



# FULL PROOF

## Cross-analysis report

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## Abbreviations and acronyms

CA	Consortium Agreement
D	Deliverable
DoA	Description of Action
EC	European Commission
EU	European Union
GA	Grant Agreement
G.A	General Assembly
GDPR	General Data Protection Regulation
IPRs	Intellectual Property Rights
KO	Kick-off
LEAs	Law Enforcement Agencies
M	Month
PC	Project Coordinator
PO	Project Officer
R&D	Research and Development
RFI	Request For Information
RP	Reporting Period
T	Task
TOC	Table of Content
TRL	Technology Readiness Levels
WP	Work Package
WPL	Work Package Leader

## Executive summary

The FULL-PROOF “Ensuring the due course of criminal proceedings via strengthened respect for the procedural rights of the suspect and accused” is an EU co-funded project which aims to contribute to the streamlining of criminal justice procedures by comprehensively addressing breaches of procedural rights occurring in the initial stages of justice proceedings, concretely those enshrined in Directive 2012/13/EU, Directive 2013/48/EU and Directive 2016/1919/EU. For this purpose, the partnership will work with police officers and lawyers in way of comprehensively raising awareness and knowledge to better approach and work with suspects and accused.

The present Deliverable (D), embedded in Task (T) 2.2.3 – Analysis of results – included in Work Package (WP) 2 – Baseline Analysis, summarises the results of the project's investigative activities, and integrates them into a coherent comparative account of how the rights laid down in Directive 2012/13/EU, Directive 2013/48/EU and Directive (EU) 2016/1919 are transposed, interpreted and applied in practice across the seven partner jurisdictions. The report therefore combines three layers of evidence: the national baseline reports, the interviews with criminal justice professionals and the consortium-wide survey.

The material points to a consistent core conclusion: Across the participating jurisdictions, the principal difficulty is no longer simply the existence of procedural-rights norms in domestic law as, in most systems, formal transposition is substantial, and in some respects extensive. The more acute challenge lies in practical effectiveness, especially at the earliest stages of criminal proceedings, where information is often delivered under time pressure, access to counsel may be delayed or weakened, legal aid may be formally available but operationally fragile, and linguistic or organisational barriers can significantly affect the real exercise of defence rights.

The desk research reports reveal a differentiated legal landscape. Italy appears broadly compliant, though residual grey areas remain regarding the timing and completeness of information, confidential consultation with counsel in specific scenarios and practical access to legal aid. Bulgaria continues to face structural

difficulties related to the absence in domestic law of a robust status equivalent to the Directive's notion of 'suspect', which affects the scope of information of rights and early access to counsel. Romania shows a broad but fragmented transposition pattern, with particular risks in the period before formal suspect status is granted and with legal-aid regulation that remains incomplete in the criminal field. Portugal offers a striking contrast between high formal compliance in some areas and practical shortcomings in others: legal aid is normatively strong, but the right of access to a lawyer remains one of the most problematic issues. The research also point to continuing issues in Poland, Slovenia and Slovakia concerning the earliest exercise of defence rights, effective waiver safeguards, confidential communication with counsel and the uneven availability of lawyers or translators in practice.

The empirical research confirms these legal findings. The interviews indicate broad agreement among practitioners that the three Directives are, at least in formal terms, transposed in national law; yet serious gaps persist in practice. Across countries and professions, recurring problems include inadequate training, understaffing, limited translation services, uneven communication of rights, difficulties in obtaining prompt legal assistance, obstacles in securing legal aid, and the practical consequences of weak compliance for the fairness and efficiency of proceedings. The survey produces a similar picture: 41.3% of respondents viewed the Directives as fully implemented and enforced, whereas 39.9% reported only partial implementation and 17.4% were uncertain. The survey therefore does not depict systemic absence of law, but uncertainty, inconsistency and variation in operational delivery.

One of the most important findings of the cross-analysis is the existence of a marked perception gap between professional groups. Police officers tend to describe compliance as more routinised and settled, while lawyers and human-rights professionals are substantially more likely to identify structural obstacles and recurring breaches. This divergence should not be read as a mere conflict of views, revealing however that implementation is experienced differently from different institutional positions. Front-line enforcement actors often perceive routine administrative compliance, whereas defence-oriented actors more readily observe whether rights

are intelligible, timely, confidential, effective and remedially protected in the concrete case.

