



JUDICIAL  
COLLEGE

Activities Report

2017-2018

**JUDICIAL  
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## Contents

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A. Judicial College .....	3
B. Tribunals .....	4
C. Courts .....	5
D. Magistrates.....	5
E. Coroners .....	6
F. Induction training.....	6
G. Faculty (cross-jurisdictional activity).....	6
H. Wales.....	7
I. International.....	8
J. Summary of expenditure .....	9

Annex 1 tables provided separately

## **A. Judicial College**

The Judicial College undertakes the statutory judicial training responsibilities given by the Constitutional Reform Act 2005 to the Lord Chief Justice and by the Tribunals, Courts and Enforcement Act 2007 to the Senior President of Tribunals. The Chairman of the College, The Rt. Honourable Lady Justice Rafferty DBE, accounts to them and senior judiciary through her membership of the Judicial Executive Board.

The Judicial College Board is the governing body of the College. It sets the overall strategy for the College and oversees the delivery of training within the budget allocated to the College.

The members as at 31 March 2018 were:

- Lady Justice Rafferty, Chairman
- Mr Justice Jeremy Baker
- Mrs Justice Cheema-Grubb
- Judge Christa Christensen
- Judge Brian Doyle
- Professor Judge Andrew Grubb
- Ms Liz Harrison JP
- His Honour Judge Andrew Hatton
- Sheridan Greenland
- Mr Justice Picken
- Mrs Justice Simler
- Mr Justice Warby

The Judicial College is responsible for induction and continuation training for 24,300 judicial office holders and 700 coroners' officers. Most are located in England and Wales but some are in reserved tribunals in Scotland and Northern Ireland. Training is provided 'nationally', that is where judicial office holders from all over the country come to an event, and also 'regionally' where judicial office holders from a particular area come together.

Two judges are seconded almost full time<sup>1</sup> for a four-year term as Director of Training for courts and tribunals respectively. They provide day to day judicial oversight of College programmes and strategic direction. HHJ Andrew Hatton and Employment Judge Christa Christensen were appointed to these roles in July 2016. Both Directors of Training work collaboratively with the Executive Director, Sheridan Greenland who leads the staff teams, administrative, professional and technical, that support the judiciary. The Judicial College staff are part of the Judicial Office officials that support the judiciary.

In the period covered by the report 319 courses were delivered for judiciary in the courts and tribunals, attended by a total of 11,868 participants. During 2017/18 there were no large training initiatives additional to the standard continuation programmes.

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<sup>1</sup> There is a small sitting requirement so judicial skills are maintained and the term of office may be extended by agreement.

The College has very little training accommodation under its direct control and both national and regional training events are held at a variety of venues. In a given week, there may be several courses running at the same time in different parts of the country. Courses vary in length from, for example, one-day non-residential to four-day residential training. Courses vary in size from relatively small numbers of say 20 participants to over 100. Where possible MoJ/HMCTS or other government accommodation is used for non-residential training events; this approach is beneficial in that the accommodation is free of charge to the College. The vast majority of training for magistrates' courts is delivered in this way. Although every effort is made to use MoJ/HMCTS accommodation, there are limitations because of the size, location, availability and suitability of accommodation, particularly the impact on HMCTS performance if courtrooms are used for training. The challenge for the College, particularly as its budget has reduced over the period of this Spending Review, is to find the optimum means by which its needs for training accommodation can be met, in a way which does not undermine the quality of the training experience, and offers reasonable security.

Working closely with the judiciary the College made a number of enhancements to the design and functionality of its Learning Management System (LMS) during 2017-18. This is the platform which enables judges to book all of their face to face training courses as well as work through a range of online materials and e-learning modules. These developments brought the LMS into line with other judicial products and has improved the overall usability and navigation for the judicial users of the system.

The Judicial College continues to increase its provision of digital learning products which are designed to complement rather than replace face to face training. Between April 2017 and March 2018, 28 e-learning programmes were available on the LMS with 5,817 viewings.

