



JUDICIAL  
COLLEGE

**PROSPECTUS**

APRIL 2018–MARCH 2019

COURTS JUDICIARY

**JUDICIAL  
COLLEGE**

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## Introduction

### Welcome to the 2018-2019 Prospectus

The version of the prospectus at which you are currently looking is a version created in the form of a document which can be accessed as a text document or a pdf. It is essentially the public version. The version which is accessed by Judges is an online version which is visually different (because it is not a document as such) and which contains some more detail in relation to certain aspects of the seminars, in particular dates and locations, material which ought not to be in the public domain.

In addition, the Judicial College creates and runs induction seminars which do not appear in the prospectus and which arise as and when there is a need for them.

**Andrew Hatton**  
**Director of Training for Courts**  
**Joint Dean of the Faculty of the Judicial College**  
**16 November 2017**

This prospectus offers you a wide choice of continuing education, core programmes plus options and lectures, both face-to-face and online. HHJ Andrew Hatton, Director of Training for Courts, has cemented the College's reputation as the Gold standard for judicial education and we owe him great thanks and congratulation. He is the first to want your views on what's on offer and what you make of the course once you've done it so please help him. We don't operate in silos, it's a team effort, so let me put on record here how much we appreciate the work of the many. Nothing impressive arrives from the clouds, it's all due to hard graft and determination and high standards. We're very lucky. And so are you.

**The Right Honourable Lady Justice Rafferty DBE**  
**Chairman of the Judicial College**

## **Welcome from HHJ Andrew Hatton**

Welcome to the prospectus for the period from 1 April 2018 to 31 March 2019. The prospectus follows essentially the same pattern as last year and the training requirements remain the same.

We welcome back into the prospectus District Judge (Magistrates' Court) and Deputies. They have been separate for the last couple of years and it is a pleasure to have them back in this publication.

I said last year that I could not promise that change will not occur in the months and years ahead. Some changes are under discussion and have been for some time, particularly in relation to the amount of training provided to fee-paid judges. I anticipate that there may well be changes with the publication of the next prospectus but the Judicial College will give you plenty of warning in advance when the position has been resolved.

What I can promise is that the Judicial College will continue to strive to produce top quality training for all Judges and will seek to produce it in comfortable surroundings conducive to learning. I hope that we have achieved that in this current year.

Please do not hesitate to contact me if there are issues you want to discuss.

My sincere thanks go to those at the Judicial College who make this prospectus happen, particularly Bharti, and to all who make the seminars so successful.

Best wishes,  
Andrew Hatton

[courts\\_prospectus@judiciary.gsi.gov.uk](mailto:courts_prospectus@judiciary.gsi.gov.uk)

# 1. How to Select and Book a Seminar

## Outline

The prospectus enables judges to plan their own personal education programme by choosing from the range of seminars it contains.

## Senior judiciary

The College welcomes attendance at any of the seminars in the prospectus by Supreme Court Justices, Judges of the Court of Appeal and High Court Judges. Attendance by High Court Judges should accord with the protocol governing their training.

## Salaried judges

Continuing education is a mandatory requirement. All salaried judges (except members of the senior judiciary) are required to attend one of the seminars set out in section 2.

The remaining sections contain a series of optional training programmes and events which the College hopes will be of interest to salaried judges. A salaried judge attending a seminar in sections 3-5 with the approval of his or her senior judge will attend on official business.

## Fee-paid judges

The training requirement for fee-paid judges depends on the number of authorisations they hold. For this purpose 'authorisations' means:

- Civil
- Criminal
- Serious sexual offences
- Murder
- Private family law
- Public family law

Deputy High Court Judges are considered to have either a civil or family law authorisation.

A fee-paid judge holding three or more authorisations is required to book one seminar from section 2.

A fee-paid judge holding two authorisations is required to attend two prospectus seminars every three years. This means that judges who have not attended or will not attend a prospectus seminar between April 2017 and March 2018 are required to book one seminar from section 2.

A fee-paid judge holding one authorisation is required to attend one prospectus seminars every three years. This means that judges who have not attended or will not attend a prospectus seminar between April 2016 and March 2018 are required to book one seminar from section 2.

Sections 3-7 contain a series of optional training programmes and lectures which the College hopes will be of interest to fee-paid judges. A fee-paid judge attending a seminar in sections 3-5 with the approval of his or her senior judge will receive the appropriate fee.

### **District Judge (Magistrates' Court) and Deputy District Judge (Magistrates' Court)**

There is a section providing details of the courses available to these Judges. Salaried DJ(MC) attend a two-day residential seminar for DJ(MC) and DDJ(MC) every year whilst DDJ(MC) alternate between a two-day residential seminar and a one-day seminar. If a DDJ(MC) is uncertain as to where s/he is in that cycle then they should contact the Office of the Chief Magistrate for further guidance.

### **Planning your education programme**

You must of course ensure that your education programme includes regular training in the work you do or which you are authorised to do. ***In particular, any judge authorised to try serious sexual offences or to hear public law family cases must attend the appropriate seminar for that authorisation at least once every three years.*** If a judge fails without good reason to comply with the three year requirement, the College has an obligation to refer the matter to the Senior Presiding Judge or President of the Family Division.

The 'cycle' for each seminar in section 2 is described under the relevant entry. This indicates whether and when the seminar has been delivered before and whether it is likely to be repeated. The aim is to help you plan your education programme over a period and prevent you attending the same seminar twice.

