



JUDICIAL  
COLLEGE

Activities Report

2016-2017

**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. Faculty for pervasive work themes .....	6
G. Wales.....	7
H. International.....	8
I. Summary of expenditure .....	10

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 2017 were:

- Lady Justice Rafferty, Chairman
- Mr Justice Jeremy Baker
- Mrs Justice Carr
- 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

The Judicial College is responsible for induction and continuation training for 26,600 judicial office holders and 500 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 three year term as Director of Training for courts and tribunals respectively. They provide day to day judicial oversight of College programmes and strategic direction. In June 2016 HHJ John Philips CBE and Professor Judge Jeremy Cooper retired, having successfully led the College's inception and development since it came into being, replacing previous training arrangements, in 2011. In July 2016 their successors HHJ Andrew Hatton and Employment Judge Christa Christensen were appointed. 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 339 courses were delivered for judiciary in the courts and tribunals, attended by a total of 13,010 participants. During 2016/17 there were no large training initiatives additional to the standard continuation programmes.

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

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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.

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.

The Judicial College Learning Management System (LMS) has enabled an increasing amount of e-learning to be made available to judicial office holders and is designed to complement rather than replace face to face training. Between October 2016 to March 2017 (the time in which the College collated figures), 23 e-learning programmes were available on the LMS with 1,914 delegates participating.

The LMS includes a booking system and enables course administration support, such as the electronic distribution of materials. It also enables access to training materials 24 hours a day, 7 days a week. The LMS is to undergo a number of enhancements throughout 2017.

A table showing the results of the evaluation of courses and seminars which took place during the year from April 2016 to end March 2017 for courts, tribunals and coroners is contained in Annex 1.

## ***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 2016 and February 2017. An update and review of business was circulated to members in November 2016 in place of a meeting.

### **Courses**

In the financial year 2016-17, the College delivered 205 residential and non-residential courses to 7,259 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 delegates 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.

### **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 June, October 2016 and February 2017.

### **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 2016-17, 91 courses were delivered for the courts judiciary and a total of 4,354 participants attended. (This figure includes the cross-jurisdictional events referenced in paragraph F.)

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 and nine family e-letters produced during the year.

### **D. Magistrates**

#### **Courses**

During 2016-17, 29 courses were delivered directly by the Judicial College for magistrates in leadership positions and legal advisers and a total of 472 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 17,500 judicial office holders.

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 2015-2016
- National Summary of Clerkship Annual Reports of Legal Adviser Training 2015-2016.

### ***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 September 2016 and January and June 2017.

#### **Courses**

14 courses were delivered in 2016-17 and a total of 925 participants attended. This includes training for coroners' officers who support coroners in their duties but are not judicial office holders.

### ***F. Faculty for pervasive work themes***

During the year the College established a Faculty which sits within the College and acts as a central resource to assist in developing best practice for pervasive work themes. These themes refer to any activities, skills and knowledge that are applicable and common to all judicial office holders and which would fall within all jurisdictional sitting boundaries.

All those with responsibility for the design or delivery of College training are Associate Faculty members. The governance is provided by the Core Faculty Group which is headed by Joint Deans of Faculty (who are also the two Directors of Training).

The Faculty will monitor the provision of pervasive themes for quality and consistency and will oversee periodic reviews of the Equal Treatment Bench Book. It will also help to deliver the principles of the Judicial College strategy in relation to leadership and management skills and the social context within which judging occurs.

During the year and with the Board's approval, the Diversity & Development Committee was disbanded as its work was effectively subsumed by the Faculty which will now work alongside the Courts and Tribunals Committees to provide the oversight and direction for all cross-jurisdictional activities.

The Core Faculty Group had its first meeting in October 2016. A further meeting took place in February 2017.

#### **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 Reform Leadership Masterclasses
- Business of Judging
- Judge as a Communicator

## **Academic lectures**

The second academic programme was a collaboration between the College and the Royal Society. The theme of this second programme was 'Science and the Law' and it consisted of three lectures given by world renowned scientists on three different subjects – 'Fact and Fiction on Brain Imaging'; 'What makes a decision autonomous?' and 'Techniques of DNA analysis'.

## **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. The Programme is now in its third year and the content for 2017 has been adapted to address the leadership requirements of the Judicial Reform Programme. A series of Leadership and Management Masterclasses were designed and delivered nationally to provide support for judges who are leading the reform agenda.

