out and closely monitored (evaluation).

Dissemination: The project will result in several country reports, a final report, a guide and a manual in different languages. This material will be distributed in Europe. Also a network of practitioners working with RJin DV cases will be set up under the umbrella of the European Forum of Restorative Justice.

## **JUST/2013/JPEN/AG/4591**

Title: INASC - Improving Needs Assessment and Victim's Support in Domestic Violence related Criminal Proceedings

Coordinator: CESIS

Priority: VICTIMS-Protection

Summary:

The project INASC - Improving Needs Assessment and Victim's Support in Domestic Violence related Criminal Proceedings aims to improve existing understanding of victim's experiences of trajectories of DV cases in the course of criminal proceedings and how these experiences relate to individual assessment mechanisms and outcomes. The main issue at stake is the unclear link between the woman's specific protection needs related to the nature of the crime and the response by the criminal law enforcement agencies and professionals. The actual outcomes of most DV cases seem to be dominated by dismissals and by a persisting gap between the no. of complaints and the no. of convictions over a period of time. Moreover, the particular vulnerability of victims of violence in a close relationship often translates into increased cooperation difficulties with the justice system, which has been recognised as one of the factors influencing the outcomes of criminal proceedings. Thus, a special focus will be put on: (i) identifying frailties in risk assessment procedures; (ii) identifying "best" practices in collecting and preserving evidence; (iii) assessing the specific needs of DV victims related namely to the inexistence of effective needs assessment mechanisms, to the personal characteristics of the victim and to the circumstances of the crime. The main objective of this project is to develop practice-oriented research aiming at identifying a) crucial aspects of supporting mechanisms available to DV victims within the criminal justice system and of b) elements that influence the way victims are being supported and protected at three different levels: i) at the entrance door (security forces receiving the complaints and follow up criminal procedures); ii) at the enquiry stage (public prosecutors initiatives and decisions taken); iii) in court (courts procedures and final decisions). The main activities of the project will be structured around: a) the production of national analyses on the criminal justice response (risk assessment, victims' protection mechanisms, referral procedures) and on the victims' experiences and perceptions of the way criminal justice is responding to their protection needs; b) the production of European comparative analysis of the outcomes of national research; c) the development of a common "judicial-oriented toolkit" based on an inter-sectionality sensitive human rights framework to domestic violence. The target groups of this project are court-related professionals as well as representatives of victims' support services and law enforcement agencies who have a crucial role in ensuring victims' protection, in developing and implementing individual assessment procedures and in establishing the necessary inter-institutional links that enhance victims' security and the successful outcomes of all the work developed within the criminal justice system. The project expects to deliver a judicial-oriented toolkit on DV victims' protection including: i) a set of excellence criteria for the establishment or improvement of protection needs assessment mechanisms; ii) a booklet on case typologies; and iii) an organisational self-assessment pack (tool and guidelines) for criminal law enforcement agencies and professionals to evaluate the impact of assessment procedures on victims protection. National and European reviews and reports will be produced as well as the judicial

oriented tools, criteria and guidelines, duly validated at the national level. The outputs of the project will be widely disseminated in the 5 partner countries (AT, DE, IRL, NL and PT) and there will be a final EU Seminar aiming at the launch of the Project's outcomes and sharing of experiences and best practices between experts and relevant key actors.

## **JUST/2013/JPEN/AG/4592**

Title: ALTERNATIVES TO IMPRISONMENT: AN EXCHANGE OF GOOD PRACTICES  
BETWEEN EU MEMBER STATES

Coordinator: LIBRA ONLUS

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Priority: DETENTION-Alternatives

Summary:

It is common knowledge that European Member States' Prisons are overcrowded. And it's common knowledge also that detention must be considered extrema ratio, and that – in accordance with the Universal Declaration of Human Rights and the European Convention on Human Rights – everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law in a fair trial: consequently pre-trial incarceration shall represent an exceptional measure to be used under strict conditions of necessity and proportionality and for a limited period of time (2011/2897(RSP)). Furthermore, the Framework Decision 23 October 2009 (2009/829/JHA) establishes the principle of mutual recognition to decision on supervision measures as an alternative to provisional detention.

