



Brussels,
JUST.B1/PC/WP

EXPERT GROUP ON EUROPEAN JUDICIAL TRAINING

Minutes of the meeting

1. Format and agenda of the meeting

The meeting was held online on the Teams platform in two parts on 22nd and 26th April and was chaired by the Head of Unit General criminal law and judicial training, Peter Csonka. These minutes cover both parts of the meeting.

Meeting agenda:

Part I – 22 April 2021

- 9.00-9.15 Introduction:
- 9.15-9.20 Adoption of the Rules of Procedure
- 9.20-10.30 Self-presentation of the members of the expert group
- 10.30-10.45 Break
- 10.45-12.00 European judicial training strategy 2021-2024: key challenges in the eyes of the Expert Group Members
- 12.00-12.30 Introduction to Part II: presentation of the draft concept note on the annual training report

Part II -26 April 2021

- 9.00-9.15 Informal discussions in break-out rooms
- 9.15-9.30 Draft concept note on the annual training report – questions & answers
- 9.30-10.30 Breakout in groups:
 - Judges, prosecutors, court staff
 - Lawyers, notaries, bailiffs, prison staff, probation officers and other professions
- 10.30-10.45 Break
- 10.45-12.00 Concluding discussion on the 2021 annual training report
- 12.00-12.30 European Training Platform live presentation

2. Points discussed

The aim was to have a constitutive meeting of the Expert Group in its new composition; exchange views on the main challenges and the key objectives of the new European Judicial training strategy 2021-2024; and discuss the process of collection of the data on the implementation of the strategy being the ground for the annual judicial training report of the Commission.

The latter discussion was based on a concept paper shared with the members in advance and on the written comments of the experts received.

2.1. Welcome address was given by the chair, who then presented **the new mission and tasks of the expert group, explaining the renewal process following adoption of the Commission's Communication** entitled 'Ensuring justice in the EU - a European judicial training strategy for 2021-2024' of 2 December 2020.

2.2. Members of the group **adopted by acclamation the Rules of Procedure**.

2.3. On chair's invitation the members of the group presented their professional background and experience with training of justice professionals.

Members of the Expert Group on European judicial training 2021-2024					
No	Name	Nationality ¹	Gender ²	Profession/organisation	Comment
Type A ³					
1.	Aneta Arnaudovska	MK	F	judge	Former judge; Senior Anti-Corruption Advisor in the Regional Anti-Corruption Initiative;
2.	Attracta O'Regan	IE	F	lawyer	Lawyer; Head of Law Society of Ireland Professional Training; CCBE rule of law advisor;
3.	Cindy Fökehrer	AT	F	notary	Notary; Head of Brussels Office of the Austrian Chamber of Civil Law Notaries;
4.	Dariusz Adam Zuba	PL	M	expert witness, forensic expert	Director of Institute of Forensic Research;
5.	Diana Ungureanu	RO	F	judge	Judge, Court of appeal;
6.	Jean-François Thony	FR	M	prosecutor	President of the Siracusa International Institute for Criminal Justice and Human Rights; retired prosecutor;
7.	Jean-Philippe Rageade	FR	M	ERA	European Law Academy Director;
8.	Jeremy Cooper	UK	M	judge	Retired judge, retired professor; former Director of Training in the Judicial College, London
9.	Katarzyna Krysiak	PL	F	prosecutor	Prosecutor; Seconded to the national judicial training institution KSSiP;
10.	Marta Isern Busquets	ES	F	Lawyer, academic	Lawyer; Member of the European Lawyers Foundation Supervisory

¹ AT – Austria, BE – Belgium, BG – Bulgaria, CY – Cyprus, CZ – Czechia, DE – Germany, DK – Denmark, EE – Estonia, ES – Spain, FI – Finland, FR – France, GR – Greece, HR – Croatia, HU – Hungary, IE – Ireland, IT – Italy, LT – Lithuania, LU – Luxembourg, LV – Latvia, MT – Malta, NL – Netherlands, PL – Poland, PT – Portugal, RO – Romania, SE – Sweden, SI – Slovenia, SK – Slovakia, MK – North Macedonia;

² F – female, M – male;

