The Charter of Fundamental Rights of the EU

"in action"

TRAINING MANUAL

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The project *The Charter of Fundamental Rights of the European Union "in action"*, funded by Directorate-General for Justice of the European Commission, is coordinated by the Permanent Observatory of Justice of the Centre for Social Studies of the University of Coimbra (Portugal) and developed in partnership with the Institute of Human Rights of Catalonia (Spain), the University of Utrecht (The Netherlands) and the University of Szczecin (Poland). Its central objective is to develop a comprehensive training programme for judges, prosecutors and lawyers, focusing on the instruments for the protection of fundamental rights within the European law, namely the Charter of Fundamental Rights of the European Union, contributing to the knowledge about the legal framework of fundamental rights, but also for sharing experiences and good practices. The project foresees the participation of 25 judges, 25 prosecutors, 25 lawyers and 25 judges who act as trainers from each partner country, and includes classroom training, e-learning, national workshops, international exchange of good practices, national seminars and a final conference. In addition to the training programme, the development of a Training Manual, a Handbook of Best Practices and Experience Exchange and a web platform (e-learning) with relevant information all seek to encourage the sharing of experiences among judicial actors.

In accordance with the project application, the main goal of the Training Manual is to support the organisation of future training programmes in all European Member States, raising awareness for and facilitating training on fundamental rights. In order to do so, we have established the guidelines of a comprehensive training programme focused on the Charter, namely its contents and application. On the other hand, the Best Practices and Experience Exchange Handbook aims to encourage cross-border cooperation and experience exchange among judicial actors. Finally, the aim of the

web platform used for e-learning is to be a space for sustainable information that will be freely accessible online and remain active after the end of the project.

In order to better prepare the contents of the training programmes in each partner country, an online survey was an instrumental methodology to identify the familiarity or distance of judicial actors in the implementation of the Charter and the main topics to include in the training programmes[1]. The survey also allowed judicial actors to confront the lack of training on the application of the Charter and their training gaps, thereby encouraging their participation in the project. Another relevant activity of the project was mapping and analysing the Court of Justice of the European Union decisions on the interpretation of the Charter, which helped identify its role in the implementation of the CFR (particularly regarding the latest developments in its case law) and to understand how the CFR has been used and the mobilisation strategies of the Charter at the CJEU (namely the most commonly invoked articles).

The implementation of this project relied on the relevant collaboration of the judicial institutions in each partner country, such as the Superior Council of the Judiciary, the Attorney General's Office and the Bar Association. For example, in Portugal, their cooperation was essential not only for selecting the target group of trainees, but also for the dissemination of the training needs assessment survey. Even in the partner countries who faced some difficulties in establishing this partnership, it was possible to achieve some useful collaboration to develop the project.

[1] See topic 3 - *Analysing the need for training* for a detailed analysis of the survey.

2. THE RELEVANCE OF JUDICIAL TRAINING ON THE FUNDAMENTAL RIGHTS IN THE LITERATURE

As stated in the European Commission Reports[2], the process of implementation and application of the CFR is currently overlooked by Member States. On the other hand, some studies note that the relevance of the CFR impact for national jurisdiction and legal practice is not completely clear (Di Federico, 2011; Sarmiento, 2013; Peers *et al.*, 2014) and is confronted with different judicial cultures and practices in each Member State. Thus, its potential is not yet fully explored, since its references in national courts, parliaments and governments are in limited number and often superficial (FRA, 2017: 37).

The latest reports published by the Directorate-General for Justice and Consumers (European Commission, 2011; 2015) about the case law of the Court of Justice of the European Union reveal that thousands of individuals have tried to invoke the Charter in cases which fall outside its scope of application. In fact, "every week the Commission is confronted by citizens with cases where EU law does not apply and hence it is not the EU that can intervene" – a phenomenon labelled as the Charter's "knocking on the wrong door effect" (Palmisano, 2014: 19). There is an extensive literature dedicated to the CFR in the European context, focusing on different dimensions, such as multilevel architecture of legal regimes showing that the EU citizens are interested in learning more about the CFR and when the Charter does or does not apply (e.g. Carrera *et al.*, 2012; Sarmiento, 2013).

Likewise, the European Commission (2011) points out that it is important to reinforce the knowledge about the CFR's scope and effects among judicial professionals, namely judges. Despite the evidence that national judges are more aware of CFR impacts, the European Commission Reports (2011, 2015) recognise the concern about the lack of

[2] See, for instance, the 2014 Report on the application of the EU Charter of Fundamental Rights, available in http://ec.europa.eu/justice/fundamental-rights/files/2014_annual_charter_report_en.pdf.

knowledge on the application of the CFR by judicial actors and the interest in guides on the scope of application of the CFR direct to legal practitioners. This statement is supported by two pieces of evidence: (a) legal professionals are still learning to assess the role of the CFR and how to best guarantee its full effect; and (b) the lack of knowledge about the scope of the Charter risks not applying its provisions in cases in which they could or should. As argued by Michael Diedring (2014: 1), although the Charter is an extremely important instrument that is now part of EU primary law[3], its use has been sporadic. In fact, national judges on all levels of jurisdiction are called to apply the CFR in cases falling within its scope of application (Article 51 Charter). The Charter "constitutes an important additional tool for legal practitioners in many areas of domestic law when the case falls within the scope of European Union law" (O'Brien & Koltermann, 2013: 461). Thus, the challenge is twofold: first, to assess if we can resort to the provisions of the Charter according to the scope of application laid down in Article 51(1) and; second, to determine the extent of the substantive content of the rights protected by the Charter (O'Brien & Koltermann, 2013: 461). As a result, training on how best to use the Charter is imperative (Diedring, 2014: 1).

The work developed within the framework of the EU Agency for Fundamental Rights (FRA)[4] has also demonstrated the importance of a better dissemination of the CFR.

[3] The Charter was proclaimed on 7 December 2000, by the European Parliament, the European Commission and by the EU Member States, comprising the European Council. Initially, it was treated as guidelines in the area of human rights protection (Bojarski *et al.*, 2014: 8). The Charter latter became part of the primary law of the EU with the adoption of the Treaty of Lisbon on 1 December 2009. According to Article 6(1) of the Treaty on European Union, "the Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union…, which shall have the same legal value as the Treaties".

[4] The European Agency for Fundamental Rights (FRA) has developed several handbooks on applying the Charter and the protection of fundamental rights in the EU, such as: "Applying the Charter of Fundamental Rights of the European Union in law and policymaking at national level"; "Handbook on European data protection law"; "Handbook on European non-discrimination law"; "Handbook on European law relating to access to justice"; "Handbook on European law relating to the rights of the child"; "Guardianship for children deprived of parental care"; "Handbook on European data protection law"; "Handbook on European law relating to asylum, borders and immigration"; and "Handbook on the establishment and accreditation of National Human Rights Institutions in the European Union". These handbooks can be accessed at http://fra.europa.eu/en/publications-and-resources.

