



European
Commission



European judicial training 2019

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PDF ISBN 978-92-76-11249-5 ISSN 2315-1471 doi:10.2838/948733 DS-AX-20-001-EN-N

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European judicial training 2019

EU law only serves citizens if properly implemented. **Training of justice professionals on EU law** is essential to ensure the **correct and coherent application of EU law** across the EU, to improve **mutual trust** and to foster a common **judicial European culture**, including on the **rule of law**.

This report measures the participation of legal practitioners in judicial training on EU law in the EU. At the same time, it supports the overall strategy on European judicial training by keeping the topic high on the political agenda.

The report complements the Evaluation of the European judicial training strategy published in October 2019 and shows excellent results in terms of participation. **In 2018, more than 190 000 legal practitioners** took part in training on EU law or the law of another Member State. The yearly number of participants **increased by 148 %** between 2011 and 2018. In total, **more than 1 million legal practitioners attended training on EU law since 2011**. There has been an ever-increasing **growth in the number of participants and training activities since 2011**. The strategy led to an almost doubling of EU funds available for training legal practitioners and significant improvements in the capacity of networks and training providers such as the **European Judicial Training Network (EJTN)**. The strategy's lasting effects are visible in improved knowledge of EU law, strengthened mutual trust and an increased level of cooperation among justice professionals in the EU Member States. Training providers and networks also consolidated their capacity for delivering training on EU law.

In 2018, judicial training continued to respond to new training needs in particular by addressing **rule of law** challenges. A landmark-training programme for justice professionals on key issues of fundamental rights and rule of law was implemented starting from 2018, as part of the European Commission's strategy for the effective implementation of the EU Charter of Fundamental Rights. The aim was the strengthening a rule of law culture, by increasing the knowledge of the rule of law standards.

The positive results achieved so far are an encouragement for **going further** and taking up new challenges. Both the evaluation and the current report confirm the need to reach better some categories of justice professionals, notably lawyers, court staff, and to further focus training on topics such as the rule of law and fundamental rights.

In this sense, I encourage all stakeholders to continue their efforts in this field. Be remain strong.

I wish you a fruitful reading of the 2019 Report.



Didier Reynders
Commissioner for Justice

- In 2011, the European Commission set a target whereby half of all legal practitioners in the EU (i.e. 800 000 practitioners¹) should attend training on EU law or on the national law of another Member State by 2020; it undertook to fund such training for at least 20 000 legal practitioners a year. This goal was already reached in 2017, as highlighted by last year's report.
- In **2018**, even more **records** are broken: more than **190 000 legal practitioners** or **11.8 % of all legal practitioners** received training on EU law or on the law of another Member State. This represents a **148 % increase** in comparison with 2011.
- **Between 2011 and 2018, more than 1 million legal practitioners** took part in such training activities. This report presents for the first time the progression of the number of participants for the monitored professions over the 8 years, updated from the European Commission [Staff Working Document on the evaluation of the 2011-2020 European judicial training strategy](#)².
- As in previous years, we can see an **upward trend** in the numbers of practitioners trained on EU law. This trend applies in 2018 **especially to judges, court staff and bailiffs**. This report presents a detailed breakdown by profession and by Member State.
- The EU **(co-)funded** training for **52 587 participants** in 2018, more than doubling the Commission's annual training objective, thanks in particular to national measures supported by the European Social Fund (ESF) where distinction on the training's content (national law, EU law, professional skills, etc.) is not possible.
- Despite the steady rise in numbers and the achievement of the quantitative objective ahead of schedule, all those involved in judicial training should **maintain their efforts** since EU legislation and case law are still growing and practitioners need regular updates.
- **Considerable differences** remain in the level of participation in training across Member States and the various legal professions and better, more targeted training to answer real needs should always be the ultimate goal.

Objectives of this report

This is the eighth report on training for legal practitioners (judges, prosecutors, court staff, bailiffs, lawyers and notaries) on EU law or the national law of another Member State. It is based on the results of a questionnaire sent in 2019 to Member States' authorities, European networks of legal professionals and their national members, and the main EU-level providers of training for legal practitioners. It charts progress towards the target set by the Commission (in its 2011 [Communication Building trust in EU-wide justice: a new dimension to European judicial training](#)³) of ensuring that half (around 800 000) of all legal practitioners in the EU are trained on EU law or the law of another Member State by 2020; this is equivalent to an average of 5 % (80 000) of all practitioners per year. The objective was backed by the Justice and Home Affairs Council in [2011](#) and again in [2014](#), when the Member States underlined the importance of training for legal practitioners. The European Parliament has also been a constant supporter of European judicial training, as expressed again recently in its [13 December 2018 resolution](#) with recommendations to the Commission on expedited settlement of commercial disputes⁴.

¹ 2018 CEPEJ study on European judicial systems (2016 data): *Efficiency and quality of justice*; http://www.coe.int/t/dghl/cooperation/cepej/evaluation/default_en.asp

² SWD(2019) 381 final.

³ COM(2011) 551 final.

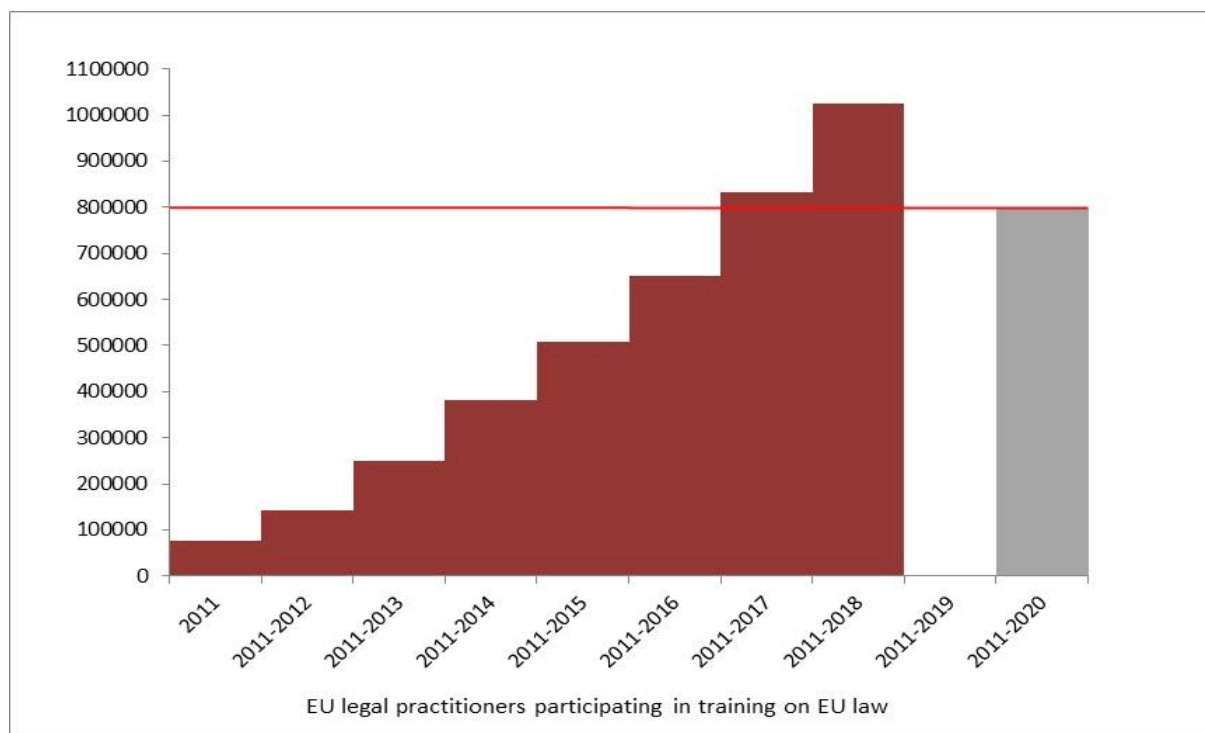
⁴ Resolution (2018/2079(INL)).

Main results of the survey

Over 190 000 legal practitioners trained in 2018: a record number

In 2018, over 190 000⁵ legal practitioners (judges, prosecutors, court staff, lawyers, bailiffs and notaries) and their trainees took part in training activities on EU law or the national law of another Member State.

Over 44 000 practitioners were trained on EU law in the course of their initial training, which is quite stable, and over 146 000 received continuous training⁶ on EU law.



For this eighth survey, data were available for slightly more national legal professions than in previous years. However, there is still room for improvement as regards the completeness of these data (especially by private providers). In addition, data collection for court staff and bailiffs could be improved.