³ Individual expert appointed in his/her personal capacity

					Board; Associated Professor Universitat Autònoma de Barcelona;
11.	Pedro das Neves	PT	M	prison services	Member of the Board of Directors ICPA - International Corrections and Prisons Association; CEO IPS Innovative Prison Service;
12.	Peter Goldshmidt	DK	M	EIPA	European Institute Public Administration, antenna Luxembourg Director;
13.	Raf Van Ransbeek	BE	M	Judge	Judge; professor at KU Leuven; Director of the judicial training institution IGO-IFJ;
14.	Zeller Edith	AT	F	judge	Judge; President of European Association of Administrative Judges;
Type B ⁴					
1.	Cédric Le Bossé	FR	M	EPTA	Representative of the European network of Penitentiary Training Academies (EPTA); International relations officer in National Correctional Administration Academy (ENAP);
2.	Eva Pastrana	ES	F	CoE	Representative of the European Programme for Human Rights Education for Legal Professionals (HELP) Unit of the Council of Europe; Head of the HELP Unit;
3.	Giovanni Pansini	IT	M	CCBE	Representative of the Council of Bars and Law Societies of Europe (CCBE); Member of the CCBE Training Committee; Lawyer;
4.	Ioan Durnescu	RO	M	CEP	Representative of the Confederation of European probation (CEP); Director of Probation Department, Ministry of Justice; Honorary Member of CEP;
5.	Jos Uitdehaag	NL	M	UEHJ	Representative of the European Union of Judicial Officers (UEHJ); Secretary (Board member) of UEHJ; bailiff;
6.	José Igreja Matos	PT	M	EJA	Judge; Representative and President of the European Association of Judges (EJA); Member of the Advisory Board of the Global Judicial Integrity Network of United Nations; President elect of the International Association of Judge (IAJ);
7.	Maria Daniela Amodeo-Perillo	IT	F	EULITA	Representative and President of the European Legal Interpreters and

⁴ Individual expert appointed as representative of a common interest

					Translators Association; Interpreter;
8.	Markus Brueckner	DE	M	EJTN	European Judicial Training Network (EJTN) Secretary General; judge;
9.	Raul-Mihai Rădoi	RO	M	CNUE	Representative and Secretary General of Notaries of Europe – CNUE;
10.	Victor Vadasz	HU	M	ENCJ	Representative of the European Network of Councils for the Judiciary (ENCJ); member of the National Judicial Council; member of ENCJ board; judge;
11.	Walter Szöky	AT	M	EUR	Representative and General Secretary of the European Union of Rechtspfleger (EUR); Rechtspfleger;

2.4. The chair gave the **overview of the objective of the new strategy** and invited members to share their perspective on key challenges and most important elements of the strategy regarding new substance of training, quantitative targets for professions, methodology and digitalisation, shared responsibility and external cooperation.

Experts presented the following opinions.

The strategy is a good document and orientation for professional schools. The European Commission pressure on Member States could help to face difficulties with the delivery in some Member States. The most important problem to set out the cross-border digital training offer is to apply the uniform security rules to digital systems. Member States assess differently security and reliability of the same training platforms. Not all Member States accept all features. For the digital exchange in international context, the main problem is which tool to use. The common vision on security rules for all EU or one EU training platform with video conferencing would be crucial step forward and could exclude numerous problems.

Discussion how the Commission being limited to providing support to judicial training can have leverage to push the countries that lag behind. The annual report that shows the gaps is a good motivator.

The rule of law training raises concerns; there are differences in systemic breaches between Member States; in two Member States there are problems in schools related to the selection of speakers and participants on political grounds. The rule of law is mentioned only once in the call for framework partnership agreements for funding of European networks. We need to approach the problem in the different way to control accountability of different national judicial systems to make them understand that they are obliged to follow the rule of law club they joined.

The rule of law is daily on the EU agenda, the Commission is active in using infringement procedures to address the rule of law, publishes the rule of law report, runs dialog with the Member States, the Commissioner Reynders is meeting every Member States; the rule of law annual report aims to reach the common understanding; judicial training will assist. The evidence of the breach of rule of law principles is needed for the Commission to act.

In the progress report on candidates countries there is no reference to the training: numbers, quality, etc. We face lack of standardisation of training, classification of training. We need the

Commission to help by providing technical assistance. For candidate countries, it is important to improve training in the special areas where there is no progress. The Commission could establish a roster of experts for the Western Balkans. We need to use better the European Judicial Training Network (EJTN) in the Western Balkans.

Experts are strongly in favour of as active a role of the Commission as possible. It is important to identify incentives that can be given to judges, how to fairly distribute the Commission support between Member States. We need better statistics to make problems visible. We need training on preliminary reference to the Court of Justice of the European Union (CJEU), on legal skills. In order to increase readiness to participate in training it is important to have bird eye view on national systems. Obviously, the rule of law and the digitalisation are crucial as training topics.

