



JUDICIAL
COLLEGE

Activities Report

2019-2020

**JUDICIAL
COLLEGE**

Contents

A. Judicial College	3
B. Tribunals.....	5
C. Courts	6
D. Magistrates.....	7
E. Coroners.....	7
F. Induction training.....	7
G. Faculty (cross-jurisdictional activity).....	8
H. Wales.....	10
I. International (including meeting visiting delegations)	10
J. Summary of expenditure	12

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 Chair 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 budget. The members as at 31st March 2020 were:

- Lady Justice Rafferty (Chairman).
- Mr Justice Jeremy Baker (Senior Liaison Judge for Judicial Diversity).
- Mrs Justice Cheema-Grubb (Co-Chairman of the Judicial College's Courts Committee).
- Judge Christa Christensen (Director of Training for Tribunals).
- Judge Mark Emerton (Tribunal Judge Member).
- Dominic Goble JP (Magistrate member).
- Upper Tribunal Judge Paula Gray (Chairman of the Tribunals Committee).
- His Honour Judge Andrew Hatton (Director of Training for Courts).
- Mr Justice Picken (Chairman of the Judicial College's Wales Training Committee).
- Mr Justice Warby (Co-Chairman of the Judicial College's Courts Committee).
- Sheridan Greenland (Executive Director of the Judicial College).

Judge Brian Doyle served as Chairman of the College Tribunals Committee until November 2019 when he stepped down from the Board. Lady Justice Simler's *ex officio* appointment to the Board as a Senior Liaison Judge for Diversity ended with effect from the Judge's appointment to the Court of Appeal in July 2019.

The Judicial College is responsible for induction and continuation training for approximately 19,412¹ judicial office holders (including approximately 15,000 magistrates) and approximately 700 coroners' officers. Most are in England and Wales but some are in reserved tribunals in Scotland and Northern Ireland. Training is provided nationally – where judicial office-holders from all over the country come to an event; and regionally – where judicial office-holders from a single area come together.

Two judges are seconded almost full time² 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 in July 2016. Their successors, HHJ Jeremy Richards QC (for courts training) and Employment Judge Philip Rostant (for tribunals training) were appointed in March 2020 to take on their roles, respectively, from 18th July and 1st September 2020. The incumbent Executive Director retired at the end of March 2020 and her successor will be

¹ Figure as at 1st April 2019 as published in the Judicial Diversity Statistics 2019, which can be accessed online at: <https://www.judiciary.uk/publications/judicial-diversity-statistics-2019-2/>

² There is a small sitting requirement so that judicial skills are maintained and the term of office may be extended by agreement.

Amelia Wright with effect from 14th April 2020. Both Directors work collaboratively with the Executive Director, who leads the staff teams – administrative, professional and technical – that support the judiciary. The Judicial College staff are part of the Judicial Office officials who support the judiciary.

In the period covered by the report, 408 courses were delivered for judiciary in the courts and tribunals, attended by a total 12,905 participants. Towards the end of the reporting period, Judicial College face-to-face training activities were curtailed because of the effect of restrictions imposed by Government in response to the Covid-19 pandemic. As a result, intensive work was begun to convert many existing and future face-to-face learning events into remotely delivered online seminars; this work continues into 2020.

Equal training provision is offered to both salaried and fee-paid judicial office-holders. All judicial office-holders benefit from a minimum of one two-day residential seminar annually; those courts judges holding five or more tickets/authorisations have the option of a second two-day seminar in the training year (with small variances in some tribunals). The continuation training programme for tribunal judicial office-holders has remained constant, with a minimum training requirement for both salaried and fee-paid judges set by their Chambers. Further induction training has been provided to both courts and tribunals judiciary authorised to sit in additional jurisdictions, i.e. cross-ticketing.

The UK left the EU on 31st January 2020 following the agreed extension to Article 50 and thereafter the *Withdrawal Agreement Act* achieving Royal Assent. To support delivery of justice after the end of the transition period (which ends in December 2020), much of the training for existing judicial office-holders in EU Exit originally planned for the later part of the period was delayed until 2020-21. One seminar during the period was delivered directly to judges within the Upper Tribunal Immigration Appeal Chamber on 4th March 2020.

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 any given week there may be several courses running at the same time in different parts of the country. Courses vary in length from single day, non-residential seminars to four-day residential training. Courses vary in size from relatively small numbers to over 100 delegates. Where possible MoJ/HMCTS or other government accommodation is used for non-residential training events; this approach is beneficial because such accommodation is usually free of charge to the College. Most training for magistrates' courts is delivered in this way using HMCTS legal advisers, Justices' Clerks and magistrates to deliver training from nationally approved training packs produced by the College Legal Team.