According to its *Fundamental Rights Report* from 2018 (FRA, 2018: 46), FRA's evidence suggests that judiciaries and administrations make limited use of the Charter at national level – it appears that hardly any policies aim to promote the CFR, although Member States are obliged to "promote the application thereof in accordance with their respective powers" (Article 51 Charter). As such, where "the Charter is referred to, in the legislative process or by the judiciary, its use often remains superficial" (FRA, 2018: 46). The FRA also states that despite the existence of a common constitutional culture of fundamental rights across the European Union, there are still noteworthy differences in the protection of specific fundamental rights in various Member States. In this sense, the relationship between national fundamental rights' instruments and the EU Charter is thus all the more relevant.

The Charter has become a legal tool of great importance in the jurisprudence of the CJEU, and is increasingly referred to in its decisions (Bojarski *et al.*, 2014: 9). The CJEU's jurisprudence may also develop an important role in the effective implementation of the CFR. In fact, its impact goes beyond the specific case, since it has an influence in the CFR process of interpretation and application by different national actors.

For a better dissemination and knowledge of the CFR and to certify that the Charter can be used as a base of a fundamental rights complaint before national courts or the CJEU, it is fundamental to develop sustainable training and spaces for sharing experiences, challenges and best practices regarding the interpretation and application of the CFR. So, considering the lack of knowledge on the scope and the specific implications of CFR among judicial actors and the challenges related to the process of adjusting to the CFR (Peers *et al.*, 2014), this project – *The Charter of Fundamental Rights of the European Union "in action"* – aimed at judges, prosecutors and lawyers, has the significant potential of reinforcing the judicial actors' competences for applying CFR rights, leading to a better interpretation and application. Besides overcoming the difficulties related to the lack of knowledge and the importance of a better

dissemination of the CFR, this project also contributes to clarify its relevance at the national level as well towards the European area of justice.

3. ANALYSING THE NEED FOR TRAINING

It is widely recognised that training programmes must be needs-oriented to ensure their effectiveness. As such, an important task of any judicial training programme is to identify and meet the real training needs of the judicial actors, and ensure that these demands are included in the programme.

Training theory defines "need" in several ways, but in general it is described as "the gap between existing and desired knowledge, skills and abilities, which could be reduced or even eliminated through training" (European Comission, 2014: 31). Therefore, training needs assessment is a "process of gathering data to determine what training needs exist, so that training can be developed" (Brown, 2002: 569). The careful assessment of training needs can ensure that training programmes are appropriately designed to address gaps, and that training goals and objectives are developed to directly address those gaps.

According to the European Judicial Training Network (2016: 13), the objectives of a training programme can only be defined if the specific judicial setting and background of the potential target group is identified beforehand, and evaluation criteria for a training programme (or a specific training event within the training programme) can only be appropriately defined when realistic training goals – reflecting the true needs of the judicial actors – are set in advance. There is a close relation between the assessment of training needs and the evaluation of training activities: in general, the evaluation of training activities demonstrates to what extent training needs have been successfully addressed by the training activities; at the same time, evaluation of training activities helps to identify new training needs (European Comission, 2014:

31)[5]. On the other hand, training needs assessment provides relevant information regarding, among other things, preferences in terms of topics, materials and the appropriate methods of training, and therefore influences the course design.

According to the three different levels of training needs assessment usually considered (European Comission, 2014: 31) – organisational level (identifies the knowledge, skills and competences needed by a specific organisation as a whole, e.g. for the judiciary); functional level (assesses the knowledge, skills and competences needed by a specific profession, e.g. for a judge or lawyer, or function, e.g. for a civil judge or criminal lawyer); and individual level (determines the individual training needs of target group members) – the CFR "in action" project favoured the first and second levels, but mainly the second. Therefore, our training needs assessment was aimed at identifying gaps in knowledge, skills and competences of judicial actors in general, but primarily concerning specific judicial actors (judges, prosecutors and lawyers).

In the CFR "in action" project, we used a variety of training needs assessment methods[6]: a survey through which legal professionals specified topics needing to be covered by the training, before designing the training programme (paper and/or online); informal meetings with key actors; and evaluation forms/questionnaires to be answered after each one of the training sessions, including requests for suggestions of topics to be included in future training actions and training organisation items to be improved[7]. As was done during this project implementation, it is important to combine several methods in order to obtain the best results possible and suppress possible shortcomings.

[5] See below topic 7 on *Evaluating Training*.

[6] For a detailed chart on the advantages and disadvantages of several training needs assessment methods see, for example, Brown, 2002: 575-576.

[7] Other training needs assessment methods are recommended in the literature, such as focus groups (discussions with judicial actors, academics, etc.), individual interviews with professionals from the target group, and review of related documental references and case law. Cf. European Comission, 2014: 33, Brown, 2002: 574. For a detailed analysis of *focus groups* see, for example, Krueger & Casey, 2009.

As a starting point, the CFR "in action" project included the preparation, application and analysis of an online survey to judicial actors (lawyers, prosecutors and judges) in all partner countries to map their training needs on the Charter. The efficiency of the project depended on matching the training sessions to the expectations and actual training needs of the targeted judicial actors, so the training needs assessment survey was an essential methodology. After a brief profile description of the respondents, the survey included questions on topics and contents from previous training courses on the CFR; areas in which the respondents had more difficulties with the interpretation and application of the Charter; and topics for training on the Charter the respondents would like to learn more about. The survey results also provided relevant information to identify, in all partner countries, the level of knowledge of judicial actors (judges, prosecutors and lawyers) on the Charter and also the main areas in which there is a significant lack of training, including the suggestion of specific areas to integrate into the training sessions. Following the methodology adopted in similar questionnaires, the Permanent Observatory of Justice of the Centre for Social Studies requested the cooperation of the High Council of the Judiciary, the Prosecutor General's Office and the Bar Association. Their cooperation consisted in the dissemination of the survey and the request for answers from judges, prosecutors and lawyers, respectively, by email and through their web pages.