A second major finding concerns vulnerability and inequality. The evidence suggests that procedural weaknesses do not affect all suspects equally. Foreign nationals, non-native speakers and socio-economically vulnerable persons are disproportionately exposed to implementation failures because their ability to understand the accusation, access an interpreter, navigate legal-aid procedures and consult counsel promptly is more dependent on institutional capacity. The survey also suggests that gender-related disparities are not absent, even if they are less uniformly acknowledged than nationality-based ones.

The report concludes that the implementation gap is driven less by abstract doctrinal disagreement than by organisational conditions: insufficient continuous training, staff shortages, uneven professional specialisation, financial constraints, weak quality assurance in interpretation and legal-aid systems, and procedural cultures shaped by urgency and case-management pressure. For that reason, further progress depends not only on legislative fine-tuning but also on practical reforms: plain-language communication of rights, stronger monitoring and accountability, improved legal-aid funding and appointment systems, better access to interpreters, confidential lawyer-client consultation at the earliest stage, and recurring, practice-oriented training for police, lawyers, prosecutors and judges.

### Consortium

IPS_Innovative Prison Systems	Portugal
Polish Platform for Homeland Security	Poland
Alma Mater Studiorum - Universita Di Bologna	Italy
Bulgarian Helsinki Committee Association	Bulgaria
Academia De Politie Alexandru Ioan Cuza	Romania
Peace Institute	Slovenia
Academy of the Police Force in Bratislava	Slovakia

## 1. Introduction

The investigation (and project as a whole) addresses the initial stages of criminal proceedings and focuses on three core directives of the EU procedural-rights agenda: Directive 2012/13/EU on the right to information in criminal proceedings, Directive 2013/48/EU on the right of access to a lawyer and related communication rights, and Directive (EU) 2016/1919 on legal aid. This trio of instruments is especially significant because it defines the minimum architecture through which suspects and accused persons become able, in practice, to defend themselves. Information, access to a lawyer and legal aid are analytically distinct rights, but functionally interdependent ones. Weaknesses in one domain tend to cascade into the others.

The cross-analysis starts from a simple but important proposition. The practical value of procedural rights cannot be assessed only at the level of legal transposition. Even where domestic legislation contains relevant guarantees, the actual enjoyment of those guarantees depends on institutional timing, professional routines, organisational capacity, language support, legal-aid accessibility, and the availability of remedies where violations occur. The report therefore moves deliberately between law on the books and law in action.

## 2. Scope, Source Base and Methodology

The report draws on three groups of project materials. First, it uses the national baseline reports prepared for Bulgaria, Italy, Poland, Portugal, Romania, Slovenia and Slovakia. These reports provide the primary account of national transposition measures, judicial practice and system-specific implementation issues. Second, the report relies on Deliverable D2.2, which synthesises 49 qualitative interviews with prosecutors, lawyers and police officers in the seven project countries, complemented by interviews with FRA, DG JUST and Fair Trials. Third, it draws on Deliverable D2.3, which analyses 138 survey responses collected from criminal justice professionals across the consortium jurisdictions.

Methodologically, the cross-analysis is issue-based rather than country-by-country. National reports remain essential, but their function here is to provide the legal and institutional backdrop against which common patterns can be identified. The comparison therefore proceeds by thematic clusters: right to information; access to counsel; legal aid; enabling conditions such as interpretation, disclosure and confidential consultation; differential impact on vulnerable groups; and organisational explanations of implementation failure.

The report also follows a distinction between formal compliance and functional effectiveness. Formal compliance refers to legislative or doctrinal transposition. Functional effectiveness concerns whether rights are intelligible, accessible and enforceable when they matter most – during arrest, detention, early questioning, urgent investigative activity, and the first contacts between the individual and the criminal justice system. This distinction, implicit across the project materials, is the organising concept of the present document.

Source	Main contribution	Analytical caveat
National baseline reports	Map transposition measures, key jurisprudence and country-specific structural gaps.	Depth and drafting style vary across reports; some focus more broadly than the three directives at issue.
Interviews	Provide qualitative evidence on recurrent breaches, professional practices, organisational causes and good practices.	Perception-based evidence; not all professions are equally represented in each country.
Survey	Provides comparative patterns, role-based divergences and quantified reform priorities.	The sample is consortium-centred; police officers are the largest group.