## ***B. Tribunals***

The Tribunals Committee provides the judicial oversight for tribunals training and where appropriate, takes account of the interests of devolved Tribunals. The Judicial College supports delivery of judicial training for the following tribunals: Employment (England and Wales), Employment (Scotland), Employment Appeal Tribunal, Tax First Tier and Upper Tribunal, Lands Chamber, Administrative Appeals Chamber, General Regulatory Chamber, Mental Health, Care Standards, Special Educational Needs and Disability, Primary Health Lists, Social Security and Child Support (SSCS), Asylum Support, Criminal Injuries Compensation, Adjudicator to the Land Registry, War Pensions and Armed Forces Compensation, Immigration and Asylum and Property Chamber.

Administrative and secretariat support for training in the Mental Health, Immigration and Asylum, Social Security and Child Support and the Property Chamber are provided by College staff in London, Glasgow and Loughborough. Administrative support for the training needs of the remaining tribunals is provided by staff in HMCTS.

Initial planning takes place within jurisdictional groups / training committees who agree a programme of training with the Tribunal or Chamber President. Most of the Training Leads who are tasked with the delivery of training have direct access to the Tribunals Committee, but for some smaller jurisdictions there are representatives on the committee who can liaise on their behalf.

The Tribunals Committee met in June and November 2017, and in March 2018.

## **Courses**

In the financial year 2017-18, the College delivered 195 residential and non-residential courses to 6,560 judicial office holders in tribunals.

The training requirements are agreed for each year with the Chamber Presidents and the vast majority of training provided is tailored to the specific requirements of tribunal judges and members for their individual jurisdictions. Training for judicial office holders in tribunals is mostly arranged through invitation to attend courses and participants book their place on the LMS. However, judicial office holders in the Health, Education and Social Care Chamber (HESC) select most of their training opportunities from a prospectus.

The College also produced three editions of the Tribunals journal throughout the year which provide articles to help those who sit on tribunals to maintain high standards of adjudication while remaining sensitive to the needs of those appearing before them.

## **C. Courts**

The Courts Committee provides the governance for the training delivered to the courts' judiciary of England and Wales. This includes magistrates and legal advisers where training is delivered in partnership with HMCTS through a network of trainers, including legal advisers, justices' clerks and magistrates. The planning and delivery of training is undertaken by Jurisdictional Planning Groups (Criminal, Civil and Family) who consist of a Director of Training (High Court Judge) and judicial course directors from the Circuit and District Benches. There are also two Magisterial Sub-Groups, one for crime and one for Family law.

The Courts Committee met in July and November 2017, and in March 2018.

### **Courses**

The Courts' Judiciary Training Prospectus gives judges some flexibility to choose training seminars that address their training needs within their areas of appointment. For 2017-18, 80 courses were delivered for the courts judiciary and a total of 3,698 participants attended. (This figure includes the cross-jurisdictional and Leadership events attended by both tribunals and courts judiciary.)

The College also produced a range of supplementary training materials for the courts judiciary, including jurisdictional e-letters which provide updates on law, procedure, appeal cases and any directives from senior judiciary. There were nine criminal e-letters, three civil e-letters, nine family e-letters and two Wales e-letters produced during the year.

## **D. Magistrates**

### **Courses**

During 2017-18, 25 courses were delivered directly by the Judicial College for magistrates in leadership positions and legal advisers and a total of 467 participants attended.

The College prepared a range of distance learning/training packs, for local delivery by magistrates and accredited legal advisers and published a number of bench book updates for 16,100 judicial office holders. The College published a revised appraisal scheme for magistrates with supporting materials.

In accordance with statutory responsibilities, the following reports were prepared for the Lord Chief Justice:

- National Summary of Magistrates' Area Training Committee Annual Reports of Magistrates' Training 2016-2017
- National Summary of Clerkship Annual Reports of Legal Adviser Training 2016-2017.