Although every effort is made to use MoJ/HMCTS accommodation, there are limitations because of its size, location, availability and suitability, particularly the impact on HMCTS performance if courtrooms are used for training. The challenge for the College, particularly as it continued to work within financial constraints, 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, during 2019-20 the Judicial College continued to make enhancements to the design and functionality of its digital Learning Management System (LMS). The LMS is a digital platform that enables judges to book all their face-to-face training courses as well as work through a range of online materials and e-learning modules. The LMS is accessible to judicial office-holders 24/7. During the period, the emphasis has been

on re-ordering the digital archives of training material to improve the online search facility and on further improvement of the provision of course feedback.

The Judicial College continues to increase significantly its provision of digital learning; these resources are not designed to replace face-to-face training but, rather, to complement it and offer flexibility in learning to users. The provision of digital training resources accelerated towards the end of the period as a result of efforts from the Judicial College to mitigate the impact of Covid-19 on learning activities.

Between April 2019 and March 2020, 150 digital learning modules were available on the LMS and these attracted 108,927 viewings.

B. Tribunals

The Tribunals Committee provides 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:

- Adjudicator to the Land Registry.
- Administrative Appeals Chamber.
- Asylum Support.
- Care Standards.
- Criminal Injuries Compensation.
- Employment (England and Wales).
- Employment (Scotland).
- Employment Appeal Tribunal.
- General Regulatory Chamber.
- Immigration and Asylum Chamber.
- Mental Health.
- Primary Health Lists.
- Property Chamber.
- Social Security and Child Support.
- Special Educational Needs and Disability.
- Tax First Tier and Upper Tribunal, Lands Chamber.
- War Pensions and Armed Forces Compensation.

Administrative and secretariat support for tribunals' training is provided by Judicial College staff in Loughborough and smaller teams based in Glasgow and London.

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

The Tribunals Committee met in June 2019, November 2019 and in February 2020.

Courses

In the financial year 2019-20, the Judicial College delivered 188 residential and non-residential continuation courses to 7,028 judicial office-holders in tribunals sitting in England and Wales and in the reserved tribunals in Scotland and Northern Ireland.

The training requirements are agreed for each year with the Chamber Presidents and most training provided is tailored to the specific requirements of tribunal judges and specialist, medical and lay members for their individual jurisdictions. Training for judicial office-holders in tribunals is arranged through invitation to attend courses and participants book their place on the Judicial College LMS. A small number of tribunals including Social Security and Child Support, Special Educational Needs and Disability, Mental Health, Primary Health Lists and some courses for the First Tier Immigration and Asylum Chamber allow judicial office-holders to book training via an online prospectus within the Judicial College LMS. More tribunals will be adopting the prospectus-based approach for the Training Year 2020-21 as the College prepares for the introduction of a Single Prospectus for Courts and Tribunals training, which for the first time will show in one place the complete training offer made across all Courts and Tribunals jurisdictions.

The College also produced three editions of the Tribunals Journal throughout the year which provided 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 governance for training the courts judiciary of England and Wales (including magistrates, see below). Planning and delivery 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.

The Courts Committee met in July 2019, November 2019 and in February 2020. Administrative and secretariat support for courts' training (including magistrates training) is provided mainly by Judicial College staff in London with support from Loughborough (for Coroners and Coroner's Officers' training) and Glasgow.

Courses

The Courts Judiciary Training Prospectus gives judges some flexibility to choose training seminars that address their training needs within their areas of appointment. During 2019-20, 39 courses were delivered for the courts judiciary and a total of 2,147 participants attended.

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, four civil e-letters, nine family e-letters and two Wales e-letters produced during the year.

D. Magistrates

Magistrates and legal adviser training is delivered in partnership with HMCTS through a network of trainers, including legal advisers, justices' clerks and magistrates. There are two training planning Magisterial Sub-Groups, one for crime and one for family law.

Meetings of the Magisterial Criminal and Family Sub-group Committees took place in May 2019, October 2019 and in February 2020.

Courses

During 2019-20, 38 courses were delivered directly by the Judicial College for magistrates in leadership positions and legal advisers; a total of 679 participants attended.

