

**Training curriculum for primary legal aid providers**

“Strengthening access to justice in Latvia through fostering mediation and legal aid services”

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# Background:

This curriculum is developed in the framework of a cooperation project funded by the Directorate General REFORM of the European Commission and the Council of Europe and implemented by the Council of Europe and more specifically the European Commission for the efficiency of Justice (CEPEJ).

The project, which started in December 2021, is titled *“*Strengthening access to justice in Latvia through fostering mediation and legal aid services (Phase II)*”.* This present project builds upon the 2019-2021 cooperation project “Strengthening access to justice in Latvia through fostering mediation and legal aid services”, financed by the European Union and implemented by the CEPEJ at the Council of Europe in 2019-21.

During the previous phase of the project within the framework of the conducted pilot project, training for legal professionals was conducted aiming at supporting the main actors in Free Legal Aid system in enhancing the efficiency, quality, scope, accessibility, and awareness of free legal aid. Those trainings have sought to involve Lawyers as primary legal aid providers and to strengthen the co-operation among them and increase their knowledge on free legal aid system.

The first phase of trainings was conducted in 2020. The emphasis of that phase was to enhance the legal aid providers’ knowledge on primary legal aid, the provision of legal information and initial advice including explaining the functioning of the Latvian court system, court procedures, out-of-court solutions and mediation, assistance in filling in forms including reviewing legal aid applications, and referrals to secondary legal aid providers and other sources of help.

Under the auspices of the current Project a mission of several legal aid workshops[[1]](#footnote-1) in October 2022 in Latvia were conducted with relevant stakeholders[[2]](#footnote-2) in order to exchange experiences of the stakeholders involved in the legal aid system and to identify the needs and willingness for implementation of a new system for primary legal aid i.e. legal aid mechanism, which encompasses quality mechanism, introducing new cadre of professionals i.e. paralegals, referrals and training.

The Workshop on the development of a training modules for providers of primary legal aid in Latvia was held on 21 October 2022 in Riga with the objective to exchange experiences of the stakeholders involved in the legal aid system and to identify the need for trainings of the new legal professionals i.e. the paralegals and what should be the next steps when it comes to training paralegals. Several conclusions arose from the training workshops which are included and additionally elaborated in this report.

Based on the first phase experience and in line with the workshop report, the second phase of trainings has been developed i.e. yearly programme for trainings for primary legal aid providers presented in this curriculum.

This curriculum is a produced with co-operative work conducted by Ms Bojana Netkova, attorney at law, expert in legal aid and access to justice, Mr John Eames, expert in legal aid systems, legal aid barrister and judge of the First-tier Tribunal in the UK and Ms Mar Hermosilla, mediation and legal aid expert.

# Background to the Curriculum

This training curriculum provides basic information; instructions and skills for primary legal aid providers i.e. paralegals in Latvia to offer legal aid to poor and vulnerable persons in need of legal assistance. The curriculum provides paralegals with resources needed to provide access to justice for indigent persons who otherwise have not had support to resolve their legal problems. It provides skills for paralegals to assist clients through legal conflicts. This document presents a yearly program on primary legal aid trainings encompassing collection of training courses and materials intended to build the capacity of primary legal aid providers and equip them with skills necessary for qualitative communication with legal aid beneficiaries. This document is also intended to help legal aid providers to design, implement and evaluate their own training programs, and integrate effective learning and teaching methods into them. The curriculum also envisages ToT materials for building a pool of facilitators/trainers that will be able to deliver this curriculum.

It is anticipated that this curriculum and the training materials will improve the skills of the primary legal aid providers necessary for the effective provision of free legal aid services at the country level. It is also foreseen that legal aid providers will be using these training materials to conduct in-house trainings and create the pool of FLA trainers.

The main objectives of this curriculum are to enable participants to:

* gain a more comprehensive understanding of the State ensured legal aid law and free legal aid systems in general;
* outline the rights and duties of legal aid providers and legal aid beneficiaries in free legal aid system;
* further enhance their ability to provide primary legal aid;
* Understand the problem in different sensitive topics, identifying victims affected by these sensitive topics and provide them with adequate advice.

This curricula entails the initial programme for training the new cadre of professionals on matters related to legal aid (primary and secondary legal aid, legal aid in civil, criminal and administrative cases, DV,GBV, VAW, human rights), soft skills and how to be a trainer (please see Assessment report on trainings, pages 10,11).

In addition this curricula foresees a shortened programme of the modules intended for cascade trainings i.e. CPD.

# Duration of the programme

This curriculum is intended to cover a process that will take place once a year for a duration of 2 months for the purposes of conducting the ToT, and whole year for the purpose of conducting the cascades trainings i.e. CPD.

The goal is to continuously expand the pool of trainers who will be able to hold trainings on various topics and also enhance the knowledge and skills of the legal aid providers.

The Tot is preferable to be conducted from 01 of April to 01 of June.

Within the planned 2 months, the implementation of this curriculum will take place every week according to the following principle:

| Month | Sun | Mon | Tue | Wed | Thu | Fri | Sat |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | 25 | 26 | 27 | 28 | 29 | 1 | 2 |
| Mar  2024 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | 1 | 2 | 3 | 4 | 5  Day session 1 – How to be a trainer | 6 |
| Apr  2024 | 7 | 8 | 9 | 10 | 11  Day session 2 – Understanding the role of paralegals | 12  Day session 3 – Understanding the role of paralegals | 13 |
| 14 | 15  Day session 4 – Understanding the role of paralegals | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23  Module 2 – Primary and secondary legal aid | 24  Module 2 – Primary and secondary legal aid | 25 | 26 | 27 |
| 28 | 29 | 30 | 1 | 2 | 3  Module 3 – Civil law | 4 |
| May  2024 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17  Module 4 – Administrative law | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30  Module 5 – Human rights | 31  Module 6 – GBV, VAW, DV | 1 |
| Jun  2024 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 1 | 2 | 3 | 4 | 5 | 6 |

# Structure of the Curriculum

This Curriculum is broken down into 6 modules covering a broad spectrum of legal information on key matters what paralegals/ providers of primary legal aid are expected to deal with while providing legal assistance to people. However this curriculum can be also used by the providers of secondary legal aid.

The first module facilitates an understanding of paralegals and their role; and essential skills for paralegal work.

The sessions in modules one, five and six are described in detail bellow. They are all intended for use in a workshop setting to accommodate offline training delivery.

The fifth module is dedicated to human rights and its application in regard to legal aid and the sixth module covers the topics on discrimination, Gender based discrimination (DG), Gender based violence (GBV), Violence against women (VAW) and Domestic violence (DV).

Additionally, these modules should be regularly updated by a national consultant at the behest of national authorities (please see Assessment report on trainings, page 11 and 12).

Please note that the second module should contain topics on primary and secondary legal aid, while the third and fourth modules should encompass civil and administrative matters i.e. hard law.

These modules i.e. second, third and fourth modules should be written by national authorities or national consultant following the reform of the system.

Also, these should be updated and upgraded on a yearly basis in accordance with the gained results and the identified issues.

# Module 1: UNDERSTANDING THE ROLE OF PARALEGALS

## **1. Objectives**

Legal aid is essential in enhancing access to justice for the ones in need (indigent, vulnerable and marginalized persons). Legal aid represents provision of legal information, advice or assistance or representation by a lawyer or a paralegal, to a person at no cost or at a very minimal cost. Legal aid services include legal information, legal advice and assistance, ADR, referrals as well as legal and human rights awareness. It enables poor and vulnerable people to resolve their disputes, and empowers them to claim their rights.

The overall objective of Module 1 “Understanding the role of paralegals” is better understanding of the specific roles that paralegals play in the delivery of legal aid.

The aim is to enhance the capacity of primary legal aid providers by understanding what their role is when it comes to effectively contribute in the provision of primary legal aid and gear their actions towards such achievement.

This Module has three distinctive parts/day sessions and several sub-sessions under each part/day session.

The three parts/day sessions are as follows:

1. How to be a trainer
2. What is a paralegal i.e. primary legal aid provider and its role
3. Soft skills for paralegals i.e. primary legal aid providers

The objective of part one is to give an insight to the participants of the different approaches in training, different types and methods for learning i.e. training, designing the training and the variety of tools when preparing for training.

The goal of the other two parts is to achieve better understanding what paralegals means, what is their role in the scheme of legal aid with focus on primary legal aid, and what kind of skills are needed for paralegals to effectively and efficiently do their job i.e. provide primary legal aid.

By the end of part one (How to be a trainer) the participants will:

* Have the knowledge on different approaches to learning and training
* Understand the different learning styles
* To understand how adults learn
* Gain knowledge on designing training and usage of tools

By the end of part two (What is a paralegal i.e. primary legal aid provider and its role) legal aid providers will:

* Have better understanding of what paralegal is?
* Will gain better understanding in the difference between lawyers and paralegals
* Be able to define the role of each of the primary legal aid providers in free legal aid system;
* Be able to consider a range of standards and values and make a choice between them;
* Why do we need to use paralegals?
* What can paralegals do?

