

New directions in judicial training

PART ONE

By Hannah Bright

This is the first of two articles exploring ideas for the future of judicial training.



Life-long learning

Reform. Transformation. Change. Judicial office holders (JOHs) are used to hearing these words. But it's bigger than paperless courtrooms, virtual hearings and the closure of court buildings. Look at the wider picture – are we witnessing the biggest change in the history of human enlightenment since the invention of writing – the death of knowledge and the advent of the 'information age'?

The time span from the gaining of knowledge to the date when it becomes obsolete (its half-life) is shortening. The acquisition of knowledge at the outset of one's judicial career, to be updated as new law emerges, is no longer sufficient. We must keep up with the rapidly changing world around us, know our Snapchats from our WhatsApps. Our chatbots from our cloud platforms. We must run to stand still. We need life-long learning.

Bespoke, on-demand training

The individual is no longer the repository of knowledge. Instead, the organisation becomes the repository of information. The judge becomes expert in asking the right questions and accessing answers, to be supported by a Judicial College which provides carefully curated, signposted information and 'on demand' training, accessible whenever the need arises.

There's a revolution in the judiciary too. A significant pool of knowledge and experience is being lost in the 'silver tsunami', the wave of 'baby boomer' JOHs retiring. We are increasingly diverse, from different racial, gender, cultural, social and legal backgrounds, but also from different learning backgrounds and jurisdictions. 'One size fits all' training no longer cuts it. We need bespoke training, tailored to our personal needs.

Coaching and training passports

Should we move from mentoring or appraisal to coaching? More experienced veterans could guide newer JOHs towards their goals, suggest effective strategies, discuss training needs, give support and encouragement and devise a structured programme of improvement and feedback. Coaching could maximise 'on the job' learning, mitigate the silver tsunami and provide a bespoke learning environment for each judge.

We could map training pathways and track progress through the creation of training 'passports' – a personal record of training needs, opportunities, achievements and courses completed. Such a training passport can be used to track and evidence continuing professional development, develop experiential or 'on the job' learning and provide focus for coaching.

Blended learning and flipping the classroom

A mix of e-learning and conventional training methods can maximise resources and tailor the learning method to the material, the aims and objectives, the target audience and the constraints of time and space. Using a mix of training methods is known as 'blended learning'. Imagine signing up for a training module on autism spectrum conditions, for example. The module might start with a video of an autistic litigant relating their experiences or film of a real or simulated court-room 'fail' by a judge. Or there could be a case study or quiz to engage curiosity or identify areas of difficulty.

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The 'input' stage of training is done by delegates on their own, in a spare moment, at their leisure and as many times as they like. This delivery of content (the material to be learned) could be either by e-learning or reading a paper or watching a video. The next stage, practice and consolidation of learning, can be a short burst of face-to-face learning, focusing on practising skills, role play, group discussion or shared experiences. This is 'flipping the classroom': delivering content through independent study and using classroom time for practice. It maximises expensive face-to-face time by focusing on hands-on practice of skills and knowledge, and frees the trainer up to answer questions, check understanding and provide support.

Finally, learning can be embedded through a series of follow-up activities in the workplace, such as quizzes, tests, action plans, self-assessment exercises and peer group discussions through online chat rooms. The online and face-to-face portions should be well integrated into one whole, cohesive module of learning. Such blended learning has been shown to significantly improve outcomes over traditional learning, in part because different learning styles are accommodated.

Sounds expensive? Complicated? Not at all. The key to this type of learning is our new technology. With a judicial laptop or maybe a personal smartphone or tablet, every judge already carries a vast training resource. The potential of tech is huge, provided we recognise that it's a tool for furthering learning objectives, not an end in itself.

New technologies

With a smartphone or tablet, learning can be handy, anytime, anywhere, flexible and on demand. Micro-modules (short one or two-minute smartphone modules) are a great way to introduce topics, consolidate and reinforce learning or prompt online discussion. Quizzes, tests and chat rooms can be accessed by email. We already have the technology – trainers and learners simply need to be more creative with it.

Ever struggled with your new laptop? The answer may be right there in front of you. YouTube has thousands of instructional videos, teaching everything from pheasant plucking to identifying Peruvian monkey frog mating calls. It contains countless videos on sending an email in Outlook or saving a file to OneDrive. We need not wait to be trained in IT - we can be training ourselves. There are a multitude of podcasts and e-books on relevant topics, turning tedious commutes into learning time (or leisure time, if we prefer). All that's needed is clear signposting of these resources.

A multiplicity of online training tools is available, from Videoscribe (animated whiteboard videos) to Prezi (a visually stimulating, non-linear alternative to PowerPoint). Classroom polling tools, such as Kahoot.it!, Slido, or PollEverywhere, make use of smartphone technology for quizzes, plenary discussions, group work feedback and statistics in the classroom. Infographics (like Venngage) can deliver simple content attractively online.

The F word

But this all sounds like FUN?! Not nearly serious enough for judicial training, surely? While gravitas is vital in the courtroom or tribunal, why can't judges have fun while learning? In fact, making training fun improves learning. Fun experiences increase dopamine, endorphins and oxygen in the brain, promoting learning, improving memory and enhancing self-led learning.

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There is one particular learning strategy which maximizes the fun. It also simply and easily engages and motivates learners, improves retention, enhances problem solving, offers experiential learning, builds in real life obstacles (such as time pressure, complexity and miscommunication), enables safe fails, gives immediate reinforcement and feedback and motivates learners to teach themselves, inciting them to devise and revise their actions until they arrive at the best possible answer. This tool is 'gamification'. While it sounds frivolous, it's a very serious matter in the world of training. A report by the Federation of American Scientists found that certain 'serious games' increased task completion by 300%, improved retention by 90%, increased participants' confidence in the field by 20%, conceptual knowledge by 20% and factual knowledge by 10%.

Even more fun!

So what is it? Ever tried the language learning app Duo Lingo? 'Gamification' uses features drawn from games (board games, card games or video games) within training. That doesn't mean you'll be asked to blast aliens or click on lines of luridly coloured fruit. Picture this: At the start of a training module on vulnerable witnesses, the trainer tells you there will be a short quiz at the end to see how much you have absorbed from the training. How do you react? You might groan, but it's clear that even such a simple ploy will significantly increase your engagement and motivation to learn, your enthusiasm and retention of the information. It will reinforce the learning content and provide you and the trainer with instant feedback on the efficacy of the training. That's 'gamification'. It doesn't have to look like a game or lack gravitas. It just means spicing up learning with the introduction of elements of reward, time pressure, collaboration or competition, random chance or other features of games.

Where gamification really comes into its own is soft skills training, where learning is virtually impossible without practice. The military and medical professions both use serious games for developing teamwork, leadership, ability to work under pressure, emotional intelligence, communication, self-control, negotiation and conflict resolution skills. Given the intellectual, time, communication and other pressures for a JOH, gamification has huge potential in our life-long learning and development.

I hope this article has prompted you to think about your own learning, where it might take you and what you might want. I also hope it has laid some groundwork for learning to become more tailored to you, the learner, and above all, more fun. Game on!

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