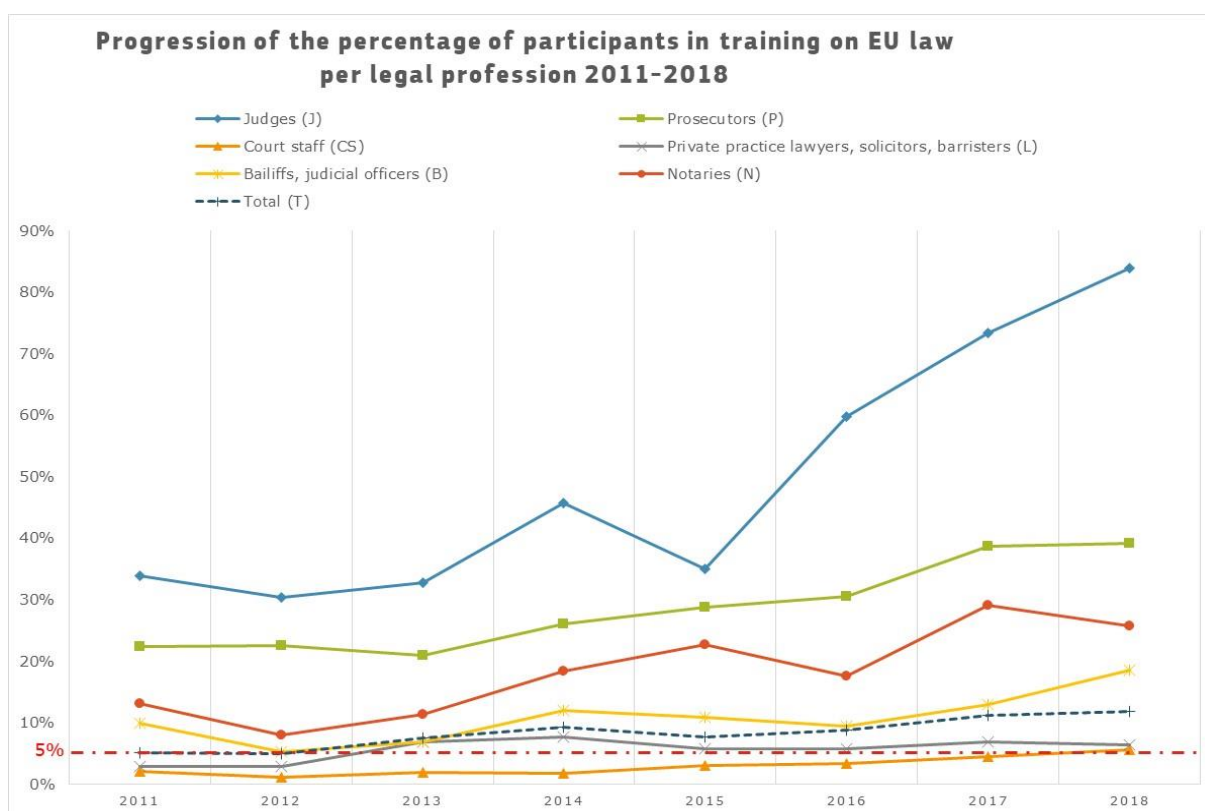
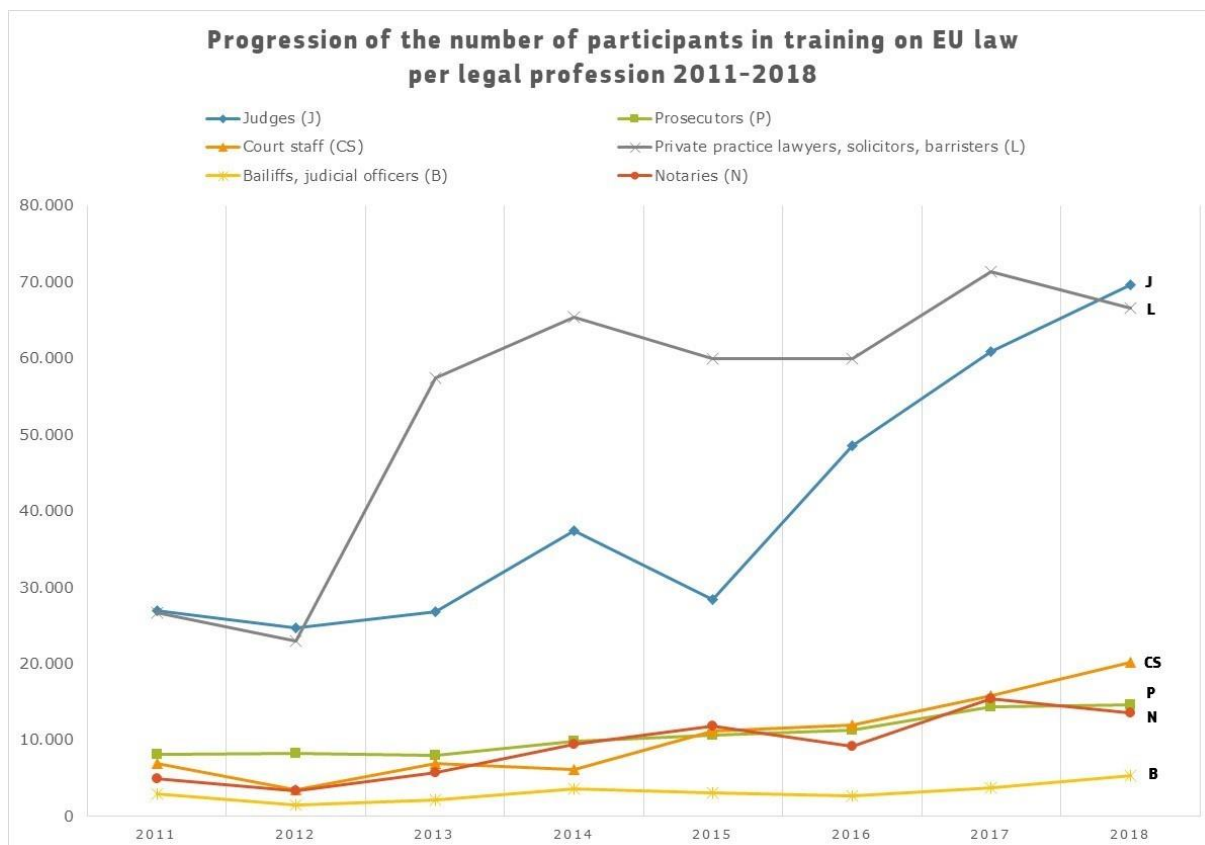
Progress per legal profession between 2011 and 2018

Between 2011 and 2018, more than 1 million legal practitioners took part in training on EU law or the law of another Member State. The absolute numbers of participants and the percentage they represent in relation to the total number of practitioners vary greatly between the professions, notably because of different training needs but also of training gaps.

⁵ This figure is a lower estimate, due to some gaps in the data. The data are based on information from Member States, training providers and professional organisations and may be incomplete. In compiling the figures, we have taken account of respondents' statements that EU law had been covered in the training of all trainees or in all training activities, where these were accompanied by information on the length of time devoted to EU law or on the topics covered.

⁶ 'Continuous training' is training received after appointment as a fully qualified legal professional, excluding basic training immediately after appointment.

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Source: Deloitte and European Commission (based on European Commission data).

Note: these graphs show the data for 6 legal professions, while the data collected and the overall number of trained practitioners comprise patchy information about training of mediators.

5 % = minimum needed per year to reach the 2020 target of training half of the legal practitioners on EU law.

Towards 2020 and beyond

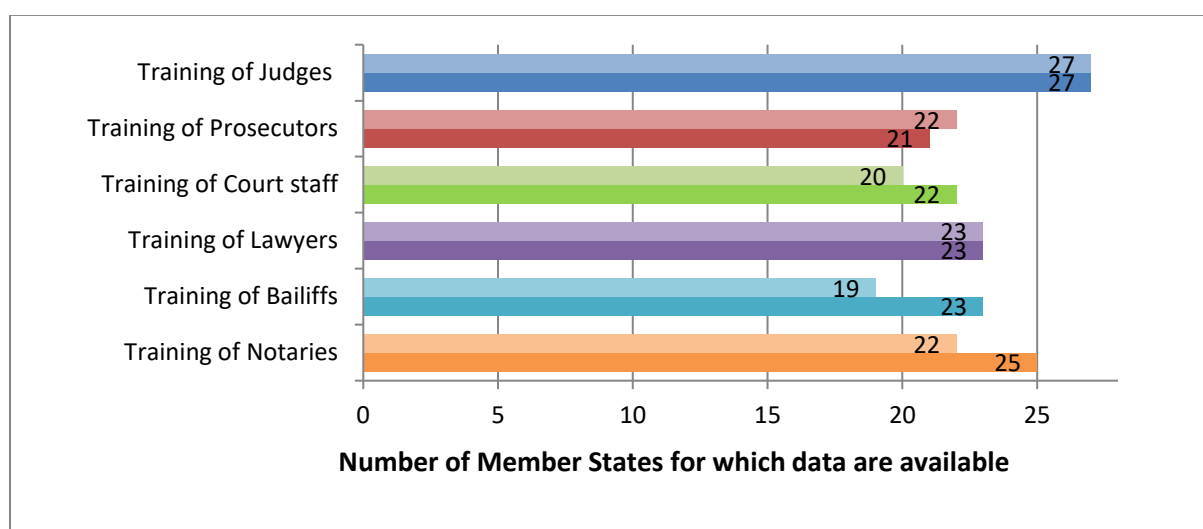
It is not always possible to explain why more or fewer members of a given profession have undergone this training, but here we set out general explanations where they are available. In some cases, the reasons may relate to aspects of data collection. In other cases, important improvements in the training offer have occurred in the concerned Member State for a certain profession. Fluctuations for a given Member State or profession may reflect more or less participation or, in certain cases, just data gaps (e.g. where the scope of available data narrows from one year to the next). Available data from a Member State might relate only to certain training providers, regions or types of practitioner.