Although from the 1970s alternatives to imprisonment have proliferate in Europe, it is important to improve knowledge about these developments more widely in order to ensure rehabilitative measures that are more effective in reducing recidivism according to an evidence based perspective (comparison between recidivism rate in prisons and in alternatives to detention). This is really important also because of the application of the Framework Decision 27 October 2008 (2008/947/JHA) concerning the recognition and supervision of suspended sentences, alternative sanctions and conditional sentences.

The objective of the project is to improve knowledge about alternative measures to imprisonment in EU, to compare them with prison measures in a recidivism rate perspective and to exchange good practices existing in Member States (Italy, United Kingdom, The Netherlands, Spain, Bulgaria, and - in accordance with the call, which allows actions also in Republic of Croatia, although is not actually a Member State, even in this Country). We want to study how to implement alternative measures in the different phases of the criminal justice system: our attention will concentrate not only on sentenced people, but also on accused ones. Furthermore, from one hand we will study general good practices, from the other one we will identify alternative measures provided for specific group (women, minors, drug addicted, psychiatric patients).

The project activities will be: a) Literature review on alternative sanctions at EU level; b) Research on existing alternative measures in Member States, referred to the different phases of criminal justice system with the focus on workable mechanisms and the effectiveness of alternative sanctions; c) Research on existing alternative measures in Member States in general and more specific for vulnerable groups, such as women, minors and drug addicted and psychiatric patients; d) Identifying good practices, with special regard to the workable mechanisms in the reduction of recidivism rate (even in comparison with recidivism rate concerning imprisonment); e) Studying how to improve the

exchange of good practice at Member States level; f) Publishing of a specific Guide Manual composed of two sections: one for policy makers and the other one for practitioners; g) Dissemination of results.

## JUST/2013/JPEN/AG/4594

Title: TraiLLD (Training in Languages of Lesser Diffusion)

Coordinator: KU Leuven

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Priority: DEFENSE RIGHTS-Training

Summary:

### BACKGROUND

TraiLLD will focus on the training of legal interpreters for languages of lesser diffusion [LLD]. An urgent problem in the provision of legal interpreting in all member states in order to comply with the Article 5 (2) and Article 6 (3) of the European Convention, with the European Charter and with Directives 2010/64/EU (on the right to interpretation and translation), 2012/13/EU (on the right to information) and 2012/29/EU (on victims' rights) is the need to provide appropriate quality in legal interpreting in these languages of lesser diffusion. Especially because of the current scale of migration - not only inside the EU but also to and from third countries -, and multilingualism in Europe, there is a growing demand for interpretation in legal proceedings. Multilingual situations are likely to become so frequent in this context that the training of legal interpreters for languages of lesser diffusion absolutely needs to meet certain standards as to guarantee good quality interpreting afterwards.

### AIM

TraiLLD will focus on the different aspects and methods of training interpreters in languages of lesser diffusion. In this project we will bring together the expertise of the different partners who already have experience in this field, but who are at the same time still confronted with the difference in quality between interpreter training for main/traditional languages and the one for LLD. In this project we will share our expertise in training legal interpreters to design a new methodology and strategy on how to train these LLD interpreters.

We aim to:

- demonstrate the current situation and design best practices in the field of training legal interpreters of LLD - develop new training methodologies and strategies to enable speakers of LLD to become interpreters in a short and intensive period of training
- use our educational and training experience to design and pilot these new training methodologies and strategies
- test a framework of best practices in training methodologies to collect feedback on these methods
- formulate recommendations (based on the above-mentioned tests and subsequent feedback) for all member states to assure fair trial, also for speakers of LLD.
- organize and take part in dissemination activities, to share our newly developed expertise

## OUTCOMES

After 24 months, the project will have:

- a) given an overview of the already existing training methodologies for interpreters in languages of lesser diffusion by means of a roadmap) identified good practices and potential problems after carefully studying the current LLD training methodologies
- c) developed a new methodological framework for training LLD interpreters and empirically tested it through workshops
- d) formulated information, models, guidelines and recommendations for future training in a manual that can be used throughout Europe