Strategy is straight on important points. It rightly puts the rule of law, the fundamental rights and ethics at the forefront. Democracy including judicial independence is never granted not only in new but also in old democracies. We need to aim for common culture. Justice professionals need to learn judgecraft.

The new strategy is an excellent document that has clear objectives. It has a short time span, only until 2024. This is good as one should be flexible and adapt some targets because of issues like the pandemic. This is also a challenge with a limit at 2024 with the ambitious objectives as one has to plan years in advance in the judicial training area.

It is welcomed that it targets all justice professionals including those that were not on the top of the priority list. Other key issues that the experts welcome are the focus on young professionals and on methodology.

The expert group should be the intellectual brainpower that will help how to design solutions that will affect attitudes using judicial training.

The strategy is ambitious and it should help to take us further. The Commission should make more pressure on the Member States. We need to have positive, supportive measures for the Member States. Ex: probation officers are using private mobiles to attend training. We can suggest some conditionality for the Commission assistance and support. We need from the Commission some minimum guidelines on how to use the digital environment for training.

Subsidiarity is important and national schools will keep playing key role. The European Commission should measure the independence of the national (judicial) training institutions and discuss how to guarantee that national institutions are eager to implement the strategy.

From the enforcement point of view, the problem starts not at initial training but at the universities. There is little attention to enforcement in the course of legal studies, if so it is just a few hour course as part of the procedure. As for the methodologies, the use of modern methods needs training of trainers. Nevertheless, EU level training should not be restricted to training of trainers. The legal professions are much separated. We need to focus on cross professional training. It would be good to have a database of experts in EU law.

Legal interpreters and translators are newcomers in the strategy. They not only need training on EU law but also on national laws. The questionnaire for the annual report on European judicial training should be adapted to their needs. Too many professionals do not know how to work with interpreters.

The pandemic will affect the statistics for these years.

For some countries, recommendations are better than decisions. The EU has a strong leverage on future member states, it cannot be not used. Conditionality is here in place.

Looking on prison staff many academies work like 15 years back in the past. Some e-learning projects cannot be implemented in some Member States even now for the prison staff. Continuing training must follow the investment made at the obligatory initial training. Continuing training is often lacking. Breaking the barriers on the access to training requires to involve numerous stakeholders.

Professionals in other than judicial branches does not know enough on judicial independence.

The strategy is good and ambitious but when we focus on digitalisation we also need to focus on drawbacks of technologies. We need experts in new areas, which keep changing. A problem for instance is the accessibility and admissibility of evidence in the court. We should focus on awareness of digitalisation before we undertake an approach that is more ambitious. In some instance, there are basic problems like access to the computer.

Notaries are competing with digital service providers that propose procedures that only seem to be digital. We need to address digital procedures in training. Training addressing not legal topics, like skills, is needed. Goals set for notaries' training are ambitious and reachable. Notarial stakeholders need support. Reporting motivates.

Methodology of training must be adapted to means of professionals. Training in presence is more suitable for practical training, helps networking. eLearning saves time. After the experience of the pandemic, no one questions the need for and usefulness of distance training.

2.5. Discussion on adjustments of the annual training report to the new strategic objectives – introduction

Lena Geckle introduced the discussion paper and members' written contributions as a background for the discussion.

The chair called the group to be the intellectual powerhouse for the Commission.

2.6.1. Discussion on adjustments of the annual training report to the new strategic objectives for judges, prosecutors and court staff

The discussion set off with general comments and then focused on the following elements of the questionnaire: gathering data on training methodology, quality of training, non-legal skills training, training topics to ask about. Experts debated on definitions of the training on the EU law, training on the rule of law, initial training.

The experts contributed as follows.

Court staff

There are around 300.000 court and prosecution office staff in the EU and there is no point to ask those who do not need EU law training if they get it. The challenge is how to identify the group without being arbitrary. The study on court staff training needs will tell us the answer. However, we cannot name in the questionnaire professions that need the EU law training. It should be

functional. Court staff are all that are not magistrates. The study will identify those who do not need EU law training, which is the vast amount of people in the group. Then there is a category that needs the EU law, the findings of the study will allow to identify them, they are categorised in 4 groups: management, assisting judges and prosecutors, responsible directly for applying EU law themselves, working on cross-border related issues. It is important to use the results of the study for the questionnaire. It will help to put it all in the right picture and will help to identify the court staff training needs in the future.

We should not make it at the discretion of national answering coordinator to identify who needs EU law. For some that could be excluded at national level they need some EU law. Training in EU law should be given as extensively as possible, even for majority of court staff.