Due to the fact that the training programme was aimed at a pre-selected group of trainees and prolonged over time, in Portugal the CFR team was able to obtain a real and detailed perception of the training needs of the targeted judicial actors by combining the results of the survey with other methods. As recognised by the literature (European Comission, 2015b: 3), it is important to regularly review and, if necessary, update the training programme to meet new or developing needs. This is what was done during the CFR project implementation, since training needs assessment was regarded as a continuous process and topics were adapted according to this constant and updated evaluation. The CFR team and the trainers were able to

adapt the programme and the contents of the training over time, in accordance with the information gathered in the evaluation questionnaires. Moreover, the participation of trainees in the forum set up on the online platform allowed for the compilation of questions and topics to be answered or prepared by trainers in future training sessions. In accomplishing these goals, the role of the "pedagogical coordinator" was particularly important for two reasons: the work was aimed not only at the trainees, but also at trainers. Playing a role as an important key actor, the "pedagogical coordinator", provided trainers with information of how the training session was perceived and the expectations of trainees.

In fact, the CFR experience shows that the survey methodology can be insufficient, and it may be necessary to find new strategies for the assessment of training needs. Even though the number of responses to the survey was high in Portugal and in Spain, due to the close cooperation of several judicial entities, the Dutch[8] and Polish partners were confronted with some difficulties, but were also able to obtain significant results[9].

[8] The main challenge in the Netherlands was the lack of cooperation of some judicial entities in the dissemination of the survey. According to them, the main reason for the lack of cooperation was the fact that the judicial actors were overloaded by surveys at that moment. Nonetheless, some institutions were cooperative, such as the Bar association (Nederlandse Orde van Advocaten – NOvA). It was agreed that the survey could be announced in the online edition of the Advocatenblad, the journal of NOvA. The announcement contained an introduction to the goal of the project and some information about the survey. A link to the survey website was also included. Even so, the answers to the survey were minimal and the researchers still had to use their own contacts in order to raise the profile of the survey amongst judicial actors.

[9] In Portugal there was a total of 253 responses (from 1 February to 30 March 2017), in Spain there were 485 responses (from 1 February to 6 March 2017), in Poland 24 (from 19 February to 19 March 2017) and in the Netherlands 70 responses.

4. PLANNING OF TRAINING

4.1. Setting training objectives/learning outcomes

One of the key aspects of course development is the identification of training objectives, which should state what the participants will be able to accomplish at the end of training, ensuring that training programmes are able to meet the needs of the target group[10]. Learning objectives are important because they serve as the foundation for the design of the training plan (including the definition of appropriate training content and methodology), they are used in assessing the training, and they facilitate active learning (Solter *et al.*, 2007: 29).

As stated above, in Portugal the survey results and the responses to the evaluation questionnaires provided important information to set up the content of the training programme and thus helped identify learning objectives. The survey carried out by the CFR "in action" project included not only questions regarding past training activities, but also the Charter topics that the respondents would like to have training on and those in which they have more difficulties. Apart from gaps in technical knowledge, the CFR team identified a certain lack of overall knowledge on the Charter, a result of insufficient dissemination and reflection on the subject. Similarly, in Spain the survey results were an important source of information due to the high level of responses, mainly from judges and lawyers. Regarding the training interests, which were fully taken into account for the design of the training programmes, the prioritised aspects have a close relationship with the obstacles encountered in the application of the CFR

[10] There are several models to help in the training objectives' definition. One of those models is Bloom's Taxonomy of Educational Objectives. Traditionally, according to Bloom's Taxonomy, learning objectives should be classified into six types of learning: knowledge, comprehension, application, analysis, synthesis and evaluation. The revised Bloom's Taxonomy redefines Bloom's original work and divides cognitive learning into the following types: remembering, understanding, applying, analysing, evaluating and creating. For a detailed analysis of the revised Bloom's taxonomy in the cognitive domain see Anderson & Krathwohl, 2001. Another model is Roger Mager's Theory of Behavioural Objectives. This theory divides training objectives into three characteristics: performance, conditions and criterion. For a detailed analysis of Roger Mager's Theory of Behavioural Objectives, see Mager, 1983.

in the courts. In general, taking into account the results of the survey, it was concluded that the training programme was aimed at people with a low or very low level of training on the CFR, mainly due to the lack of a specific training offer, with high motivation in aspects related to human rights and whose interests are focused on practical aspects of the use and application of the CFR in their daily work.

On the other hand, in the Netherlands, the survey results did not, unfortunately, deliver enough useful information on the training and knowledge needs of the legal professionals in relation to the Charter. In order to gain additional useful information, the researchers in the Netherlands decided to measure needs and knowledge on the Charter in a more informal way. To this end, interviews were held with individual judges and lawyers that replicated the survey questions. Unfortunately, it was not possible to conduct interviews with public prosecutors.

Another possible way to set training objectives is through the assessment of past training activities. This was a task carried out during the CFR "in action" project. The identification of those training activities revealed important differences between the partner countries, which translated into different learning objectives. Therefore, training programmes were optimised in order to reflect the needs, objectives and methodologies of each partner country. In Portugal, the team identified past training activities on the Charter focusing on aspects related to the contents and the training programmes (if possible). This work, besides the assessment of the existing training, also made it possible to identify qualified trainers, so this is a key part of the training organisation.

4.2. Cooperation with judicial institutions

As previously stated, cooperation with judicial institutions is crucial not only to improve the training results, but also for the implementation of the training programme, insofar as they, for example, may be responsible for the dismissal of service of judicial actors in order for them to attend the training sessions. The

articulation with judicial institutions can be enhanced and they can also partake in the formulation of the training programme.

In Portugal, the cooperation of the High Council of the Judiciary, the Centre for Judicial Studies, the Bar Association and the Prosecutor General's Office was particularly important to identify and select the participants (trainees) and to disseminate the survey among the judicial actors. These institutions also cooperated in publicising the seminars and the final conference in order to reach the highest number of individuals during those sessions. In Spain, institutional coordination was carried out mainly with the High Council of the Judiciary and the Judicial School, who helped organise the courses for judges and prosecutors in Madrid and for judges who act as trainers. The Bar Association of Barcelona supported the project with the dissemination of the survey and the training programme and with the transfer of classrooms to carry out the training of lawyers. Finally, for the dissemination of both the survey and the training offer, collaboration was obtained from a variety of entities, organisations and foundations, who have a direct relationship with these professionals, such as the General Counsel of the Spanish legal profession, Bar Associations throughout Spain, the Centre for Legal Studies, different lawyers unions, prosecutors and judges, various associations of lawyers throughout Spain and associations or foundations linked to the judiciary. All these collaborations have been essential for reaching the participants, and therefore for the smooth running of the project.

In contrast, in the Netherlands, a strategic collaboration was sought among several judicial institutions, which have large databases of registered judges, prosecutors and lawyers. Unfortunately, some did not want to cooperate. The reason for this was that legal actors are already overloaded with information and they have a high workload. This cooperation was, therefore, not considered desirable since it was expected that it wouldn't be useful – legal actors would not fill out the survey and attend the training sessions. However, as was previously stated, some judicial institutions did cooperate with the Dutch team. For example, the NOvA (Nederlandse Orde van Advocaten)

played a major role not only in the dissemination of the survey, but also in the announcement of the classroom training for lawyers in their journal.