## IMPACT

The TraiLLD project will definitely have an impact on the current training methods for LLD interpreters, not only in the partner countries but also in the whole EU and worldwide. It encourages critical reflection about and revision of LLD training approaches, which will eventually have a positive impact on the quality of the existing (and future) training programmes. Well-trained interpreters provide high quality services, and only this way a person's right to a fair trial can be assured, be it a suspect, accused person, victim, witness or other procedural party. Even outside the field of legal proceedings, the insights of our project will result to be useful in community interpreting settings, where service providers frequently have to deal with LLD speakers as well.



# JUST/2013/JPEN/AG/4595

Title: Prisons of the future

Coordinator: DJI

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DETENTION-Alternatives

Summary:

Many countries are searching for alternatives to regular imprisonment, due to prison overcrowding or budget cuts. A current alternative to regular imprisonment is home detention, combined with electronic monitoring. Whereas imprisonment isolates offenders from society on almost all areas of life, home detention puts restrictions on a few areas of life. A continuum of alternatives to regular imprisonment can be distinguished, varying from very high security levels, where inmates are totally separated from society, to very low security levels where offenders function in the community.

Objectives of the project:

- to get insight into alternatives to regular imprisonment in different countries

From current scientific knowledge on prisons, variables can be derived, such as the formal regime, the social climate, criminality & offenders' characteristics, and outcomes. Outcomes vary from offenders' changed behaviours, to offenders' adaptation to the institutional context, and systemic effects such as recidivism, cost reduction and restoration to victims. On these variables a comprehensive framework will be built to describe alternatives to imprisonment.

- to assess cross-national alternatives to regular imprisonment

Very few hard, evidence-based data are available on alternatives to regular imprisonment. From the methodological perspective of realist evaluation, the project focuses on why intervention do (not) work in particular circumstances. Criteria are derived to assess alternatives and to define their working mechanisms.

- to search the possibilities for implementing innovative prison options for the future

Innovative prison options for the future will be developed. Countries will share experiences and learn from each other how innovative prison options for the future can be implemented, taking into account the political and institutional context.

The objectives will be attained on the basis of a participatory policy analysis methodology which combines scientific insights and subjective and tacit knowledge. During the interactively shaped process different perspectives and arguments are intertwined and a comprehensive policy framework is built.

Activities:

- organising three working sessions with three representatives of each country; a practice-oriented scientist, an expert-professional from the prison system, and a policy maker.

- the first working session is oriented at drawing up national trends of penal policy in the last decade and alternatives that have been considered.
- the second working session selects a few best practices, such as an open, low security prison, and home detention with electronic monitoring, in order to assess them in depth on different criteria.
- the third working session focuses on exploring implementation problems that will be encountered by applying innovative prison options for the future and tackling these problems.
- each working session will be prepared on the basis of input from external experts and national teams.
- Results are presented and debated during a concluding conference and in a final report.

#### Number and types of beneficiaries

Primary beneficiaries are the participants in the working sessions. Secondary target groups are scientists, policy makers and prison practitioners in different countries who benefit from the intertwinement of practice-based, scientific and policy arguments. Finally, victims, offenders and the general public in Europe will benefit from innovative prison options which take into account different interests.

#### Expected results:

- impression of a future landscape of prisons of the future
- common framework for analysing and assessing alternatives to regular imprisonment and insight into working mechanisms of alternatives
- a comprehensive policy frame that combines retribution, rehabilitation and restoration
- a toolkit of innovative prison options and possibilities of application

## **JUST/2013/JPEN/AG/4597**

Title: Improving the data quality of EU criminals

Coordinator: ACPO CRIMINAL

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Priority: BEST PRACTICES-implementation

Summary:

The project will look to address the challenge in attaining quality data on persons who commit crimes within the EU. Police and judicial cooperation authorities across the EU routinely exchange data on EU criminals and it can be extremely challenging for member states to assist each other if the data they are sharing is not of good quality or cannot be used to correctly identify individuals.