### 3. Comparative Baseline: Formal Transposition and Structural Legal Patterns

The baseline reports confirm that none of the partner jurisdictions is operating in a legal vacuum. Every country considered in FULL-PROOF has, in one form or another, transposed the three directives into domestic law or interpreted pre-existing law as already meeting a substantial part of the EU standard. Yet the reports also show that broad transposition does not imply uniform completeness. Some systems exhibit minor residual gaps within otherwise well-developed frameworks, while others retain structurally significant deficiencies precisely at the threshold where a person becomes – or is treated as – a suspect.

A first cross-cutting legal issue concerns the temporal scope of rights. Several sources indicate that the decisive stress-point lies in the period before full formalisation of suspect status, or in circumstances where authorities make use of informal questioning, exploratory exchanges or early investigative acts before procedural rights are activated in a robust and transparent way.

A second legal pattern concerns the relationship between normative sufficiency and operational ambiguity. In Italy and Portugal, for example, much of the legal framework is well-developed; nevertheless, the reports still identify grey areas around practical timing, content and activation of rights, particularly in relation to the completeness of information, confidential consultation with counsel, derogations, and the functioning of legal-aid systems in urgent situations. In Romania, the problem takes a somewhat different form: transposition is extensive but piecemeal, producing a legal environment that is broadly rights-protective on paper while still marked by fragmentation, delayed explicit transposition and incomplete regulation in particular domains.

A third pattern concerns the role of judicial interpretation. The Slovak report is especially valuable in this regard because it shows direct judicial engagement with Directive 2012/13/EU and CJEU case law, including close attention to the requirement that charges be communicated in time for the defence to react effectively. The broader lesson is that practical effectiveness depends not only on legislation but also

on whether courts and practitioners treat EU procedural-rights instruments as genuine standards of adjudication rather than merely symbolic references.

### 3.1. Country-by-country baseline signals

Country	Overall baseline picture	Main legal/structural stress points	Cross-analysis relevance
<b>Italy</b>	Broadly compliant and comparatively mature framework.	Timing and completeness of information outside detention; practical retention and usability of the Letter of Rights; private consultation with counsel in specific scenarios; practical accessibility of legal aid at the earliest stages.	Illustrates how residual grey areas persist even in systems with advanced formal compliance.
<b>Bulgaria</b>	Substantial legislative development but continuing structural difficulties.	Weak protection of persons before full accused status; partial implementation of information rights and early access-to-lawyer guarantees; legal-aid practice still problematic.	Illustrates how problems of suspect status affect the reach of all three directives.
<b>Romania</b>	Broad framework, but fragmented and gradual transposition.	Early investigative measures before formal notification of status; incomplete and inconsistent regulation of legal aid in criminal matters; continued gap between formal transposition and operational certainty.	Shows how piecemeal implementation can generate selective non-compliance at the earliest stage.
<b>Portugal</b>	Strong doctrinal framework with later corrective legislation.	Relatively elevated compliance for right to information and legal aid in normative terms, but serious and multiple issues	Illustrates contrast between normative sophistication and

		regarding access to a lawyer and practical funding/access to legal aid.	operational fragility.
<b>Poland</b>	Framework formally present, but project materials flag continuing concerns.	Questions around voluntary and informed waiver, prompt access to counsel, exclusion of self-incriminating statements, and practical obstacles in rural or resource-poor settings.	Useful for the cluster on early access to counsel and vulnerability.
<b>Slovenia</b>	Broader Roadmap coverage with project-level concerns on access to counsel.	Appointment difficulties outside working hours, confidentiality concerns and the practical availability of defence support.	Highlights the infrastructural dimension of effective lawyer access.
<b>Slovakia</b>	Broad report with developed case-law dimension.	Strong judicial engagement with information rights, but project background still flags issues concerning access to counsel/confidentiality in implementation.	Useful for showing how jurisprudential development can coexist with operational concerns.

The country picture therefore supports a disciplined comparative conclusion. The baseline analysis does not reveal a binary divide between compliant and non-compliant systems. Instead, it reveals a spectrum. At one end are systems in which the main challenges concern residual incompleteness, practical consistency or quality of delivery; at the other are systems where the threshold issue of who counts as a suspect, when rights attach, and how rights are activated remains legally or institutionally unstable.