4.3. Selection and training the trainers

Considering the specificity of the CFR, the trainers of the CFR "in action" project should be subject matter experts who deliver content in a classroom or online with knowledge of judicial field work, practical experience on the topic (high profile) and pedagogical skills. Trainers can be legal professionals, academics, national or international experts, or other non-legal professionals. They must have high technical expertise, recognised intellectual, professional and scientific merit and advanced training experience, but also exceptional training and communication skills. Trainers should be able to give practical examples, advice and valuable feedback to participants (European Comission, 2015b: 4).

The cooperation of judicial institutions, such as judicial training schools and the High Councils of the Judiciary, can be particularly significant for identifying and selecting trainers. However, more importantly, trainers must be selected according to the chosen training objectives. In Portugal, training objectives go beyond providing more technical knowledge to judicial actors on the Charter, since they also include awareness-raising and dissemination on the subject. The trainer's profile must reflect this intent. As such, apart from trainers that demonstrate technical mastery of this subject, the team also selected trainers who are working in fields such as the sociology of law and the protection and promotion of fundamental rights. On more controversial subject matters and issues, it is important to bring together different trainer profiles that can bring different perspectives.

Although trainers have complete scientific and pedagogical autonomy, coordination between training contents is highly desirable. In order to achieve those results, the role of the "pedagogical coordinator" is essential. In Portugal, the "pedagogical coordinator" attended several training sessions and was able to observe the training

dynamics and suggest necessary adjustments for future sessions. In Spain, two "teaching coordinators" were established, one in Madrid and another in Barcelona, to act as focal points for liaison between the Human Rights Institute of Catalonia and the training team and to help develop initial activities such as the preparation of the teaching plan, coordination among trainers and coordination with the students. These coordinators were also the main facilitators in the e-learning training on content, along with a tutor from the Human Rights Institute of Catalonia who supported logistical questions.

Finally, trainers should be willing to undertake training themselves, especially on the topic for which they are providing training to others – this will show them how to ensure that all training participants are actively involved (European Comission, 2015b: 4). Therefore, judicial training programmes should guarantee that they are adequately trained for this purpose (European Comission, 2014: 22).

As such, and in order to create strong links between the training programmes and the training content, a "*Training the Trainers' workshop"* was held in all four partner countries during the CFR "in action" project implementation, and before the training programme itself began, to clarify the training guidelines, the objectives of the project and the training methodologies.

4.4. Target groups

One of the most important aspects of the training programme is selecting the right target group for the specific training aim. Trainees can be selected in two ways: 1) open registration; or 2) pre-selection done, for example, with the close collaboration of judicial institutions.

The target groups for the training programmes on fundamental rights should be rigorously defined considering the actors of the judicial system involved in applying, promoting and implementing the instruments for protecting fundamental rights, such

as the Charter. This universe can involve judges, public prosecutors, lawyers and judges who act as trainers. In the CFR "in action" project, trainees were selected among judicial actors who deal with the CFR application in their daily work, taking into consideration their activity and the diversity of rights. The close collaboration with judicial institutions was an excellent way to ensure an effective selection of trainees.

In Portugal, trainees were selected, on one hand, with the collaboration of the High Council of the Judiciary, the Prosecutor General's Office, the Centre for Judicial Studies and the Bar Association. These institutions were considered to be in the best position to designate the most qualified professionals to join the training programme, taking into consideration their activity and the importance of the topic in the exercise of their functions. On the other hand, we also provided open registration in the case of lawyers. The previous experience of the Permanent Observatory of Justice and UNIFOJ/e-UNIFOJ[11] in the implementation of other training programmes (classroom and online) also allowed us to identify judges, prosecutors and lawyers that had attended those programmes and had the right profile to participate in the training of the Charter because of their activity as well as their participation and the interest they demonstrated.

Similarly, in Spain, the selection of participants was carried out in two different ways. In some cases, the selection was done by open registration: the programme was disseminated through entities, institutions or organisations related to the legal professions and interested persons were registered through the VirtualClassroomIDHC (an e-learning platform), where the selection was carried out according to their profile. In other cases, the participants were selected with the collaboration of the High Council of the Judiciary and the Judicial School.

[11] Unit of Legal and Judiciary Training of the Permanent Observatory of Justice of the Centre for Social Studies of the University of Coimbra.

In the Netherlands, due to the lack of cooperation from some judicial institutions, the Dutch team had to bring training to the attention of legal actors through other methods. With regard to prosecutors, the announcement of the training was published on the intranet of the Prosecutions Office and several contacts were made by the team. Since registrations remained low, the team decided to also open the training to lawyers. With respect to judges, almost all courts in the Netherlands (district courts, courts of appeal and Supreme Courts) were contacted by the team. Likewise, training sessions were announced in the newspapers of the *GCE-Network* (a network which reaches all the coordinators of European Law in the Dutch Courts). As regards lawyers, as was previously stated, the NOvA announced the training in their magazine and some institutions dealing with migration law were contacted. In all three cases, project members contacted university colleagues with the relevant profile for the target group of the project and asked them whether they wanted to participate in the training or whether they knew other legal actors that might want to. Furthermore, the training sessions were disseminated through the website of the Montaigne Centre (Utrecht University) and via the Utrecht University website and LinkedIn.

4.5. Location, time, duration and frequency of training sessions

While choosing a location for the training activity, an easy to reach place with enough parking space and public transportation alternatives is preferable, because it is important for the training to be accessible. The selection of location should also consider if the training is made at local, regional, national or European level (European Comission, 2015b: 4). Considering the CFR "in action" objectives, it was opportune to include participants from different cities in each partner country, so the training programme included decentralised locations to encourage the participation of the largest number of trainees.

Due to the fact that the judges, prosecutors and lawyers selected for the training programme lived and worked in different cities, in Portugal the training sessions were

held in two locations, Coimbra and Lisbon, and the trainees could choose the most suitable location. This allowed for the maximum participation possible and reduced the travel costs. In Spain, the classroom training for judges and prosecutors took place both in Barcelona and in Madrid. The training for lawyers was carried out only in Barcelona. On the other hand, in the Netherlands, the CFR team opted for a different solution. Training sessions for prosecutors and lawyers were held once and were organised in the university. These sessions lasted a whole day. However, the training sessions for judges were organised not only at the university, but also in-house in different courts. The university session lasted a whole day and the in-house training lasted 2-4 hours. The in-house training was particularly important. Since judges, prosecutors and lawyers are often occupied with their daily work schedule and don't usually have time to travel to the training location, the trainers went to their place of work and provided the training sessions there. This increased participation and reduced time-consuming aspects.