The quality of information is key to the value of EU criminal records exchange. Since the exchange has been operating there have been numerous rejections of requests for previous convictions and conviction notifications which have been sent to EU Member States. This problem is apparent for all EU Member States.

By addressing this issue it will enhance the value of EU criminal records exchange by making steps to improve responses to requests for previous convictions and improve the likelihood of EU Member States successfully loading conviction notifications to their respective criminal record databases.

The project will address this issue by improving data quality across the EU. The project has three key objectives;

- 1) Improve the quality and availability of information exchanged through EU central authorities to ensure that procedural and victims' rights are maximised
- 2) Provide a universal resource to ensure mutual understanding amongst practitioners regarding data capture (Police, Central Authorities and Courts)
- 3) Contribute to the added value of existing EU cooperation instruments concerning EU criminal records exchange mechanisms through sharing information and best practice

There are two key work streams within this project.

Work Stream 1 - Development of Web Based E-Learning and Reference Tools

This work stream concerns the development of web based products. There are three elements to the product.

The first element is an e-learning package which will be available for all EU Member States. The education tool aims to inform users/practitioners (Police, Prosecutors, Central Authorities and Courts) on the procedures for obtaining criminal records information from EU Member States, the benefits, what the information can be used for and the importance of data capture.

The second and third elements concern the development of desktop and mobile reference tools. The tools will allow users/practitioners (Police, Prosecutors and Central Authorities) to easily identify what information is needed by another EU Member State to assist with cooperation.

#### EXAMPLE 1

A Latvian Police Officer stops a Spanish national. The officer could refer to his/her mobile reference "app" to check what personal details should be taken from the individual.

#### EXAMPLE 2

A prosecutor in Germany wishes to make a request for previous convictions from Romania. The prosecutor will be able to check the reference tool to see if they have all the essential identity information to assist with the request.

The reference tools will be user friendly and will be available on mobile devices. Where available, the applications will also provide links to sample identity documents from respective countries.

The entire product will be available in all languages of the EU Member States

#### Work Stream 2 - Launch, marketing and Roll Out

This work stream concerns the launch and marketing of these tools to stakeholders across the EU.

The project team will market these tools through conferences (Stands and presentations), at expert meetings, with EU institutions, such as EUROPOL, and with other EU bodies concerning judicial and police cooperation.

A launch event will be held to roll out the e-learning and applications. The tools will be available online.

The project will run for two years and the end products will be available for all EU Member States to use.

## **JUST/2013/JPEN/AG/4601**

Title: Listen to the child - Justice befriends the child

Co-ordinator: SAPI (Social Activities and Practices Institute)

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Priority: VICTIMS-Protection

Summary:

The project "Listen to the child – Justice befriends the child" will be implemented in 4 European countries: Bulgaria, Romania, Italy and France, as well as one international organization, active through its structures on the European level. The project aims at improving the situation of child victims or witnesses of crime involved in legal proceedings through the introduction of an integrated approach towards children, based on the personalized assessment of their specific needs and which point of reference is the child's best interest. The four countries have different experiences and practices, implemented at the national level or as pilot practices. A central idea of the project is to permit a common understanding among partner countries through the exchange and analysis of good practices and gaps, which will lead to the elaboration of an Assessment model with clear and recognizable methodology, based on the best performances of each country. A theoretical research on major psychological schools, held by the Italian partner, will serve as scientific base for the construction of the common model. The integration of psycho-social support, medical and legal services is the other important accent of the project. In this part of the project the analysis will be extended on two more countries, the UK and one Scandinavian country, due to the traditional differences between the systems of these countries and the countries, Central and Eastern Europe. Doing so will increase the projects know-how on the issue, will enhance partner's competences and will lead to concrete results, valid and usable by each partner and at the European level. The project is particularly important for Bulgaria and Romania where there is an on-going policy reform of the justice systems, regarding the differentiation of juvenile justice systems, more attentive to respect the specificities of the children involved in legal proceedings. The project can be an important channel which can facilitate the further implementation of the Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, that lists a series of rights, attributed to the victims of crime, pays particular attention on the specific needs of the child victims or witnesses of crime and makes an explicitly provides that they must receive timely an personalized assessment of the needs in accordance with national procedures. In summary, the project aims to contribute to the establishment of an adequate and widely consulted methodology and practice for Assessment that will serve as starting point and landmark for any subsequent interventions in support of child victims.