This spectrum matters because it explains why the empirical material does not simply mirror the legal classification of countries. Even jurisdictions that appear comparatively strong in formal transposition still generate practitioner reports of delay, ambiguity,

underfunded legal aid, uneven communication of rights and barriers affecting foreign nationals. Conversely, even where national law is formally incomplete, actors may sometimes rely on judicial interpretation or practical routines that partially mitigate the deficit.

## 4. Cross-analysis of In-practice Breaches

The interviews and survey confirm that implementation problems are recurrent, recognisable across countries and concentrated at the earliest procedural stage. The point is not that the legal systems studied systematically deny the existence of rights. Rather, rights may be communicated too quickly, activated too late, diluted by language barriers, undermined by weak legal-aid structures, or rendered less effective by organisational routines and uneven professional cultures.

This section analyses those patterns thematically. It begins with the right to information because that right is the gateway through which the suspect learns that the criminal process has begun to act upon them. It then turns to access to a lawyer and legal aid, before discussing enabling conditions such as interpretation, access to case materials and differential vulnerability.

### 4.1. Right to information: from formal notification to effective understanding

The right to information occupies a foundational place in the architecture of defence rights. Without timely and intelligible information on procedural rights and on the accusation, access to a lawyer becomes less meaningful and legal-aid availability less actionable. Across the project materials, the principal problem is not total absence of formal information duties. It is the quality, timing and usability of the information provided.

The project needs analysis had already identified that, in multiple countries, information tends to be delivered in a quick, inaccessible and highly technical manner, often reproducing the wording of legal texts without ensuring actual

comprehension. The survey confirms this concern by showing particularly strong support for plain-language communication of rights and better translation services. Practitioners are therefore not demanding an abstract expansion of rights, but an improvement in the way existing rights are conveyed at the decisive moment.

The national reports reinforce the same point in different ways. Italy highlights residual concerns regarding the completeness and timing of information, especially for suspects not deprived of liberty. Bulgaria records continuing difficulties with the scope of information rights where domestic law does not recognise a strong notion of suspect prior to accusation. Portugal presents a relatively elevated compliance level after legislative amendment yet still notes that some information elements are not proactively communicated. Romania underlines the importance of clear and detailed charges but also shows that early investigative actions can occur before full notification of rights. The Slovak report, for its part, demonstrates the importance of courts insisting that information about charges and legal reclassification be given at a point when the defence can still respond effectively.

When these materials are read together, the analytical lesson is straightforward. The right to information is not exhausted by the formal delivery of a letter or notification. What matters for practical effectiveness is whether the person understands their procedural situation, understands the accusation with sufficient precision, knows how to obtain defence assistance, and receives this information early enough for it to affect the conduct of the proceedings.

#### **4.2. Access to a lawyer: the central implementation fault line**

Among the three directives at the core of FULL-PROOF, access to a lawyer emerges as the most recurrent and politically significant implementation fault line. The project materials show that the normative existence of this right is usually acknowledged. The practical dispute concerns whether access is genuinely prompt, confidential, available before and during questioning, and supported by institutional arrangements capable of making the right operational in urgent or inconvenient settings.

The survey and interviews repeatedly identified bottlenecks affecting access to counsel. Qualitative comments point to delayed or denied contact with a lawyer, weak coordination where interpretation is also required, and inconsistent practice in urgent or early-stage situations. The survey's broader pattern reveals that lawyers and human-rights professionals are much more likely than police officers to regard the directives as only partially implemented. This divergence is especially significant in relation to the access to a lawyer, because defence-oriented professionals are often better positioned to observe whether legal contact was timely, private, and effective rather than merely nominal.

The national reports show considerable variation in the legal form of this problem. In Italy, the right is comparatively well consolidated, but practical grey areas remain regarding private consultation before questioning in specific scenarios and the operation of derogations. In Bulgaria, not all requirements of Directive 2013/48/EU have yet been fully transposed, particularly in relation to persons who are not yet formally constituted as accused. In Romania, the framework is largely aligned, but the regulation of certain safeguards remains fragmented, and the earliest investigative measures can still present non-compliance risks. In Portugal, access to a lawyer is the domain where implementation problems remain most numerous and sometimes serious, even after Law no. 52/2023. Project-level material on Slovenia and Slovakia further underscores concerns about confidential communication and effective access outside standard working arrangements.