Data collection method and coherence of collected data

The Commission asked various bodies to collect data:

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

Below, as in previous reports, diagrams show year-on-year comparisons. The first diagram illustrates the number of Member States for which at least some data on European judicial training of legal professionals were available from the above-mentioned contact points⁷.



Big differences among Member States and legal professions

The participation rate varies considerably across the various legal professions and Member States. To some extent, this is a reflection of different training needs or missing data. However, while the needs of the different professions for training on EU law differ (e.g. less of a need for court staff than for judges), more training may be required to meet the needs of some professions in some Member States.

⁷ Data providers from all Member States responded to the Commission's request, but did not always provide all the requested data.

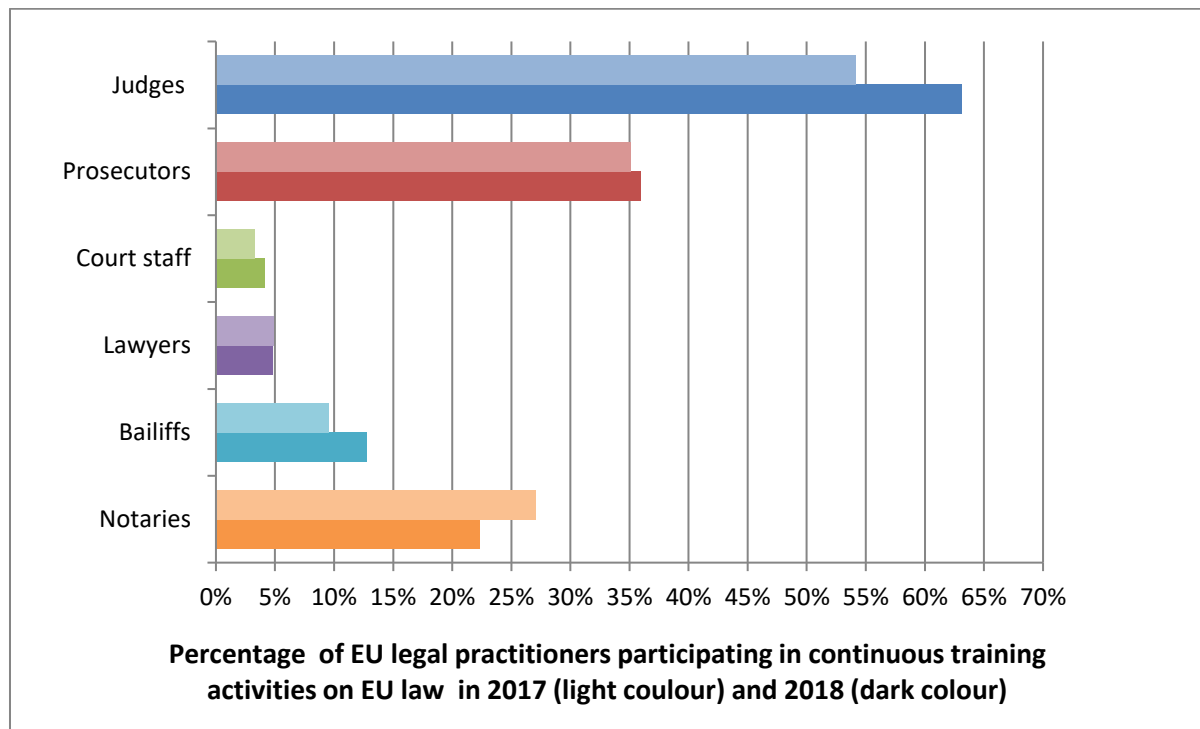
Participation by profession at EU level

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

The numbers of practitioners in each legal profession (as used for calculating the percentages) and the definitions of the professions were taken from the [2018 CEPEJ study on European judicial systems \(data 2016\): *Efficiency and quality of justice*](#).

The ratio of practitioners participating in **continuous** training activities on EU law and on the law of another Member State (as a proportion of practitioners by profession) is approximately:

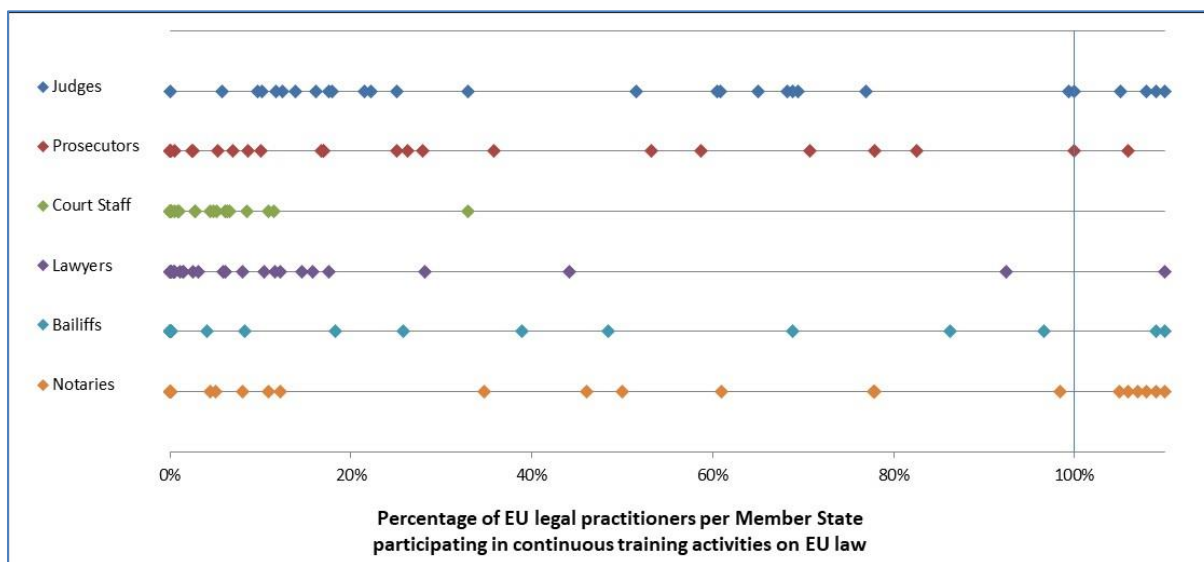
- 63.08 % (52 297) of all judges working in the respondent Member States;
- 35.97 % (13 386) of all prosecutors working in the respondent Member States;
- 4.16 % (14 857) of all court staff working in the respondent Member States;
- 4.82 % (50 070) of all lawyers in private practice in the respondent Member States;
- 12.80 % (3 706) of all bailiffs practising in the respondent Member States; and
- 22.35 % (11 859) of all notaries practising in the respondent Member States.



The absolute numbers of professionals trained have increased for all professions except lawyers and notaries. Again, judges, prosecutors and notaries received far more training on EU law or on the law of another Member State than members of other legal professions did.

Participation by profession broken down by Member State

The percentage of legal practitioners in a given profession participating in continuous legal training on EU law or on the law of another Member State varies considerably among Member States. In the diagram below, each point represents a Member State and its participation rate. In a few cases, the ratio of participants to membership of a profession exceeds 100 %, as some participants took part in more than one activity.



Below, we report on participation in training by Member State by judges, prosecutors, lawyers, notaries and court staff (professions for which we received data from most Member States). For the sake of completeness, we show participation in absolute numbers and as percentages of all members of the profession.

Participation of judges and prosecutors in continuous training by Member State⁸

The following graphs show the **participation of judges and prosecutors in continuous training on EU law and the law of other Member States** for an easier comparison between all countries since initial training does not exist in all Member States. The double-column diagrams allow for a **comparison between 2017 and 2018** data. In the tables with **absolute numbers**, the segment at the top of the columns shows the number of judges/prosecutors who participated in EJTN training activities abroad, since these supplement the training available to them in their home country.