## JUST/2013/JPEN/AG/4602

Title: EVVI (EValuation of Victims) l'évaluation personnalisée des victimes

Coordinator: MINISTRY OF JUSTICE

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Priority: VICTIMS-Protection

Summary:

L'objectif du projet EVVI (EValuation of Victims) est d'accompagner les victimes d'infractions en permettant aux Etats membres de se doter d'une méthodologie d'évaluation personnalisée des victimes prévue par l'article 22 de la directive victimes (2012/29/UE). Cette évaluation systématique des besoins spécifiques en matière de protection est créatrice de droits potentiels (articles 23 et 24).

Cet outil permettra de répondre précisément aux attentes des professionnels intervenant dans la prise en charge des victimes, tant sur l'identité de l'auteur de l'évaluation, que sur le contenu au regard des préconisations de la Commission dans son document de travail en date du 24 avril 2013, que sur la procédure à suivre, en tenant compte des exigences des paragraphes 3 et 5 de la directive.

Un tel outil ne pourra être véritablement efficace que si les spécificités des législations et les pratiques des différents Etats membres sont clairement appréhendées. L'objectif, en effet, est de proposer un guide des bonnes pratiques utilisable par tous les Etats membres afin d'assurer une application uniforme des droits des victimes consacrés par la directive. Cette exigence a motivé le choix des quatre Etats partenaires (l'Espagne, le Portugal, le Royaume-Uni et la Pologne) dont les systèmes juridiques reflètent une grande diversité d'approche.

Les résultats spécifiques attendus du projet EVVI sont les suivants :

- Présentation de la législation et de la pratique dans les cinq Etats membres partenaires;
- Elaboration d'un instrument permettant une évaluation personnalisée des besoins spécifiques des victimes
- Rédaction d'un guide des bonnes pratiques et des recommandations à destination des Etats membres.

La mise en œuvre du projet EVVI sera supervisée, durant les 16 mois de réalisation, par un chef de projet assisté d'un chargé de mission qui veilleront au respect du bon déroulement des activités suivantes :

1. Mise en place et réunion du groupe de travail pour un premier état des lieux des législations et des pratiques des Etats partenaires.
2. Visite d'étude au Royaume-Uni pour appréhender les méthodes d'évaluation des besoins des victimes déjà mises en place dans cet Etat membre.

3. Réunion de mise en commun des retours d'expérience et élaboration d'un questionnaire-type pouvant servir de support à l'évaluation des victimes.
4. Analyse du questionnaire dans chaque Etat partenaire par les acteurs de terrain chargés de la mise en œuvre de la directive (enquêteurs, magistrats, professionnels de l'aide aux victimes).
5. Réunion du groupe de travail pour l'exploitation des résultats de la diffusion du questionnaire et élaboration d'un guide de bonnes pratiques.
6. Conférence de restitution sous la forme d'une action de formation à destination des professionnels des Etats membres (enquêteurs, avocats, magistrats, services d'aide aux victimes), ainsi qu'aux représentants des institutions européennes et du réseau européen de formation judiciaire. La présence d'un expert canadien de l'évaluation des besoins spécifiques de protection des victimes permettra d'envisager cette problématique dans un contexte international.
7. A l'issue, un document en version papier et en version électronique comprenant la présentation des législations, l'identification des bonnes pratiques, le recensement des difficultés demeurant et les recommandations à l'issue des travaux de la conférence de restitution ainsi que des outils pratiques à destination des professionnels (outils d'évaluation, formulaire type, protocole à suivre, etc.) sera adressé aux partenaires et aux représentants des Etats membres, ainsi qu'aux institutions européennes concernées.

