

## Needs Assessment Report of Judges/Prosecutors in Greece

### INTRODUCTION

The purpose of this report is to describe the specific training needs of the target group of Judges/Prosecutors within the frame of the project ‘Increasing the capacity of Law Enforcement Authorities to tackle racist crime and homophobic crime through Experiential Learning (Experience Crime)’. The needs assessment covers the issues of training/education awareness, knowledge of racist crimes, necessary additional skills, practicality of sessions and proposals on the content of the workshops (addressed topics, trainers/facilitators, training material, time and location, anti-racist information dissemination, participation).

### 1. COUNTRY

GR  HU  IT  NL

### 2. TARGET GROUP

Judges/prosecutors	X
Police	
Legal professionals	

### 3. METHOD

We took into consideration the fact that apart from Judges and Prosecutors two additional groups play a crucial role in penal procedures in Greece and should be included in the group ‘Judges/Prosecutors’

A) Juvenile Probation Officers who deal with minors who committed acts that are prosecuted and are under the responsibility of the Single-or three-member Juvenile Court. Their involvement with minors aims to appropriately mobilize the minors themselves, and also their family environment, in order to avoid repeating the same or another unlawful acts. Also, in terms of prevention, they intervene for minors who are at risk of engaging in delinquent acts.



B) Probation Officers (for adults) who have the following tasks:

- a) to assist and supervise persons who have been sentenced to a suspended sentence under supervision or whose sentence has been turned into an obligation to offer community service or they are released on probation and
- b) to conduct social research related to temporary detainees or people to whom restrictive conditions have been imposed

It is obvious that training these additional groups of officers would increase their capacity to tackle hate and homophobic crime.

Three rather active respondents—representatives of these three authorities/groups were selected for the needs assessment procedure. The first one is the vice-president of the Association of Greek Judges and Prosecutors proposed by the President of the Association herself. The second is the President of the Association of Juvenile Probation Officers and the third person is an active member of the Association of Probation Officers (for Adults). The questionnaire was the basis of three meetings followed by long and warm discussions. From the very beginning the three interviewees showed enthusiasm for the project. The results of these discussions were quite fruitful and the above mentioned respondents promised to contribute to the success of the seminars.

## 4. MAIN FINDINGS

### *4.1. Awareness of training/education*

Although not all respondents were aware of any training or educational programs on the topic of hate crimes, they were aware of trainings/education on other topics and all pointed out that such programmes are indeed necessary. The representative of Judges/Prosecutors mentioned that he had himself participated as a trainer in a programme organized by the Centre of European Constitutional Law.

### *4.2. Extent of knowledge on racist-homophobic crimes*

One respondent mentioned that there is a lack of reliable information on the issues of immigration, racism and homophobia. Another respondent said that the attendants of the seminars must be ready to face their own internal stereotypes. According to another one, the goal of the seminars should be to prevent hate crime instead of merely repressing it, as well as to examine the measures that may be taken by the state in order to protect victims of hate crime. Another suggestion was that the seminars should examine the phenomenon of racism under the prism of history, sociology and anthropology. Finally, the seminars



should help participants identify hate crimes by training them to uncover the possible motivation of hate behind any illegal act.

#### *4.3. Necessary additional skills*

Familiarity with ECtHR caselaw, as well as international jurisprudence, are indispensable for the seminar. The respondents were open to different methodological tools for the seminars. They pointed out that due to the high level of the attendants, the lectures on each issue should be given by experts. Group discussions on each specific theme should follow the lectures. Case studies, practical work in groups and even role playing may be part of the seminars. A combination of the all of the above would be ideal. The point is that every methodological tool must attract the attention of the attendants, it should be of a high level and also be interactive.

#### *4.4. Best means of understanding hate crimes and sensitisation through exposure*

The sensitization of the attendants is very crucial according to the opinion of all respondents. Different types of tools such as interviews with victims, life stories, documentaries, and role play could help sensitize participants and enhance the learning experience. One respondent said that movies or documentaries should be suggested in advance before the seminar in order for the attendants to prepare. People who deal with victims of hate crime should be invited to the seminars in order to share their experience and discuss with attendants. Sensitization, according to the common opinion of those interviewed has a lot to do with the quality of presentation of the tools used.