By the end of part three (Soft skills for paralegals i.e. primary legal aid providers) legal aid providers will:

* Enhance their skills and knowledge on initial contact with beneficiaries
* Improved the essential interpersonal skills
* Increase primary legal aid providers' effective communication skills with users, both verbally and in writing, taking into account the different profiles and circumstances of those who use these services.
* Develop providers' Active Listening and Assertive Speaking skills to understand and respond to users' needs and concerns, through new communication techniques and soft skills.
* Enhance emotional intelligence to empathize with users and manage interpersonal relationships and emotions appropriately, through empathy, the creation of trusting relationships and the management of complicated situations.
* Improve time management and organizational skills to control the workload efficiently, and know how to manage several issues at the same time, by prioritizing tasks and meeting deadlines.
* Learn stress management techniques to prevent burnout and promote provider well-being.

## **2. Use of Module**

This Module has been designed both to provide condensed information on the definition of what paralegal is, their role in primary legal aid system, what paralegals do and the needed skills when providing legal first aid. It is also designed to provide guidance on better and deeper understanding of the importance of having primary legal aid providers in the legal aid system.

The Module includes practical exercises serving as examples of everyday problems that may be faced by the legal aid providers and/or their beneficiaries. These exercises are part of the workshop materials and can be used by legal aid providers by way of reflection on the issues, in discussion groups, or in future development of training materials.

## **3. Draft module curriculum**

This Module is designed to serve as a toolkit for ToT training and cascade training.

A very condensed version of this Module can also serve as a training package for legal aid providers. This Module can also be used as reference material in case further information on the topic is needed.

Below are proposed structures of 1) four-day traning in case of Training of Trainers; 2) two-day training in case of Cascade trainings;

### 3.1. Training of Trainers

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 1 – How to be a trainer**  **Day 1** | **From** | **To** | **Duration** |
| 1. | Training, Learning and Knowledge (learning Styles, different approaches in training, how do adults learn?)  Activity: Questionnaire – How do you learn? (20 min.) | 10:00 | 11:30 | 1:30 |
| -- | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | Training Methods and Interactive Training Techniques (presentation/narration, question-answer, large group work, small group work, brainstorming, role playing, Case Study)  Activity: What tool? (30 min.) | 12:00 | 14:00 | 2:00 |
| -- | **Lunch break** | **14:00** | **15:00** | **1:00** |
| 3. | Design, Planning, Evaluation (What am I telling? Who am I telling to? (Knowing the participant), Why am I telling? Why should they listen? How am I telling? (verbalism, method, technique and aids), Where am I telling? (physical space, learning environment), When am I telling? (determining the right time, time management)  Activity: Design a one day training (50 min.) | 15:00 | 16:20 | 1:20 |
| 4. | **Evaluation and conclusions** | 16:20 | 16:30 | 0:10 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 2 – Understanding the role of paralegals**  **Day 2** | **From** | **To** | **Duration** |
| 1. | Understanding the role of paralegals (what paralegal is, their role, what do they do?)  Assessment activity: Role play – interview with a client (45 min.) | 10:00 | 11:30 | 1:30 |
| -- | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | Soft skills (introduction to soft skills, the importance of soft skills, types of soft skills)  Activity: Discuss what you think (20 min.)  Communication skills (definition, importance)  Activity: Communication barriers (30 min.) | 12:00 | 13:30 | 1:30 |
| -- | **Lunch break** | **13:30** | **15:00** | **1:30** |
| 3. | Communication skills (types of communication : verbal, non-verbal,)  Activity: What do these mean? (30 min.)  Active listening (what is listening and active listening, active listening techniques, benefits and barriers)  Activity: Barriers to active listening (20 min.) | 15:00 | 16:30 | 1:30 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training session for the ToT | | | | |
| No. | **Day session 3 – Understanding the role of paralegals**  **Day 3** | **From** | **To** | **Duration** |
| 1. | Learning the consultation skills unique to primary legal aid   * Components of a primary legal aid consultation: skills and actions you will use in a primary legal consultation * Deconstructing the primary legal aid consultation into specific tasks for the paralegal with emphasis on referral   Activity – use case-studies: discuss how you will deal with each case-study client’s referral needs (20 min.)  Activity – discuss how you will improve and organise your local information database on where to refer clients to (10 min.) | 10:00 | 11:00 | 1:00 |
| 2. | Analytical thinking skills/Problem solving skills (what’s analytical thinking, how analytical thinking works?)  Types of analytical thinking:   * Creative and critical thinking   Activity: Paper clip (45 min.) | 11:00 | 12:10 | 1:10 |
| -- | **Coffee break** | **12:10** | **12:40** | **0:30** |
| 3. | Types of analytical thinking:   * Research * Problem solving skills   Activity:  A Shrinking Vessel (Adaptability) (40 min.)  Egg Drop (Collaboration, decision-making)(40min.) | 12:40 | 13:30 | 0:50 |
| -- | **Lunch break** | **13:30** | **15:00** | **1:30** |
| 4. | Continuation of Types of analytical thinking:  Activity:  Egg Drop (Collaboration, decision-making)(40min.) | 15:00 | 15:40 | 0:40 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training session for the ToT | | | | |
| No. | **Day session 4 – Understanding the role of paralegals**  **Day 4** | **From** | **To** | **Duration** |
| 1. | Time management skills and Technological and digital skills (what is time management, consequences of poor time management and benefits of good time management)  Types of management skills  Activity:  The game of 60 seconds (10 min.)  Puzzle (40 min.) | 10:00 | 11:30 | 1:30 |
| 2. | Basic concepts on referral to Mediation | 11:30 | 13:30 | 2:00 |
| -- | **Lunch break** | **13:30** | **15:00** | **1:30** |
| 3. | Conclusions and evaluation | 15:00 | 15:15 | 0:15 |

### 3.2. Cascade training

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the cascade trainings | | | | |
| No. | **Module 1 – Understanding the role of paralegals**  **Day 1** | **From** | **To** | **Duration** |
| 1. | Understanding the role of paralegals (what paralegal is, their role, what do they do?)  Assessment activity: Role play – interview with a client (40 min.) | 10:00 | 11:00 | 1:00 |
| -- | **Coffee break** | **11:00** | **11:30** | **0:30** |
| 2. | Soft skills (introduction to soft skills, the importance of soft skills, types of soft skills)  Activity: Discuss what you think (20 min.)  Communication skills (definition, importance)  Activity: Communication barriers (20 min.) | 11:30 | 12:30 | 1:00 |
| 3. | Learning the consultation skills unique to primary legal aid  Activity – use case-studies: discuss how you will deal with each case-study client’s referral needs (20 min.)  Activity – discuss how you will improve and organise your local information database on where to refer clients to (10 min.) | 12:30 | 13:30 | 1:30 |
|  | **Lunch** | **13:30** | **15:00** | **1:30** |
| 4. | Analytical thinking skills/Problem solving skills (what’s analytical thinking, how analytical thinking works?)  Types of analytical thinking:   * Creative and critical thinking   Activity: Paper clip (30 min.) | 15:00 | 16:00 | 1:00 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the cascade trainings | | | | |
| No. | **Module 1 – Understanding the role of paralegals**  **Day 2** | **From** | **To** | **Duration** |
| 1. | Types of analytical thinking:   * Research * Problem solving skills   Activity:  A Shrinking Vessel (Adaptability) (30 min.)  Egg Drop (Collaboration, decision-making)(30 min.) | 10:00 | 11:30 | 1:30 |
| -- | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | Time management skills and Technological and digital skills (what is time management, consequences of poor time management and benefits of good time management)  Types of management skills  Activity:  The game of 60 seconds (10 min.)  Puzzle (40 min.) | 12:00 | 13:30 | 1:30 |
| -- | **Lunch break** | **13:30** | **15:00** | **1:30** |
| 3. | Basic concepts on referral to Mediation | 15:00 | 16:30 | 1:30 |
| 4. | Conclusions and evaluation | 16:30 | 16:40 | 0:10 |

## **4. Detailed overview and content of individual training sessions and sub sessions on Module 1 “Understanding the role of paralegal”**

Sessions and sub sessions of this Module are intended for a workshop setting and have been designed to suit the needs of offline delivery. The sessions are designed following the interactive learning method. That means that participants have the opportunity to interact with the facilitator, ask questions, discuss ideas and collaborate.

In the overview of each session, presented below, there are boxes explaining training objectives, key messages and literature to be used, but not limited to, in every sub session.

