

SUMMARY OF THEMIS JURY

Good morning we hope you had a good and relaxing time in the Lebanese restaurant.

I have been elected to give the observations of the THEMIS jury. When I say elected I mean that I left the room last night during our deliberations and when I came back I was told to take on this important task. The message for the future is never leave the room when important decisions are to be made.

In the spirit of open justice we will now tell you about how we marked the competition what we were looking for in the 3 elements of the competition.

We broke down the marks to be awarded in the following way: 40 for the written presentation, 40 for the debates and 20 for the written observations. From that we created a marking matrix dividing the points between the criteria set out in the Rules of the competition. I am not going to go through the points for each element but suffice it to say that in the written paper the reference to EU law and originality and communication was key elements. In the debates communication, clarity, attractiveness of the arguments and persuasiveness as well as EU law were key elements of our decision. Interpretation of the law was also of importance to us. Our thinking was approved by EJTN

We did not create the case studies and we were not given any answers so like you the jury came to the case studies afresh. We should say that there are no right or wrong answers to most of the studies, what we were looking for was a well argued case from whatever position you were asked to maintain. We understand that some arguments were more difficult than others and we took those into account in our deliberations.

Written

We looking for were references to EAW, 1957 convention, Eurojust criteria, dual criminality, conviction/accusation. Ne bis in idem. Eurojust/Croatia agreement. And if not referred to then an argument for the decision one way or another. We all would use a chronology of events to give us greater clarity which assists in leading us to the criteria and assists with coming to a conclusion. The answer didn't matter providing it was well argued. Generally good use of the Eurojust criteria. Nearly all saw that the victims of the shooting was more serious than just the robberies. Clear concern for victims. Also a number of papers concerning the sentence and

where it was to be served referred to the important criteria of re-socialisation. On a practical note even if there was not an agreement an ad hoc agreement could be negotiated to deal with this issue.

There was a clear flag in the question concerning creating additional information or in our view a question which almost completely was left unaddressed. This was what exactly happened between Croatia and France when Jan was surrendered for trial and then returned to Croatia.

Debates

We were looking for an understanding of not just the instruments that you were asked to consider but also how in terms of earlier instruments we had got to the current position. So for example in the EAW questions part of the issue was the slowness of the ECE '57 and the fact that 2 conventions had failed because of lack of ratification which drew us to the FD.

We also looked for not just the use of the instruments but also how they could be practically used in day to day business.

We were looking for good arguments and critical analysis of not only the pro arguments but also an analysis of the contrary argument.

We were also interested to here what arguments were put forward for the future developments of the area of freedom security and justice.

Observation notes

Key to the observation notes was to ensure that you observed your colleagues and learnt from the strength and weaknesses of their presentation and Q & A and to develop and improve your own skills. One of the tasks which we wanted to see was that you presented in a concise and precise manner your opinion and views about a relatively long presentation. We felt this was an extremely practical task for your future development when in court you have to sum up in a very short space of time a summary of the proceedings and the opinion of the parties.

Communication

Looking for the following:

- 1) 2 or 3 working together in both the presentation and the Q & A's
- 2) The verbal presentation
- 3) Use of PowerPoint
- 4) Q & A.

2 or 3 working together

It was important to see you working as a team in the presentation. The presentation and the Q & A divided pretty much equally. Equal division of tasks. Paying attention to your colleagues during their part of the debate.

The verbal presentation

Clarity of argument, eloquence, eye contact using notes as a trigger rather than reading. We appreciate you are not working in your own language. It is very important to ensure that your speed of presentation is moderate to make your presentation understandable this works just as well for these presentations as in court.

PowerPoint

You don't have to use it. It's a tool not a copy of your speech.

Its proper use is to draw attention to a key point in your presentation.

It is a Power Point. 25 words or less on each page. All the time you are looking at the Power Point you are not listening to the debate. However even in crowded PowerPoints there were nuggets of gold namely the use of flow charts and comparison charts which at a glance showed the different sides of the argument.

Q & A

Discussion before answering is perfectly ok. Time of think about answer is ok Clear answer to the questions. Even in court a judge will give you a moment to think.

Generally

We would like to thank you for your excellent papers and presentations. We have discussed this amongst ourselves and whilst the standard of the competition was high last year the standard this year was even higher. We appreciate this has something to do with the change of format but nonetheless we were all very impressed with the quality of your hard work during the course of this week.

We the jury are very grateful to you for making this such an interesting and also instructive week for us. You are the best of the magistrates/prosecutors schools in coming through from the semi finals and you have each shown why you are here in the final of the competition. We

appreciate the fact that you have sacrificed from your precious time to come here and participate in this competition although you have hard tasks obligations and exams in your schools.

Finally

We hope you have taken the opportunity to exchange business cards, telephones and e-mails, facebook or twitter pages in order to keep in contact. What this week shows is that we are united in diversity and that meeting each other we learn to understand each other and trust each other. The traditional problem with mutual assistance was that we didn't know who to talk to so we just sent a letter rogatory and hope. Now we have met each other we have contacts around Europe. If you have a problem contact each other. Help each other to find the right person to talk to.

How can we speed things up? If you send out a letter rogatory you want it executed quickly. If you receive one execute it as if it was your own case.

You are the future.