

"INCREASING THE CAPACITY OF LAW ENFORCEMENT AUTHORITIES TO TACKLE RACIST CRIME, HATE CRIME AND HOMOPHOBIC CRIME THROUGH EXPERIENTIAL LEARNING (EXPERIENCE CRIME)"
 Agreement Number - JUST/2013/FRAC/AG/6185

Needs Assessment Report Template

Objective: The purpose of this report is to summarize the findings of the training needs assessment for each target group. Please deal with each target group separately.

Suggested Length: 5 -10 pages

1. COUNTRY

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2. TARGET GROUP

Judges/prosecutors	
Police	
Legal professionals	x

3. METHOD

Briefly describe the method that was followed, the number of persons interviewed for each target group, their position and experience in relation to the topic.

The first contact was made thanks to ASGI - Associazione Studi Giuridici sull'Immigrazione, which is also associate partner of the project. ASGI was born in 1990 and gathers lawyers, university professors and legal experts with a specific professional interest in judicial issues concerning immigration. The Association is involved in study activities, research, training and information.

We carried out three interviews and they contributed to outline the framework in which the training will be organized. The first interview involved a representative of ASGI, the second one was made with a civil law lawyer and the third with a criminal law lawyer, who provided slightly different and complementary points of view.

4. MAIN FINDINGS



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Please report main findings in relation to

- The training needs of each target group
- The content and format of the training
- The use of the experiential method
- The training material
- The location/timing of the training
- The facilitators/trainers
- Other important issues

4.3 Legal professional

Current Training

The in-depth interview with the representative of ASGI provided more details on the current training on the topics and what could be offered, in terms of training.

Training courses addressed to lawyers, apprentices and experts in immigration issues are quite common. Generally, courses are divided into two groups: those involving representatives of associations and anti-discrimination centres at regional level, those involving ASGI lawyers who need to deepen some contents concerning the issue, in particular anti-discrimination. Hate crime issues are rarely the object of specific training addressed to lawyers.

Needs and training contents

In this field the lawyers' training needs are various, because of a lack of specific training experience on hate crime. The subject of interest for lawyers are: procedure, how to decide during a trial, all the procedural and substantial aspects of the matter, which the particular cases are, what could be defined racism and how to present them before a judge. Furthermore, with an issue of such complexity and that involves different aspects, it is necessary that society reacts facing it from different points of view, so both from the point of view of a process of cultural awareness and for what concerns technical-procedural instruments available. Furthermore, none of the involved stakeholders can solve this on its own, so it is necessary to put together the different actors (judges, lawyers and police officers) to identify jointly the ways to act and solutions.

The three proposed intervention fields are all useful for those who wish to train on the theme: Sensitivity to bias indicators; Familiarity with case law of the ECHR or other courts; National cases.

Training methodology and available materials.

From the methodological point of view lawyers are more used to frontal lessons rather than to experiential methods. However, the general impression



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of the interviewees reveals a certain disposition to adopt more participative working methods, together with team work, role play and case analysis. This can be possible if the course will be carried out with a small group of persons; the use of a participative modality would make the course's contents more interesting and durable. It is not always possible, but team work and specific case analysis are useful when the conditions are suitable.

As regards the use of victims' evidences, it is an interesting possibility, also to have a concrete example of the required kind of protection. Though the question has to be treated with caution since, so it is necessary to find the right person, who has to be able to talk peacefully of the experienced violence in front of some "auditors".

The training module should be composed of a sociological part followed by a description of substantial and procedural aspects, with the presentation and analysis of cases and their solution, both at European and at national level.

During the course, the available material could be judgements and laws, but also videos.

Timing and location

For lawyers, the more suitable training timing is Friday afternoon and Saturday morning, using either two consecutive days (Friday afternoon and the whole Saturday), or three Friday afternoons. In order to foster lawyers' participation, we should ask the Professional Association of Lawyers to grant course credits.

Trainers

Four different trainers must be identified, one for each aspect, we suggest at least four experts who debate the theme from different points of view: an experts in sociological aspects of immigration, a lawyer who treats substantial aspects and another one who debates procedural aspects. It would be interesting to have a public prosecutor within the trainers, in order to treat procedural aspects from another point of view.

Some potential trainers have been mentioned, among which some of the interviewees who are available to participate as trainers and to suggest other potential trainers.

5. RECOMMENDATIONS

Please report the main recommendations for each target group

One recommendation emerged, not directly concerning the lawyers: to devote a lot of energy to work with police officers on hate crime awareness. Something has been done in the last years, but it is not sufficient.

Annexes

- I. List of interviewees, with dates
Interview Daniela Consoli – 5/03 and 26/03



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Interview Manuela Spadaro – 23/03
Interview Lorenzo Trucco – 23/04

- II. Notes or minutes of interviews (if available)
Attached.

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