**Day session 1: How to be a trainer/ ToT session**

4.1. Sub session 1: Training, Learning and Knowledge

|  |  |
| --- | --- |
| Sub session 1  90 minutes | Training, Learning and Knowledge (learning Styles, different approaches in training, how do adults learn?) |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Printed copy of the training handbook * PowerPoint presentation |
| Training objectives | * Establishing various training approaches, * Better understanding on adult training and learning processes. |
| Layout and duration/ Session Summary | * Introduction and Ice breaker exercise: 15 minutes * Activity : How do you learn?: 20 minutes * Presentation: 40 minutes * Conclusion/Evaluation: 15 minutes * Total: 90 minutes * This session is designed to be conducted through individual work, work in groups and in plenary. * The session will begin with a 15 minutes introduction i.e. Ice breaker exercises. * After the introduction a 20 minutes activity will be conducted in a form of questionnaire - How do you learn? The trainer will distribute the printed copies of the questionnaire to the participants and explain the activity. * The session will continue in plenary, without breaking up into groups. What follows is a 35 – 40 minutes long PowerPoint presentation introducing the learning Styles, different approaches in training, how do adults learn? * After the presentation the session will continue with the conclusions and evaluation of the session - discussion on expatiations and the outcomes of the session. |
| Key messages | * Training is the most systematic, planned and purposeful form of the learning process * The learning process is unique for each individual * Interactive training approaches that are centred around the participant should are effective training programme |
| Literature | Curriculum globaALE, Competency framework for adult educators, available at: <https://unesdoc.unesco.org/ark:/48223/pf0000377422/PDF/377422eng.pdf.multi>  Training manual for trainers[[3]](#footnote-3)  Other online resources |

4.2. Sub session 2: Training Methods and Interactive Training Techniques

|  |  |
| --- | --- |
| Sub session 2  120 minutes | Training Methods and Interactive Training Techniques (presentation/narration, question-answer, large group work, small group work, brainstorming, role playing, Case Study) |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Printed copy of the training handbook * PowerPoint presentation * Flip chart and markers * Printed copies of the assignment |
| Training objectives | * Gaining knowledge on methods and techniques in training * Understanding the advantages and disadvantages in using different training methods * Evaluating various training techniques that trainers can use in their training |
| Layout and duration/ Session summary | * Presentation: 30 minutes * Activity (What tool): 30 minutes * Working on presentation skills: 60 minutes * Total: 120 minutes * This session begins in the plenary, with all participants with presentation not longer than 30 minutes. * After the completion of the presentation of the topics, the trainer will break up the participants into smaller groups (3 to 5 people) for completing the assignment. Each group will get one previously prepared assignment on what training tool i.e. interactive method would they use in training on a given topic (role play, case study, group work etc.) and why? * Each group will choose one member to present the results from the assignment in front of everyone on a flipchart. |
| Key messages | * Training methods and techniques vary from the training objectives, training content, participant profiles, trainer’s characteristics and the availability of training materials. * The design, preparation and selection of the materials to be used in adult training as well as their role in learning, and supporting such materials with audio-visual components is very important. * Using audio-visual training tools and various techniques are helpful to the trainer in terms of ensuring permanent learning and receiving positive feedback |
| Literature | Curriculum globaALE, Competency framework for adult educators, available at: <https://unesdoc.unesco.org/ark:/48223/pf0000377422/PDF/377422eng.pdf.multi> Stolovitch&Keeps, 2017, Telling Ain’t Training  Training manual for trainers  Other online resources |

4.3. Sub session 3: Design, Planning, Evaluation

|  |  |
| --- | --- |
| Sub session 3  80 minutes | Design, Planning, Evaluation (What am I telling? Who am I telling to? (Knowing the participant), Why am I telling? Why should they listen? How am I telling? (verbalism, method, technique and aids), Where am I telling? (physical space, learning environment), When am I telling? (determining the right time, time management) |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * Printed copy of the training handbook * PowerPoint presentation * Printed copies of the assignment |
| Training objectives | * Learning how to design training * Creating viable alternatives for post-training evaluation processes. |
| Layout and duration/ Session Summary | * Presentation: 30 minutes * Activity: Design a one day training (50 min.) * This session is designed for a plenary session, starting with 30 minutes presentation on the topic. * After the presentation, the trainer will divide the participants into groups of 3-4. Each group will get printed copy of the assignment with detailed instructions. * After the completion of the assignment, each group will choose a presenter that will present the results from the assignment (designed one day training: topics, sub topics, agenda, tools, materials, objectives etc.) in front of the whole group on a flipchart. |
| Key messages | * When designing training the trainer must put to the centre the needs of the participants. * The trainer should use different methods, techniques, applications and instruments/tools to facilitate learning. * Trainers should understand the importance of using time effectively in training. Post-training evaluation can be conducted on participants’ satisfaction, level of learning, performance of the trainers, and content of the training and the level of interactive element in the training. |
| Reference literature: | Curriculum globaALE, Competency framework for adult educators, available at: <https://unesdoc.unesco.org/ark:/48223/pf0000377422/PDF/377422eng.pdf.multi>  Training manual for trainers[[4]](#footnote-4)  Other online sources |

**Day session 2: Understanding the role of paralegals**

4.4. Sub session 4: Understanding the role of paralegals

|  |  |
| --- | --- |
| Sub session 4  90 minutes | Understanding the role of paralegals (what paralegal is, their role, what do they do?) |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation * Printed out copies with instructions for role play |
| Training objectives | * Explain who a paralegal is and their roles in enhancing access to justice * Identify the qualities and qualifications of a good paralegal * Understand what paralegals can/cannot do |
| Layout and duration/Session summary | * Presentation: 30 minutes * Assessment activity (Role play – interview with a client): 45 minutes * Discussion feedback: 15 minutes * This session is held in plenary, with all participants. The trainer presents the content in a 30 min. presentation, explaining who is a paralegal, the difference between lawyers and paralegals, why do we need paralegals, what do paralegals do and qualities of a good paralegal. * After the presentation the trainer gives the participants a printed copy with instruction on a role play scenario, and gives the participants availability for them to choose the groups of 3 (two of them will be doing the role play – interview, and the third will be supervisor). * After the activity in a plenary session every supervisor will give its feedback on the conducted interview (positive, negative aspects). |
| Literature: | A training manual for Paralegals |

4.5. Sub session 5: Soft skills

|  |  |
| --- | --- |
| Sub session 5  90 minutes | Soft skills (introduction to soft skills, the importance of soft skills, types of soft skills)  Communication skills (definition, importance) |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation * Printed out handouts with the instructions for the activity |
| Training objectives | * Upon completion of the session, the participants will understand what soft skills are and which skills are considered as soft skills (definition of soft skills, importance of these skills for everyday work of the legal aid providers, types of soft skills, and soft skills vs. hard skills). * Enhance their knowledge on what communication skills are and which skills are considered as communication skills, the importance of communication in providing legal assistance, develop communication skills, obtain interviewing skills and techniques and dos and don’ts in the correspondence. |
| Layout and duration/Session summary | * Presentation on soft skills: 20 minutes * Activity - Discuss what you think: 20 minutes * Presentation on communication skills: 20 minutes * Activity - Communication barriers: 30 minutes * This session is held in plenary, starting with 20 minutes presentation on soft skills, its definition, importance of these skill and types of soft skills. * After the presentation the trainer will ask the participants several questions to think about it and discuss. * After the first activity, the trainer continues with another 20 minutes of the presentation on communication skills, elaborating on what communication skills are and which skills are considered as communication skills, the importance of communication in providing legal assistance, develop communication skills, obtain interviewing skills and techniques and dos and don’ts in the correspondence. * When the trainer ends his presentation, he splits the participants into pairs, and explains the activity and spreads out printed messages. * After the exercise is done, the trainer asks for feedback discussion |
| Reference literature: | The manual on soft skills for primary legal aid providers  Other online sources |

4.6. Sub session 6: Communication skills

|  |  |
| --- | --- |
| Sub session 6  90 minutes | Communication skills (types of communication : verbal, non-verbal,active listening) |
| Responsible | **Trainer/s** |
| Materials/  Equipment | Laptop and projector   * PowerPoint presentation * Handouts with printed statements of non-verbal communication |
| Training objectives | Upon completion of the session the trainees will be:   * able to differentiate the types of communication skills i.e. non-verbal and verbal communication * to enhance their knowledge on these two forms of communication and gain the needed skills * To understand what is listening and active listening and existent barriers to active listening |
| Layout and duration/Session summary | * Communication skills (types of communication : verbal, non-verbal,): 20 minutes * Activity - What do these mean? : 30 minutes * Active listening (what is listening and active listening, benefits and barriers): 20 minutes * Activity - Barriers to active listening: 20 minutes * This session is conducted in a plenary format, with 20 minutes presentation on types of communication skills (non-verbal and verbal communication skills). * After the presentation on these two forms of communication, the trainer distributes printed statements of non-verbal communication and asks the participants to share what these statements could possibly represent/mean? * After the discussion the trainer continues with the presentation on active listening, giving the participants insight into what is listening and active listening, common barriers to listening, active listening techniques and benefits of active listening. * When the presentation is over, again the trainer starts a discussion/brainstorming on what other barriers to active listening exists. |
| Reference literature: | The manual on soft skills for primary legal aid providers  Other online sources |

**Day session 3: Understanding the role of paralegals**

4.7. Sub session 7: Learning the consultation skills unique to primary legal aid

|  |  |
| --- | --- |
| Sub session 7  60 minutes | Components of a primary legal aid consultation: skills and actions you will use in a primary legal consultation  Deconstructing the primary legal aid consultation into specific tasks for the paralegal with emphasis on referral |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation * Printed out handouts with the instructions for the activity |
| Training aim | * This session aims to closely build on the teaching in sub-session 4 by personalising the skills needed for carrying out the paralegal role, especially referring the client * By the end of the session, participants will understand   + what specific roles, functions and actions are encompassed within a primary legal aid consultation from before meeting to post-consultation wrap-up   + the importance of knowing the limits to these functions   + knowing that referral will be a key component of your advice activity and that it is a skilled and important task   + why that understanding is important for the success of the consultation and supports the client’s needs   + how to effectively and kindly communicate to clients the purpose of the primary legal aid consultation, and why it may not meet all of their legal advice and help needs, hence having to refer * and they will undertake to develop, improve and organise their local information database |
| Layout and duration/Session summary | * Presentation – with case-study examples: 30 minutes * Activity – use case-studies: discuss how you will deal with each case-study client’s referral needs: 20 minutes * Activity – discuss how you will improve and organise your local information database on where to refer clients to: 10 minutes |
| Main topics | * Deconstructing the primary legal aid consultation into its segments: pre-meeting • reception and welcome • taking history • advising • consequent actions • agreement on next steps • referral • ending the consultation recording the consultation in case-records or case file * Adviser’s key actions in sequence: welcome • listen • encourage • take a history • focus the client • dealing with client’s emotions • clarify • diagnose • discuss with clients • advise • assist • refer • follow-up • close * Don’t advise outside the limits of your knowledge * Focus on referring: how to refer • *mantra*: refer effectively, sympathetically, appropriately, sensitively, efficiently, quickly and once only (for each problem they have) • maintaining and using your local information database to consider best referral plan • discussing it and agreeing it with client • phoning ahead or emailing • checking opening times and capacity of destination organisation • equipping client with any written or printed matter they need • understanding the referred-to organisation’s requirements upon receiving a referral • assessing client support needs around referral • ensuring client understands it’s not a rejection • clarify to client whether they will have to pay at the destination organisation • clarify to client their matter is now closed here with no further actions (if that is the case) |
| Reference literature: | The manual on soft skills for primary legal aid providers   * Referrals documentation – October 2022 workshop training materials * Guidelines for Referrals protocol and Directory of organisations * CoE FLA North Macedonia Referrals protocol * <https://asauk.org.uk/about-the-advice-quality-standard/>   Other online sources |