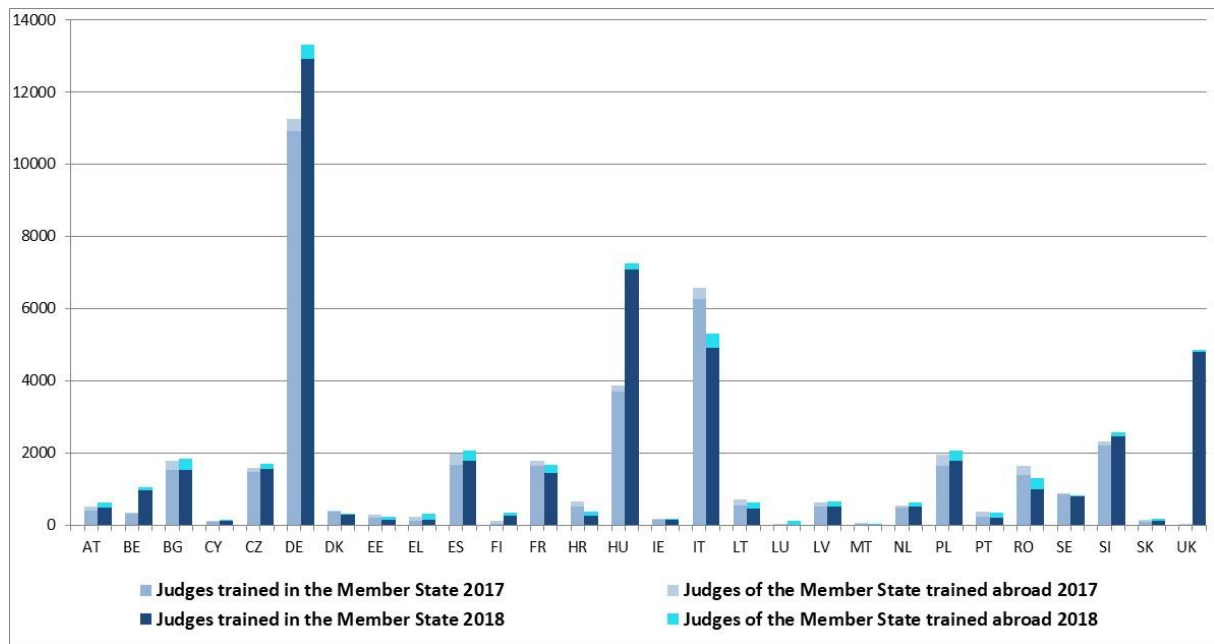
In the tables with **percentages**, a red line indicates the minimum percentage needed to reach the 2020 target of training half the practitioners on EU law or the law of another Member State, i.e. 5 % per year between 2011 and 2020. This target is currently reached by almost all Member States submitting data for judges and prosecutors. Member States with only a few judges and prosecutors can achieve high percentages of trained practitioners by organising only a few activities. For the same reason, percentages in these Member States can easily change from one year to the next, since small differences in absolute numbers cause significant percentage changes.

For **judges**, there is a **moderate increase** for most Member States. For **prosecutors**, overall figures are **quite stable** in comparison with last year.

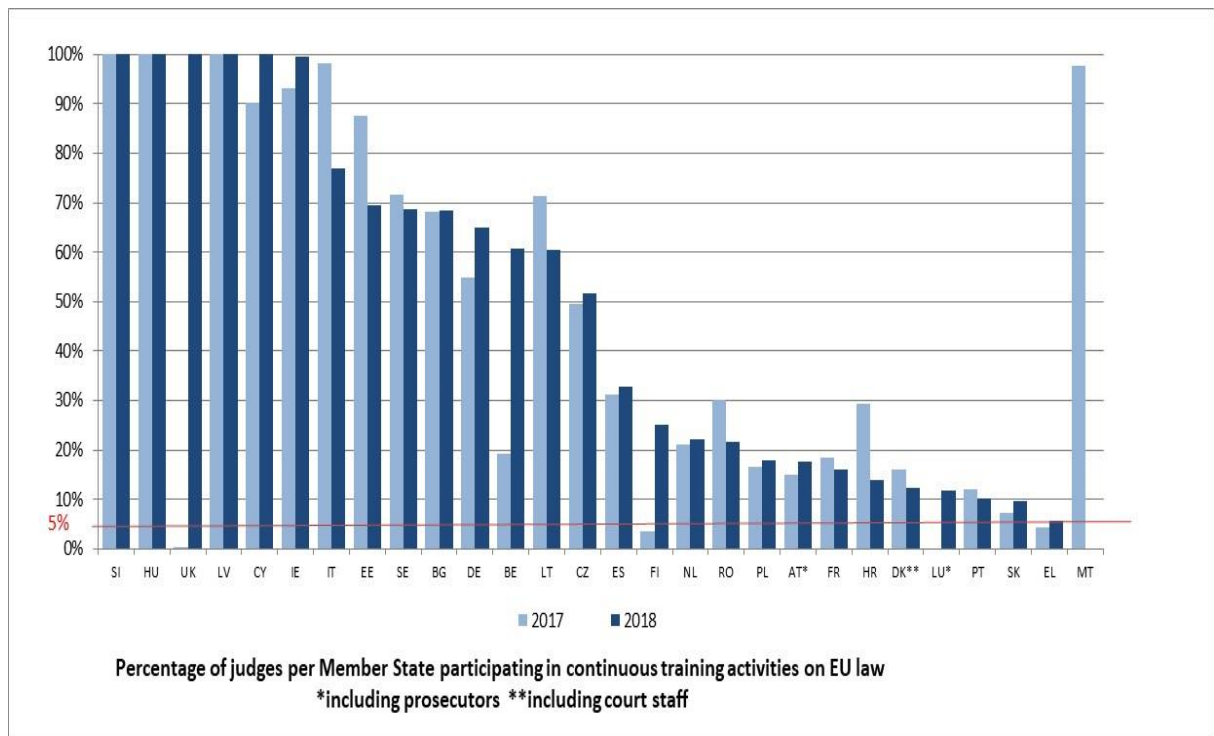
⁸ See list of country abbreviations at the end of this report.

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Continuous training of judges on EU law and the law of other Member States



Note: AT figure includes prosecutors; DK figure includes court staff. No data available for MT.

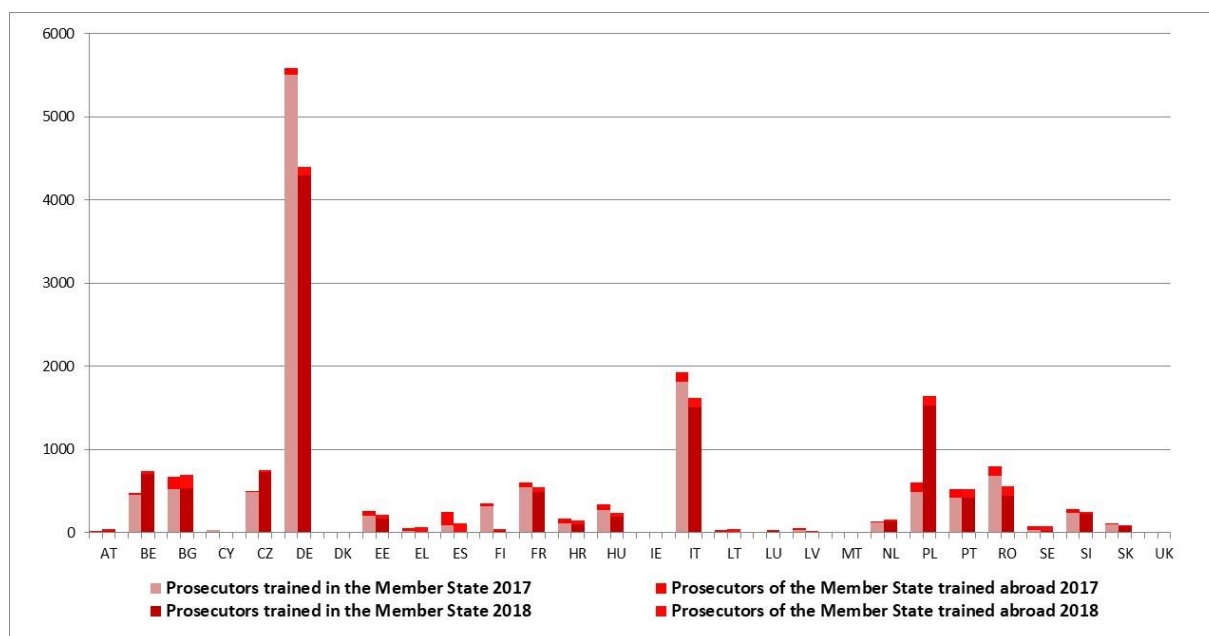


Note: SI – 309 %; HU – 252 %; UK – 245 %; LV – 105.12 %; CY – 100 %; in 2018 (some judges participated in more than one activity).