It is crucial to prioritise the profession in need of training.

Role of the questionnaire

Questions in the Cepej survey concerning training are partly overlapping, there is a need for coordination.

The questionnaire is a tool to measure as well as a political tool. It is to trigger the results. We need to add questions triggering the commitment to achieve results of the strategy.

We need new energy to boost EU law training for young practitioners, especially in candidate countries but also in the EU Members. Important is to link with academic education as we notice little knowledge of EU law of graduates of the universities.

The Commission could assist in capacity building by investing in people who are not replaced with the political changes. The Commission should improve the supervision of EU law training to see who is training of judges and prosecutors on EU law. If done by NGOs or the private sector, there is no control of quality.

Sensitive issues to measure

Political selection of trainers and participants is an issue. How to assess it in the questionnaire? How to check if the institution fulfils the criteria of training provider? A proposal is to directly ask about the selection procedure with an open answer.

Overview and control by the Commission should be strengthened by: using the funds, more directed to the rule of law; using cross-border training as a tool to avoid nationalistic approaches; assessing how much was spent, who took part; outsourcing, using NGOs when national training institutions do not provide the training required.

The questionnaire for the rule of law report could have a question on structural challenges of training institutions.

The questionnaire could ask if there are any special Covid-related training events, also on fundamental rights' violations in this respect.

Rule of law training

We should indoctrinate more on EU law and the rule of law. The rule of law is not a value to discuss, it is clear and should be adhered to without exceptions. The devil is in details. We discuss it often too broadly. We need a clear a definition. The broader we discuss the more difficult it will be to have a relevant feedback.

The Rule of Law training topic needs to be defined clearly as it is very abstract. Defining the rule of law is difficult. One cannot restrict it to ethics and deontology, which is not correct, it is not

pure training on the EU Charter. It would be important to use the definition given by the Commission based on synthesis of the jurisprudence of the CJEU.

It could be helpful to use the concept used in progress reports applied for candidate countries. Like independence, resilience, external/internal pressures, communication with media, judiciary perception, role of civil society. Additionally, delicate issues like trial monitoring, relations with other powers, ethics, integrity. As topics are broad, we need a special methodology as some cannot say openly that they have pressures. Methodology on these optics is a key.

The Council of Europe goes for a study to define an internationally agreed definition of the Rule of Law. There are 5 key components to be looked at. One of them Access to justice has 3 sub elements. One may add the working definition and base it on the Venice commission's concepts.

A key tool in rule of law training is the financial support to networks as a soft way for the Commission to give incentives to the national stakeholders.

Judgcraft is a wonderful subject, broad to apply to all especially to younger generation as it includes ethic, integrity, our values. We need to be strong on this, we need to indoctrinate on it.

We need to expend with our values, everywhere like in the Balkans. They wait for our inputs.

Definition of EU law training.

It is not only limited to situations where the title refers to EU law, but if there is no limit, then everyone may respond that they train on EU law all the time. It can lead to wrong answers. One needs to find a middle way between the two concepts.

One of the objective is to not treat EU law as a separate topic but as embedded in national activities.

EU law training is crucial in 3 situations: basics foundations, how we deal with EU law in different jurisdictions; cross border cooperation.

One also need a practical and pragmatic approach. It is important for the training institutions. One needs to have a definition as broad as possible. This would trigger the training institutions to invest in going far with the topic, taking some risk but improving the offer.

This is important as concepts are getting large, EU competences are getting large that is why we need broader definitions. EU law is growing as confirmed by the CJEU.

The definition of EU law may be clear for us but for the precision of questionnaire, one must indicate clearly that there is a training activity on national law, the implemented EU law and corresponding CJEU cases should be presented.

Quality of training is linked with the politicisation of training provider.

The current report includes a section on the duration of the training events and the size of the participating groups. One can add many questions: selection of trainers, participants.

Different indicators must be used for in person training and online training.

As for face-to-face training, we need to focus on the Kirkpatrick evaluation methodology, post training evaluation questionnaires.

This Council of Europe HELP programme uses the Kirkpatrick model, building on the EJTN handbook on evaluation and applying it. An assessment checks the learning outcome, tests, etc. But to check the impact on daily performance is more difficult. The aim of the Council of Europe's training programme is to decrease the number of cases brought before the European Court of Human Rights. This is the indicator of the training quality – less cases in the courts.