The College prepared a range of distance learning/training packs, for local delivery by magistrates and accredited legal advisers and for self-learning, and it published bench book updates for approximately 14,350 magistrates and 1,000 legal advisers.

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

- National Summary of JTAAAC (Justices' Training, Approvals, Authorisations and Appraisals Committee) Annual Reports of Magistrate Training 2018-2019.
- National Summary of FTAAAC (Family Training, Approvals, Authorisations and Appraisals Committee) Annual Reports of Magistrate Training 2018-2019.
- National Summary of Annual Reports of Legal Adviser Training 2018-2019.

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 three times this year in April 2019, October 2019 and in January 2020.

Courses

13 courses were delivered in 2019-20 and a total of 890 participants attended. This includes training for approximately 700 coroners' officers (who are not judicial office-holders but who provide support to around 420 coroners in their duties).

F. Induction training

In addition to the continuation training programme, the College has delivered induction training to newly appointed judicial office-holders. In 2019-20, 93 courses were delivered for a total of 1,211 participants; 60 of these events were for courts judiciary, 32 for tribunals judicial office-holders and one for coroners.

The College delivered eight additional authorisation induction seminars for 332 already appointed judicial office-holders to enable greater flexibility in judicial deployment to meet fluctuating work demands for the courts judiciary.

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.

A Faculty Training Group considers the development and evaluation of training materials usable by all judicial office-holders. This Group is the main governance body for Faculty activity across the College. The Directors of Training for Courts and Tribunals are joint Deans of the College Faculty. A principal focus of the Faculty Group is to plan and devise the content and material for the new Faculty Induction Seminars, targeted to all newly appointed judicial office-holders; the Faculty Training Group met in April 2019, October 2019 and March 2020.

Courses

The first Faculty Induction Seminar (FIS) was held in September 2019. Designed to complement jurisdictional induction, the FIS is for all newly appointed judicial office-holders within their first 12 months of appointment and focuses on judge craft; the programme for subsequent seminars was amended slightly in response to delegate feedback.

During 2019-20, including the event in September mentioned above, four Faculty Induction Courses were delivered to 125 participants.

Cross-jurisdictional training

A wide variety of cross-jurisdictional training was undertaken throughout the year including:

- Training judiciary to design, deliver and facilitate training.
- Training judicial facilitators to support the Pre-Appointment Judicial Education programme.
- Appraiser and Mentor skills to support jurisdictional mentor and appraisal schemes.
- Judicial Leadership & Management Development at three levels of judicial leadership.
- Judge Craft training: The Business of Judging and Judge as a Communicator courses.
- Modules on cognitive bias (18) and resilience (13) were delivered by the Judicial College Education and Development Advisers as part of jurisdictional training programmes.

A total of 497 judicial office-holders attended training seminars during 2019-20 (this figure includes the cross-jurisdictional and leadership events attended by both tribunals and courts judiciary).

Academic lectures

The Royal Society delivered two presentations covering the cognitive and anatomical organisation of memory in mind and brain, the puzzles presented by forgetting and by false memory, the impact of stress, what can be learnt from brain imaging and the lack of correlation between accuracy and confidence. Presenters were Professor Richard Morris and

Dr Marlieke van Kesteren and the presentations were made to delegates on the Complex Children Cases Seminar and the Private Law and Money Seminar in November 2019.

The Royal Society in concert with the Dana Foundation delivered two lectures entitled 'Probability and the Law' to delegates on the Civil Law Seminars held in February 2020; presenters were Professor Philip Dawid FRS, Emeritus Professor of Statistics of the University of Cambridge assisted by Dr Alexandra Freeman, Executive Director of the Winton Centre for Risk and Evidence Communication at the University of Cambridge.

Leadership and Management

Following a review of programmes in 2018, two redesigned programmes of leadership training took place for newly appointed leadership judges. In addition, cross-jurisdictional courses for two new levels of leadership training (experienced leadership judges and senior judicial leaders) were designed and delivered. Training included a one-day senior leadership induction event for Presiding Judges, Chamber Presidents of the Upper Tribunal and other High Court judges with leadership responsibilities, and a leadership symposium for experienced leaders to share good practice with guidance from experts. These programmes included some new learning content on personal resilience and leading change. At the end of the reporting period work began to convert the face-to-face learning events into online, as a response to Covid-19 restrictions. This work continues into 2020.