4.8. Sub session 8: Analytical thinking skills/Problem solving skills

|  |  |
| --- | --- |
| Sub session 8  60 minutes | Analytical thinking skills/Problem solving skills (what’s analytical thinking, how analytical thinking works?), types of analytical thinking: Creative and critical thinking |
| Responsible | **Trainer/s** |
| Materials/  Equipment | Laptop and projector   * PowerPoint presentation * Box of paper clips |
| Training objectives | Upon completion of the session, the participants will   * Gain skills and knowledge on what’s analytical thinking is and how analytical thinking works? * Gain understanding on critical and creative thinking |
| Layout and duration/Session summary | * Analytical thinking skills/Problem solving skills : 20 minutes * Activity - Paper clip: 45 minutes * This session begins with 20 minutes power point presentation on analytical skills, the types of these skills, and elaborates on critical and creative thinking skills. * After the presentation the trainer will divide the participants into groups of 3-4 and give them a box of paper clips while explains the activity. * Each group will have to: * Think of possible different ways of using a paper clip, aside from holding papers together. * The groups will have 30 minutes for their activity. Then they present their ideas and discuss the work done with the other groups. |
| Reference literature: | The manual on soft skills for primary legal aid providers  Other online sources |

4.9. Sub session 9: Analytical thinking skills/Problem solving skills

|  |  |
| --- | --- |
| Sub session 9  90 minutes | Types of analytical thinking:   * Research * Problem solving skills |
| Responsible | **Trainer/s** |
| Materials/  Equipment | Laptop and projector   * Power Point presentation * Ropes * A carton of eggs, basic construction materials such as newspapers, straws, tape, plastic wrap, balloons, rubber bands, popsicle sticks, etc., tarp, or drop cloth, * A room or some other place you don’t mind getting messy |
| Training objectives | Upon completion of the session, the participants will   * Gain skills and knowledge on research and problem solving * Gain understanding how to implement these skills |
| Layout and duration/Session summary | * Types of analytical thinking: 10 minutes * Research * Problem solving skills * Activity 1 - A Shrinking Vessel (Adaptability): 40 minutes * Activity 2 - Egg Drop (Collaboration, decision-making): 40 minutes * This session begins with 10 minutes power point presentation on research and problem solving skills.   Activity 1:   * After the presentation the trainer will divide the participants into groups of 7, explains the activity. * The trainer positions every group in a circle and put the rope on the ground around each group, making a close circle. * Every 7-10 minutes the trainer will tighten the rope making a smaller circle i.e. shrinking the space. * Each group will have to work together to figure out how to keep everyone within the shrinking boundaries. * When activity 1 is over, ask for conclusions from this activity.   Activity 2:   * The trainer gives each team an egg and gives them instructions to select from the construction materials. * The trainer gives everyone 20-30 minutes to construct a carrier for the egg and protect it from breaking. * Then the each group has to drop each egg carrier off a ledge (i.e. over a balcony) and see whose carrier protects the egg from breaking. * If multiple eggs survive, the trainer will keep increasing the height until only one egg is left. |
| Reference literature: | The manual on soft skills for primary legal aid providers  Other online sources |

**Day session 4: Understanding the role of paralegals**

4.10. Sub session 10: Time management skills and Technological and digital skills

|  |  |
| --- | --- |
| Sub session 10  90 minutes | Time management skills and Technological and digital skills |
| Responsible | **Trainer/s** |
| Materials/  Equipment | Laptop and projector   * Power Point presentation * Boxes of puzzles |
| Training objectives | Upon completion of the session, the participants will   * Have better understanding of what time management and technological and digital skills are * Why they are important |
| Layout and duration/Session summary | * Time management skills and Technological and digital skills * Types of management skills * Activity 1: The game of 60 seconds (15 min.) * Activity 2: Puzzle (40 min.) * This session begins with 25 minutes power point presentation on what is time management, the consequences of poor time management, benefits of good time management and types of management skills. * After the presentation the trainer will start the activity part i.e. conducting two activities with the participants.   Activity 1:   * The trainer divides the participants into groups of 5. * The trainer ask the participants to close their eyes and cover all the clocks in the space. * Then, asks them to open their eyes and stand up when they think one minute is up. * Each team member will stand up at different times because each person perceives the passage of time differently. * At the end of the activity the participants will discuss the conclusions   Activity 2:   * The trainer divides the participants into teams of 5 and provides jigsaw puzzles to each team. * Allow some teams to see the anticipated image on the puzzle box while requiring the other teams to finish their puzzles without using the expected image as a guide. * Once all teams have finished putting their puzzles together, consider how long it took them, how challenging it was, and why. |
| Reference literature: | The manual on soft skills for primary legal aid providers  Other online sources |

4.11 Sub session 11: Basic concepts on referral to Mediation

|  |  |  |
| --- | --- | --- |
| Sub session 11:  120 minutes | | Basic concepts on referral to Mediation |
| Responsible | **Trainer/s** | |
| Materials/  Equipment | | * Laptop and projector * PowerPoint presentation on referral to Mediation |
| Training objectives | | Upon completion of these sessions the trainees will be able to acquire the following knowledge:   * Definition of mediation and Alternative Dispute Resolution. * Objectives of mediation. * Definition of who can be a mediator. * Key principles of mediation: Voluntariness, Confidentiality, Impartiality, Neutrality and Professionalism. * Identication of cases that can be referred to mediation: * Cases where the parties are willing to negotiate, settle and waive freely. * Cases that do not affect or harm third parties. * Cases that may be at risk of being prolonged too long in time * Cases that have a complex legal solution. * Cases in which the conflict is latent and can be prevented from escalating. * Main issues that can be referred to mediation: * Civil-Mercantile Law: Inheritance, rentals, purchase and sale, claims for payment. * Family Law: Divorces, custody, communication regime, amendment of measures, alimony, care of the elderly. * Criminal Law: Reparation of the damage caused to the victim, compensation, acknowledgement of guilt, rehabilitation of the offender. * Labour Law: Dismissals, Wage claims, Enforcement of contracts. * International standards and National legislative framework. |
| Layout and duration | | * These sessions are held in plenary, with all participants, without dividing into groups. * The sessions will be divided into two parts and each part will contain a lecture and a PowerPoint presentation. * The first session will last 90 minutes and will deal with Definition, Objectives and Principles of Mediation; Main matters that can be referred to Mediation; International standards and National legislative framework on Mediation. * The second session will last 30 minutes and will contain several practical examples of cases that are usually referred to mediation. |
| Reference literature: | | * Handbook/manual on Mediation * National law on Mediation * International Standards of Council of Europe: * Recommendation (98) 1 on family mediation   <https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016804ecb6e>   * Recommendation (99) 19 concerning mediation in penal matters   <https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=090000168062e02b>   * Recommendation (2002) 10 on mediation in civil matters   <https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805e1f76>   * Others International Standards: * Directive 2008/52/EU on certain aspects of mediation in civil and commercial matters   <https://www.europarl.europa.eu/RegData/etudes/IDAN/2016/593789/EPRS_IDA(2016)593789_EN.pdf>   * And other relevant literature |

# Module 2: Legal aid in Latvia (Primary and secondary legal aid)

This module would introduce potential participants to the legal aid system in Latvia, especially where primary legal aid ends and secondary legal aid begins. The scope of what primary legal aid offers, versus what it does not, is of vital import to the providers so that they are fully aware of what is expected of them. However, this module should be developed pursuant to the adoption of the Latvian Primary and secondary legal aid model.

# Module 3: Legal aid in Latvia (Civil law)

This module would focus on Latvian civil law. Similar modules already exist, so adding it here would simply necessitate the slight adaptation of a selected course from an existing institution.

# Module 4: Legal aid in Latvia (Administrative law)

This module would focus on Latvian administrative law. Similar modules already exist, so adding it here would simply necessitate the slight adaptation of a selected course from an existing institution.

# Module 5: Human rights

## 1. Objectives

This module elaborates on the basic human rights, the categories of human rights and the types of human rights. Its intention is to deepen the knowledge of the participants in relation to human rights, sources of human rights, the different classes of human rights, characteristics of human rights and human rights under Latvian laws i.e. The Constitution.

