

## **Cybercrime Training Strategies: A Survey** on the state of play of judicial training

**Judge**

**Hania Helweh**

18 November 2021

# Global Survey – Preliminary results

## Respondents

### Respondents - countries



- **50 respondents** from **15 countries\***
- Professional categories: **similar % for prosecutorial services and judiciary**

\* Please note that there were more answers from one country, the figures and percentages in the following slides are aggregated based on total number of answers

# Global Survey – Categories of questions



- **Judicial training strategy on cybercrime and electronic evidence adopted at national level**

- **Initial training on cybercrime and electronic evidence**

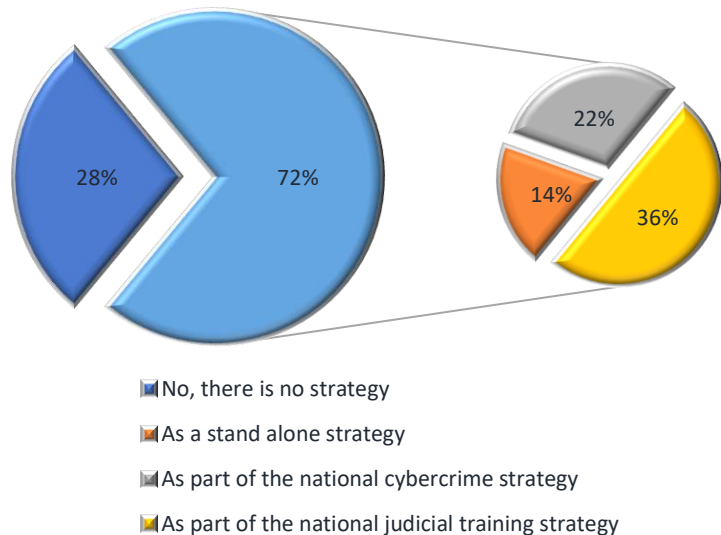
- **In service training strategies**

- **Pool of national trainers on cybercrime and electronic evidence**

# Global Survey – Preliminary results

## Judicial training strategies

### Judicial training strategy on cybercrime and electronic evidence adopted at national level



In most of the countries, **the institutions responsible for reviewing and updating the training strategies** on cybercrime and electronic evidence are:

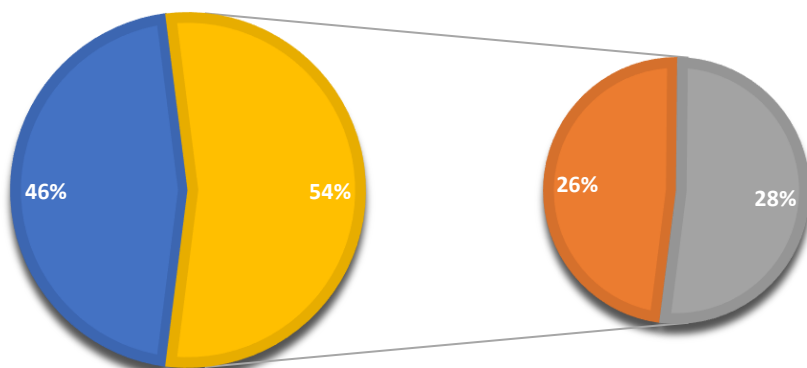
- Training Academies/Institutes for Judges/Superior Council of Magistracy
- Training Academies/Institutes for Prosecutors/Public Ministries

- The strategy is updated yearly or when necessary – more than 50% of respondents
- The strategy is still new – 2% of the respondents

# Global Survey – Preliminary results

## Initial training on cybercrime

### Cybercrime and electronic evidence part of the initial training

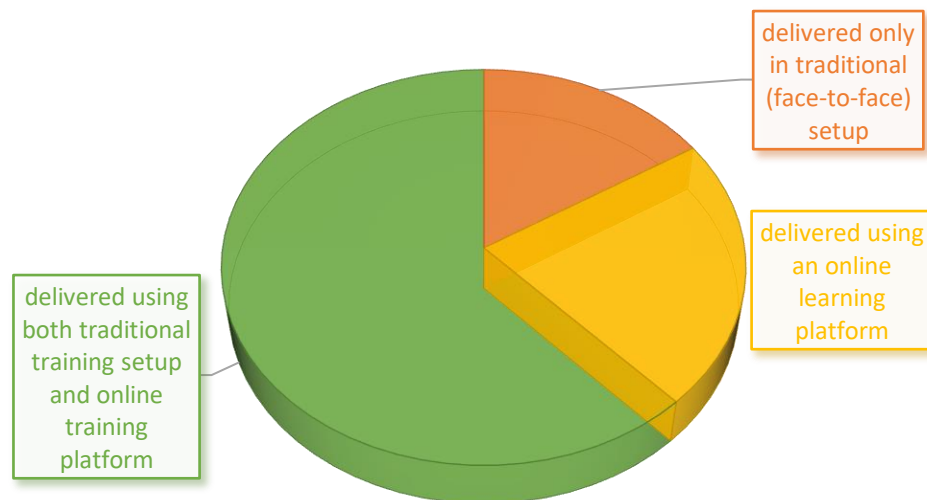


- no, the topic is not covered during initial judicial training
- yes, it is an optional module
- yes, it is mandatory module

Approaches regarding the topics:

- Different topics for judges and prosecutors (60% of the respondents)
- The main themes covered by the agenda of mandatory evidence:
  - Substantive law, procedural powers
  - Collection and admissibility of electronic evidence
  - Some basic technical modules