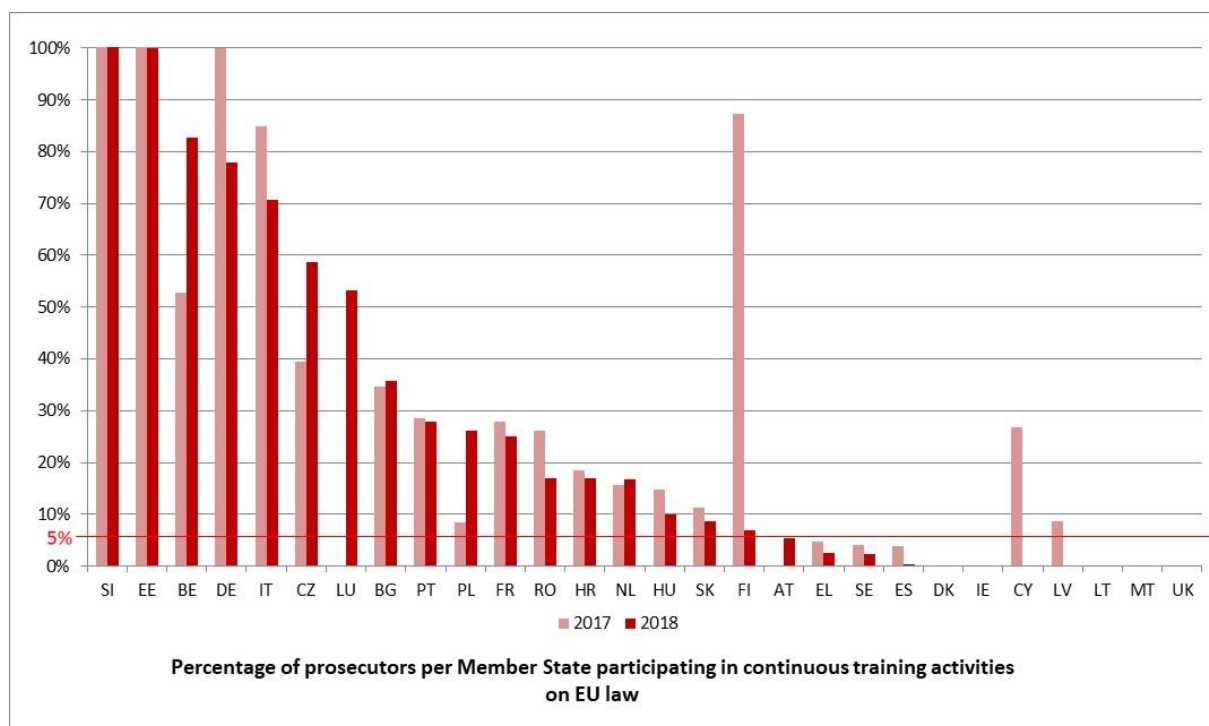
5 % = minimum needed per year to reach the 2020 target of training half of the legal practitioners on EU law.

European judicial training 2019

Continuous training of prosecutors on EU law and the law of other Member States



Note: AT figure also included in table for judges;
No data available for prosecutors in DK, IE, CY, LV, LT, MT and UK.



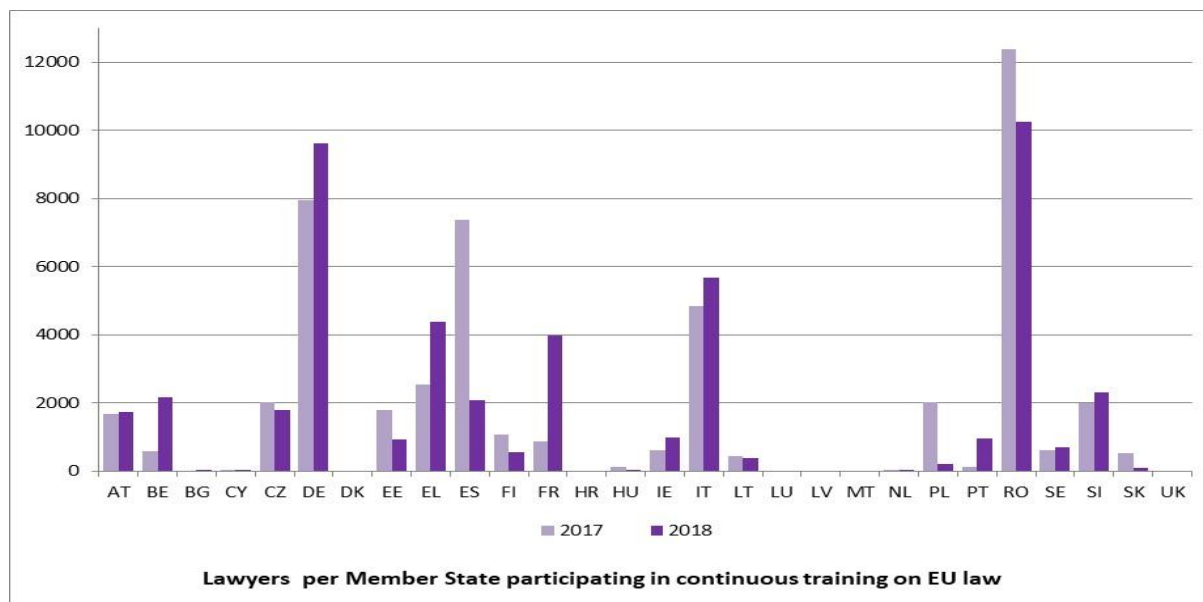
Note: SI – 106 %; EE – 100 %, in 2018 (some prosecutors participated in more than one activity).

5 % = minimum needed per year to reach the 2020 target of training half of the legal practitioners in EU law.

Participation of lawyers in continuous training by Member State

The lack of data from lawyers' private training providers means that we have only a partial picture. Very few private training providers (not connected to bars) provided data, even though in some Member States lawyers rely on them in significant numbers. In some cases, data were available only for certain regions of a Member State or a certain type of lawyer. Some respondents explained how the system works in their Member State, but said they were unable to provide data. The number of lawyers trained has slightly decreased in comparison with 2017.

In the tables with **percentages**, the red line indicates the minimum percentage of trained participants needed to reach the 2020 target of training half of the practitioners on EU law or on the law of another EU Member State i.e. 5 % per year between 2011 and 2020. Although the majority of Member States for which we received an answer reached the 5 % target, the situation is still not satisfactory, as they are a minority of Member States overall. As for judges and prosecutors, Member States with only a few lawyers can achieve high percentages of trained practitioners by organising only a few activities. However, the figures are always percentages calculated based on the total number of lawyers in the Member State, which explains why most are low.



Note: For lawyers in DK, HR, LU, LV, MT and UK, no data are available for 2018; data is partial in at least AT, BE, ES and NL.



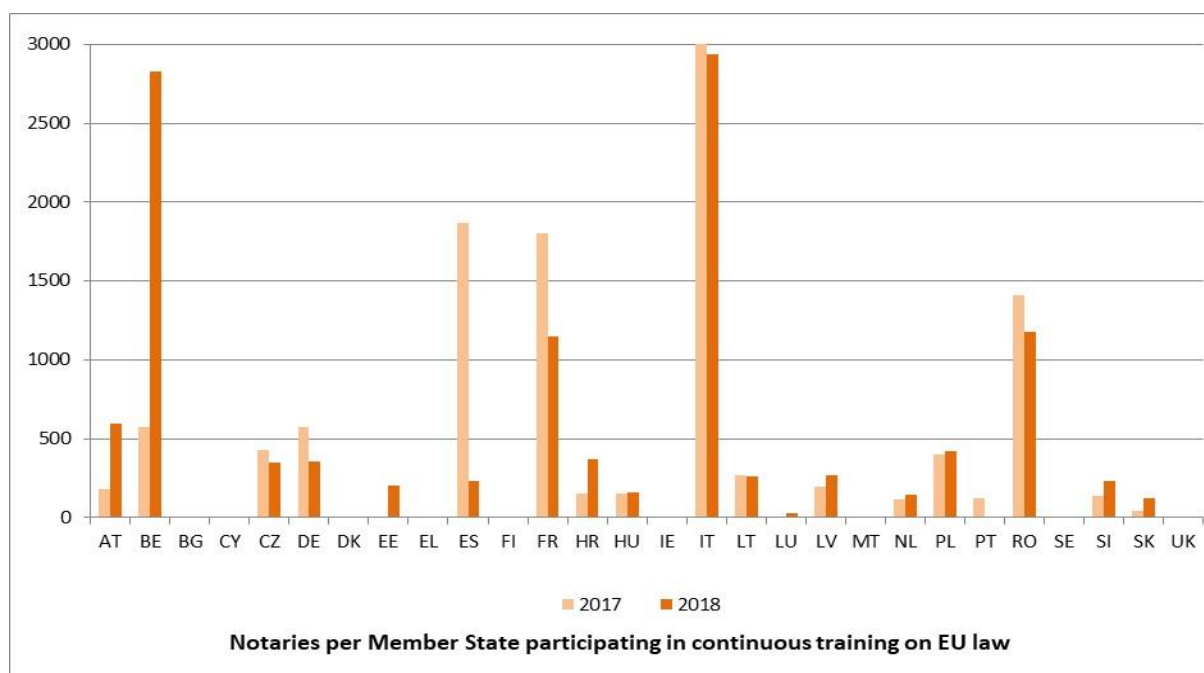
Note: SI – 134 % in 2018; the percentages for BG, HU, NL and PL are minimal.

