



JUDICIAL
COLLEGE

Activities Report

2018-2019

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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 budget.

The members as at 31 March 2019 were:

- Lady Justice Rafferty, Chairman
- Mr Justice Jeremy Baker
- Mrs Justice Cheema-Grubb (Co-Chairman of the College's Courts Committee)
- Judge Christa Christensen
- Judge Brian Doyle (Chairman of the College's Tribunals Committee)
- Professor Judge Andrew Grubb
- His Honour Judge Andrew Hatton
- Sheridan Greenland
- Mr Justice Picken (Chairman of the College's Wales Training Committee)
- Mrs Justice Simler
- Mr Justice Warby (Co-Chairman of the College's Courts Committee)

The Judicial College is responsible for induction and continuation training for approximately 19,412¹ judicial office-holders (including 14,348 magistrates) and approximately 600 coroners' officers. Most are located 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 particular 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. Both work collaboratively with the Executive Director, Sheridan Greenland who leads the staff teams – administrative, professional and technical – which support the judiciary. The Judicial College staff are part of the Judicial Office officials who support the judiciary.

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

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

In the period covered by the report, 365 courses were delivered for judiciary in the courts and tribunals, attended by a total 13,084 participants. During 2018-19 there were no large training initiatives additional to the standard continuation programmes.

Some changes were made to the College's courts judicial training programme in this period, offering equal training provision to both salaried and fee-paid judicial office-holders – all are now offered a minimum of one 2-day residential seminar annually, with those courts judges holding 5 or more tickets/authorisations having the option of a second 2-day seminar in the training year and there are small variances in some tribunals. The continuation training programme for tribunal judicial office-holders has remained constant, 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.

Contingency planning around EU Exit (prior to the decision by HM Government to seek an agreed extension to the Article 50 period) was based on preparing for urgent training messages to be communicated by webcast and other electronic means, if required. One seminar was delivered to the District Judge (Magistrates) in March on the European Arrest Warrant and judiciary in Business and Property Courts ran an in-house event to discuss likely impact in their jurisdictions.

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, 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, using HMCTS legal advisers, Justices' Clerks and magistrates to deliver training from 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 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 continued during 2018-19 to make a number of enhancements to the design and functionality of its digital Learning Management System (LMS). This is the digital platform which 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.

The Judicial College continues to increase significantly its provision of digital learning products which are designed to complement rather than replace face-to-face training. Between April 2018 and March 2019, 60 e-learning programmes were available on the LMS and these attracted 71,493 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: 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 (some of the biggest tribunal Chambers) and the Property Chamber are provided by College staff in Glasgow and Loughborough. It was agreed that the College would take over administrative support for the Employment Tribunal (England and Wales) in 2018-19. Administrative support for the training needs of the remaining four relatively small tribunals is provided by staff in HMCTS. Discussions with HMCTS are taking place to agree resource transfer so the College can take on their support as requested by these tribunals.

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 and November 2018, and in March 2019.

Courses

In the financial year 2018-19, the College delivered 189 residential and non-residential continuation courses to 6,489 judicial office-holders in tribunals. (These figures include the 14 courses run for 315 judicial office-holders sitting in the reserved tribunals in Scotland.)

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 specialist/medical/lay 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 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. 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. 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. There are also two Magisterial Sub-Groups, one for crime and one for family law.

The Courts Committee met in June and November 2018, and in March 2019.

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 2018-19, 78 continuation courses were delivered for the courts judiciary and a total of 3,483 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 2018-19, 37 courses were delivered directly by the Judicial College for magistrates in leadership positions and legal advisers: a total of 672 participants attended.

The College prepared a range of distance learning/training packs, for local delivery by magistrates and accredited legal advisers, and it published a number of bench book updates for approximately 15,000 magistrates and 1,132 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 2017-2018
- National Summary of FTAAAC (Family Training, Approvals, Authorisations and Appraisals Committee) Annual Reports of Magistrate Training 2017-2018
- National Summary of Clerkship Annual Reports of Legal Adviser Training 2017-2018

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 in this reporting year: in May and October 2018 and in January 2019.

Courses

15 courses were delivered in 2018-19 and a total of 1,011 participants attended. This includes training for the approximately 600 coroners' officers who support the 380 coroners in their duties but who are not themselves 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. In 2018-19, 24 courses were delivered for a total of 949 participants; 5 of these events were for courts judiciary, 18 for tribunals judicial office-holders and 1 for coroners.

The College delivered 22 additional authorisation induction seminars for 480 already appointed judicial office-holders to enable greater flexibility in judicial deployment to meet fluctuating work demands; 7 of these were for courts judiciary and 15 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.

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. A principal focus of the Group in the year reported on has been to plan and devise the content and material for the new Faculty Induction Seminar, targeted to all newly appointed judicial office-holders, to be introduced in the 2019-20 training year (the first such seminar will be held in September 2019).

The Faculty Training Group met in April, September and November 2018, and in February 2019.

Cross-jurisdictional training

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

- Training judiciary to be trainers
- Facilitation skills to support the Pre-Appointment Judicial Education programme
- Senior trainers conference: this year it focused on digital training tools for judicial trainers, including how to develop webcasts and podcasts, and the use of advanced presentation tools
- Appraiser and Mentor skills
- Judicial Leadership & Management Development
- 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 Education and Development Advisers as part of jurisdictional training programmes.