The aim was for class sizes of about 25-30 people (or less, if possible). This number works best in order to provide a more interactive learning experience, encouraging the active participation of trainees, the clarification of their doubts and the sharing of experiences. If there are more than 30 participants, we recommend that the class is divided in two.

Training can be concentrated or it can be diluted over a longer period of time. The length of training should be balanced, taking into consideration the amount of content, but also allowing for sufficient reflection time. A successful training programme is prolonged and combines several methodologies. In Portugal, as will be explored below in topic 5.2., the training programme began with classroom sessions (with a more general nature, aimed at all trainees), followed by e-learning (one for each professional body) and, again, by classroom sessions (specialised for each professional body) in the form of workshops and seminars. This combination allowed sufficient time for individual study, critical reflection and consolidation of knowledge, hard to achieve

in a training programme that isn't ongoing. Furthermore, through the e-learning platform we were able to maintain a cohesive group of trainees acquiring knowledge and reflecting around the same subject for an extended period of time, by discussing their doubts, placing questions for reflection and gathering their contributions for discussion. Likewise, the platform enhanced the dissemination of results among other judicial actors. Due to the fact that our training programme also allowed for the selection of trainees by open registration (in the case of lawyers), the participation of some judicial actors was a consequence of the dissemination of the results among other judicial actors.

In the Netherlands, the dissemination of results was also important. Firstly, during the classroom training sessions for judges, prosecutors and lawyers, the relevance of the training of judicial actors on fundamental rights was discussed and it was expected that participants would expand the knowledge they have gained with the judicial actors at their institutions. Judges, prosecutors and lawyers could use the information and documentation in the e-learning modules for this. Secondly, a part of the Final Seminar in the Netherlands was devoted to the dissemination of knowledge on the Charter and the question of how participants could expand their own knowledge within their institutions. Participants discussed this issue together with a moderator in small groups.

In Spain, face-to-face training was preceded by e-learning and both had the same participants. The aim of e-learning training was to analyse and discuss previous and basic subjects to take into account before the classroom training, using a forum set up on the e-learning platform. The e-learning training allowed enough time for the participants to read, do practical exercises and participate in the debates that the trainers started, which, in certain cases, was especially intense.

Invitations should be sent two months in advance through the appropriate channels, in order to be appropriate for the work agenda of both trainers and trainees.

Additionally, training providers should ensure that information about the training programme reaches all target members, ideally, months or weeks in advance. This will give trainees a chance to prepare for classes, read the training materials and identify their problem areas. Information about training activities should be easily accessible.

Finally, each training programme should be under the direction of a training organiser or manager who is responsible for the programme. It is the training organiser's task to produce attendance certificates with all the relevant data about the training event. The training organiser and the session director have to go through the attendance lists together, to check whether each attendee has actually been present throughout the training event.

4.6. Risks and measures to mitigate them

As in all training programmes, one of the main risks is not having a sufficient number of trainees to carry out the training. Often, legal actors have a high workload and can't miss a day's work to attend a training session. Likewise, even though the number of participants is sufficient, there is always a risk of absence, which means that the estimated number of trainees isn't achieved due to, for example, unforeseen workloads, lack of interest or even lack of commitment by judicial actors. One way to mitigate this risk is through the pre-selection of participants with the help of judicial institutions. Other ways to mitigate this risk are: the selection of trainers of recognised prestige that will act as another motivation to attend the training; providing the attendance certificate only to those who attend the majority of the courses; and duplicating courses in different cities to facilitate greater participation.

In addition, we must consider problems which may arise from the excess of training offered on the Charter of Fundamental Rights.

5. Training methodology and content

5.1. Training methodology

According to the CFR "in action" project aims, there should be a combination of classroom training, delivered face-to-face to the participants, and other types of long-distance training, such as e-learning and/or b-learning ("blended learning").

Classroom training is still the traditional format for judicial training in Europe and the main method used to stimulate learning experiences (European Comission, 2014: 67). Classroom training is especially vital in areas in which distance learning methods are less effective and interaction is needed at a fairly high level of interpersonal contact, e.g. for sentencing, investigation techniques, training the trainers strategies, among others (European Comission, 2014: 67). This method of training was the main focus of our training programme.

E-learning, on the other hand, is cost effective and makes it easier for judges, prosecutors and lawyers to reconcile their professional duties with attendance at training sessions. The development of new technologies makes it possible to use these new communication instruments as a learning tool, provided that computer networks are available to those legal actors and that they are familiar with their use (European Comission, 2014: 71). E-learning can be used as a training method by itself or to complement classroom training. In order to achieve the best results, we opted to use e-learning as a complementary method of classroom training.

Some benefits of e-learning are (European Comission, 2014: 68): allowing a large number of people to simultaneously follow the same training session; enabling legal actors to retrieve training materials digitally at any time that suits them, without disrupting their daily work; avoiding time-consuming travel that causes unnecessary fatigue; allowing financial savings on travel, meals and accommodation; and finally,

allowing for the rapid organisation of the training programmes, thereby avoiding a heavy organisational structure.

B-learning ("blended learning") is a mixture of distance learning and classroom learning, combining the advantages of both methodologies by leaving more interactive activities to classroom training, which can be scheduled before or after the e-learning (European Comission, 2014: 71).

Important findings in the area of adult-learning have generated the necessity for a new design of training events and sessions, with a high degree of interactivity and a variety of methods (European Judicial Training Network, 2016: 16). In accordance with the identified training needs, which may vary among the different professional groups of the judiciary, the training institution should provide different formats of training events within the same programme, such as conferences, symposiums, seminars, workshops, e-learning tools, discussion forum, etc. (European Judicial Training Network, 2016: 16).

Interactive training also requires a small group of trainees, class conversation and the use of simulation exercises. The emphasis should increasingly be on the use of case studies, small discussion groups and, if appropriate, maximising the potential for e-learning (European Comission, 2014: 21).

There are several participatory/active training methods[12]:

- **Lectures**: lectures are the traditional training method and they consist of structured presentations, aiming at knowledge transfer. The use of this method is useful when new knowledge is introduced to the audience. In

[12] For a detailed explanation of each method and an analysis of the advantages and disadvantages see e.g. European Judicial Training Network, 2016: 27ff . The list of active training methods in this Training Manual was drawn up with reference to the EJTN Handbook.

order to avoid an entirely theoretical approach to training[13], they should be combined with other techniques that are more practical.