The cross-analysis therefore suggests that access to a lawyer is not defeated principally by open legal denial. It is more often weakened by threshold ambiguities, derogation cultures, logistical obstacles, lack of on-call or promptly available lawyers, and the absence of fully reliable institutional routines guaranteeing private and immediate consultation. Because these weaknesses occur at the very start of proceedings, they have multiplier effects on the fairness of everything that follows.

### **4.3. Legal aid: formally recognised, structurally vulnerable**

Legal aid is the most structurally vulnerable component of the procedural-rights framework analysed in the project. This finding is especially strong in the survey, which identifies legal aid as a pressure point and links its weaknesses to restrictive eligibility thresholds, bureaucratic delay, low remuneration for appointed lawyers, uneven quality of defence and difficulties in combining counsel access with interpretation support. Increased funding for legal aid appears among the principal reform priorities identified by respondents.

The baseline reports show that vulnerability can take different forms. In Italy, the legal-aid framework is comprehensive in statutory terms, but its practical accessibility depends heavily on the quality of information provided at the earliest stage and on the speed and clarity of granting decisions. In Romania, legal aid in criminal matters remains only partially and implicitly regulated in important respects, with discretionary or exceptional forms of aid lacking clear and effective procedures. Bulgaria reports significant legal reform but still identifies practical difficulties in the operation of legal-aid rules. Portugal offers a particularly instructive example: the national report considers the Directive on legal aid essentially implemented in normative terms, yet simultaneously stresses that the functioning of the system is compromised by insufficient funding and therefore by limited practical accessibility. This confirms that legal-aid compliance cannot be evaluated by transposition tables alone.

The interviews deepen the picture by showing how legal aid interacts with the rest of the system. Delayed access to counsel, lack of translators, heavy caseloads and staff shortages all reduce the practical value of legal-aid entitlements. A formally appointed lawyer may arrive too late, be insufficiently incentivised, or operate within a system that does not permit effective early intervention. In that sense, legal aid is where resource policy, professional quality and procedural fairness most visibly converge.

Legal aid should therefore be understood not as a narrow welfare add-on, but as a structural condition of equal defence. Where it works badly, formal access-to-lawyer

guarantees become selectively available: realistic for those with private resources, fragile for those without them.

#### **4.4. Interpretation, translation and access to materials as enabling conditions**

Although FULL-PROOF focuses on three directives, the source base makes clear that other procedural conditions decisively affect their operation. Most obviously, information rights, lawyer access and legal aid cannot be exercised effectively where the suspect does not understand the language of the proceedings, where translators are unavailable or delayed, or where access to the case file is too restricted to permit meaningful defence preparation.

The interviews describe lack of translation services and linguistic barriers as recurrent practical problems. The survey places better translation services among the most strongly supported reform measures. Project background material likewise identifies ongoing concerns across several countries regarding the promptness, accessibility and quality of information and the broader 'grey zone' in which police-suspect interactions occur before rights are fully activated. These materials suggest that interpretation and translation are not peripheral accommodations. They are enabling conditions without which the core directives cannot perform their protective function.

The same is true of access to materials. Survey respondents and qualitative comments identify disclosure practices and effective remedies among the areas where lawyers and rights-oriented professionals perceive significant bottlenecks. Even where the formal right exists, delayed or incomplete access to relevant documents weakens the suspect's ability to understand the accusation, challenge detention, instruct counsel or decide whether to make statements. The Portuguese and Italian materials, among others, illustrate how apparently secondary details of file access or information content can have significant defensive consequences.

#### **4.5. Differential impact on vulnerable groups**

The cross-analysis also indicates that implementation deficits are not socially neutral. The survey explored disparities linked to gender and nationality, while the interviews and project-level materials repeatedly emphasised the specific exposure of foreign nationals and non-native speakers. Equal-treatment policies may exist formally, and some respondents indeed report that they do, but the practical reliability of those policies varies considerably.

Nationality-based vulnerability emerges most clearly. Foreign nationals are more dependent on translation and interpretation, more likely to experience difficulties understanding procedural documents, and more exposed to barriers in accessing legal aid and effective early legal advice. Interview material from police officers in several countries acknowledges that even absent intentional discrimination, practical challenges for foreigners arise from linguistic barriers and the limited availability of interpreters. European-level interviewees additionally connect these vulnerabilities to broader risks of pre-trial disadvantage and to the cumulative effect of weak support structures.

