

Transforming European Investigation Order: the TREIO Training Methodology

Policy Brief #1

Introduction

The 'TRaining on the European Investigation Order' (TREIO) Project¹, funded by the European Union, aims to enhance the effectiveness of the European Investigation Order (EIO) by providing standardized training materials to the practitioners involved in the implementation of this legal instrument. The TREIO training materials, developed in conjunction with the e-Evidence Exchange Digital System (eEDES)² launch, offer comprehensive guidance for practitioners involved in cross-border criminal investigations. The training methodology employs a cascading approach, empowering expert practitioners to become trainers, ensuring widespread adoption and proficiency in utilizing the EIO and eEDES.

Scope and Aim

TREIO seeks to deliver practical, EU-wide standardized training on the EIO and eEDES, while also offering guidelines for customization to diverse jurisdictional contexts. The training targets judges, prosecutors, and other competent authorities involved in the issuing and execution of EIOs. Its modular and multilevel design caters to varying levels of expertise and aims to bridge knowledge gaps identified through thorough needs assessment.

Training Cascading Approach

¹ <https://treio.eu/>

² A system designed for exchanges of forms, documents and evidences under the EIO workflow, among other judicial cooperation instruments, under a project run by Directorate-General Justice and Consumers, Unit JUST.B.3, to the European Commission, also known as reference implementation software under Regulation (EU) 2023/2844 of the European Parliament and of the Council of 13 December 2023 on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation.



The cascading training methodology employed by TREIO facilitates the dissemination of knowledge and skills to a broader audience across Member States. By training practitioners to become trainers themselves, the initiative ensures sustainable capacity-building and widespread adoption of best practices. This approach fosters continuous learning and adaptation within national contexts, leading to more effective implementation of the EIO and eEDES.

Training Set Evolution

The training materials have undergone iterative refinement based on feedback and results from initial training sessions. Additionally, a refinement in the training methodology introduced a bifurcation into national and international training sessions, catering to the specificities of jurisdictional contexts and implementation differences of the EIO Directive³. The modular design of the training materials allows for flexibility in adaptation to varying national contexts and extended training periods.

About the Training Materials

The training materials provide a comprehensive coverage of the EIO and eEDES, combining legal aspects with practical, hands on exercises. The curriculum is designed to address the needs and priorities of participants, offering flexibility and promoting engagement with real-world scenarios. Assumptions underlying the development of the materials include trainers' familiarity with European legal assistance framework and context while also emphasizing the importance of contextual adaptation of the training materials and translation accuracy.

Additionally, as part of the training process, pre-training and post-training evaluation questionnaires are utilized to assess participants' knowledge, experiences, and perceptions. The pre-training evaluation questionnaire, provided separately, gauges trainees' familiarity with the EIO Directive and the e-Evidence Digital Exchange System. Questions include inquiries about previous training experiences and self-assessment of knowledge levels. Conversely, the post-training evaluation questionnaire, also distributed as a separate handout, seeks feedback on the effectiveness of the training, perceived learning outcomes, changes in behavior and

³ Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters, OJ L 130, 1.5.2014, p. 1–36, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0041>

attitudes, and confidence levels in teaching others. These evaluations play a crucial role in refining training methodologies and ensuring the continuous improvement of the TREIO training programme.

Target Groups and Training Objectives

The training targets judges, prosecutors, and other relevant authorities, aiming to equip them with the necessary legal knowledge and practical skills to issue and execute EIOs using eEDES. Learning outcomes include a structured understanding of EIO procedures, identification of common challenges, and proficiency in utilizing eEDES effectively.

Training Curriculum

The training is structured into four main topics, covering the scope of the EIO, issuing, receiving and executing EIOs, and notification of interception of telecommunications (ITN) and mutual legal assistance (MLA). Each topic comprises multiple sessions, addressing specific subthemes and providing detailed guidance for trainers.

Structure of the Training

The training is designed to span two half days, with a flexible curriculum adaptable to varying national contexts. The delivery format includes plenary discussions, group activities, and reflection sessions. A suggested schedule provides a framework for trainers to facilitate effective learning and engagement among participants.

Delivering the Training

Trainers are encouraged to invest significant time in preparation, ensuring familiarity with the materials, contextual adaptation, and proficiency in using eEDES. The training can be conducted in person or online, focusing on creating an inclusive and interactive learning environment. Evaluation processes are integral to the training, allowing feedback and reflection on learning outcomes and training effectiveness.

Conclusion





The TREIO training methodology represents a comprehensive and adaptable approach to capacity-building in the utilization of the EIO and eEDES across Member States. By empowering practitioners to become trainers themselves and facilitating continuous learning and adaptation, the initiative aims to enhance the efficiency and effectiveness of cross-border criminal investigations within the European Union.

