

Taru Spronken

An EU-Wide Letter of Rights

Towards Best Practice



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With the assistance of:

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With the financial support from the European Community



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PREFACE AND ACKNOWLEDGMENTS

This report presents the results of the research project ‘EU-wide Letter of Rights in Criminal Proceedings: Towards Best Practice’ that aims to obtain up-to-date information on the way suspects in the EU Member States are informed in writing of their rights in criminal proceedings and to develop a model for an EU-wide Letter of Rights. The project, initiated by the Federal Ministry of Justice of Germany, received a grant from the European Commission provided by the Specific Programme on ‘Criminal Justice’ in 2008. The project could not have been conducted without the generous financial support both of the Federal Ministry of Justice of Germany and the European Commission.

The research has been carried out by Prof. dr. Taru Spronken, Maastricht University, with the assistance of Liesbeth Baetens, Junior Researcher, Maastricht University and Anna Berlee, Student-Assistent, Maastricht University.

Other partners to the project are the Ministry of Justice Austria, the Council of Europe the European Criminal Bar Association and the Deutscher Richterbund.

The project advisory board provided valuable feedback and encouraged critical reflection during the research. The Advisory Board included: Stefan Caspari and Peter Schneiderhan (Deutsche Richterbund), Carlo Chiaromonte (Council of Europe), Holger Matt (European Criminal Bar Association), Christian Pilnacek (Austrian Ministry of Justice), Signe Ohman (Swedish Ministry of Justice), Nóra Kovács (Hungarian Ministry of Justice), Vicky De Souter (Belgian Ministry of Justice), Caroline Morgan (European Commission), and Eberhardt Siegismund, Birgit Hufeld, Karin Bilda, Martina Peter, Angelika Wingenfled, Anne Zimmerman (German Federal Ministry of Justice).

The research started in 2009 and the report was finalised in July 2010. The results of the research are presented at a workshop in Berlin, Germany on 6 September 2010, to which experts in the field and representatives of each of the Member States were invited.

At the time the results of this study were finalised, the European Commission presented a Directive on the right to information in criminal proceedings on 20 July 2010 including an indicative Model Letter of Rights that is inspired on the model developed in this study. Hopefully this research will provide a valuable source of

information and analysis to contribute to the process to adequately inform all persons that are arrested and detained in the EU of their fundamental rights.

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Taru Spronken

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