By the end of this module the participants should be able to:

* Recognize the sources of human rights
* Know the characteristics of human rights
* Constitutional provisions on fundamental human rights
* Classification of rights

## 2. Use of module

The purpose of this Module is to provide legal aid providers with certain level of knowledge in regard to human rights and needed skills for establishing a human rights based approach when working with vulnerable category of people. The importance of this module is in the contribution to the knowledge of the participants to recognize if some of the basic human rights of the clients are violated, what right is that, what violation is committed and how to proceed.

This module encompasses model training sessions of future trainers, a detailed overview and content of individual training of two sessions on Human rights.

## 3. Draft model curriculum

This Module can serve as a toolkit for a training of trainers, cascade training or an online training. A very condensed version of this Module can also serve as a training package for legal aid providers. This Module can also be used as reference material in case further information on the topic is needed.

Below is the proposed structure two-day training in case of ToT[[5]](#footnote-5) and one-day training in case of cascade trainings.

## 3.1 Training of trainers

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 1 – How to be a trainer**  **Day 1** | **From** | **To** | **Duration** |
| 1. | Training, Learning and Knowledge (learning Styles, different approaches in training, how do adults learn?)  Activity: Questionnaire – How do you learn? (20 min.) | 09:00 | 10:30 | 1:30 |
| 2. | Training Methods and Interactive Training Techniques (presentation/narration, question-answer, large group work, small group work, brainstorming, role playing, Case Study)  Activity: What tool? (30 min.)  Activity: 2 minute presentation (depends on the number of participants) | 10:30 | 12:00 | 1:30 |
| -- | **Coffee break** | **12:00** | **12:30** | **0:30** |
| 3. | Continuation of activity: 2 minutes presentation | 12:30 | 13:30 | 1:00 |
| -- | **Lunch break** | **13:30** | **15:00** | **1:30** |
| 4. | Design, Planning, Evaluation (What am I telling? Who am I telling to? (Knowing the participant), Why am I telling? Why should they listen? How am I telling? (verbalism, method, technique and aids), Where am I telling? (physical space, learning environment), When am I telling? (determining the right time, time management)  Activity: Design a one day training (50 min.)  Presentation of the results | 15:00 | 17:00 | 2:00 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 2 – Human rights**  **Day 2** | **From** | **To** | **Duration** |
| 1. | **What are human rights?**  **- Sources of human rights:** Universal Declaration of Human rights**;** International Convention on Civil and Political; the International Convention on Social, Economic and Cultural Rights; etc.  **- Right to Legal Aid**  **- Sources of the Right to Legal Aid** | 10:00 | 11:30 | 1:30 |
|  | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | **Characteristics of Human Rights**  **Classification of human rights**  **Categories of human rights**  Case study: ECtHR cases (40 minutes) | 12:00 | 13:30 | 1:30 |
|  | **Lunch break** | 13:30 | 15:00 | 1:30 |
| 3. | **Human rights according Latvian Constitution and national laws**  **Activity: Knowledge assessment (15 minutes)** | 15:00 | 16:00 | 1:00 |
|  | **Conclusion and evaluation** | 16:00 | 16:15 | 0:15 |

### 3.2. Cascade training

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 1 – Human rights**  **Day 1** | **From** | **To** | **Duration** |
| 1. | **What are human rights?**  **- Sources of human rights:** Universal Declaration of Human rights**;** International Convention on Civil and Political; the International Convention on Social, Economic and Cultural Rights; etc.  **- Right to Legal Aid**  **- Sources of the Right to Legal Aid** | 10:00 | 11:30 | 1:30 |
|  | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | **Characteristics of Human Rights**  **Classification of human rights**  **Categories of human rights**  Case study: ECtHR cases (40 minutes) | 12:00 | 13:30 | 1:30 |
|  | **Lunch break** | 13:30 | 15:00 | 1:30 |
| 3. | **Human rights according Latvian Constitution and national laws**  **Activity: Knowledge assessment (30 minutes)** | 15:00 | 16:00 | 1:00 |
|  | **Conclusion and evaluation** | 16:00 | 16:15 | 0:15 |

## 4. Detailed overview and content of individual training sessions on Human rights

Each session of this Module has been designed to suit the needs of offline delivery.

4.1. Session 1 and 2: **What are human rights? and Characteristics and Categories of Human Rights**

|  |  |
| --- | --- |
| Session 1 and 2:  180 minutes | What are human rights?  Characteristics and Categories of Human Rights |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation * International standards * Printed out summaries of cases before the European Court of Human Rights * Summary of the International and European standards * Case studies |
| Training objectives | Upon completion of this session the participants will be:   * oriented to the training goals and logistics, begin to build relationships with the other participants and trainers, and define human rights   the participants will be able to:   * Define basic human rights * Recognize the different classes of human rights * Identify sources of human rights * International standards for access to justice and the right to legal aid |
| Layout and duration | * These sessions is held in the plenary, with all participants, without breaking up into groups * These sessions contain a lecture with a PowerPoint presentation on international and European standards regulating human rights, access to justice and the right to legal aid * The session 1 will take 90 minutes presentation of human rights’ and international standards. During this session the trainer will use different tools and methods to make the presentation interactive. * The second session will take 20-25 minutes presentation in a plenary session during which the trainers are discussing the topics of the session with the participants trough asking questions * After the presentation the trainers will distribute printed Case studies and explain the rules to the participants. This activity will take 40 minutes. * After the completion of the activity, the participants will have short time to present the outcomes of the activity. |
| Key messages | * Adequate training of professionals working with vulnerable categories of people ; * Improved capacity in delivering legal aid services to people in need and eventually contributing to the respect of human rights and access to justice in Latvia |
| Reference literature: | * Handbook/manual on Human rights[[6]](#footnote-6) * Universal Declaration of Human rights**;** International Convention on Civil and Political; the International Convention on Social, Economic and Cultural Rights; * Convention on International Access to Justice - Hague Convention, available at: <https://assets.hcch.net/docs/a311a685-d6e7-41d4-8210-7c2b8c30429e.pdf> ; <https://assets.hcch.net/docs/8e0c3d91-2d3c-4d62-b509-439fd8cb7bd3.pdf> * The Convention on the Rights of Child, available at: <https://www.unicef.org/child-rights-convention/convention-text> * General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art . 3 , para . 1), available at: <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsqIkirKQZLK2M58RF%2F5F0vEAXPu5AtSWvliDPBvwUDNUfn%2FyTqF7YxZy%2Bkauw11KClJiE%2BuI1sW0TSbyFK1MxqSP2oMlMyVrOBPKcB3Yl%2FMB> * European instruments and standards: * ECHR, available at: <https://www.echr.coe.int/documents/d/echr/convention_ENG> * ECtHR: ECtHR Kamasinski v. Austria, 9783/82, Judgment, 19 December 1989, paragraph 65; Artico v. Italy (1980). Appl. No. 6694/74, para. 32 ; Goddi v. Italy (1984). Appl. No. 8966/80, para. 31; CASE OF AIREY v. IRELAND (1979), Appl. No.6289/73; Staroszczyk v. Poland, Application No. 59519/00, judgment of 22 March 2007, paragraph 135 * Other relevant sources and literature |

4.2. Session 3: Human rights according Latvian Constitution and national laws

|  |  |
| --- | --- |
| Session 3  60 minutes | Human rights according Latvian Constitution and national laws |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation * National legislative framework * Printed out summaries of cases before the national courts * Printed sheet of paper with questions (test) * Summary of the basic human rights from the Constitution and the national laws |
| Training objectives | Upon completion of this session the participants will be:   * oriented to the training goals and logistics, begin to build relationships with the other participants and trainers, and define human rights   the participants will be able to:   * Define basic human rights of people in Latvia * Enhance their knowledge on constitutional provisions on fundamental human rights |
| Layout and duration | * This session is held in the plenary, with all participants, without breaking up into groups * This session contain a lecture with a PowerPoint presentation on national standards regulating human rights, access to justice and the right to legal aid * The session will take 30 minutes presentation of human rights’ in Latvian context with presenting examples of cases in front of the courts. During this session the trainer will use different tools and methods to make the presentation interactive. * After the presentation the trainers will distribute printed lists with questions and explain the rules to the participants. This activity will take 30 minutes. * After the completion of the activity, the participants will have short time to present the outcomes of the activity. |
| Key messages | * Adequate training of professionals working with vulnerable categories of people ; * Improved capacity in delivering legal aid services to people in need and eventually contributing to the respect of human rights and access to justice in Latvia |
| Reference literature: | * Handbook/manual on Human rights[[7]](#footnote-7) * National legal framework and court cases * Other relevant sources and literature |

# Module 7: Violence against women and domestic violence

## 

## 1. Objectives

The present Module is designed to help develop within primary legal aid providers the certain level of knowledge and skills required to respond in an effective and appropriate manner when a vulnerable person asks for free legal aid, especially if such person is a victim of domestic violence and/or violence within intimate relationships.

The purpose of the Module is to lead to the sensitization of the participants on recognizing, approaching and treating vulnerable clients. It requires thorough legal preparation including not only theoretical lecture and presentation on the Law on State ensured legal aid, but also comparative tools and debate-based exercises to bring in the relevant Latvians laws[[8]](#footnote-8), the Istanbul Convention, and case studies from the European court of Human Rights. This Module also emphasizes the active part of the participants, especially their role in gaining trust and confidence of the victim – methodologically, it needs to incorporate experiential tools to trigger empathy and foster a relaxed and confidential environment.

