



## Training Needs Assessment for Prosecutors and Judicial Officers

### 1. Overview

The Caribbean Community Implementation Agency for Crime and Security was established in 2006 by a decision taken at the Twenty Seventh Meeting of the Conference of Heads of Government as the implementation arm of the Regional Architecture to manage CARICOM's action agenda on Crime and Security. The Agency serves fifteen (15) full Member States and five (5) Associate States comprising over fifteen (15) million CARICOM citizens. To achieve its crime and security mandate, the Agency consists of:

- CARICOM IMPACS Headquarters which is located in Trinidad and Tobago;
- The Joint Regional Communications Centre (JRCC) located in Barbados; and
- The Regional Intelligence Fusion Centre (RIFC) also located in Trinidad and Tobago.

CARICOM IMPACS is also responsible for the implementation of various security-based plans and frameworks. One major framework is the CARICOM Crime and Security Strategy of 2013 and subsequently reviewed in 2018 which highlights the various threats to the CARICOM Region's security landscape. Strategic Goal 1 speaks to the need to take the profits out of crime, target criminal assets and protect the financial system. This goal is of high priority to the region and by extension the Agency. However, to achieve this goal, the Agency must collaborate and work with national, regional and international partners to ensure success. It is in this context that the Agency has reached out to the Caribbean Court of Justice.

CARICOM IMPACS received resources from the 11th EDF to support the fight against money laundering and financing of terrorism through the project Capacity Development for CARIFORUM Member States on Asset Recovery and Cybercrime. The asset recovery aspect of the project seeks to build the CARIFORUM Region's capacity in investigating and prosecuting crime and criminal activities to enable confiscation and seizure of the proceeds of crime in order to dismantle criminal networks

In 2020, CARICOM IMPACS 11<sup>th</sup> EDF conducted a gap analysis of seven (7) Member States<sup>1</sup>, comprising non-OECS countries to determine what were the impediments to establishing an asset recovery unit (where no such unit was established) and to understand some of the challenges faced by existing Units. Among the findings of the gap analysis, it was noted that both the

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<sup>1</sup> Member States included: Belize, Guyana, Haiti, Jamaica, Suriname, The Bahamas, Trinidad and Tobago.



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investigative and prosecutorial agencies were not collectively working to ensure effective asset recovery<sup>2</sup>.

In addition to the findings in the Gap Analysis Report, Member States were asked in one of the training sessions to indicate what were some of the major barriers faced in the successful recovery of assets. Among those stated, they noted that the following:

- a. Lack of skilled practitioners with knowledge and experience of asset recovery
- b. Inexperience in joint working, particularly between Law Enforcement Agencies and prosecutors
- c. Lack of experienced Judicial Officers
- d. Lack of investment and political will
- e. Delays in the Criminal Justice System<sup>3</sup>

As identified, one of the major impediments to effect asst recovery is inexperienced judicial officers and prosecutors. To fill this gap, this project will conduct a further needs assessment into what are the gaps in training and challenges experienced by prosecutors and judicial officers to develop a successful training programme.

### 2. Purpose

The purpose of this training needs assessment is to understand the training needs and gaps of prosecutors and judicial officers to deliver cases in financial crimes.

### 3. Aim:

The overall aim of this project component is the “Enhanced capacity of judicial officers to prosecute/deliver judgements on criminal cases involving financial crimes”. However, the aim of this training needs assessment is to understand the training needs of prosecutors and judicial officers in order to design appropriate and fit for purpose training courses.

### 4. Objectives:

- To enhance prosecution and judgments that facilitate Asset recovery in the region, and
- To build capacity in prosecuting Financial Crimes.

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<sup>2</sup> Asset Recovery Gap Analysis, CARICOM IMPACS 11<sup>th</sup> EDF, p. 62

<sup>3</sup> Final Report: Technical Assistance to Establish Asset Recovery Units through Funding from the 11<sup>th</sup> European Development Fund (11<sup>th</sup> EDF), CARICOM IMPACS, October 2020, p. 15.



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**Figure 1** Sample Institutional Training Needs Assessment.