- **Discussion method**: the discussion method consists of the exchange of ideas between trainers and students. Participants share their thoughts on a certain topic or question and also respond to the ideas of others. This is an appropriate method to use in classroom training to provide a more practical approach to expository lectures.
- **Debate**: the debate method involves formally presenting an argument in a disciplined manner and debating it with the audience. In contrast with lectures, the debate uses hypothetical questions to request trainees to draw conclusions through their own reasoning process and so stimulates their thinking.
- **Case study method:** the case study method consists of presenting a specific incident, or scenario, with relevant background information, that is analysed in detail with the aim of identifying a solution. They create the opportunity for trainees to understand and apply principles, regulations and rules to a real or imaginary scenario. Case studies usually don't provide clear-cut answers – they intend to raise questions.
- **Simulated hearings and role-play exercises**: through these methods the trainer is able to simulate a court hearing or allocate a particular role to a trainee or group of trainees and ask them to perform a task from different perspectives (e.g. judge, prosecutor, lawyer), which brings a practical element to the courses.
- **Brainstorming**: when using this method, trainees are invited to generate ideas or solutions to challenging problems, specific areas or topics, and voice them to the class. The trainer should write down those ideas and then

[13] According to the EJTN Handbook on Judicial Training Methodology (2016: 33), this method, when applied incorrectly, can have several disadvantages such as one-way communication, passive role of participants, low absorption and artificial assimilation of knowledge.

discuss their appropriateness with the class. This is an excellent method when trying to find a solution to a practical example or case provided by the trainer.

- **Practical demonstrations**: the use of practical demonstrations is suitable for skill-based training. When using this method, the trainer shows the step-by-step procedures in doing a certain task, the principles that apply and any related information.
- **Problem solving**: problem solving is used to identify problems, analyse them and find appropriate ways to solve them.
- **Debriefing:** debriefing is an important part of group work and provides a review of the activity, the identification of different viewpoints and an opportunity to share ideas.
- **Group work**: the constitution of small groups, of two to three people, in which they are asked to discuss a particular topic together and then report back to the entire classroom, is an effective method of training.
- **Presentations**: presentations can be a training method by themselves or they can be combined, for example with group work. According to the EJTN (2016, p. 29), both of these methods facilitate new knowledge acquisition. In order to avoid uncertainties and confusions, and considering the fact that participation is an important factor to ensuring success in learning, it is essential to allow adequate time for group/ individual discussions after the presentations. The presentations should be 20 to 30 minutes long. The most important aspect is not the content in itself, but the discussion and the exchange of views that allows for a richer learning experience.
- **Snowballing**: this method has been adopted as a means of consolidating learning or to encourage collaboration in the development of new ideas. The trainees work alone at first, then in pairs, then in groups of four and then in groups of eight in order to, for example, answer a specific question or

discuss a certain idea or topic. The trainer then invites a representative from each group to present the outcomes of their debates to the other groups.

Another important aspect of training is the use of interactive visual aids. Visual aids should be used to create interest and to help learners understand the information being given, recall major points (that they must remember) and also consolidate learning (United Nations Office on Drugs and Crime, 2000: 34). Even though visual aids help in the learning process, it is important to ensure that they don't create barriers to effective communication. They must be planned carefully.

According to the experience of the CFR "in action" project, training programmes should implement both a theoretical and practical approach to the training topics (with a particular emphasis on the practical aspects of training) and involve the use of active participation methods. As will be explored in the following section, and according to the common training needs identified in the survey, especially in the initial phase of the training programme, the team recognised the importance of expository lectures aimed at all legal actors, followed by a discussion. After this common core curriculum, of a more general nature, the following training sessions were specific to each professional body, with a more interactive training methodology.

In Portugal, some training activities used a methodology that combined both lectures and the discussion of case law, with commentaries made by a trainer specialised in the subject. This allowed for the active participation of all the trainees and encouraged debate on the application of the CFR and the importance of fundamental rights. This method was highly successful, making the training session dynamic and interactive. There was a positive response by the participants. Since they already have advanced training in law, they wish to discuss specific situations and explore their day-to-day difficulties in implementing the CFR and the protection of fundamental rights.

In the Netherlands, in most training activities (classroom sessions and Final Seminar) the training methodology consisted of a combination of lectures, case law examination

and discussions between the trainer and the trainees about specific questions and cases. The latter, especially, was regarded as very useful. The more concrete and applicable to the day-to-day practice, the better the training sessions were evaluated. This was visible in the Final Seminar, where the participants had the opportunity to bring their own cases and had them discussed in plenary. Participants thought this was very useful.

Similarly, in Spain, the classroom sessions followed a theoretical-practical format with a special emphasis on practice. The materials and/or methodologies used have ranged from different readings (theory, jurisprudence, articles, among others), to the analysis of cases, group work, debates in the classroom and on the e-learning platform proposed by teachers. This practical methodology has been highly valued by all students and their participation has been very high in all cases and all sessions. We must also highlight the importance of the debates on the e-learning platform because of their quantity and also the high interest demonstrated by most participants.

5.2. Training programme and content

The definition of the training programme has to attend to all the aforementioned aspects, namely the training objectives, target groups and duration of training. The substantial core of a curriculum should be set at least six months ahead of the first training event, in order to properly launch the call for applications and recruitment of trainers for the training events (European Judicial Training Network, 2016: 15).

In Portugal, the training programme was drafted in order to include a common core curriculum at an early stage aimed at all participants. The results of the survey showed that the vast majority of respondents didn't have any experience in the application of the Charter or any training in the subject. In Portugal, only 13% of the respondents attended training on the Charter, which lasted two days or less and was general in nature.

Therefore, we decided to hold one training session aimed at all judicial actors and focused on general training on the subject. Even though it was not its main goal, this common training session also ended up providing opportunities for networking and the exchange of experiences between different legal actors. However, this might not be the case in all countries. In fact, the implementation of training sessions with different legal professionals could also have the contrary effect. Experience shows that the presence of some legal actors could inhibit others from sharing experiences and engaging in discussions with the trainer and other legal actors.

After the common core curriculum, we focused in specialised sessions with more interactive and practice-oriented training methodologies. During these sessions, there was case law and/or specific cases discussions to provide a solid illustration of the country's social-legal experiences, engaging the trainees and, if appropriate, setting up small work groups. The specialised e-learning sessions were also designed to be a path to further develop the knowledge acquired by the trainees. The e-learning platform was an important tool for the implementation of the training programme. This platform, that still remains active after the end of the project, allowed the identification of several questions for discussion, the gathering of trainees' inputs and suggestions of training contents and increased interaction between trainers and trainees.