Gender-based inequality appears in a subtler but still relevant way. The interviews do not present a single consistent pattern of overt discriminatory treatment. Rather, they reveal scattered indications of gender bias, underdeveloped policies concerning non-binary persons, and continuing need for more inclusive operational frameworks. The survey similarly suggests that gender-related disparities are present, though less uniformly recognised than nationality-based ones. The crucial comparative point is that implementation quality is partly tested by its capacity to operate fairly across persons with different linguistic, social and identity-related profiles.

#### **4.6. Consequences of weak compliance**

The empirical research shows that procedural-rights breaches are not viewed merely as abstract fairness concerns. Respondents also connect them to system-level dysfunction. The survey identifies reduced trust in the justice system as the most

frequently perceived consequence of weak compliance, followed by delays in case resolution, increased dismissals and a heightened risk of wrongful conviction. In other words, poor procedural-rights protection is seen as damaging both legitimacy and efficiency.

The source base supports the conclusion that poorly implemented rights produce defective evidence-gathering, unnecessary litigation, avoidable appeals, delayed proceedings, and lower institutional trust. The cross-analysis therefore reinforces the project's central claim that strengthening procedural rights can contribute to the due course of criminal proceedings rather than obstruct it.

## 5. Divergent Professional Perspectives

One of the strongest and most policy-relevant findings to emerge from the survey is the systematic divergence between professional standpoints. Police officers are substantially more likely to report that the directives are fully implemented and operationally embedded. Lawyers and human-rights professionals are much more likely to identify partial implementation, structural obstacles and unequal practical access to safeguards. The interviews, though qualitative, also reveal profession-specific emphases: police officers tend to focus on procedural routinisation and resource shortages; lawyers stress effective access, intelligibility, confidentiality and remedial weakness; prosecutors occupy an intermediate position, often acknowledging both the normative framework and its practical limits.

This divergence should be interpreted carefully. It does not necessarily show that one group is 'right' and another 'wrong'. Rather, it reflects the institutional location from which implementation is experienced. Compliance may look settled from the standpoint of form completion, procedural paperwork or the existence of standard operating routines. The same situation may look fragile from the standpoint of whether a suspect actually understood their rights, had confidential access to counsel, obtained legal aid promptly, or could challenge procedural irregularities effectively.

For comparative policy analysis, this means that implementation cannot be monitored through one professional lens alone. Cross-professional comparison is itself a diagnostic tool. Where police, prosecutors, lawyers and rights-oriented actors perceive the same procedural stage very differently, this often signals that formal compliance and lived effectiveness are diverging. One of the practical implications of D2.4 is therefore that future training, evaluation and best-practice development should be designed cross-professionally rather than sector by sector.

## 6. Explaining the Implementation Gap

The cross-analysis suggests that the implementation gap is best explained as the product of interacting organisational, financial, linguistic and cultural factors rather than of a single doctrinal cause. Interviews across countries repeatedly identify insufficient continuous training, staff shortages, lack of specialised personnel, limited technical and financial resources and heavy caseloads as common drivers of bad practice. The survey produces a closely aligned ranking: limited training on EU procedural rights, language barriers, time pressure during detention, pressure to expedite investigations and lack of material resources all appear as major obstacles. These factors reinforce one another. Time pressure encourages formulaic communication of rights. Resource shortages make it more difficult to secure interpreters or promptly available legal-aid lawyers. Weak specialisation reduces the quality of implementation, especially for vulnerable suspects and in complex or urgent cases. Heavy caseloads can also favour a culture in which procedural safeguards are treated as steps to be processed quickly rather than rights to be operationalised carefully. The result is not necessarily deliberate hostility to rights. More often, it is routine erosion through administrative strain and insufficient support.

At a deeper level, the materials also suggest a cultural component. In several contexts, the earliest stage of proceedings remains governed by practical assumptions that prioritise investigative momentum over rights activation. Where this occurs, lawyers may be seen as slowing down the process, detailed information may be treated as a formality, and legal aid may be viewed as an ancillary service rather than a condition

of equal defence. The cross-analysis therefore points to the need for reform not only of rules and resources, but also of professional expectations about what effective procedural fairness requires.

## 7. Good Practices and Transferable Lessons

It is therefore important not only to identify breaches, but also to extract corrective patterns already visible in the material.