By the end of this Module, participants should be able to:

* Understand how stereotypes and prejudices form and sustain causing disregard and/or depriving a citizen from the right to request legal aid;
* Gain knowledge on international and human rights standards regarding Discrimination, GD, GBV, VAW and DV;
* Be able to outline standards and principles set by the European Court of Human Rights in cases of domestic violence, violence against women and GBV, and also in regard to article 14 of ECHR;
* Learn to identify victims of domestic violence and understand the complexity and breadth of these problems, including their effect on victims, families and entire community.

## 2. Use of Module

The purpose of this Module is to provide legal aid providers with certain level of knowledge and skills necessary for the establishment of effective relationship with vulnerable clients. This Module also offers guidance on how to communicate time-sensitive information with specific vulnerable groups and provide quality service to victims of violence.

For better use of this Module it is recommended that in addition to the above mentioned Laws, designated articles of Council of Europe Convention on preventing and combating violence against women and domestic violence - Istanbul Convention, CEDAW and its recommendations, and all relevant literature pointed out in this module are read.

The accompanying parts of this Module are also practical exercises which provide a great deal of specific information tailored to help legal aid providers to design and shape trainings they will eventually create. This Module can also serve as a basis for various group discussions. For the most effective use of this Module and as adults learn best when given an opportunity to participate, a few different small and large group activities are recommended.

## 3. Draft module curriculum

This Module can serve as a toolkit for a training of trainers, cascade training or an online training. A very condensed version of this Module can also serve as a training package for legal aid providers. This Module can also be used as reference material in case further information on the topic is needed.

Below are proposed structures of 1) two days workshops in case of Training of Trainers; 2) one-day training in case of Cascade trainings;

### 3.1. Training of trainers

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 1 – How to be a trainer**  **Day 1** | **From** | **To** | **Duration** |
| 1. | Training, Learning and Knowledge (learning Styles, different approaches in training, how do adults learn?)  Activity: Questionnaire – How do you learn? (20 min.) | 09:00 | 10:30 | 1:30 |
| 2. | Training Methods and Interactive Training Techniques (presentation/narration, question-answer, large group work, small group work, brainstorming, role playing, Case Study)  Activity: What tool? (30 min.) | 10:30 | 11:30 | 1:00 |
| -- | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 3. | Design, Planning, Evaluation (What am I telling? Who am I telling to? (Knowing the participant), Why am I telling? Why should they listen? How am I telling? (verbalism, method, technique and aids), Where am I telling? (physical space, learning environment), When am I telling? (determining the right time, time management)  Activity: Design a one day training (50 min.) | 12:00 | 13:20 | 1:20 |
| -- | **Lunch break** | **13:20** | **15:00** | **1:40** |
| 4. | Discrimination and GBV  Case study (30 min.) | 15:00 | 17:00 | 2:00 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the ToT | | | | |
| No. | **Day session 2 – Violence against Women and Domestic** **violence**  **Day 2** | **From** | **To** | **Duration** |
| 1. | Violence against women  Case study (30 min.) | 09:30 | 11:30 | 2:00 |
|  | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | Domestic violence  Case study: Legal aid procedure in cases of domestic violence (30 min.) | 12:00 | 14:00 | 2:00 |
| 3. | **Conclusions and evaluation** | 14:00 | 14:10 | 0:10 |

### 3.2. Cascade training

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model training sessions for the cascade trainings | | | | |
| No. | **Session on Violence against women and domestic violence**  **Day 1** | **From** | **To** | **Duration** |
| 1. | Discrimination and GBV | 10:30 | 11:30 | 1:00 |
| -- | **Coffee break** | **11:30** | **12:00** | **0:30** |
| 2. | Violence against Women | 12:00 | 13:00 | 1:00 |
| -- | **Lunch break** | **13:00** | **14:30** | **1:30** |
| 3. | Domestic violence | 14:30 | 15:30 | 1:00 |
| 4. | Case studies: discrimination, violence against women and domestic violence | 15:30 | 16:30 | 1:00 |

## 4. Detailed overview and content of individual training sessions on Violence against Women and Domestic Violence

Each session of this Module has been designed to suit the needs of offline delivery.

4.1. Session 1: Discrimination and GBV

|  |  |
| --- | --- |
| Session 1:  120 minutes | Discrimination and GBV |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation on discrimination * International standards * National legislative framework * Printed out summaries of relevant cases before the European Court of Human Rights * Printed out selected articles of CEDAW, INT\_CEDAW\_GEC\_3731\_E N.19, GR-CEDAW-N.35, Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women |
| Training objectives | Upon completion of these sessions the trainees will be able to:   * Define discrimination with focus on women i.e. gender based discrimination and name several international standards in that regard; * Identify types of discrimination; * Identify strengths, gaps and needs in national legislation; * Be trained to deal with the cases involving female victims of discrimination. |
| Layout and duration | * These sessions is held in the plenary, with all participants, without breaking up into groups * These sessions contain a lecture with a PowerPoint presentation on international and national standards regulating discrimination and gender based discrimination. * The session will take 120 minutes of which 60 minutes will be presentation of human rights’ and international standards on Discrimination and GD, relevant court practice and 30 minutes will be presentation of national legislation. During this session the trainer will use different tools and methods to make the presentation interactive. * The final 30 minutes will be dedicated to practical activities i.e. case studies |
| Key messages | * Adequate training of professionals working with victims of discrimination and gender discrimination on crucial; * Understanding and recognizing victims of discrimination and GD |
| Reference literature: | * Handbook/manual on Discrimination, GBV, VAW and DV[[9]](#footnote-9) * CEDAW, INT\_CEDAW\_GEC\_3731\_E N.19, GR-CEDAW-N.35, Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women * COMPENDIUM, ARTICLE 14 CASES FROM THE EUROPEAN COURT OF HUMAN RIGHTS, 1ST MARCH 201ò TO 2óTH FEB 201ô (2 YEARS / 3ò CASES), EQUA L ITY LAW WORK ING GROUP AUGUST 2020, available at: <https://equineteurope.org/wp-content/uploads/2020/09/Compendium_Art.14-Cases-from-the-European-Court-of-Human-Rights.pdf> * EU GUIDELINES ON VIOLENCE AGAINST WOMEN AND GIRLS AND COMBATING ALL FORMS OF DISCRIMINATION AGAINST THEM, available at: <https://www.eeas.europa.eu/sites/default/files/03_hr_guidelines_discrimination_en_0.pdf> * Other relevant sources and literature |

4.1. Session 1 and 2: Violence against women and domestic violence

|  |  |
| --- | --- |
| Session 2 : 120 minutes  Session 3: 60 minutes | Violence against women  Domestic violence |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation on violence against women and domestic violence * International standards * National legislative framework * Printed out summaries of relevant cases before the European Court of Human Rights * Printed out selected articles of Istanbul Convention |
| Training objectives | Upon completion of these sessions the trainees will be able to:   * Define gender-based violence and name several international standards in that regard; * Identify type of domestic violence; * Identify strengths, gaps and needs in national legislation; * Be trained to deal with the cases involving victims of domestic violence. |
| Layout and duration | * These sessions is held in the plenary, with all participants, without breaking up into groups * These sessions contain a lecture with a PowerPoint presentation on international and national standards regulating gender-based violence, violence against women and domestic violence. * The first session will take 120 minutes of which 90 minutes will be presentation of human rights’ and international standards VAW and GBV, and 30 minutes will be presentation of national legislation. During this session the trainer will use different tools and methods to make the presentation interactive. * The second session will take 60 minutes of presentation on domestic violence |
| Key messages | * Adequate training of professionals working with victims of violence on crucial; * Victims of domestic violence have access to legal assistance and to free legal aid; * Legal aid providers should be aware of social services and support organizations for victims of violence that are available in order to make the appropriate referrals; * Domestic violence is a criminal deed and state is obliged to penalize it. |
| Reference literature: | * Handbook/manual on GBV, VAW and DV[[10]](#endnote-1) * Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention); * European Court of Human Rights Factsheet on Domestic violence, available at: <https://www.echr.coe.int/Documents/FS_Domestic_violence_ENG.pdf> * European Court of Human Rights Factsheet on Violence Against Women, available at: <https://www.echr.coe.int/Documents/FS_Violence_Woman_ENG.pdf> * Improving the Effectiveness of Law Enforcement and Justice Officers in Combating Violence against Women and Domestic Violence, Training of Trainers Manual, *Council of Europe*, 2016, available at: <https://rm.coe.int/16806acdfd> * Women’s Access to Justice for Gender-Based Violence: A Practitioners’ Guide; *International Commission of Jurists*, 2016, available at: <https://www.icj.org/wp-content/uploads/2016/03/Universal-Womens-accesss-to-justice-Publications-Practitioners-Guide-Series-2016-ENG.pdf> |