Academic lectures

In 2018-19 at two criminal seminars the College was able to provide live scientific lectures thanks to the generosity of the Royal Society and the Dana Foundation: *Cognitive Processes in Substance Use Disorders*, by Professor John Marsden, Professor of Addictions Psychology at King's College London, and *The Brain and Addiction: Diseases of Choices*, by Professor Barry Everitt Sc D, FRS, F Med Sci Emeritus Professor of Behavioural Neuroscience and Director of Research & Provost, Gates Cambridge Trust, University of Cambridge. These followed the highly successful first scientific lecture at criminal seminars, *Probability and the Law* by Professor Sir David Spiegelhalter, Chair of the Winton Centre for Risk and Evidence Communication at the University of Cambridge, delivered in October 2017. The lectures were recorded and played at other criminal seminars in the training year and, with the exception of Professor Marsden's lecture, are either available on LMS or will be made so in the 2019-20 training year.

Leadership and Management

The judicial Leadership and Management Development (LMD) programme has been concluded after 10 programmes over four years and was re-launched in 2019 as the Essential Leadership Programme, focused on judges who have been appointed to their first judicial leadership or management role. Two new levels of leadership training are being developed for experienced and for senior judicial leaders.

Reform

A College Education and Development Adviser has been appointed to lead the training needs assessment of each Reform programme and any behavioural training arising from Reform.

Evaluation and training advice

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

The College's Learning Management System (LMS) has been enhanced to enable more automated processing of 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. A Welsh Language Survey was run in 2018 to seek views on how the College might better assist the language training needs of judges sitting in Wales.

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.

The Wales Training Committee met in April, July and October 2018.

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.

Under the 2018 EJTN Exchange programme, between April and December 2018 the College sent seven judges on the one-week general exchange, visiting Spain, the Czech Republic, France, Germany and Italy. Two judges attended one-week specialised exchanges – on Family Law in Germany and Tax Law in Bulgaria. One judge went on a three-day President exchange in Germany.

Under the 2018 EJTN Exchange programme, between April and December 2018, England & Wales judges hosted nine incoming judges on the general one-week exchange, and they came from Romania, Germany, Austria, Italy, the Czech Republic, Poland, Latvia, Sweden, and Bulgaria. Two judges were hosted as part of the Trainer Exchange Programme, from the Netherlands and Portugal, as well as a judge from Germany as part of the Presidents Exchange Programme. A judge from the Republic of Ireland was hosted as part of the EJTN Immigration and Asylum Specialist Exchange.

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: Training to Leadership in Estonia, European Civil Family Law in Greece, Judge Craft in London, Methodology and Evaluation in Hungary, Training on Human Rights in France, European Labour Law in Portugal, Cybercrime in Italy, Data Protection in Austria, EU Environmental Assessment Law in Bulgaria, Leadership in Cyprus, Cultural Diversity in the Courtroom in Germany, and Judge Craft in Sweden.

An England and Wales judge spoke at an EJTN seminar in Malta on Economic Crimes, Asset recovery and confiscation; and judges and College Education and Development Advisers both attended and delivered training on Judge Craft and leadership in Sweden, Estonia and Cyprus. The Judicial College hosted an EJTN Judge Craft seminar in London where there were

England and Wales judges both training and participating and a judge also attended the EJTN General Assembly in Bulgaria.

Involvement of the College's Education and Development Advisers in EJTN training:

EJTN judge craft: The Director of Training for Courts and a College Education and Development Adviser both delivered two-day Judge Craft seminars in Slovenia (2018), London (2018) and Sweden (December 2018), for European judges for EJTN.

EJTN leadership: A College Education and Development Adviser designed EJTN's first pan-European judicial leadership seminar at a workshop in Tallinn and helped to deliver leadership training in Cyprus (November 2018).

EJTN training methods: A Judicial College Education and Development Adviser (EDA) presented material in Florence (March 2019).

There was EDA representation on the pan-European group who designed the EJTN leadership training to be delivered at both the Tallinn and Cyprus EJTN workshops in July 2019.

An EDA spoke to a judicial delegation from Kazakhstan about appraisal training.

Academy of European Law (ERA)

The Judicial College continued to promote Academy of European Law (ERA) events. Judges attended ERA seminars on Social Security Law in Germany and Environmental Law in the Czech Republic and spoke at ERA seminars on Gender Equality Law in the Czech Republic and the Proceeds of Crime in Germany.

Judicial College International Training Committee

The International Training Committee met five times in this period. Training was delivered on Jamaican Law in the Republic of Guyana and follow-up training on the adversarial trial process in Mexico. A judicial delegation from Taiwan visited the Judicial College to discuss judicial training and the Executive Director of the Judicial College attended a United Nations Office on Drugs and Crime event in Austria to speak on judicial ethics.

Other Activity

Judges spoke at seminars in Jamaica and Romania and attended seminars on Climate Change and Artificial Intelligence in Brussels. They have also engaged internationally with judges from Europe, the Middle East, the Commonwealth and Asia on subjects ranging from Modern Slavery, Judicial Training and Case Management. This has taken the form of participation in networks such as EJTN, having peer to peer meetings with visiting counterparts, and delivering training / talks.

United Nations ODC Conduct and Ethics Training for Trainers: A College Education and Development Adviser trained international judicial trainers in Vienna (October 2018 and March 2019) and Jamaica (December 2018).

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.

	Total (£'000s)
Staff costs	2,125
Judicial fees	7,393
Venue costs	2,602
Judicial costs	77
Judicial travel & subsistence	147
Other travel & subsistence	151
Design, print and reprographics	13
Speakers	208
IT services	204
Magistrates' Association training grant	10
Office supplies, catering & accommodation related costs	47
Miscellaneous	50
Income	(25)
Total expenditure	13,002

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