### ***E. Coroners***

In April 2013, following the appointment of the Chief Coroner in 2012, responsibility for coroner training came under the auspices of the College. The Chief Coroner's Training Committee met in July and November 2017 and February 2018.

#### **Courses**

14 courses were delivered in 2017-18 and a total of 867 participants attended. This includes training for coroners' officers who support coroners in their duties but are not judicial office holders.

### ***F. Induction training***

In addition to the continuation training programme, the College has delivered induction training to newly appointed judicial office holders. Eight courses were delivered for a total of 337 participants. Two of these events were for courts judiciary, one Deputy District Judge (Magistrates) and five for tribunals judicial office holders.

### ***G. Faculty (cross-jurisdictional activity)***

The College Faculty was established during 2016 to develop and promote best practice for work themes that are pervasive to all judicial office holders. These themes refer to any activities, skills and knowledge that are applicable and common, and which would fall within all jurisdictional sitting boundaries. The Faculty helps to deliver the principles of the Judicial College strategy in relation to leadership and management skills and the social context within which judging occurs.

The governance was initially provided by the Core Faculty Group which is headed by Joint Deans of Faculty (who are also the two Directors of Training). During the year the Deans established a Faculty Training Group whose purpose is to consider the development and evaluation of training materials that can be used by all judicial office holders. This group has replaced the Core Faculty Group as the main governance for Faculty activity.

The Deans also convened a working group to review and update the Equal Treatment Bench Book which was re-published in February 2018. An editorial panel has now been formed to provide a continuous monitor on developments and to consider small updates between each three-yearly review.

The Faculty Training Group met in November 2017 and February 2018.

#### **Cross-jurisdictional training**

A wide variety of non-jurisdictional training was undertaken throughout the year which included:

- Training judiciary to be trainers
- Senior trainers conference
- Appraiser and Mentor skills
- Judicial Leadership & Management Development
- Judge Craft training: Business of Judging and Judge as a Communicator courses

### **Academic lectures**

Following on from the academic lecture series from the previous training year, the College and the Royal Society collaborated to provide a science related half-day training session for judicial office holders attending the 'Sentencing and Confiscation' and 'Case and Trial Management' seminars. The theme of this session was memory and how the laying of the memory is a psychological process subject to construction, selection, error and distortion. Delegates gained an understanding of the neuroscience of memory and its role in testimony.

### **Leadership and Management**

The judicial Leadership and Management Development (LMD) programme supports both judges who are newly appointed to a leadership role and experienced judges who wish to develop their skills. During 2017/18 which saw the programme in its fourth year, the content was adapted to address the leadership requirements of the Judicial Reform Programme.

### **Evaluation and training advice**

A summary of the post-course evaluation information is available at Annex 1.

The College has built on its revised 2017 evaluation strategy which encourages greater involvement of our judicial Course Directors and Training Leads in the management of their evaluation data. During this period, the College has supported Course Directors and Training Leads in evaluating their training at both the learning and application levels (Levels 2 and 3) of Kirkpatrick's model of evaluation. The College also worked with 'Training, Approvals, Authorisations and Appraisals Committees' (TAAACs) and HMCTS training colleagues to support the quality and effectiveness of magistrate and legal adviser training delivered locally by them across England and Wales.

The College's education and development advisers and legal advisers offered advice and support on the design and delivery of Judicial College courses and e-learning across all jurisdictions and provided verbal and written feedback to course directors, TAAACs and trainers, and designed materials to support improvement of the delivery and design of training courses.

## ***H. Wales***

The Wales Training Committee (WTC) considers how the diverging training needs for Courts, Magistrates and Tribunals who sit in Wales might be met by the College. It does that by monitoring all the legislative changes passed by the Welsh Government and considering what, if any, training responses might be required. Given that joint training still takes place with their English counterparts for both induction and continuation training, the Committee will also make recommendations to the jurisdictional planning groups on how any diverging Welsh law might be best accommodated. Where it is considered necessary, the committee

develops and provides distinct training for the judiciary of Wales which is provided in addition to the existing jurisdictional programmes provided by the Judicial College. In 2017/18 this included Housing Act training.