**NOTE:** This Training Needs Assessment comprise seven (7) sections with a total of 36 questions. The estimated time to complete this survey is 30 minutes.

<b>A. Profile</b>						
<b>1. Country</b>						
<b>2. Department</b>	Prosecutor	Magistracy (Judge of Parish or District Court)	High Court (Criminal Bench)	High Court (Civil)	Appellate Court	Other (Specify E.g Master, Registrar)
<b>3. Number of Staff involved in Financial Crime Cases</b>	1-5	6-10	11-20	20-30	31+	

<b>B. Prior Training/ Sensitization in Financial Crimes (Anti-money Laundering, Proceeds of Crimes, Asset Recovery (Civil and Criminal), Terrorist Financing and other related financial crimes.</b>			
<b>4.</b> Do your Officers have specialized certification(s) in Financial Crimes? Examples ACAMS or university courses or programmes.	Yes	No	Don't Know
<b>5.</b> If yes, please state how many persons.			
<b>6.</b> Have your Officers participated in	Yes	No	Don't Know



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<b>B. Prior Training/ Sensitization in Financial Crimes (Anti-money Laundering, Proceeds of Crimes, Asset Recovery (Civil and Criminal), Terrorist Financing and other related financial crimes.</b>						
financial crime training sessions?						
7. If yes, please state types.						
8. Over the past 2 years, approximately how many hours of financial crime training or sensitization have Officers participated in?	1-30	31-90	91-150	150+		
9. Please tick the areas of training and specify the focus of the training.	Anti-money Laundering	Proceeds of Crime	Asset Recovery (Civil)	Asset Recovery (Criminal)	Terrorist Financing	Other (Specify)



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<b>C. Training Needs</b>				
Please indicate areas of training need by ticking the appropriate box(es).	i. Assessing Evidence	ii. Case Management	iii. Decision Making and Judgement	iv. Other (Specify) E.g Meeting disclosure obligations.
10. Predicate Offices to Money Laundering				
11. Predicate Offices to terrorist financing				
12. Standalone money laundering offence				
13. Standalone terrorist financing offences				
14. Disclosure Orders (account monitoring, production, customer information etc)- other investigative orders such as search warrants.				
15. Restraint Orders (account freezing, seizure of cash, property freezing), variation of these orders.				
16. Confiscation Orders				
17. How to prepare the defendant's statement of information				
18. Interim receiving orders				
19. Unexplained wealth orders				
20. Cooperation requests and				



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<b>C. Training Needs</b>				
Please indicate areas of training need by ticking the appropriate box(es).	i. Assessing Evidence	ii. Case Management	iii. Decision Making and Judgement	iv. Other (Specify) E.g Meeting disclosure obligations.
mutual legal assistance				
21. Fraud/larceny/theft cases				
22. Other (Specify)				

<b>D. Delivery of Training and Sensitization (Note that due to COVID-19 Training sessions may be delivered virtually)</b>					
1-Most preferred 5- least preferred	1	2	3	4	5
23. Lectures					
24. Seminars/ workshop					
25. Role play					
26. Working groups on specific areas of concern. E.g.					
27. Peer to peer exchange					
28. Use of a manual					
29. Use of Templates including Checklist for Prosecutors or Judicial Officers.					
30. Use of Case Studies					
31. Other (Specify)					



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<b>D. Delivery of Training and Sensitization (Note that due to COVID-19 Training sessions may be delivered virtually)</b>					
1-Most preferred 5- least preferred	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>

<b>E. Priority Areas</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
32. In order of preference, state the top four areas of training priority.				

<b>F. Participation as Trainer</b>		
33. Do you have any Officers who may have specialized training, knowledge and/ or experience in any of the areas identified in sections C and D?	YES	NO
34. If yes, please indicate the area (s) of expertise.		
35. Would that Officer (s) be willing to partner to facilitate training sessions?	YES	NO
36. If yes, kindly indicate the name and contact information of potential trainers.		



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G. Any other Comments	
37. Please include any other comments which may be relevant to your training needs.	





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