Regarding training evaluation, there could be 3 elements to ask:

- Do you use EJTN principles, if not why.
- Do you evaluate your programme, what do you do with the findings of evaluation.
- Do you use Kirkpatrick level evaluation system, if not why.

One has to be careful with the application of such principles for other than judicial professions.

One needs questions on quality while remembering the difficulty to gather and compile the answers. One should not complicate more the report or put more pressure on the respondents.

Methodology

Bad quality is for instance lack of room for participants to discuss.

One needs to talk about methodology of webinars, about the link between their duration and achieving the learning outcomes. This would be the base to assess what to ask about.

2.6.2. Discussion on adjustments of the annual training report to the new strategic objectives for lawyers, notaries, bailiffs, prison staff, probation officers and other professions

Overall assessment of the questionnaire

The questionnaire became clearer along the years. It found its level in terms of type of information and its complexity.

The questionnaire also has an educational aspect in itself, to raise the awareness of the different stakeholders on the importance of these topics.

To prepare the next questionnaire, it is necessary to answer the following questions: What is the aim? What are the objectives? What are we trying to measure? What for? What are the objectives? For whom? Are there corresponding questions for all the objectives? The replies will help define the questionnaire.

Three elements should be taken into account in preparing the questionnaire:

1. Keep it simple (and not too long);
2. Be relevant: so that it helps fulfil the objectives;
3. Be easy to analyse the answers.

The more open ended questions, the more difficult the analysis of the answers.

The questions sent to the different stakeholders should be similar so as to be comparable.

The objective of the annual report is to monitor the implementation of the new strategy for 2021-2024. Consequently, some indicators should be followed, such as the number of participants on EU law training, in initial and in continuing training, in which type of training, such as the topics of training provided.

It is important to make it valid with credible data and source of the information. 2020 was an exceptional year and the 2021 report will reflect this. This will be an exceptional baseline.

Data collection

For lawyers, it would be useful to get the data in a more centralised way, c.f. for instance in Italy there are many local bars and it is not very useful to address all the bars. More centralisation might be helpful for the future.

Another challenge regarding lawyers' training on EU law is that most probably all lawyers attend some training on EU law, as they all need to know about anti-money laundering, data protection rules, EU directives and their transpositions, etc. However the difficulty is to capture this training

as it is provided by many stakeholders: law societies, bars, private providers, universities... A question is whether governmental departments could be involved in helping with sending the questionnaires.

Bailiffs are free to follow training where they want, but some specialised training institutions do exist. When the training is mandatory, a registration system exist to register the requirements of ongoing training. So most national chambers have information on participation as they have a registration system for the ongoing training. Some of this input could be used for the annual reporting.

The European Union of Judicial Officers (UEHJ) developed its own broader questionnaire, which includes the European Commission questions on EU law training. Nevertheless, there are still issues to get the data and consequently regarding the completeness of the data.

Type of questionnaire

Most experts underlined that it would be helpful to have different specialised questionnaires for the different professions, since their realities are different, even if all questions are almost the same ones. Also, the concepts are sometimes different. Moreover, targeted questionnaires would be easier to fill in as there is “survey fatigue” among some stakeholders. As some institutions are legally responsible for the training of a specific profession then a questionnaire adapted to that profession would be justified.

Individual questionnaires per profession could be easier to use . Also, last year there were IT issues to switch from profession to another profession in the online version of the questionnaire. Nevertheless, the questionnaire was also assessed as more complex for training providers who focus on a diverse audience. This concerns not just the EU–level training providers but also some judicial training providers targeting judges, prosecutors and court staff for e.g. It is even more difficult for the numerous training providers, which cross-professional training. Consequently, a different questionnaire for different professions may be relevant only depending on how it is structured. One could also imagine that when a box is ticked, new questions appear in the online questionnaire.

In countries where lawyers’ training is very decentralised, like in Italy or France, data would still need to be collected in a decentralised way until any new system would be available.

Some experts offered to contribute with their experience of drafting questionnaires to the new version of the questionnaire for the annual report on European judicial training, but also to share questionnaires that they have drawn already.

Overall, there was an agreement that the easier the survey, the more accurate the provided numbers will be.

The new online questionnaire could be tested by the expert group members prior to launching the data collection exercise.

Format of the questionnaire

The more questions, the more time it will take and the more difficult to fill in. The risk would be not to get any answer or getting answers that we think the European Commission wants.

Common understanding of the concepts:

The data regarding the number of participants have been declared by the country where the training took place, not by the leader of the project for e.g., so that there is no double counting. This should be kept. What works shouldn’t be fixed.