5 % = minimum needed per year to reach the 2020 target of training half of the legal practitioners on EU law.

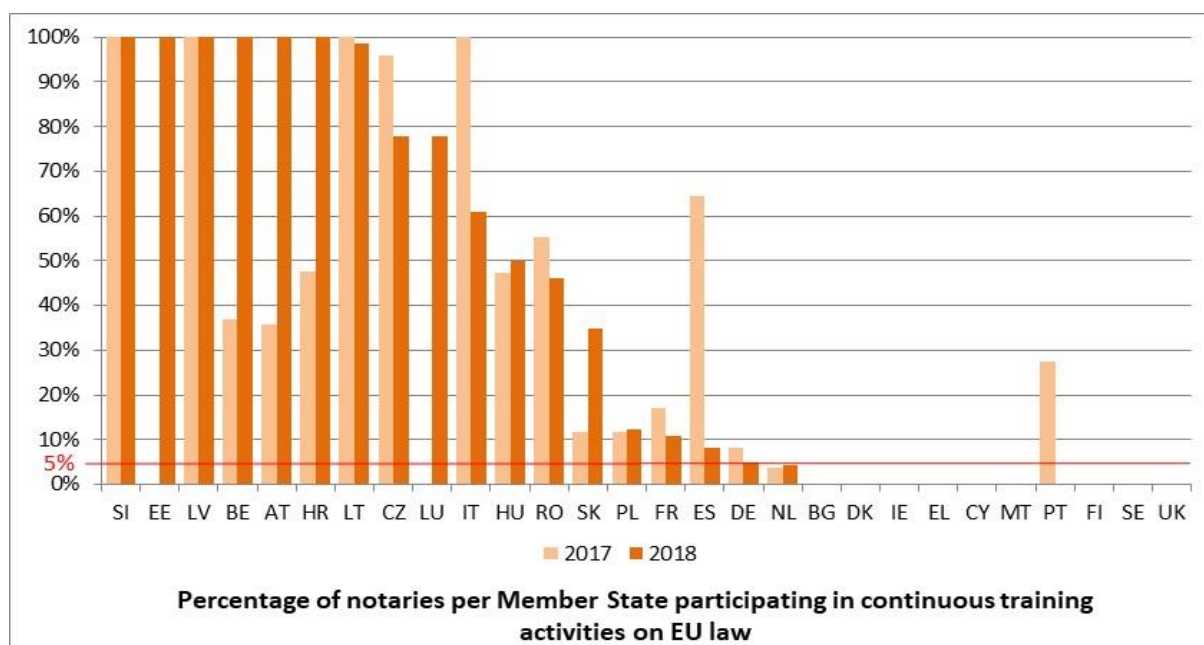
Participation of notaries in continuous training by Member State

This report uses the definition of 'notary' of the 2018 CEPEJ study on European judicial systems: *Efficiency and quality of justice*: 'a legal official who has been entrusted by the public authority with the safeguarding of the freedom of consent and the protection of the rightful interests of individuals'. Depending on the system of the Member State in question, the notary can be private or public, with different competences and functions.

As in previous years, the target of training 5 % of all practitioners on EU law or the law of other Member States was reached in almost all Member States for which data are available. Progression varies in the Member States and overall notaries' training slightly decreased between 2017 and 2018.



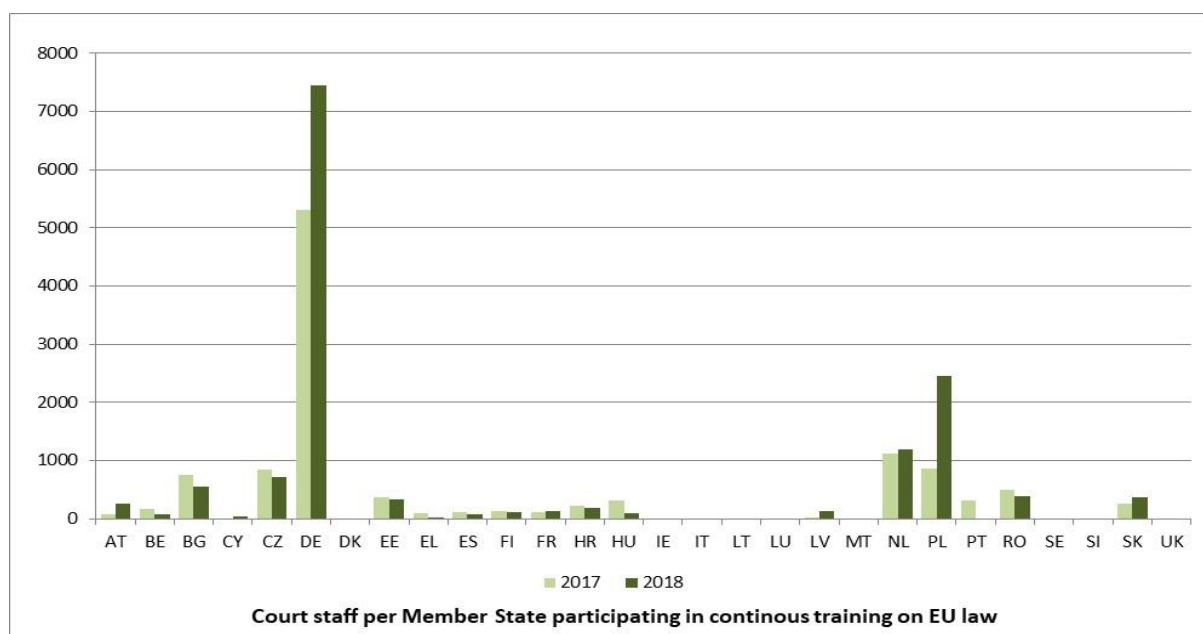
Note: No data available for notaries in BG, EL, FI, MT and PT and data are minimal in LU.
CY, DK, IE, SE and UK have a different legal system.



Note: SI – 251 %; EE – 225 %; LV – 215 %; BE – 183 %; AT – 118 %; HR – 117 % in 2018 (some notaries participated in more than one activity).
5 % = minimum needed per year to reach the 2020 target of training half of the legal practitioners on EU law.

Participation of court staff in continuous training by Member State

Member States have different types of court staff. They range from court wardens and technical staff to assistants for judges and partially independent clerks taking judicial decisions, in particular in the area of registers and the execution of judgments. This diversity entails a wide variety of training needs on EU law or the law of another Member State. Although all Member States have court staff with their own training needs, the collection of data for such staff has proven complex over the years. They have varying roles and are sometimes trained under different training schemes and by different institutions, so the overall EU picture is somewhat patchy. This could explain why, despite the improved number of answers, the **5 % threshold** is still reached by only a minority of Member States. However, for the first time this year, **10 Member States** for which data are available reach it.



Note: No data available for court staff in DK, IE, IT, LT, LU, MT, SE, SI and UK.



5 % = minimum needed per year to reach the 2020 target of training half of the legal practitioners on EU law.