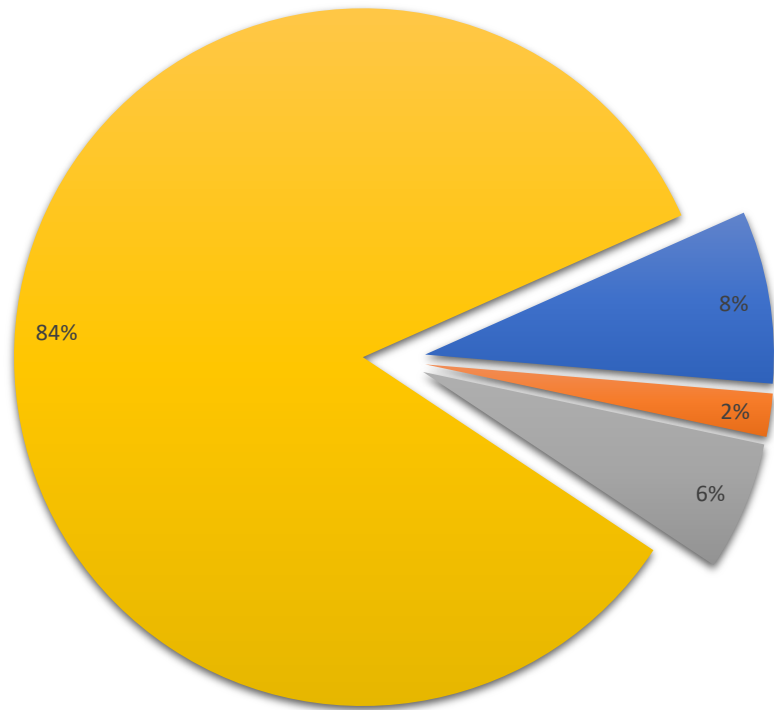
### Initial training – delivery methods



# Global Survey – Preliminary results

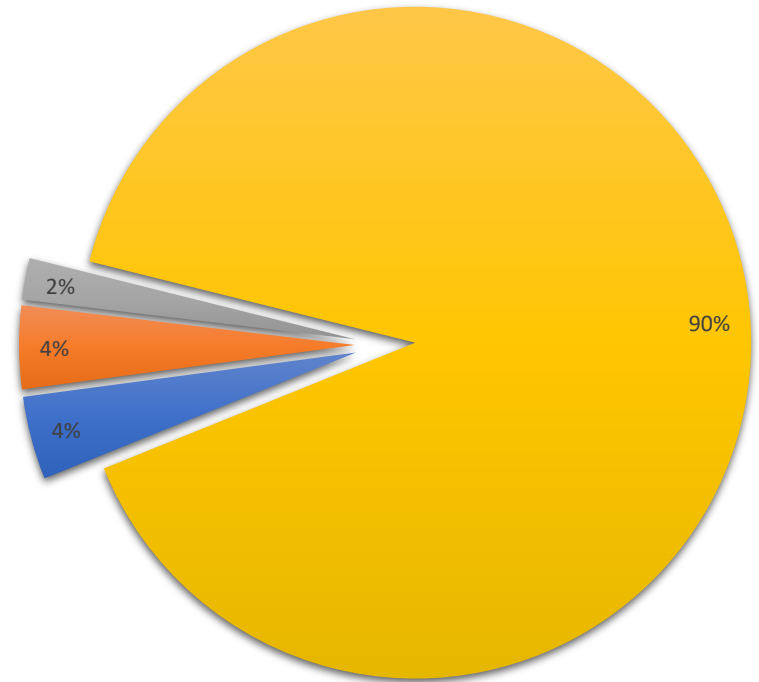
## In-service training strategies

### In service training for judges



- mandatory for all judges
- mandatory only for judges below a hierarchy level
- mandatory only for judges specialized in cybercrime
- not mandatory, but judges can opt to take part in such trainings

### In service training for prosecutors



- mandatory for all prosecutors
- mandatory only to prosecutors specialized on cybercrime
- mandatory to prosecutors below a hierarchy level
- not mandatory, but prosecutors can opt to take part in such trainings

# Global Survey – Preliminary results

## Pool of national trainers

In principle **there is a pool of national trainers on cybercrime and electronic evidence** and the evidence is kept by the training institutions/superior councils of magistracy/public ministries. Challenges are related to their background, the institutions they come from, their number, their certification and the support of the sustainability and continuity of their capacity building.

### Mixed Professional background

judges and prosecutors  
academia representatives  
technical experts (e.g., digital forensic experts)  
law enforcement representatives

### Number of trainers

10

25×3-5



14 out of 15

No Certification of trainers

Update of trainers capacity

# Global Survey – Preliminary results

## National judicial Training Institutions

- In all countries there is **at least one training institution/training unit** (under Public Ministry or Superior Council of Magistracy)



- There is **no special allocated budget for judicial training on cybercrime** and electronic evidence
- Judges and prosecutors participate at least once per year in regional/international judicial trainings





# Global Survey – Preliminary results

## Challenges

### Main challenges encountered in judicial training on cybercrime and electronic evidence

- Budget restraints
- Insufficient level of expertise (e.g. technical knowledge)



- High turnover of the judicial trainers



- Lack of a coherent strategy on judicial training
- Lack of suitable training facilities and necessary equipment



# Global Survey – Preliminary results Needs



## **Main needs in terms of capacity building on judicial training on cybercrime and electronic evidence.**

- Extend the pool of national trainers to cover the continuous training as well the initial training program in regard of cyber crime
- Adopting of training materials for national needs, ToTs
- Regularly update and enhance knowledge on the topics
- Adaptation of the trainings to the degree of knowledge of trainees
- Tabletop exercises with regional engagement
- Additional capacity building for initial and in service training
- drafting of a Potential guidebook on judicial training strategies on cybercrime and EE
- Certification programs



**Judge  
Hania Helweh**

18 November 2021

# Octopus Conference 2021

*WOKSHOP on Judicial Training*