As already stated above, in the Netherlands the training sessions for prosecutors and lawyers were held once. They were organised at the university, and lasted a whole day. On the other hand, the training sessions for judges were organised both at the university (lasting for a day), and also in-house in different courts (lasting 2-4 hours). For each training day, a general part and a specialised part were held. The general training focused on general topics on the Charter, while the specialised parts dealt with the role of the Charter in specific areas of law. Classroom trainings were practice-oriented and specific cases were explored. Prior to the training, participants were asked whether they could bring specific cases on the Charter to the training. These

were cases that the legal actors were confronted with in their legal practice and the goal was to discuss them with the other participants. Two months after the final training sessions, all participants were invited to enrol in the online e-learning course. There were separate modules for judges, prosecutors and lawyers. These modules built on the knowledge gained from the classroom sessions.

In Spain, as was previously mentioned, the classroom training for judges and prosecutors took place both in Barcelona and in Madrid to increase attendance. Regarding the training for lawyers, this was carried out only in Barcelona. All the classroom training lasted 16 hours, distributed either in sessions of 4 hours (4 days per week) or in sessions of 8 hours (2 days per week), in the case of the course for judges and prosecutors in Madrid organised in conjunction with the High Council of the Judiciary. The e-learning training preceded the classroom training.

The CFR "in action" project held the following training sessions, in Portugal:

- Classroom training common to all legal actors (12 hours);
- E-learning, one for each professional body (30 hours);
- Specialised classroom training for judges (16 hours – 2 days);
- Specialised classroom training for prosecutors (16 hours – 2 days);
- Specialised face-to-face training for lawyers (16 hours – 2 days);
- Training workshop (16 hours – 2 days);
- Final seminar (1 day): the same participants who attended the classroom training and e-learning.

Additionally, we held two Exchange of Experiences Workshops in order to facilitate the exchange of knowledge and best practices on the scope and specific application of the CFR among judicial actors. The results of these workshops will be examined in more detail in the Best Practices and Experience Exchange Handbook:

- *Exchange experiences* workshop, in Utrecht, the Netherlands (1 day):

- *Exchange experiences* workshop, in Szczecin, Poland (1 day);

Finally, there was a:

- Final International Conference, in Lisbon, Portugal (1 day): all participants.

In Spain, the CFR "in action" project held the following sessions:

- E-learning, one for each professional body (20 hours);
- Specialised classroom training for judges and prosecutors in Barcelona (16 hours – 4 days);
- Specialised classroom training for judges and prosecutors in Madrid (16 hours – 4 days);
- Specialised classroom training for judges and prosecutors in Madrid II (16 hours – 4 days);
- Specialised classroom training for lawyers in Barcelona (16 hours – 4 days);
- Specialised blended training for judges who act as trainers, with the final session in Barcelona (55 hours – 2 months);
- Final seminar (1 day): with all the participants who attended the classroom training and e-learning.

In addition to the training programme, it is important to define the training contents. When applicable, training on an assortment of topics should be available. It is important that there is training not only on legal knowledge, but also on specific skills, social legal critical analysis and responsiveness to society developments (European Comission, 2015b: 3). The tendency is to train legal actors in a way that mixes both legal and non-legal training and also different disciplines, bringing them and other professionals together in a mutual discussion (European Comission, 2014: 43). Moreover, according to the European Commission (2015c) content should be linked with national practice (however, trainees should still learn about the solutions and

methods of other legal systems) and cover cases relevant for all trainees (judges, prosecutors and lawyers).

Training content should be appropriate to the learning objectives and the needs of the target groups. Even though trainers have complete scientific and pedagogical autonomy, contents have to be linked in order to avoid overlapping or training gaps. In Portugal, the training content was aligned by the "pedagogical coordinator" and the training guidelines.

As mentioned above, the survey results revealed different training needs in each partner country. As such, the training contents were established according to the specific gaps identified in each country. In Portugal we combined content of a more general nature, on general topics on the Charter, with specialised topics on the role of the Charter in specific areas of law.

Based on the survey results and on interviews to supplement the survey results, the same method was adopted in the Netherlands. In the Netherlands, the general parts of the training were drawn up on the following topics: explanation of general concepts of EU-law (e.g. primacy, effectiveness, direct effect, preliminary rulings); fundamental rights and general principles of law and the EU; scope of the Charter (Article 51 implementation and personal scope); horizontal effect of the Charter; the relation between the Charter and the ECHR, in particular the added value of the Charter in relation to the ECHR; the difference between rights and principles; the limitation of rights in the Charter and the "essence" of rights; homogeneity: Article 52 (3) Charter. On the other hand, the specialised parts of training pertained to migration law, administrative law and criminal law, and the role of the Charter in those fields. The training of judges was focused on administrative law, the training of lawyers on migration law and the training of prosecutors on criminal law. These fields of law were chosen because when applying them legal actors are relatively often confronted with Charter rights and the Charter has added value. In the interviews conducted by the

Dutch team, it became clear that the more legal professionals could benefit from the Charter in specific cases, the more they would want to participate in the training.

In Spain, training interests focused on the general aspects of the Charter, above all the interrelationship between the Charter and other systems of protecting fundamental rights and the scope and practical application issues related to guaranteeing the rights protected by the Charter; and when and how to defend those rights. As such, the content of the classroom and e-learning courses (as support) addressed to judges, prosecutors and lawyers was the same, structured around the following themes: 1) scope of application of the CFR; 2) the question of the preliminary ruling; 3) the CFR before the Spanish courts; 4) the Charter, the European Convention on Human Rights and the Constitution.

6. Implementation of training activities

The training facilities must have sufficient resources and equipment to carry out the intended training activities. The ideal space ought to be set up for small group exercises in order to facilitate interaction between trainers and trainees. Spacious, medium-sized and small training rooms with comfortable furniture providing an open and welcoming atmosphere contribute to the success of training sessions of different types and to applying different methodologies, from conference speeches to workshops of small groups of trainees (European Judicial Training Network, 2016: 60).

In addition, there should be enough technological equipment for trainers to use. Since in most cases the trainers will resort to technological equipment (e.g. computers, projectors, Wi-Fi, smart boards, audio technology, flip-charts) while using visual aids, it is also important to provide technical support and make sure every piece of equipment is working. An internet connection is essential in order for trainees to access online content on e.g. national and European legislation, case law, reports.

It is important for the trainers to provide relevant training material before or during the training sessions, such as bibliographical references, scientific papers, case law from the CJEU and national courts, Power-Point presentations, legislation, reports, among others[14]. This training material takes on an important role in the e-learning phase. Since the e-learning is partly dependent on participants working autonomously, which is combined with chats and forums for discussion with both trainer and other trainees, it is essential to provide them with the necessary tools to deepen their knowledge.