Length of training on EU law

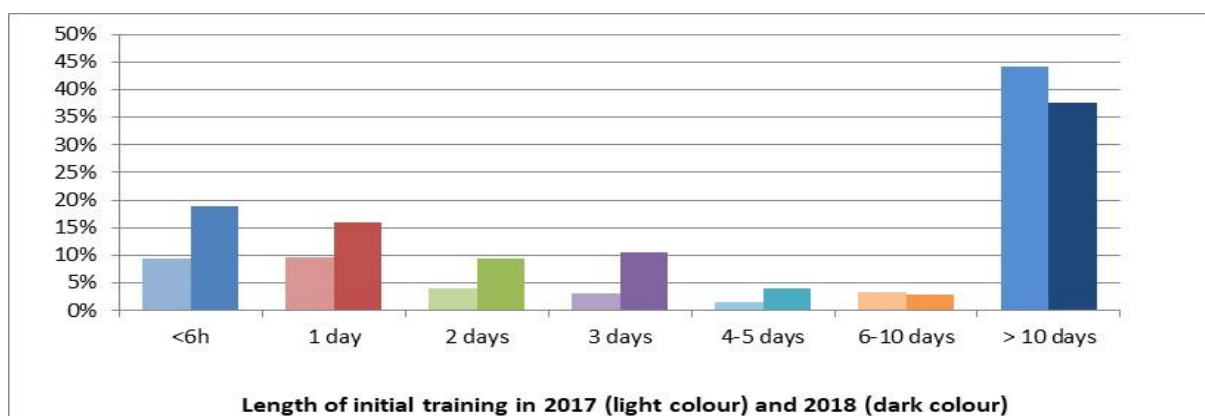
The duration of **continuous training activities** is still quite short. Of all continuous training activities on EU law, 78 % lasted two days or less and 57 % lasted one day or less. Of the responding countries, the majority of activities lasted less than six hours in 7 Member States and in 11 others, the training lasted one day or less⁹.

A Member State that offers longer training activities may have fewer participants than one in which the same total number of training days is made up of more numerous, but shorter training activities.



Even in **initial training**, in the countries where it exists, a relative majority of all participants receive no more than two days of training on EU law. This is slightly less than in 2017 thanks to an increase in the 3-day long initial training activities. The relatively important share of initial training activities lasting 10 days or more is mainly due to one Member State and thus does not reflect the situation in the EU.

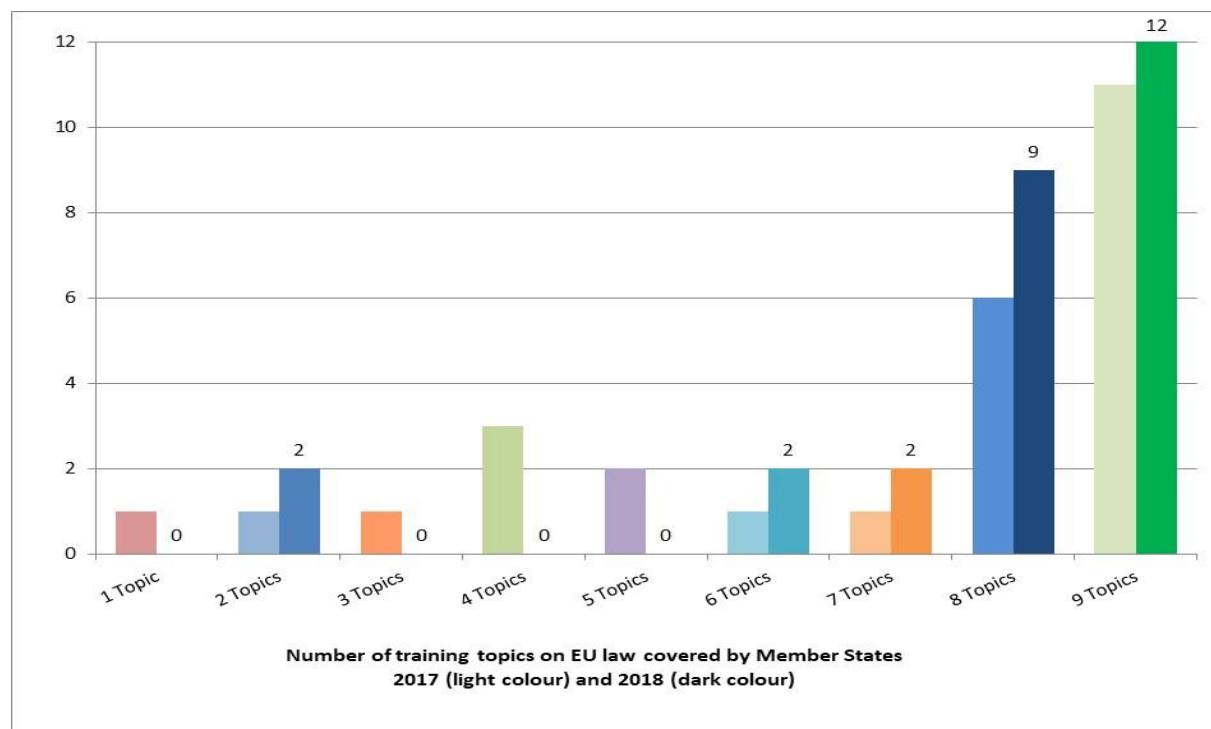
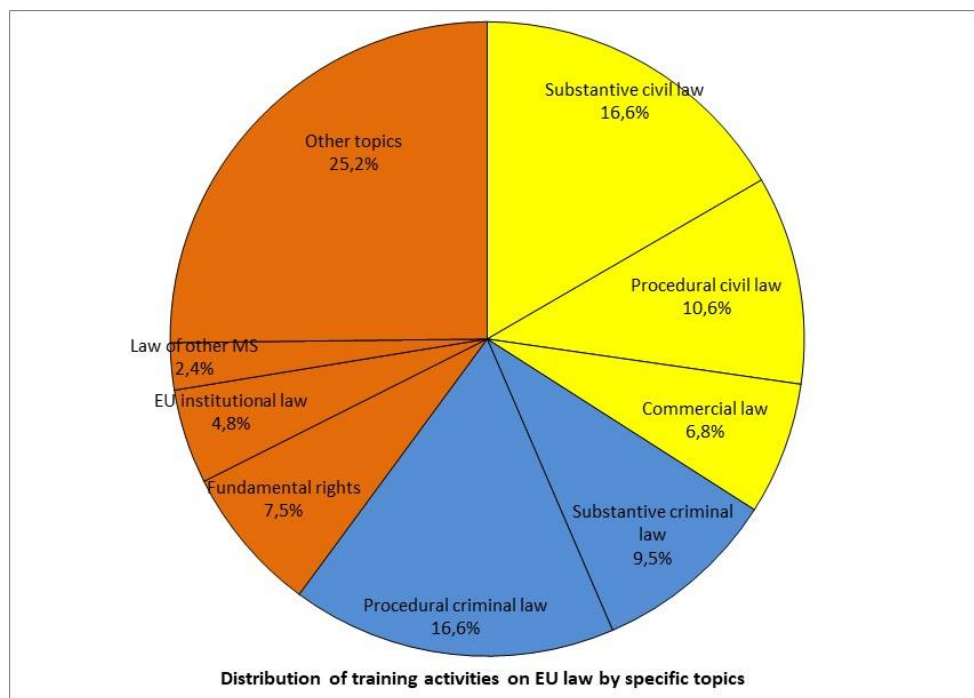
Time constraints should not prevent participants from receiving more training on EU law in the course of their initial training. Covering EU law at university can reduce the need for comprehensive training later on. Knowledge of EU law should be updated on an ongoing basis, but trainees should at least learn about its practical application in the course of their initial training. Given the overall length of initial training, two days or less does not seem to reflect the importance of EU law in the professional practice of future legal practitioners.



⁹ It is not possible to produce a breakdown of the length of the training activities by profession, as for most Member States only aggregate data on training activities for several professions are available, in some cases because training providers cater for a range of professions.

Wide range of training topics

Training covered a wide range of EU law topics in 2018¹⁰. Specific training on the law of other Member States (including legal language training) accounts for only 2.4 % of training activities confirming the European judicial training strategy's evaluation that the focus does not need to be on this topic in particular. Unlike previous years, the vast majority of Member States offered training on many different topics.