The term “judicial professional” should be defined as for e.g. an Irish lawyer would not feel concerned.

Defining what is meant by “initial training” is essential. What is meant: training at university? Training to become a professional and learn one’s practice? Training received when starting the profession? Maybe the information on the type of appointment procedure would be useful? Another question is: is the initial practice traineeship included in initial training? And should there be questions on what the initial practice traineeship comprises?

“Continuing training” should also be defined, to ensure that all stakeholders feel concerned, even when there is no obligatory training for e.g.

An expert suggested to include the guidelines and definitions in a separate paper.

Questions on e-learning:

The concept of e-learning or distance learning should be defined clearly.

The number of participants in distance learning have not been counted until now but should be counted in the future, even more so in view of the 2020 training activities.

A discussion took place on how to measure the participants in distance learning: the enrolled participants? The ones who obtain a certificate of active participation? The ones who receive a certificate of completion? The ones who attended the e-learning or only the ones who replied to the questions at the end of an asynchronous training to get the corresponding certificate?

The European Commission should define if a person is counted only if she/he attended the whole training activity? Or a minimum 50% for e.g.? Or a minimum number of hours? Or a module? Or if a person is counted if it received a certificate of attendance, from the moment that this attendance corresponded to a minimum of 75% of the training or to 100% of the training?

The training providers will generate the data according to the European Commission rules so they should be clear.

Since it will be massive for 2020 and all training providers will be concerned, questions should be “answerable”.

To be noted that for instance regarding notaries, only the national chambers can provide certifications, not CNUE.

Questions on quality:

It would be desirable that the new annual report monitors the quality. Is it feasible for the training providers?

One expert indicated that it may be tricky to get data on quality, as training providers all think that they make a good job.

Another expert underlined the difficulty to evaluate the quality, as there could be a “Booking.com syndrome”: the grades depend on the participants (hostels with high grades and 5 star hotels with low grades because of differing expectations).

An expert expressed her surprise at seeing that the collected numbers were used to look at the quality of training delivered.

Questions relating to training methodology could be: how are the trainers recruited? What is the minimum level of knowledge of trainers?

A question could maybe relate to the type of training: e-learning, face-to-face, etc.

In some Member States, the national chamber for bailiffs also has a responsibility regarding the quality of training. In the Netherlands, a bailiff must ask for authorisation before attending a course, so that the chamber confirmed that it is of good enough quality to fulfil the ongoing training obligations.

An expert indicated that the questionnaire could also possibly be a tool to fill in the work of the Expert group and comprise open questions, such as: the type of innovative training used? The biggest challenges faced? The criteria of success for quality training?

Questions on evaluation of training:

Several experts underlined the importance of verifying that the training is evaluated, at least with a questionnaire of the participants.

Other experts indicated that more interesting would be questions on the effectiveness and impact of training. They also underlined the difficulty to do so: what to measure (knowledge, practice, understanding of EU law...)? Moreover, impact evaluation requires extra work and extra time so it would require some sort of support or cooperation.

Overall, there was a request that the questions on quality need to be “doable”.

Questions regarding the topics of the training

Non-legal skills’ training is also important for professions other than judges and prosecutors. For instance, the important Non-legal skills for bailiffs are management of the office, development of procedural skills, quality standards.

An expert pointed out that a lot of emphasis is put on training on the rule of law and on fundamental rights, which are definitely important for professionals such as judges and prosecutors. However, other professions, such as lawyers, may be more concerned by broad understanding of these notions and relating them with topics such as anti-money laundering, anti-fraud, anti-corruption, etc., the emphasis should be put on those as well. Notaries have also more concentrated on anti-money laundering than on the rule of law for e.g.

Definition of the topic of the rule of law should be concrete, so that the same thing is understood by all when answering.

Professions targeted by the questionnaire:

Some experts indicated that it would be interesting to have questions on probation and prison staff training. This would require careful specific questions and indications regarding what is expected. The training academies have their yearly reports and may have the data at hand already, especially for initial training, even if not with the same timing as the European Commission questionnaire.

For probation officers and prison staff continuing training, it would be important to involve also other stakeholders that are active in their training, such as unions and universities, as these would not be covered by the training academies. It would thus be important to have a list of the training providers involved in each country that could contribute to these data.

The training academies would need to know about the questions and the timeline, so that they can prepare.

As prison and probation staff cover many categories and many different types of staff, this might make the questionnaire difficult, as the training academies would wonder who is exactly concerned.

Geographical scope of the questionnaire:

As several EU-level networks have observer members from the Western Balkans, it would be possible to include them in the data collection and in some projects.