Reform

During 2019-20, the Judicial College Education and Development Adviser (appointed in the reporting period 2018-19) has provided updates and judicial training recommendations to:

- Family Courts.
- Scheduling and Listing.
- Social Security and Childcare Support.
- The Tribunals Joint Evaluation Group.
- Tribunals Change Network meeting.
- Financial Remedy conference.
- Royal Courts of Justice – Upper Tier reform project board.
- Judicial Reform Steering Group.

Additionally, training needs analysis has been conducted and approved for the Financial Remedy-Divorce project. Familiarisation training has been provided for judicial office-holders using the new Social Security and Childcare Support Interlock system and ten half-day Digital Essentials Seminars were delivered to a total of 929 delegates across both Courts and Tribunals.

Evaluation and training advice

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

The LMS has been enhanced to enable more automated processing of statistical feedback following training events.

The College's Education and Development Advisers (EDAs) and legal advisers continued to offer 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. The EDAs also contributed to wider activity reported under section I (International), below.

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 Assembly 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 in addition to existing jurisdictional programmes provided by the Judicial College.

The WTC, which is chaired by a High Court Judge, assists the Lord Chief Justice to engage with the Welsh Assembly Government on matters of policy and legislation affecting the judiciary and Courts by providing the technical expertise of the judiciary to advise on 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.

A main focus for the Committee in this year has been the development of training material – including podcasts and filmed pieces for the LMS – for judges who will be dealing with the Renting Homes (Wales) Act 2016, which is expected to be implemented in 2021. The Committee has also discussed possible ways of increasing the profile of Welsh matters in the Equal Treatment Bench Book as well as continuing the routine work done on the quarterly Wales e-letter.

The Wales Training Committee met in July 2019, December 2019 and February 2020.

I. International (including meeting visiting delegations)

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 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 representation on the EJTN's Judicial Training Methods working group. The College led the delivery of three EJTN Judge craft workshops in Latvia, Croatia and Spain during 2019-20.

During 2019-20, 19 judges represented the judiciary at nine EJTN seminars in Berlin, Bulgaria, Estonia, Lisbon, Scandicci, Stockholm, Strasbourg and Thessaloniki.

Under the EJTN Exchange programme, during 2019-20 the College sent six judges on general exchange programmes to Bulgaria and Germany. One judge attended a specialized exchange on Asylum and Refugee Law in Romania.

Judicial College EDAs designed and delivered training on Leadership and Change Management in Sweden and in Estonia.

Academy of European Law (ERA)

The Judicial College continued to promote Academy of European Law (ERA) events. Five Judges attended ERA seminars in Brussels, Sofia and Trier.

The Judicial College hosted an ERA seminar in London on the subject of e-Evidence in April 2019. Additionally, the Judicial College provided training support to the seminar in Sofia.

International Organisation for Judicial Training (IOJT)

In September 2019, a five-day biennial conference was held in Cape Town. The theme for the conference was 'Judicial Training: A Key to the Successful Transformation of the Judiciary'. The Judicial College was represented by two members of the judiciary and the Judicial College Executive Director.

Judicial College International Training Committee

During 2019-20 the International Training Committee met seven times: in April, June, July, October and December 2019, and in January and March 2020.

Other Activity

Judges and staff from the Judicial College participated in the following international training activities:

- August 2019 – a judge delivered a Training the Trainers Workshop in Nigeria, supported by the Foreign Office (FO).
- November 2019 – a judge attended a Middle East and North Africa Conference focusing on the Rule of Law.
- December 2019 – a judge and a Judicial College EDA delivered a Judge-craft seminar in Tanzania, supported by the Slynn Foundation.
- January 2020:
 - A judge attended a programme in Bahrain, focusing on Child Protection, supported by the FO.
 - Three judges delivered training in Peru to include an audience of judges from Colombia and Central American countries, supported by the FO. The programme focused on the development of Judicial academies.
 - The Judicial College (supported by three judges and an EDA) delivered an International Trainers' Briefing & Development day, attended by 14 England and Wales judges at the Royal Courts of Justice, London.

J. Summary of expenditure

The Judicial College is a constituent part of the Judicial Office, an Office of the Ministry of Justice, and is 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.

Summary of expenditure 2019-20³	Total
	£'000
Staff costs	2,614
Judicial fees	8,724
Venue costs	3,477
Judicial costs	90
Other travel and subsistence	148
Design, print and reprographics	9
Speakers	115
IT services	180
Magistrates Association training grant	10
Office supplies, catering & accommodation related costs	26
Miscellaneous	73
Income	(22)
Total	15,444

³ Figures exclude Prior Year Costs but include EU exit and induction costs.

