

Objective

This seminar is part of an EU-wide project to train defence lawyers on European criminal justice and judicial cooperation instruments in the EU.

Key topics

- The effects of European criminal law on the daily practice of defence lawyers in EU Member States
- The application of mutual recognition instruments from a defence perspective
- The European Arrest Warrant (EAW)
- The future of EU instruments, particularly in matters of obtaining evidence

Speakers

- **Lesley Thomson QC**, Solicitor General for Scotland, Edinburgh
- **Patrick Layden QC**, Commissioner to the Scottish Law Commission, Edinburgh
- **James MacGuill**, Solicitor, MacGuill & Company, Dublin
- **Thom Dieben**, Defence Lawyer, *Jahae Advocaten*, Amsterdam
- **Anand Doobay**, Consultant, Peters & Peters Solicitors LLP, London
- **John R A Hamilton QC**, Director of Training and Education, Faculty of Advocates, Edinburgh
- **Cornelia Riehle**, Course Director, European Criminal Law Section, ERA, Trier

Methodology

The programme will offer a mixture of training methods, varying from lectures to interactive workshops. In order to ensure the practical relevance of the training, the workshops will focus on national case studies.

Networking opportunities

Participants will have the opportunity to exchange experience by establishing personal contacts. Participants will learn about the current projects to build an EU-wide criminal defence network.

Who should attend?

The seminar is tailor-made for criminal defence lawyers from the **UK, Ireland** and the **Netherlands**. One place is open for a lawyer from Malta.

Seminar cost and reimbursement

The project is co-financed by the European Commission's Criminal Justice Programme.

Seminar fee
including
documentation,
coffee breaks, lunch
and a joint dinner

€150 / €250
(£126 / £210**)

€250 (£210**) for participants from the UK, Ireland, the Netherlands and Malta.

€150 (£126**) for participants from Edinburgh who do not claim reimbursement of their travel and accommodation.

- Accommodation for 2 nights (20-22 April 2012) will be booked and covered by ERA.
- Travel costs will be reimbursed by ERA upon receipt of the original invoices up to € 300 for participants from Ireland, the Netherlands and Malta; and up to € 150 for participants from the UK. Participants will have to book their own travel.

** Sums in sterling are purely indicative and correct as of 10 Feb 2012. Value in euro applies.

E-learning

Participants will have the opportunity to prepare in advance through an introductory e-learning course.

Registration

The number of places for the seminar is limited. The places will be allocated among the eligible applicants on a first-come, first served basis.

For further information:

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Online registration:

www.era.int



EU CRIMINAL LAW FOR DEFENCE COUNSEL

Edinburgh, 20-21 April 2012

Faculty of Advocates
MacKenzie Building
11 Parliament Square

Organiser:

Cornelia Riehle, ERA

Language: English

Event number: 312DT04



Friday, 20 April 2012

14:00 Arrival and registration of participants

14:15 **Welcome address**

Lesley Thomson QC Solicitor General for Scotland

I. **INTRODUCTION TO EUROPEAN CRIMINAL LAW**

14:30 **European criminal law: impact on national defence practice**

- Competences of the EU, instruments, institutions, developments

15:30 **Procedural safeguards in criminal justice: the EU's roadmap**

Patrick Layden QC

16:00 Discussion

16:15 Coffee break

16:45 **The rights of the defence according to the ECtHR and ECJ**

Anand Doobay

17:30 **Networking for European defence lawyers: opportunities and strategies**

- PenalNet; E-Justice Portal; ECBA "Find a Lawyer", CCBE Study

Cornelia Riehle

18:15 Discussion

18:30 End of the first day

20:00 Seminar dinner

Saturday, 21 April 2012

II.

CASE STUDIES: CROSS-BORDER CASES

The case studies will be carried out in national groups (UK, Ireland, the Netherlands) in the participants' mother tongues.

For Ireland: James MacGuill

For the UK: James Hamilton QC

For the Netherlands: Thom Dieben

09:30

Case study: Criminal investigation proceedings

- Instruments of mutual legal assistance
- Formal and material conditions for the EAW
- Obtaining evidence from abroad
- Mutual recognition of supervision measures

11:00 Coffee break

11:30 **Continuation of the case study**

13:00 Lunch

14:00 **Case study:**

Criminal proceedings and execution of sentences

- Mutual recognition of sentences from other Member States
- Mutual recognition of decisions on the deprivation of liberty

16:00 **Conclusions of the case studies**

16:30 End of the seminar

Programme may be subject to amendment.
For programme updates: www.era.int