## **JUST/2013/JPEN/AG/4603**

Title: Language Training in the Field of Judicial Cooperation in Criminal Matters in the EU

Coordinator: KIM

Priority: EJT-legal terminology

Summary:

The objective of the European Commission (as set out in its communication COM(2011) 551 final) is to enable half of the legal practitioners in the European Union to participate in European judicial training activities by 2020 through the use of all available resources at local, national and European level, in line with the objectives of the Stockholm Programme.

Knowledge of European Union law is a prerequisite of the functioning of the European judicial area and judicial cooperation and knowledge of professional legal language is a prerequisite of its smooth functioning. A deep and thorough knowledge of EU legal language can be reached by way of a series of training events.

The main objective of the project is to give participants (judges and prosecutors) a thorough knowledge of English legal language used in the field of judicial cooperation in criminal matters in the EU. The language training would focus on legal terminology of general EU law, and especially on specific areas giving the possibility for practitioners to be able to understand EU institutions, EU legal instruments and EU legal acts, forms and texts related to EU law in the field of judicial cooperation in criminal matters and also to write texts or messages related to that area. Grammatical and vocabulary exercises would be part of the training modules. Improvement of communication skills is also among the objectives, thus, simulation exercises and communication exercises are also planned to be part of the modules. Moreover, the project would give an outstanding opportunity of creating networks with professionals in other countries.

English, being the most common working language of EU institutions and the most common foreign language used by the citizens of the partner countries (HR, CZ, PL, HU), has been chosen as the language of the training.

The project is built mainly on the experiences gained in the on-going "Language Training for Judges and Prosecutors" project (JUST/2011/JPEN/AG/2985, co-financed by the European Commission) and aims to extend it in order to give the possibility for new participants to take part in the language training.

The project consists of four seminars, each of them will be held in one of the participating countries (HR, CZ, PL, HU). The duration of each seminar would be 5 days (at least 6 hours a day). Each partner would select five practitioners (except for HU which would select 6 participants), being judges or prosecutors to participate in the seminars. The partner countries would be advised to select the same five (for HU 6) participants to take part in all four seminars building on each other, however they would be allowed to select different participants to take part in any of the four seminars. Participants would be selected on the basis of mutual trust between the partners and also on the basis of a medium level knowledge of English language.



The main topics of the seminars would be the following: general EU legal language related to the EU and European integration, general legal language related to criminal law and EU legal language related to the field of judicial cooperation in criminal matters; EU and national institutions determining and involved in the judicial cooperation in criminal matters (including also the European Prosecutors Office, if created); the main instruments adopted in the area of judicial cooperation in criminal matters by the European decision-makers (e.g. European Arrest Warrant, European Evidence Warrant, freezing of assets and confiscation orders); and EU legal acts on the so-called European crimes.

Participating countries would select the language teachers on the basis of their professional knowledge and would invite both legal and linguistic experts to teach at the seminars. As another output, an English glossary of terms, expression, legal institutions and EU institutions used in the seminars would be elaborated by the lecturers

## **JUST/2013/JPEN/AG/4605**

Title: Support for Transfer of European Prison Sentences towards Resettlement  
(STEPS 2 Resettlement)

Coordinator: NOMS (UK)

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Priority: BEST PRACTICES-implementation

Summary:

STEPS 2 Resettlement aims to support the effective delivery of Framework Decision (FD) 2008/909/JHA (transfer of prisoners) by investigating and analysing the legal and practical obstacles that may hinder its implementation and execution in all Member States (MS). The project will assist in working towards the goal of common European standards of working effectively with offenders.

This project will build upon previous research and projects (Implementation Support for the Transfer of European Probation Sentences (ISTEP) project - JUST/2010/JPEN/AG/1531, Developing the Use of Technical Tools for Cross-Border Resettlement (DUTT) -JUST/2010/JPEN/AG/EG/1462) in continuing to identify challenges that countries must meet to put the FD's into effect. In order for FD 909 to be implemented correctly, it is essential that staff and officials are well informed; this project aims to increase mutual understanding and recognition of FD 909 to this effect. It will also address the links between this FD and 2008/947/JHA (Probation & Alternative Sanctions) and 2009/829/JHA (European Supervision Order) and aim to support both European Union (EU) MS and the European Commission to action these instruments and understand the practicalities of using them.