For instance, CNUE has decided to accompany notariats in their accession preparation. Maybe the annual report would be a way to stimulate their participation, as it did for the notaries with the 1st strategy.

EU-level training providers also already target some Western Balkans' participants.

Other ideas:

The issue of legal translators and interpreters' training is a complex one as they are not a recognised profession in all countries. The training providers are usually universities, or professional associations.

Legal translators and interpreters' also have additional difficulties to train themselves in languages of lesser diffusion.

The quality of the interpretation could be evaluated also with the support of other professions: judges, lawyers, to know how interpreters react during an interview, how they follow legal issues.

Cross-professional training for legal translators and interpreters with other professions would be very beneficial, to know what is expected and how one is evaluated.

EULITA could organise itself a questionnaire among its members and share it with the European Commission, to inform about what is considered important by the association.

An expert raised another idea for the future maybe, in order to help compare the training activities provided, could be ECTS credits like in universities, about the way lectures and seminars are calculated according to a standardised system.

An expert informed the group of the current plans to create a training centre for enforcement officers in Albania.

2.7. In plenary 5 conclusions for the future by the chair:

- Need for clarity of the questions, giving definitions on EU law training, rule of law, definitions as wide as possible illustrated with examples;
- The questionnaire is perceived as an incentive, we should conceptualise it to make the results trigger Member States to improve their own results;
- We need to be as broad as possible and expand the material coverage to new areas of EU law and digitalisation, and geographically address the Western Balkans;
- We should look at quality not only the quantity, we need to find right way of asking questions about the quality, to measure the quality of the training that is delivered in the Member States, so we can get useful information to report back to the Member States;
- We should avoid fatigue with questionnaires, which are already numerous; our questionnaire must add value; the questions should be simple and clear; answering should be an easy job, questions must be doable;

2.8. Final plenary discussion

Key points by the experts:

Regarding **eLearning**, an expert suggested that one should measure all those that are enrolled, since we talk about professionals, we cannot request that all complete it all, as the life and professional situation might force them to drop out, still they develop and learn something.

Other experts indicated that one should distinguish between the pure eLearning and blended learning; blended learning events can be evaluated as face-to-face training with effectiveness, using Kirkpatrick model. Some self-assessment can be built at the end of the eLearning, and the

learner may get a certificate. As for the evaluation with Kirkpatrick model, different elements of it may be used on different training models. How to measure the evaluation must be seriously thought of.

Another expert underlined that it may be difficult to measure the actual completions as there are so many different types and formats.

Another difficulty mentioned was the issue of lack of participation of registered participants in online events.

Other elements are that there is a lot of synchronous e-Learning which is close to face-to-face learning. Another thing is that all the other elements like timing are tricky, as more and more participants are prepared before and are followed up after; in this way the very training might be shorter and still effective. But do we count only the actual online training event?

How to count asynchronous sessions is also an issue. Do we count per hour? Per 4 hours? Longer? Or does everything count? For example, how to treat training where one full day was turned into several short sessions?

One might have to count and evaluate differently synchronous and asynchronous sessions. Maybe we need to differentiate the participants that attended from those that completed?

There was an agreement that some quantitative questions on eLearning should be added to the questionnaire. It was also specified that one needs a clear definition of what is meant.

An expert pointed out that it is tricky to assess differently participants of online and face-to-face training. This is the sign of mistrust for participation in online experience and it is a wrong assumption. In the future, the distinction of face-to-face and online will disappear; we will head towards hybrid training.

An expert reminded of the need of **clear definitions** as a must to get good data, notably on initial training, initial traineeship or rule of law.

Additionally on initial training an expert underlined the problems faced with it in separate administrative jurisdictions as judges may be appointed upon experience. There are situations where careers start in atypical way.

One needs to remember that we address different Member States and different professions so it might be difficult to coin clear definitions for all. That asks for broad definition but not too broad so as not to become unclear.

A glossary enabling a common understanding of the terminology will be beneficial.

Moreover, providers should be prepared at the beginning of the year so that they know which data will be needed.

An expert thought that the report should not be used to measure oneself against other countries; as in some Member States, lawyers when graduating already are well EU law trained; the current questionnaire does not show it so one would need a mechanism that could reflect that starting point.

It was however reminded that the aim is to trigger **positive effects and incentives** with comparison not competition.

As on the **rule of law** and the EU Charter of fundamental rights, the strategy includes these topics, they should be followed up. Regarding the expressions rule of law and judgecraft, one will need to broaden the perspective to other professions as there is a current focus on the judges' perspective. From the lawyers' perspective the question should include professional conduct and ethics training as concerns the rule of law.