## **Evaluation and training advice**

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

The College revised its evaluation strategy during 2017 to encourage greater involvement of our judicial Course Directors and Training Leads in the management of their evaluation data. In addition to immediate post-course evaluation, the College has introduced an electronic form to the LMS by which Course Directors and Training Leads are able to evaluate their training at both the learning and application levels (Levels 2 and 3) of Kirkpatrick's model of evaluation. Work also continues with Magistrates' Area Training Committees (MATCs) 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, training 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, MATCs and trainers, and designed materials to support improvement of the delivery and design of training courses.

## **G. Wales**

During the year the Wales Training Committee agreed a strategy that set out how the training needs for Courts, Magistrates and Tribunals who sit in Wales might be met by the College. This was agreed by the College Board and two Training Leads were subsequently recruited and appointed. Whilst their remit is primarily concerned with civil and family jurisdictional matters, their role is to monitor all the legislative changes passed by the Welsh Government and to bring these to the attention of the Committee so that training responses can be considered. Given that joint training still takes place with their English counterparts for both induction and continuation training, the Committee will make recommendations to the jurisdictional planning groups on how any diverging Welsh law might be best accommodated. Where it was considered necessary, the Training Leads will develop and provide distinct training for the judiciary of Wales which would be in addition to the existing jurisdictional programmes provided by the Judicial College. The Training Leads will also

continue to monitor the training requirements and obligations under the Welsh Language Act 1993.

The Committee has altered its terms of reference and membership in order to deliver the strategy, and it continues to work closely with the Judges Council Committee on Wales which is chaired by the Lord Chief Justice. The Committee was pleased to announce that Sir Simon Picken had been appointed Chairman replacing Sir Wyn Williams who retired at the end of 2016.

The Wales Training Committee met in June and November 2016.

## ***H. 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 provides the governance for this activity and reports to the Judicial College Board. A smaller Executive Committee meets regularly throughout the year to discuss training requests.

### **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, we host and send in exchange, 10 judges or judicial trainers on one or two week exchanges. We hosted 10 judges, two on a two week exchange and two judicial trainers on a one week exchange. Three of our judges attended EJTN study visits, two at a Polish Civil Court and one at a German Employment Court.

The Judicial College continued to promote the EJTN Catalogue Programme which gives mutual access to specified judicial training programmes. During this period the Judicial College sent judges to an Enforcement of Judgements Seminar in Brussels, a European Labour Law Seminar in Lisbon and a Counter-terrorism seminar in Brussels. Two members of the College participated in a leadership programme in Barcelona and two judicial trainers attended an EJTN training programme entitled 'Novelties in training methodologies' in Brussels. Four judges attended a 2 day EJTN 'Training on Human Rights and Access to Justice in the EU' seminar in Croatia and one judge attended a seminar entitled 'Data Protection and Privacy Rights' in Lisbon.

The Judicial College hosted an EJTN seminar on 'Economic crimes: asset recovery and confiscation in the EU' in London. At the 2016 EJTN General Assembly the Judicial College was represented by Professor Jeremy Cooper, Director of Training for Tribunals, who retired in June 2016. He was accompanied by his successor, Judge Christa Christensen.

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

The Judicial College continued to promote Academy of European Law (ERA) events. Five judges attended the two-day ERA 'EU Disability Law and the UN Convention on the Rights of Persons with Disabilities' seminar in Germany; one judge attended a seminar entitled 'Freezing, confiscation and recovery of assets'; two judges attended a seminar entitled 'Mutual Legal Assistance in Countering Terrorism' in Madrid and one judge attended a seminar entitled 'Alternatives to Detention in the EU' in Bucharest.



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

The Judicial College hosted this year's IOJT Executive Committee Meeting.

### **Judicial College International Committee**

The International Executive Committee met five times in this period and reported to one meeting of the International Committee.

A training programme, entitled "Teaching Principals of Writing Judgements" took place in Macedonia; a one day training course on procedure rules for employment tribunals was delivered in Gibraltar and a judge spoke on English Employment law at an event in the Netherlands. A five day training event for 20 Nigerian judges, funded by the FCO, was held at Highgate House and a third training seminar was run for England and Wales judges who deliver training overseas. These events are usually delivered cost neutrally to the College's training budget, with backfill funding provided for judicial trainers or work undertaken 'pro bono' in personal time.

## ***I. 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.

	<b>Total (£'000s)</b>
Staff costs	2,211
Judicial fees	4,915
Venue costs	1,915
Judicial costs	70
Judicial travel & subsistence	944
Other travel & subsistence	116
Design, print and reprographics	19
Speakers	205
IT services	68
Magistrates' Association training grant	10
Office supplies, catering & accommodation related costs	120
Miscellaneous	42
Income	(14)
<b>Total expenditure</b>	<b>10,621</b>