In Portugal and in the Netherlands, trainers provided a relevant assortment of literature and case law, which is still available for trainees to consult. Trainees always showed interest in the availability and consultation of such documents. In the Netherlands, quite a few trainees told us informally that they did not have enough time to prepare for training and were pleased with the presentations and exchanges during the sessions.

7. Evaluating training

The evaluation of all the different training sessions is an important step in the training programme to identify good practices, problems, and other training content and ascertain to what extent the learning objectives were accomplished. All aspects of the training should be evaluated.

[14] See, for example, the materials available on a EJTN-FRA course on the "Applicability and Effect of the EU Charter on Fundamental Rights in National Proceedings" available in http://www.ejtn.eu/About-us/Projects--Programmes/Human-Rights-and-Fundamental-Freedoms/HFR-2018/Applicability-and-effect-of-the-EU-charter-on-Fundamental-Rights-in-National-Proceedings-HFR201803/. They combine online resources with reports, handbooks and presentations.

The judicial training is traditionally evaluated with reference to Kirkpatrick's Four Levels of Evaluation model[15], a systematic way to evaluate training programmes[16].

Level 1 ("reaction") is a participant-centred evaluation and therefore focuses on how participants react to the training. Participants' reaction is extremely valuable to understand if the previously established learning objectives were reached, but also to assess the quality of the training programme (e.g. its usefulness, the relevance of the information that was provided, the teaching style of the instructors, the quality and quantity of the materials supplied, the duration of the training sessions) and to identify ways to improve in the future (European Judicial Training Network, 2017: 7). There are several evaluation tools to assess participants' reaction: debriefing and feedback, focus group, questionnaire, happy sheets.

Level 2 ("learning") is aimed at understanding to what degree the participants acquired the intended knowledge, skills or attitudes as a result of the training (European Judicial Training Network, 2017: 10). This level of evaluation can be achieved through tests, self-assessment, and team assessment, among others.

Level 3 ("behaviour") measures the effect the training has had in the workplace, in order to understand how the participants put into practice what they learned during the training (European Judicial Training Network, 2017: 13)[17]. This level of evaluation can be achieved through methods such as questionnaires and observation, and provides important feedback for future or ongoing training activities.

[15] Cf. Kirkpatrick & Kirkpatrick, 2006.

[16] For a detailed analysis of the four levels of evaluation model see, for example, European Judicial Training Network, 2017.

[17] According to the European Judicial Training Network's guidelines, level 3 evaluation is more complex, partly because of the need to wait some time in order to allow participants to return to the workplace and apply what they learned. It also depends on external factors, such as the opportunity for the participants to implement the new knowledge or skill at work. As such, even though level 1 evaluation is used for almost all training activities, level 3 evaluation is only used for up to 30% or 40% of the training activities. Cf. European Judicial Training Network, 2017: 13.

Level 4 ("results") is intended to determine the overall success of the training activities developed by the institution (European Judicial Training Network, 2017: 17). It aims to understand if the training programme was able to provide the necessary tools for the better application of fundamental rights by judicial actors in a way that improves their day-to-day work and the quality of their decisions. The level 4 evaluation can be attained through several tools such as questionnaires, peer review, action plans, court wide position study or report, among others.

The CFR "in action" project only implemented the first level of evaluation ("reaction") through an evaluation questionnaire applied in the end of every training session. In order to obtain the best evaluation outcomes, we followed some additional guidelines as established by the European Commission (2015c). First, training evaluation allowed for comparison with the evaluation of other training activities implemented during the project. Second, the questions allowed us to reach conclusions to improve some aspects of future training sessions, namely by informing trainers about evaluation results for them to know how they can improve their teaching style and to know what was best and worst received by trainees. Third, we hope to use evaluation results for future training sessions, namely those carried out by UNIFOJ/e-UNIFOJ[18].

As previously stated, one of the methods chosen by the CFR "in action" project was an anonymous evaluation questionnaire provided at the end of the training sessions in order to assess, from a scale of "very negative" to "very positive", various aspects of the training (the structure of the training, the contents of the sessions, the articulation between theory and practice, the adequacy of the support material, the duration of sessions, the space suitability, the general organisation) and the quality of the trainers (accuracy in the presentation of topics, their precision in the treatment of contents and their availability to answer questions). Finally, there was also room on the questionnaire for trainees to freely write observations and suggestions, namely about

[18] Cf. http://opj.ces.uc.pt/unifoj/.

the programme contents, topics they consider relevant to be lectured on in future training courses on the subject and suggestions to improve this specific training programme. The same evaluation questionnaire was used by all partners. We also asked trainers to provide us with an open comment about the training, considering the training programme, the profile of trainees, the difficulties in interaction, and other aspects they found relevant.

Overall, in the Netherlands participants were very pleased with the skills, knowledge and competences of trainers. However, they recommended incorporating more examination and discussion of specific cases that are relevant for every day practice. In Portugal, in general, the evaluation of the programme contents and trainers was positive. Trainees suggested, however, strengthening the practical aspects and providing more support material (bibliographical references, case law, etc.). They also suggested some topics they consider relevant to be lectured on the Charter (most of them were included in the training programme), such as the EU law in practice, the preliminary ruling mechanism of the CJEU, the practical application of the Charter in national decisions, migrations/refugees, judicial cooperation in criminal matters, data protection, freedom of expression and press, intra-family violence, the protection of social rights, the protection of consumer rights and environmental protection. In Spain, the general organisation, the contents of training and the team of trainers were evaluated very positively, although there are discrepancies regarding the duration of training: some participants, especially judges, would prefer to limit the sessions, due to incompatibilities of their agenda for the correct follow-up of a four-session training; other professionals, especially lawyers, would prefer a longer course to go deeper into practical issues. In any case, all of them have valued the practical aspects of training and the knowledge and experience of the trainers, an issue that they have emphasized repeatedly, which has benefit to the training. As a suggestion, a few people from the group of Madrid believe that there should be more coordination among trainers, in order not to duplicate content. They recommend repeating the program among other

professionals, because the lack of knowledge on the application and applicability of the CFR is quite significant in Spain. Another suggestion of improvement was to dedicate more sessions to the preliminary question, through more cases studies.

Another fundamental task to do after training is completed is to keep (online or physical) records of the training programme, namely the training materials, online training transcripts, videos, evaluations, course descriptions, etc. These documents should all be organised and easily identifiable and accessible.

At the end of the training programme, we aim to disseminate the training material through the project webpage and by email to all participants. In addition, the e-learning platform will remain open after the end of the project, to function as a forum for the exchange of reflections, questions, materials, etc. The training content, the Training Manual and the Best Practices and Experience Exchange Handbook should be distributed in order to become available to legal practitioners and other parties, so that more people can benefit from the work developed during the project.

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