As regards **judgecraft**, one needs to define it more precisely. An expert shared the experience of participating in an EJTN training event on judgecraft and praised it as absolutely important, also in a transnational training context as this gives additional added value coming from different cultures. Another expert indicated that EJTN's model is used across the EU with success; it can be done transnationally and nationally; this could be the model to develop such training further, for more professions.

For lawyers, **non-legal skills** training could include legal language training.

As for judgecraft for notaries, the practical approach is crucial. Notaries are investing in providing eLearning on EU law however they recognise that for cross-border aspect there is indirect reference to judgecraft like in workshops on anti-money laundering, showing tricks and tips on how to identify this procedure. The expert suggests focusing on cross border aspects of it for EU law training of notaries.

Sometimes one hour is seen as nothing sometime it is enough to pass a lot of information.

An expert suggested that Covid training should be addressed but not exactly about training on it but how providers were able to adapt to the changed rules of functioning.

As for the **quality**, an expert suggested that to have questions on it in the first new questionnaire, without explaining why we measure it, may be tricky as everybody measures impact differently. Maybe it should be done at a later stage.

Nevertheless, as quality is important, some more reflection will be carried out and questions may be tested by the experts.

Regarding **probation officers**, an expert indicated that it might be beneficial to include them in the new questionnaire. It could provide some kind of base line, even if 2020 was a particular year. The questionnaire could be tested, to see how it works for this special group.

The chair concluded that it was extremely interesting and useful discussion for the Commission. It will make sure that new elements are included in the annual reporting following the adoption of the new strategy. The Commission will do its best to be simple, clear and provide definitions.

3. European Training Platform (ETP) live presentation

The chair presented the ETP as being the last element of the European Commission package on European judicial training: the new online European Training Platform on the European e-Justice Portal. It is a search tool at the service of justice professionals who want to train themselves on

EU law. It advertises training courses and materials on EU law. The chair encouraged to use it and to advertise it around widely.

Lena Geckle presented how to find EU courses and EU law related training materials for different professions. She explained that the current phase is a test one. She confirmed it is the platform to advertise courses to attend on the providers' home platforms. Currently materials' quality is checked by the European Commission European judicial training team, which will not be possible once the ETP enlarges the sources, we now analyse which system of the quality and relevance check to apply.

The presentation was followed by a discussion as below.

The European Commission was congratulated for the launch of the ETP, which is the results of many hours of work.

As training materials are concerned it will be always controlled by the European Commission, there will be no free upload of materials. This is different for the courses advertised, where it is more complex and there cannot be any interference with the competition between the training providers.

On another point, the ETP cannot be mistaken by beneficiaries of financial support as replacing their sustainability plans for their projects.

4. Next meeting

Next meeting was planned for early autumn as face-to-face.

5. List of participants

No	EG Member	22 April	26 April
		Present	Present
1.	ARNAUDOVSKA Aneta	+	+
2.	COOPER Jeremy	+	+
3.	DAS NEVES Pedro	+	+
4.	FÖKEHRER Cindy	+	+
5.	GOLDSHMIDT Peter	+	+
6.	ISERN BUSQUETS Marta	-	-
7.	KRYSIK Katarzyna	+	-
8.	O'REGAN Attracta	+	+
9.	RAGEADE Jean-Philippe	+	+
10.	THONY Jean-François	+	+
11.	UNGUREANU Diana	+	+
12.	VAN RANSBEEK Raf	+	+
13.	ZELLER Edith	+	+
14.	ZUBA Dariusz Adam	+	+
15.	AMODEO-PERILLO Daniela	+	+
16.	BRUECKNER Markus	+	+
17.	DURNESCU Ioan	+	+
18.	IGREJA MATOS José	+	+

19.	LE BOSSÉ Cédric	+	+
20.	PANSINI Giovanni	+	+
21.	PASTRANA Eva	+	+
22.	RĂDOI Raul-Mihai	+	+
23.	SZÖKY Walter	+	+
24.	Victor Vadasz	+	+
25.	UITDEHAAG Jos	+	+
European Commission			
26.	Peter Csonka	+	+
27.	Emmanuelle Cretin-Magand	+	+
28.	Lena Geckle	+	+
29.	Wojciech Postulski	+	+

6. Annexes

- Adopted rules of procedure
- Discussion paper
- Questionnaire of the 2020 Report on European judicial training
- Chat discussion minutes