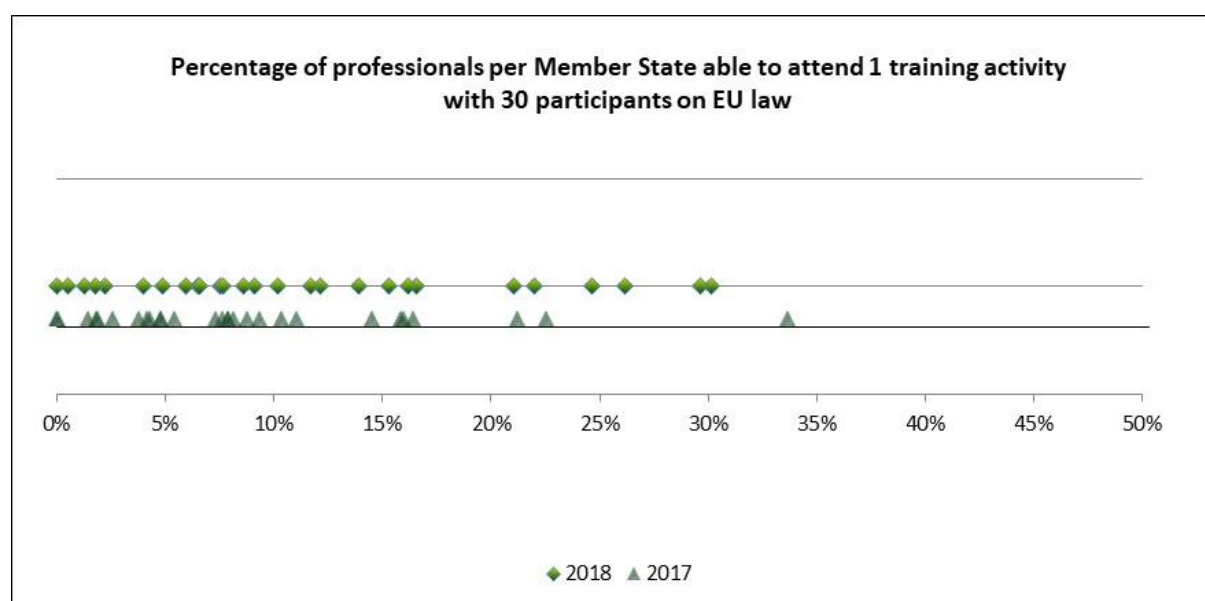
¹⁰ A breakdown by profession is not available (see previous footnote).

Training in small groups as an indicator of quality

Effective judicial training is not only about numbers of participants. The training activities must also be of good quality. The average number of participants attending a training activity is one possible indicator of quality, since people usually learn more through interaction and participation than by attending lectures¹¹ and this is easier in smaller groups. For this report, we assess quality based on the assumption that an average of 30 participants per activity is appropriate. A smaller average number of participants per training activity can be one reason why a Member State reports a smaller percentage of participants than another Member State offering the same number of activities.

In order to evaluate whether enough training activities are being offered to reach the 30-participant target, we calculated the percentage of practitioners by Member State who could have taken part in one activity with 30 participants. We used the aggregate number of activities (for all legal professions), and the actual number of participants trained, in each Member State.

The diagram below shows the percentage of practitioners by Member State that could have taken part in one training activity on EU law or the law of another Member State in 2018, if the activities on offer had 30 participants on average. (This percentage would be 100 % if there were enough activities to enable all practitioners in a Member State to take part in one activity with 30 participants). While there is progress in the majority of Member States this year, the percentages for the majority still range between 1 % and 30%, indicating that most activities on offer there do not take place in small groups.



Advice for training providers – European judicial training

Supported by a group of experts on legal training from all legal professions, the Commission's Directorate-General for Justice and Consumers has assembled practical recommendations to ensure the quality of judicial training. This [advice](#) also contains links to further resources and examples as to how to implement the recommendations in practice. It is accessible on the European judicial training section of the Commission's European e-Justice Portal¹² in all EU languages except Gaelic.

¹¹ European Commission, *Advice for training providers – European judicial training*, pp. 7-8; EJTN, *Handbook on judicial training methodology in Europe*, 2016, pp. 21-26.

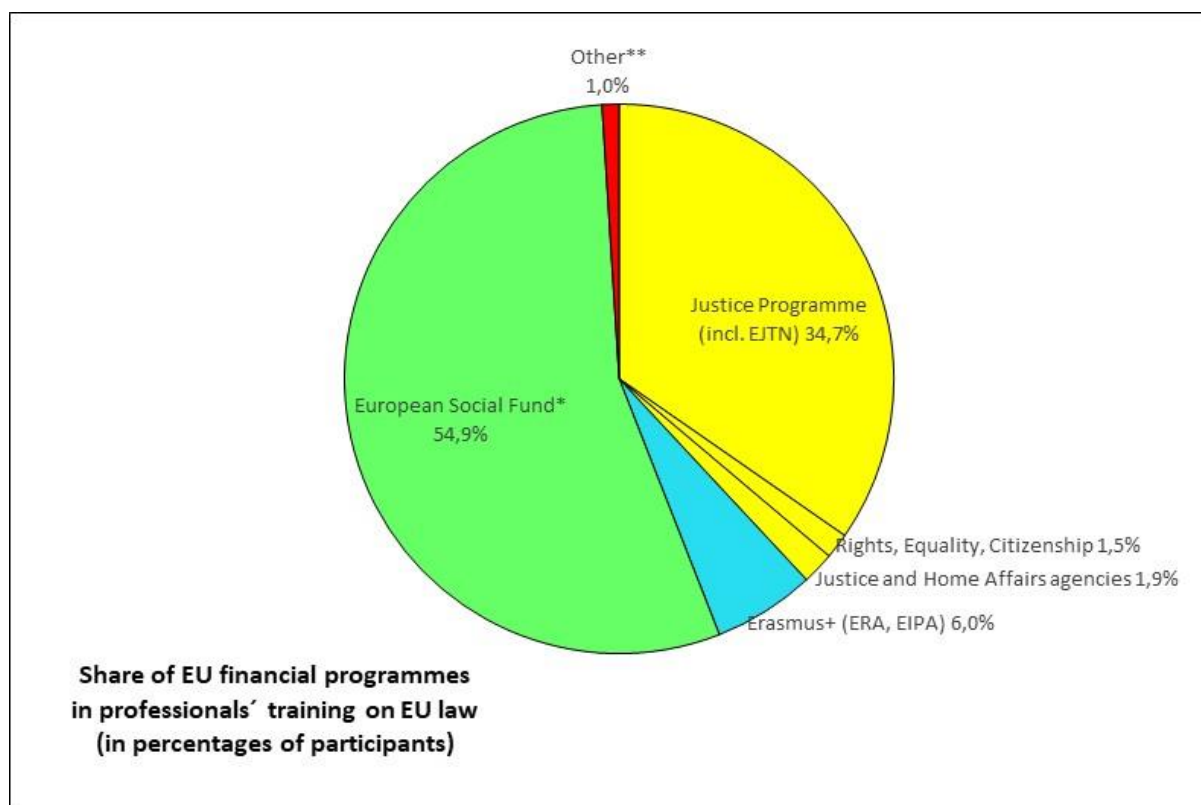
¹² https://e-justice.europa.eu/content_training_material-252-en.do

EU-funded training

In 2018, the EU (co-)funded European judicial training for almost 53 000 legal practitioners, i.e. almost 28 % of all those who took part in it. These are the highest recorded figures since the 1st report in 2011 but this year's data collection includes reports on national measures supported by the European Social Fund (ESF) where it was not always possible to distinguish the content of the training (national law, EU law, mixed, professional skills, etc.). Therefore, the ESF figure is most probably overestimated as far as training on EU law and the law of other Member States is concerned.

The provider of judicial training on EU law that received the biggest single financial support by the European Commission in 2018 was the European Judicial Training Network (EJTN). Operating grants to support their training activities were also awarded to the Academy of European Law (ERA) and the European Institute of Public Administration (EIPA). The European Union Intellectual Property Office (EUIPO), the European Patent Office (EPO), the European Asylum Support Office (EASO) and to a small extent the European Union Agency for Law Enforcement Training (CEPOL) also used EU funds to train legal practitioners.

In addition, the Commission awarded action grants under several of its financial programmes – the Justice programme in the areas of civil and criminal justice, fundamental rights and competition law; the Rights, equality and citizenship programme (REC) and Hercule III – for example to the Council of Europe for the “HELP in the EU II” project on human rights’ training or to the Academy of European Law (ERA) on court staff training on criminal law. The Commission provided support in some Member States through the ESF. In individual cases, it arranged training under service contracts, for example for the creation of awareness-raising [brochures](#) and [factsheets](#) on the European Public Prosecutor’s Office (EPPO) or the organisation of [judicial training seminars on the rule of law](#).



* The ESF figures comprise multiple topics' training.

** Other = OLAF - Hercule Training programme; DG ENV, DG COMP.

Next steps

At the start of the new mandate, the Commission will continue to working with all stakeholders to keep judicial training high on the EU justice agenda. Justice professionals, such as judges and prosecutors, are core actors in ensuring the coherent application of EU law. Strengthening compliance with the fundamental principles of justice systems, such as independence, transparency and efficiency, through the range of available instruments, including EU-level judicial training, remains an important part of the EU training agenda.

This eighth report confirms the increasing trend in numbers of legal practitioners participating in training on EU law and of organised training activities. Together with the Staff Working Document on the evaluation of the 2011-2020 European judicial training strategy, it also shows that results differ between professions and Member States and that there are still challenges ahead, notably for lawyers, court and prosecution office's staff and bailiffs' training. The lessons learnt will feed in the European Commission's reflection on the post-2020 strategy for European judicial training.

Abbreviations of Member States

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

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