The interviews and survey point to a coherent set of promising practices. First, plain-language communication of rights is consistently identified as a practical improvement capable of generating immediate effects. Second, recurring and practice-oriented training is treated as the single most important reform cluster. Third, stronger oversight and accountability are seen as necessary to convert formal norms into routine compliance. Fourth, respondents emphasise the need for better translation and interpretation services, more reliable on-call defence arrangements, and legal-aid procedures capable of functioning quickly at the moment of detention or first questioning. Fifth, cross-professional communication itself emerges as a good practice: where police, defence lawyers, prosecutors and institutional actors share guidance and expectations, implementation appears less fragmented.

These measures are 'transferable' in an important sense. They do not depend entirely on the deep structure of one national procedural code. Many are operational or managerial responses: standardised but user-friendly rights materials, clear protocols for lawyer contact, rosters or duty arrangements, practical checklists, better referral systems, and training built around concrete scenarios rather than only legal abstraction. This is a promising implication, because it means that replicability can be framed not only at the level of legislation but also at the level of implementation design.

## 8. Recommendations

The evidence gathered in the baseline reports, interviews and survey supports a set of recommendations at national, institutional and EU level.

### 8.1. National-level recommendations

- Clarify, where necessary, the temporal scope of procedural rights so that the protection of the person begins when they are made aware that they are suspected or are treated as such in practice, and not only after formal procedural qualification.
- Ensure that information on rights and on the accusation is delivered promptly, in plain language and in a form that can be retained and used, including during detention and at the earliest investigative stage.
- Strengthen the guarantee of prompt and confidential access to a lawyer before and during questioning, with particular attention to derogations, informal exchanges and urgent investigative contexts.
- Reform legal-aid systems where needed so that access is practical as well as formal: eligibility rules, appointment timing, remuneration and quality safeguards should be reviewed together rather than in isolation.
- Improve national arrangements for interpretation and translation, including quality assurance, availability in urgent settings and coordination with legal-aid and detention procedures.
- Where domestic law still leaves gaps or ambiguity in remedies, clarify the procedural consequences of rights breaches so that violations generate credible incentives for compliance.

## **8.2. Institutional and professional recommendations**

- Develop mandatory, recurring and practice-oriented training on EU procedural rights for police officers, prosecutors, defence lawyers and judges, using scenario-based methods rather than purely formal lectures.
- Adopt standard operating protocols that make early-stage compliance auditable: provision of rights information, lawyer contact, interpretation arrangements, and documentation of any waiver or derogation should follow clear templates.
- Strengthen cross-professional communication so that implementation standards are shared rather than fragmented across professions and institutions.
- Improve duty-lawyer, roster or emergency-contact systems, especially in rural areas, outside ordinary working hours and in cases involving non-native speakers or vulnerable persons.
- Monitor implementation quality through mixed indicators that include defence and rights-oriented perspectives, not only administrative completion metrics.

## **8.3. Recommendations for EU-level follow-up**

- Continue to monitor not only formal transposition but also practical effectiveness, particularly in relation to early-stage access to counsel, legal-aid accessibility and language-related vulnerability.
- Promote guidance and exchange of practice on plain-language rights communication, confidential lawyer consultation, and minimum operational standards for early legal aid.
- Support comparative work on the quality and timeliness of legal-aid provision and interpretation services, since these are recurrent weak points across jurisdictions.
- Encourage cross-professional and cross-national learning mechanisms so that promising practices identified in one jurisdiction can be adapted, rather than merely admired, in another.

## 9. Conclusion

The cross-analysis undertaken confirms the central intuition of FULL-PROOF. The decisive challenge in the partner countries is not simply whether the three core directives have been transposed. It is whether the protections they enshrine are activated in time, communicated intelligibly, supported by adequate resources, and made effective for those suspects and accused persons who most depend on them.

Across the seven partner jurisdictions, the pattern that emerges is one of broad normative recognition and uneven operational delivery. In some countries the remaining problems are relatively narrow; in others they are more structural. Yet the comparative logic is common. The earliest stages of criminal proceedings remain the point at which rights are most fragile, because they are shaped by urgency, informational asymmetry, language barriers, incomplete access to defence resources and the variable quality of institutional routines.

The practical significance of this finding is twofold. First, it shows that procedural-rights reform must be assessed through implementation quality rather than transposition alone. Second, it provides a principled basis for the next phase of the project. Best practices worth replicating are those capable of narrowing the gap between law on the books and law in action: plain-language communication, prompt confidential lawyer access, reliable legal aid, better interpretation, stronger oversight, and sustained cross-professional training.



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