#### *4.5. Practical sessions and proposals*

It was proposed that the law as well the jurisprudence on hate crime should be analyzed, including both a *de lege ferenda* and a *de lege lata* approach. A workshop based on real case facts and a discussion of the court's decision could also be very useful according to those interviewed. Another session should introduce a history of hate crime which would include when and how the notion of hate crime first appeared and how it was first evaluated. Another session should be a discussion on the ways to support victims of hate crimes. A list of services and NGOs providing aid to victims of hate should be given to the participants of the seminars, and a plan of referrals should be arranged for when victims need help.

#### *4.6. Proposals on the content of the workshops*

##### *4.6.1. Topics to be addressed*

Regarding the topics to be addressed, the respondents tended to agree that they should first focus on the analysis of phenomena like racism and homophobia, and beyond them to look into the concept of 'otherness' and the analysis of social representations.



Sensitization of the participants is crucial and should be addressed by relevant topics. The issue of identification (ways/methods) should also be addressed. A respondent expressed the wish to use a questionnaire as a tool of identification. Other topics that need addressing are issues of interpretation of relevant laws, a comparative analysis of different national legislations on hate crime and relevant national jurisprudence, as well as the jurisprudence of the ECtHR. The topic of prevention was proposed by one respondent. The cooperation of different stakeholders to support the victims of hate crime was proposed by another respondent.

#### 4.6.2. Trainers/Facilitators and communication with participants

All the interviewees agreed that all trainers/facilitators conducting the training should be experts of a high level. The topics of the social phenomena and the topics of sensitization should be addressed by trainers/facilitators with a background on sociology/anthropology/psychology. The legal topics must be dealt with by trainers with a law background, particularly Judges, Prosecutors or lawyers with a theoretical background and a rich practice of working with victims of hate crime. Academic experts working in the field would also be very useful according to the opinion of one respondent.

#### 4.6.3. Training material

As for the training material, the respondents replied as follows:

They all agreed that different types of material could be useful. It was pointed out by two respondents that material like relevant documentary or fiction films could be proposed as food for thought. Also, links and articles proposed by the trainers/facilitators on the topics which will be discussed during the seminars could be sent to the attendants of the seminars in advance in order for them to prepare.

#### 4.6.4. Time and location of workshop

The ideal time frame for judges/prosecutors would be the beginning of October. Athens and Salonika would be the ideal places. The National School of Judges was proposed by one respondent as an ideal place and audience as well.

#### 4.6.5. Anti-racist promotion and information dissemination

It was proposed that one or more persons from the seminars could commit to being more actively involved in the dissemination of this type of knowledge to their colleagues and thus further promote an anti-racist ethos among them.

#### 4.6.6. Role preference and willingness to attend the workshop

All respondents expressed their will to attend the workshops. They also offered to become contact points in order to help cooperation between the training organizers and the participants and thus promote the success of the workshops.



## 5. RECOMMENDATIONS

- The interviewees agree that training on racist, hate and homophobic crime is necessary for the group of Judges/Prosecutors.
- The phenomenon of hate crime should not be approached only with a dogmatic analysis of the law.
- Issues like 'otherness', 'social representations', immigration, phobias should be analyzed under the prism of other social sciences such as anthropology, sociology as well as psychology.
- The quality of the training should be of a high level in order to match the level of the attendants of the seminar.
- Trainers from various social science backgrounds can contribute to the education of the attendants on the relevant social phenomena.
- Practitioners like NGOs working with victims of hate crimes could assist in providing the attendants with their experience in the field.
- All types of training material can be used in the seminars. Some of them may be proposed as food for thought before the seminars.
- Sensitisation was highlighted as having a key role in the seminar. This can be achieved in different ways.
- Case studies, case law from various jurisdictions, national and international jurisprudence and a comparative analysis are necessary. The relevant jurisprudence of the ECtHR must be analysed.
- Identification of victims was pointed out as crucial issue. The seminar must introduce ways and tools for that, if possible.
- Attendants must be given opportunities to discuss these issues and generally assume a rather interactive role in the seminars.
- The respondents expressed willingness and a true enthusiasm to attend such a training program and to help ensure the success of the trainings.

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