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Council of Europe Co-Operation Programme to strengthen the Rule of Law

1st meeting of the Bureau of the European Network for the Exchange of Information between Persons and Entities responsible for the Training of Judges and Public Prosecutors

(LISBON NETWORK)

(Web site of the Lisbon Network: www.coe.int/lisbon-network)

Palais de l'Europe (Room 7) Strasbourg, 16 (10h00) – 17 (13h00) December 2004

QUESTIONNAIRE “C” ON THE ROLE OF TRAINING INSTITUTIONS AS REGARDS IN-SERVICE TRAINING OF JUDGES AND PROSECUTORS

Questionnaire “C” on the role of training institutions as regards in-service training of judges and prosecutors¹

I. Please indicate the measures taken with a view to enabling judges and prosecutors to exercise their right to in-service training (for example, days of leave for that purpose, etc.);

Every year a catalogue for deputy judges and appointed judges is made available on the internet. There are internal courses and seminars as well as seminars held in cooperation with the Solicitor’s Association.

II. Is in-service training of judges and prosecutors compulsory or optional?

The three-year basic training of deputy judges is compulsory but other than that it is optional as to whether or not one wants to attend courses and seminars.

III. If in-service training is not compulsory as a general rule, please specify if there are areas /and/or subject matters in which in-service training is nevertheless compulsory; If so, please give details;

As mentioned above the basic training of deputy judges is compulsory.

IV. Is the judge or prosecutor free to choose the training actions in which he/she wishes to participate? Does he/she have to justify his/her choice? Is it possible for the judicial hierarchy and/or the training institution to oppose to the wish expressed by the judge or the prosecutor concerned and for what reason?

Apart from the basic training of deputy judges the attending of courses is optional. The applications to the courses are turned in to the manager of the different district courts and the manager in question then makes a prioritized list of participants from his/her court and sends it to the Training Section. The Training Section of the Court Administration then decides who gets to attend the different courses after the judges have turned in an application to attend a course/several courses.

With regard to judges’ participation in international arrangement the Judge’s Association appoints the participating judges.

V. Please identify the committees and / or trainers that develop in-service training programmes and the authority that approves planning;

¹ Members of the Lisbon Network are invited to send their replies to the Secretariat by E-mail (valerie.schaeffer@coe.int) for 31 March 2005 at the latest.

A committee consisting of representatives from the two associations of the legal employees of the judiciary (The Judges' association and The Deputy Judges Association) and the Court Administration decides what the content and topics of the theoretical training should be. The training section of Court Administration is responsible for carrying out the ideas of the committee.

VI. Please give the following statistics: number of activities per year (if possible, please specify the average duration of activities); number of training hours offered per year per magistrate; budgetary resources;

The training budget for 2005 is 14 mio. Danish crowns (1.9 mio. Euro).

VII. Please specify and describe the in-service training methods (seminars, workshops, traditional lectures, distance learning, audiovisuals);

The training usually takes place over 2-4 days at a conference centre where the participants stay. The seminars/courses are a mixture of lectures and workshops. The goal is that the courses are practical and therefore focuses on the practical use of for instance a certain legal act in the daily life as a judge/deputy judge.

VIII. Please give details about the training environment (dedicated structures, court buildings, conference centres in hotels and the like);

The courses usually take place at a conference centre (hotel). Some 1-day courses take place at a regional level at a court or a local hotel/conference centre.

IX. What are the contents of training initiatives (role of cultural and social themes; role of ancillary sciences; management techniques);

The courses/seminars are either dealing with professional matters (specific legal areas) where cultural and social themes are incorporated or dealing with management training. The participants on the management training courses go through a personality test and are offered personal coaching.

X. What are the contents and the modalities of training to support change of functions?

All judges are considered to have an "all-round-function". If a judge gets a managing function at the court the judge is offered management training.

XI. How is the assessment of programmes and methods done (questionnaires, interviews)?

After each course/seminar the participants have to fill out an evaluation form which is no longer anonymous.

XII. What are the modalities of the evaluation of trainers?

The trainers receive the evaluation forms and if it's necessary the Training section of the Court Administration will contact the trainers and talk with them in case of bad evaluations.

XIII. What is the impact of participation to training on participants' career?

A deputy judge has to complete the 3-year basic training in a satisfactory manner in order to continue the work as a deputy judge.

Participation in management training is a criteria if one wants to be appointed as a judge with management functions.

XIV. Is there for each judge and prosecutor a file describing the in-service actions in which he/she participated?

All courses that a judge/deputy judge has attended are registered on a specific data base.

XV. Are judges and public prosecutors offered individual training programmes concerning their personal professional development?

As a part of the management training all participants are offered a personality test and personal coaching.

As a part of the structural reform of the Danish courts where 82 District courts will be reduced to approximately 25 larger District courts the judges will be offered personal coaching.