4.2. Session 3: Case study: Legal aid procedure in cases of domestic violence

|  |  |
| --- | --- |
| Session 4  60 minutes | Case study: Legal aid procedure in cases of domestic violence |
| Responsible | **Trainer/s** |
| Materials/  Equipment | * Laptop and projector * PowerPoint presentation – national legislative and procedures   - treatment of women victims of violence under the SELAL  - services for women victims of domestic violence in Latvia   * Printed out Power Point presentation * Printed out list of services available to victims of domestic violence * Printed out three case studies |
| Training objectives | Upon completion of the session the trainees will:   * Have their knowledge improved on the specific laws and procedures regulating domestic violence and protecting victims of domestic violence * Be informed about the services available for victims of domestic violence and ways to contact them in order to help the victim |
| Layout and duration | * This session is conducted in two sub-sessions. * The first sub-session will be conducted plenary, through PowerPoint presentation which will last 30 minutes and 15 minutes of Q&A session. * For the second sub-session, the trainees will be divided into three groups, and each of the group will receive a case concerning the victim of domestic violence. The group shall:   + Examine the case and decide on the questions they would ask the client in order to receive the necessary information   + Reach a decision whether this case shall receive secondary legal aid   + Write advice to which service will they refer the victim, in order to receive the best protection. * Each group will have 20 minutes for this activity, and then they will present their case and findings in front of the group. The remaining trainees will be invited to comment and ask questions. |
| Key messages | * Understanding the legal procedures for protection of the victim and prevention from domestic violence is crucial for the FLA providers in order to build trust with the victim. * Every FLA provider must approach the victims of domestic violence respectfully and trustingly, must be sensitized and understand the need of urgent help to the victim * Domestic violence is systematic problem of the society and not an individual problem of the victim, and as such, the FLA provider, whenever possible, apart from providing the necessary legal aid, shall refer the victim to the services available to them. |
| Reference literature: | * Handbook/manual on GBV, VAW and DV[[11]](#footnote-10) * National laws * Istanbul Convention * CEDAW * And other relevant literature |

# Annex 1: General rules and principles for first contact with a free legal aid applicant and conducting an interview

**1. General recommendations**

* At the initial meeting, i.e. the interview, the language must be simple, clear and understandable for an ignorant person. It is necessary to avoid formal legal terminology as much as possible so that it does not confuse the person and impede communication.
* Avoid meetings where the person is left standing or at a window. The meeting needs to take place at a desk or in a conference room.
* It is very important to ensure confidentiality of the information that is offered in support of the free legal aid application, as well as the provided initial legal information and advice.
* Show empathy and understanding. Avoid patronizing and judgmental comments. Avoid confrontation.
* Being capable to respond effectively to diverse communities and to overcome differences in culture, religion etc. is very important.
* There is no need for a precise plan, i.e. an interview scenario, but it is important to make a quick assessment regarding: the issue at hand, the education of the person, and how the problem concerns the person so that you can predict the direction of the meeting.
* The interview is meant to clarify the nature of the problem with the aim to help to find out:
  + whether the problem is actually a legal problem and, if so,
  + whether the problem is within the scope of the legal services provided by the provider;
  + what kind of assistance is most suitable for the person?

**2. Introduction/Starting an interview**

* Welcome the person (as well as their companion, if any). Make sure to introduce yourself.
* If the applicant seems nervous or confused, you have to facilitate communication with courteous questions in a pleasant and friendly tone about whether they found a provider premises easily, the weather etc. This approach makes further communication much easier.
* Tell the applicant about your role, and briefly present the services they can receive according to the Law.
* Underline the informal nature of the interview and that it is not a formal hearing or statement. Underline that it is important for their sake to be as open and honest as possible.
* Based on events thus far, structure the interview and include the type and order of questions.
* Let the person know that you will be taking notes.
* Inform the person that they will be able to ask questions at the end of the interview, but if something is not clear during the interview, they are free to ask.

**3. Taking personal data**

* Ask for the name and address of the person who needs free legal aid.
* Let the person know that personal data is taken and processed in line with the national law on Personal Data Protection and that they are protected.

**4. Introduction to the issue**

* Let the person tell you about the problem they are facing. Instruct them to present the issue chronologically, in everyday language.
* Avoid interrupting the person while they present the issue. Interruptions are necessary only in the following cases:
  + When a clarification is needed,
  + When a person skips from subject to subject without focus, and
  + When there are chronological gaps in the story
* Apply active listening.
* Taking notes is necessary at this stage. You need to note down the key relevant facts, the inconsistencies and the questions to be asked. This is especially important for more complex legal matters and for disputes with a longer history.
* As the person tells you about the issue, identify the legal area and the laws regulating the matter. Identify the principal legal issues arising from the problem.

**5. Asking questions**

* Based on what has been presented and your knowledge of the legal area, formulate questions to clarify the factual situation.
* Formulate your questions thoroughly and systemically, subject by subject. Do not move onto the next subject until you have resolved all dilemmas and queries.
* You need to ask questions to identify the person’s objectives and their expectations, what the person wants to achieve by seeking free legal aid, as well as their eligibility for secondary legal aid.

**6. Case evaluation**

* Once you have answers to your questions, you need to evaluate the case. Evaluation involves an assessment whether the person is eligible for secondary legal aid, and whether and how the problem the person is facing can be legally resolved.
* If it is a complex issue that requires consulting legislation after the meeting, or if there are documents to corroborate the person’s claims that they have, but haven’t brought, an additional meeting is scheduled.

**7. Providing counsel**

* If the person is eligible for SLA, tell them clearly and understandably about the right to secondary legal aid, what it entails, whether they will bear costs and about the procedure to exercise it. Inform them of the possibility to apply for secondary legal aid and receive services of and advocate.
* If the person declares that they want to apply for SLA, proceed in line with the law provisions related to assistance for filling out an SLA application.
* If the person indicatively is not eligible for SLA or does not wish to apply, but they need legal aid, it is needed to informed the person about the preliminary legal aid limitations and provide the person general legal information or general legal counsel to inform the person of the possible ways to resolve their legal issue, the laws governing that area, the competent institutions etc. You need to inform the person about:
  + Their rights and duties
  + The available legal and non-legal avenues to address the issue
  + The pros and cons of each option.
* If the person indicatively is eligible for SLA and if there is any doubt that there could be a legal dispute, which might need assistance by an advocate, then the person should be advised about the secondary legal aid and about the conditions for getting secondary legal aid. That also entails assisting the person to fill out the secondary legal aid application form and making sure that the person adds all the necessary documents to the application form.
* In many situations one of the most difficult tasks is to determine if there is actually a legal dispute and if yes, then what kind of legal dispute it is, for example, civil, criminal or administrative dispute. To determine correctly the dispute is very important, because only then during the provision of preliminary legal aid, it will possible to correctly determine what kind of documentation needs to be added to the application form, so that later on unnecessary additional information requests can be avoided.
* It is of utmost importance to establish a clear understanding that the preliminary legal aid beneficiary needs documentation, evidence which justifies his or her claim.

# Annex 2: Case studies:

Case studies for the session on Domestic violence:

1. A.B. is 44 year old woman, employed as a professor of physics in a local high school. She has 2 children, a teenage girl and 8-year old boy. A.B.’s husband is a police officer, well-known and respected in his community. They are married for 17 years. The troubles in the family started around 7 years ago, when A.B. was transferred to another high school, and her husband was being suspicious of her having an affair with the music teacher. Although A.B. repeatedly claimed that there was nothing going on between them, her husband started stalking her, waiting for her to finish work, and he was threatening the music teacher. In order to gain control, he forced A.B. to give him her complete salary and she was left without any money, except for groceries. A.B. claims that he has never hit her, but needs to get out of the house because she cannot take the accusations any longer, and cannot allow exposing the children to such treatment and atmosphere. The only problem is, they have no place to go, since her husband has been taking all of her salary for ages. She is now seeking any help that she can get, and is starting with requiring free legal advice.
2. U.A. is 12 years old boy, living in a very nice house in a peaceful part of Skopje. He lives with his parents and younger sister. Ever since he could remember, he remembers his father beating his mother. He has been so used to it, that he thought of it as part of life – his mother doing something wrong, his father beating her, his mother putting some make-up on and taking him to school. However, U.A. saw a commercial on TV claiming that such behavior is called domestic violence and it should not be happening. He started shyly to ask around his friends to see whether it is the same in their households, and was surprised to see that no one had experiences as his. Astonished, U.A. goes to the school psychologist and tells her his situation, asking what he should do to protect his mother, but also to protect his sister from seeing and accepting violence as normal. The school psychologist calls a free legal aid provider for consultations on the procedure for reporting violence and protection of the victims.
3. M.M. is 27 years old sex worker, living with her parents who are disguised by their daughter’s activities, but have decided to cope with it because she is the only one in the family bringing money. Her father, after being mocked by the neighbors about his daughter, beat her so badly that she was bleeding from her nose and ear, had 2 broken teeth and severe back pain, due to which she was unable to get from the floor. Her father prohibited her mother to call an ambulance, and M.M. was left to lie on the floor for several hours. The next day, after she recovered a bit, her father locked her in a room and told her she was not leaving the room until the neighbors stopped talking about her and her profession. M.M. managed to escape through the window, but was afraid to go to the police station and report the violence due to previous experience, so she came to you to receive free legal aid and advice about the further steps.

# Annex 3: Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)

***Selected Articles***

**Article 1 – Purposes of the Convention**

The purposes of this Convention are to:

1. protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence;
2. contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women;
3. design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence;
4. promote international co-operation with a view to eliminating violence against women and domestic violence;
5. provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence.