The WTC assists the Lord Chief Justice to engage with the Welsh Government on matters of policy and legislation affecting the judiciary and Courts by providing the technical expertise of the judiciary to advise consultations. It liaises and works with the Judges' Council Committee on Wales which is chaired by the Lord Chief Justice. The WTC also liaises with the Association of Judges in Wales, and the Wales Strategy Group.

The Wales Training Committee met in April, June and November 2017.

## ***I. International***

The College participates in appropriate judicial training projects which strengthen judicial independence and reinforce the judiciary as a key institution of democratic governance within the UK, across Europe and Internationally. The International Committee (now the International Training Committee) provides the governance for this activity and reports to the Judicial College Board.

### **European Judicial Training Network (EJTN)**

The College is an active member of the EJTN. The College has had representation on the EJTN's Judicial Training Methods working group.

Under the EJTN Exchange programme, the College hosted and sent in exchange, eight judges on the two week general exchange, two judges on the one week trainer exchange and one judge on a specialist exchange on Immigration and Asylum Law.

The Judicial College continued to promote the EJTN Catalogue Programme which gives mutual access to specified judicial training programmes. During this period the College sent judges to seminars on European Labour Law in Lisbon, Human Rights & Access to Justice in the EU in Malta and Asylum Law in Sweden as well as providing a speaker for a training seminar on training methods and leadership in the Czech Republic. The College participated in the Training Methods and Judgecraft Seminar in Latvia in June and in September the Director of Training for Courts attended an event "Training Methods: Judgecraft" in Belgium as an observer in preparation for taking over the running of the course.

### **Academy of European Law (ERA)**

The Judicial College continued to promote Academy of European Law (ERA) events. Judges attended ERA meetings in Croatia to speak on Applying EU Anti-Discrimination Law and Germany to speak on Human Rights Law, Labour Law, and Social Law, attended a workshop in London on Authentication and Admissibility of Electronic Evidence and attended a seminar on Applying the Charter of Fundamental Rights of the European Union.

### **International Organisation for Judicial Training (IOJT)**

Two judges and the Chief Executive of the Judicial College, who is Deputy Secretary General of IOJT, attended the 8<sup>th</sup> International Organisation for Judicial Training Conference in the Philippines in November 2017 and contributed to presentations on use of social media and international principles of judicial training.



## Judicial College International Training Committee

The International Training Committee met four times in this period.

Judges delivered training on Confiscation and Recovery of Assets in Germany, Unified Court Practice in Macedonia, Better Governance for Gender Equality in Iceland, the Proceeds of Crime Act in Jamaica, Money Laundering and Asset Recovery in Romania, Judgment writing and case management in Bermuda, the management of corruption trials in Panama and Columbia, Asset Recovery in Italy and the Criminal Procedure rules in Trinidad and Tobago.

Judges spoke at training events organised by TAIEX (The European Union Technical Assistance and Information Exchange) on Safeguarding the Principle of Equality of Arms in Macedonia and on Plea Bargaining in Corruption related offences in Azerbaijan.

### J. Summary of expenditure

The Judicial College is a part of the Judicial Office and not required to produce its own audited accounts. However, the College's expenditure is an integral part of the Ministry of Justice's resource account, which is subject to audit.

The summary below reflects expenses directly incurred by the College and is shown on an accrual basis.

	Total (£'000s)
Staff costs	2,283
Judicial fees	4,638
Venue costs	1,826
Judicial costs	59
Judicial travel & subsistence	769
Other travel & subsistence	142
Design, print and reprographics	18
Speakers	184
IT services	76
Magistrates' Association training grant	10
Office supplies, catering & accommodation related costs	29
Miscellaneous	1
Income	(36)
<b>Total expenditure</b>	<b>9,999</b>

\* Prior year costs are excluded, and ring-fenced induction costs are included.