The project will undertake necessary foundation research into the issues and practicalities relating to all EU MS progress with implementation of this package of FD's, with a core focus on FD 909. Knowledge gained will assist in the identification of training needs and the provision of an evidence backed training package for officials.

Furthermore, this project will develop a handbook for offenders which will inform them during the transfer process under FD 909, and what to expect, aiding their social rehabilitation and re-integration into society. In turn, this will increase awareness for prison officials regarding the processes for transfer of offenders.

A series of focus groups involving representatives from a diverse spread of MS will draw out information on MS current victims' agenda and liaison processes. This will result in a short guidance document for MS concerning how victim liaison could be approached in light of FD 909, with specific regard to the context of the victims' directive.

STEPS 2 Resettlement acknowledges that any work towards social rehabilitation and reintegration which is undertaken during the prison sentence must be built upon after release. Much is known about 'what works' in resettlement, but the distinctive challenges in working well with prisoners transferred from abroad are less well understood. For this reason, resettlement practices are central to the success of FD909 and will be the focus of workstream 3.

This project will examine the transfer of data on offenders; not only the type of data to be transferred but also the legalities and data protection requirements associated. It will give an insight into the information being collected and recorded by MS, examine how this information is transferred across borders considering data protection and security issues, and identify what data prison systems require in order to transfer an offender. The project will examine strengths and weaknesses of existing information exchanges and produce recommendations, best practices and an architectural design for a possible platform to facilitate data transfer.

Project findings will be disseminated through a trans-national conference. STEPS 2 Resettlement will build on existing European networks signposting the current ISTEP website managed by the CEP; the continued development of the EuroPris Expert Groups on FD 909 and ICT; and the utilisation of the EuroPris Yammer Networks. The project will also develop new networks to aid mutual recognition and the effective implementation and execution of FD 909, including a database of contacts for all MS competent authorities to enable effective communication between Member States as outlined in Article 5 of the FD.

## **JUST/2013/JPEN/AG/4616**

Title: Realising the Directive on Access to a Lawyer in Criminal Proceedings: Best Practice and Implementation

Coordinator: ICCL

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Priority: DEFENSE RIGHTS-Implementation

Summary:

Ireland is expected to opt in to the Directive on the right of access to a lawyer in criminal proceedings (the “Directive”) later this year (2013). This project will build on the long-standing work of the ICCL around securing the right of access to a lawyer in bridging the implementation gap between the rights contained in the Directive and current operational practices for Irish criminal defence lawyers.

In 2012, the ICCL organised a cross-jurisdictional event in Edinburgh, Scotland. We facilitated a study visit for legal practitioners from four jurisdictions—Republic of Ireland, Northern Ireland, England and Wales, and Scotland—for a seminar to discuss the implications of the seminal cases, *Salduz v Turkey* (and subsequent ECHR case law) and *Cadder v Her Majesty’s Advocate*, and shared insights on how the right of access to a lawyer can be strengthened across the four jurisdictions.

As a result of this meeting, strategic litigation on access to a lawyer was initiated in the Irish High Court and professional exchange of best practice has taken place. We propose to re-convene the participants at this meeting as a High Level Expert Group. The Group will oversee a two-phase project building on the cross-jurisdictional approach. This will encompass the development of a Practitioners’ Guide and training tool for criminal defence lawyers in Ireland, with supported training in conjunction with legal representative bodies. Building on the success of the Edinburgh meeting, education on strategic litigation will also be included with the production of a Guide to assist lawyers.

The second phase sees the project looking outwards, particularly towards other Member States where significant change is required in order to achieve effective implementation of the Directive. ICCL will utilise the pan-European network JUSTICIA, to achieve this, couples with collaboration with additional EU networks and key stakeholders.

The project will establish a High Level Expert Group to direct implementation activities in the Republic of Ireland on the Directive on access to a lawyer. Subsequently, we will share the practices, knowledge and expertise of the Irish experience to a wider EU audience.