**Article 4 – Fundamental rights, equality and non-discrimination**

1. Parties shall take the necessary legislative and other measures to promote and protect the right for everyone, particularly women, to live free from violence in both the public and the private sphere.
2. Parties condemn all forms of discrimination against women and take, without delay, the necessary legislative and other measures to prevent it, in particular by:

* embodying in their national constitutions or other appropriate legislation the principle of equality between women and men and ensuring the practical realisation of this principle;
* prohibiting discrimination against women, including through the use of sanctions, where appropriate;
* abolishing laws and practices which discriminate against women.

1. The implementation of the provisions of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.
2. Special measures that are necessary to prevent and protect women from gender-based violence shall not be considered discrimination under the terms of this Convention.

**Article 5 – State obligations and due diligence**

1. Parties shall refrain from engaging in any act of violence against women and ensure that State authorities, officials, agents, institutions and other actors acting on behalf of the State act in conformity with this obligation.
2. Parties shall take the necessary legislative and other measures to exercise due diligence to prevent, investigate, punish and provide reparation for acts of violence covered by the scope of this Convention that are perpetrated by non-State actors.

**Article 12 – General obligations**

1. Parties shall take the necessary measures to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men.
2. Parties shall take the necessary legislative and other measures to prevent all forms of violence covered by the scope of this Convention by any natural or legal person.
3. Any measures taken pursuant to this chapter shall take into account and address the specific needs of persons made vulnerable by particular circumstances and shall place the human rights of all victims at their centre.
4. Parties shall take the necessary measures to encourage all members of society, especially men and boys, to contribute actively to preventing all forms of violence covered by the scope of this Convention.
5. Parties shall ensure that culture, custom, religion, tradition or so-called “honour” shall not be considered as justification for any acts of violence covered by the scope of this Convention.
6. Parties shall take the necessary measures to promote programmes and activities for the empowerment of women.

**Article 15 – Training of professionals**

1. Parties shall provide or strengthen appropriate training for the relevant professionals dealing with victims or perpetrators of all acts of violence covered by the scope of this Convention, on the prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as on how to prevent secondary victimisation.
2. Parties shall encourage that the training referred to in paragraph 1 includes training on co-ordinated multi-agency co-operation to allow for a comprehensive and appropriate handling of referrals in cases of violence covered by the scope of this Convention.

**Article 16 – Preventive intervention and treatment programmes**

1. Parties shall take the necessary legislative or other measures to set up or support programmes aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships with a view to preventing further violence and changing violent behavioural patterns.
2. Parties shall take the necessary legislative or other measures to set up or support treatment programmes aimed at preventing perpetrators, in particular sex offenders, from re-offending.
3. In taking the measures referred to in paragraphs 1 and 2, Parties shall ensure that the safety of, support for and the human rights of victims are of primary concern and that, where appropriate, these programmes are set up and implemented in close co-ordination with specialist support services for victims.

**Article 20 – General support services**

1. Parties shall take the necessary legislative or other measures to ensure that victims have access to services facilitating their recovery from violence. These measures should include, when necessary, services such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment.
2. Parties shall take the necessary legislative or other measures to ensure that victims have access to health care and social services and that services are adequately resourced and professionals are trained to assist victims and refer them to the appropriate services.

**Article 21 – Assistance in individual/collective complaints**

Parties shall ensure that victims have information on and access to applicable regional and international individual/collective complaints mechanisms. Parties shall promote the provision of sensitive and knowledgeable assistance to victims in presenting any such complaints.

**Article 22 – Specialist support services**

1. Parties shall take the necessary legislative or other measures to provide or arrange for, in an adequate geographical distribution, immediate, short- and long-term specialist support services to any victim subjected to any of the acts of violence covered by the scope of this Convention.
2. Parties shall provide or arrange for specialist women’s support services to all women victims of violence and their children.

**Article 27 – Reporting**

Parties shall take the necessary measures to encourage any person witness to the commission of acts of violence covered by the scope of this Convention or who has reasonable grounds to believe that such an act may be committed, or that further acts of violence are to be expected, to report this to the competent organisations or authorities.

**Article 29 – Civil lawsuits and remedies**

1. Parties shall take the necessary legislative or other measures to provide victims with adequate civil remedies against the perpetrator.
2. Parties shall take the necessary legislative or other measures to provide victims, in accordance with the general principles of international law, with adequate civil remedies against State authorities that have failed in their duty to take the necessary preventive or protective measures within the scope of their powers.

**Article 30 – Compensation**

1. Parties shall take the necessary legislative or other measures to ensure that victims have the right to claim compensation from perpetrators for any of the offences established in accordance with this Convention.
2. Adequate State compensation shall be awarded to those who have sustained serious bodily injury or impairment of health, to the extent that the damage is not covered by other sources such as the perpetrator, insurance or State-funded health and social provisions. This does not preclude Parties from claiming regress for compensation awarded from the perpetrator, as long as due regard is paid to the victim’s safety.
3. Measures taken pursuant to paragraph 2 shall ensure the granting of compensation within a reasonable time.

**Article 48 –Prohibition of mandatory alternative dispute resolution processes or sentencing**

1. Parties shall take the necessary legislative or other measures to prohibit mandatory alternative dispute resolution processes, including mediation and conciliation, in relation to all forms of violence covered by the scope of this Convention.
2. Parties shall take the necessary legislative or other measures to ensure that if the payment of a fine is ordered, due account shall be taken of the ability of the perpetrator to assume his or her financial obligations towards the victim.

**Article 49 – General obligations**

1. Parties shall take the necessary legislative or other measures to ensure that investigations and judicial proceedings in relation to all forms of violence covered by the scope of this Convention are carried out without undue delay while taking into consideration the rights of the victim during all stages of the criminal proceedings.
2. Parties shall take the necessary legislative or other measures, in conformity with the fundamental principles of human rights and having regard to the gendered understanding of violence, to ensure the effective investigation and prosecution of offences established in accordance with this Convention.

**Article 56 – Measures of protection**

1. Parties shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings, in particular by:
2. providing for their protection, as well as that of their families and witnesses, from intimidation, retaliation and repeat victimisation;
3. ensuring that victims are informed, at least in cases where the victims and the family might be in danger, when the perpetrator escapes or is released temporarily or definitively;
4. informing them, under the conditions provided for by internal law, of their rights and the services at their disposal and the follow-up given to their complaint, the charges, the general progress of the investigation or proceedings, and their role therein, as well as the outcome of their case;
5. enabling victims, in a manner consistent with the procedural rules of internal law, to be heard, to supply evidence and have their views, needs and concerns presented, directly or through an intermediary, and considered;
6. providing victims with appropriate support services so that their rights and interests are duly presented and taken into account;
7. ensuring that measures may be adopted to protect the privacy and the image of the victim;
8. ensuring that contact between victims and perpetrators within court and law enforcement agency premises is avoided where possible;
9. providing victims with independent and competent interpreters when victims are parties to proceedings or when they are supplying evidence;
10. enabling victims to testify, according to the rules provided by their internal law, in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available.
11. A child victim and child witness of violence against women and domestic violence shall be afforded, where appropriate, special protection measures taking into account the best interests of the child.

**Article 57 – Legal aid**

Parties shall provide for the right to legal assistance and to free legal aid for victims under the conditions provided by their internal law.

1. Workshop on the development of a primary legal aid service in Latvia: Scope; Workshop on the development of a primary legal aid service in Latvia: Referrals concept; Workshop on the development of a new class of professionals to provide primary legal aid in Latvia (paralegals); Workshop on the development of a new class of professionals to provide primary legal in Latvia (paralegals); Workshop on the development of quality standards and quality assurance methods, including peer review for legal aid in Latvia and Workshop on the development of a training module for providers of primary legal aid in Latvia [↑](#footnote-ref-1)
2. Representatives of the Ministry of Justice, the Legal Aid Administration, the Social centres of the Muncipalities - Sigulda Region Municipality Social Service, Kuldiga Region Municipality Agency "Social Service", representatives from the Council of Sworn Advocates of Latvia, the representatives from the Local Governments Training Center (LGTC) and the representative from the legal clinic (University of Latvia), Council of Certified Mediators [↑](#footnote-ref-2)
3. In order to implement this curriculum, a manual for a training of trainers would need to be developed, combining the content provided here with existing literature on these topics that is already in Latvian. [↑](#footnote-ref-3)
4. The manual for the training of trainers that has been mentioned previously could contain this information. Alternatively, the Manual on Soft Skills developed alongside this Curriculum could be expanded to include a section on paralegals specifically. [↑](#footnote-ref-4)
5. When implemented together with Module 1 as a whole programme, the training is only one day. If implemented separate, then the training programme is two days [↑](#footnote-ref-5)
6. Such a handbook or manual could quickly be adapted from existing Latvian literature on the topic. [↑](#footnote-ref-6)
7. Such a handbook or manual could quickly be adapted from existing Latvian literature on the topic. [↑](#footnote-ref-7)
8. Including: the 2019 Law on Protection against Domestic Violence; laws on the elimination of gender-based violence; the National Action Plan on gender Equality; the Equal Treatment Law, the Law on the Prevention of Discrimination. [↑](#footnote-ref-8)
9. These topics are common in other types of legal studies. It would be quick to adapt existing literature in Latvian for those attending the training. [↑](#footnote-ref-9)
10. These topics are common in other types of legal studies. It would be quick to adapt existing literature in Latvian for those attending the training. [↑](#endnote-ref-1)
11. These topics are common in other types of legal studies. It would be quick to adapt existing literature in Latvian for those attending the training. [↑](#footnote-ref-10)