### **Training methods at seminars**

According to the College's governing principles the most effective face-to-face training is that which involves active participation by judges in a supportive environment and gives them the chance to practise and develop their judicial skills. Most seminars are therefore highly participative, with a real emphasis on individual and small group work rather than set piece lectures and presentations. The small groups are facilitated by experienced, trained course tutors.

### **Pre-seminar materials and preparation time**

Pre-seminar materials will be available on the College's Learning Management System (LMS) three weeks before the first day of the seminar. Preparation time should not exceed four hours for a reasonably experienced judge, including the viewing of any online lecture or presentation.

The College fully understands that the day job limits the time available to prepare for a seminar. With that in mind, and where appropriate, seminars will now include a number of unseen practical exercises (i.e. unseen by participants before the start of the seminar), often a better reflection of life in court in any event.

Judges are encouraged to bring a laptop or tablet computer to seminars in order to reduce the amount of printing.

## **Start and finish times**

No seminar will start earlier than 10.00am on the first day or end later than 4.00pm on the final day.

## **Booking a seminar**

To book a seminar from section 2 just click on the seminar you want to book and complete the short booking form. If your preferred seminar or date is no longer available please select an alternative and follow the same process.

Different booking arrangements apply to the optional programmes and lectures in sections 3-7, as set out in each section.

## **Consulting your court manager, listing officer, firm or clerk**

Salaried judges should consult their court manager or listing officer before booking in order to minimise the effect on court business. Fee-paid judges should inform their firm or clerk that they have booked a seminar in order to prevent double-booking.

## **Last date for booking and consequences of not booking**

**The last date for booking is Friday 18 November 2017.** If you have not booked by then or given an explanation for not booking, the College will send you one reminder giving you a short time to do so. After that it must refer the matter to the Senior Presiding Judge.

## **Changing to another seminar**

Attendance at the seminar you book takes precedence over all other commitments unless there are very exceptional circumstances. If for any reason you wish to change your booking please contact the College by email at [courts\\_prospectus@judiciary.gsi.gov.uk](mailto:courts_prospectus@judiciary.gsi.gov.uk) The course organiser will either change your booking or refer the request to your Presiding or Liaison Judge, as appropriate.

## **Late requests for excusal from attending a seminar**

These should be made to your Presiding or Liaison Judge, as appropriate (not to the College). By agreement with the College they will grant such a request only in very exceptional circumstances, especially since the College incurs cancellation charges for unused accommodation. Cancellation within a week of the seminar incurs 100% cancellation charge, which usually amounts to about £200 for a residential seminar and is therefore a real waste of precious resources. The College reserves the right to re-charge these wasted costs in appropriate circumstances.

## **Retirement from sitting**

If you have planned your retirement from sitting, be that in a salaried or fee-paid capacity, or if you anticipate that you may well retire during the period covered by this prospectus, your attendance at a training seminar could represent an extravagant use of limited resources and a potential waste of your time.

In those circumstances you are invited to contact the College by email at [courts\\_prospectus@judiciary.gsi.gov.uk](mailto:courts_prospectus@judiciary.gsi.gov.uk), to discuss the situation. If necessary the



College will liaise with your Presiding or Liaison Judge, as appropriate, to resolve the situation in the best way possible.

### **Evaluating a seminar**

You will be asked to evaluate the seminar you attend online using the LMS. A full explanation of how to do this will be given during the seminar. It is straightforward.

It has been agreed at the level of the Board of the Judicial College that ***it is deemed to be a professional obligation for judges to complete evaluation questionnaires when asked to do so.***

Your opinions really do matter to the College and to the judges who help deliver the training (who often work extremely hard in their own time in order to produce the seminars) and all evaluations are reviewed with care and, where possible, acted upon. Please help us to ensure that the training we provide really reflects your training needs and requirements.

### **CPD points**

Full details of the availability of CPD points will be provided in seminar programmes.

### **Accommodation**

The College will not normally cover the costs of overnight accommodation and evening meals the night before a seminar starts, except where a judge would have to leave home before 7:00am in order to arrive in time for the start of the seminar. You will be asked during the booking process whether you need pre-seminar accommodation. The College reserves the right to re-charge the cost of pre-seminar accommodation which is booked but not used.

It is expected that judges will travel to and from two-day non-residential seminars daily, so that no overnight expenses will be payable in that instance.

### **Fees and expenses**

Fee-paid judges will receive a full day's fee for each day of attendance at a seminar chosen from section 2. The daily fee will be that applicable to the judicial capacity in which they are attending the seminar (e.g. the Recorder rate for a criminal seminar).

In addition all judges are entitled to travel and subsistence expenses at the prevailing rates for attending a seminar chosen from those sections. In 2010 the then Lord Chief Justice, Lord Judge, gave the following guidance about this:

“The current financial crisis has led each member of the Judicial Executive Board to apply the following self-denying ordinance. When we travel by train we shall normally claim the refunding of our expenses on the basis of the cheapest available standard fare. I hope you will do likewise.”

### **Customer service**

If you need any help in booking please telephone the College customer service line on 020 3334 0333. It is open during the booking period from Monday to Friday between 8.30am and 5.00pm. Alternatively please email the College at [courts\\_prospectus@judiciary.gsi.gov.uk](mailto:courts_prospectus@judiciary.gsi.gov.uk).

## 2. The Seminars

Seminars in civil, family and criminal law, together with our extremely popular cross-jurisdictional courses are available for selection in this section, section 2.



## Cross-jurisdictional seminars

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The Judicial College is particularly proud of its two cross-jurisdictional seminars which address the craft of judging. These are popular courses, one of which has also been adapted for use overseas. The seminars accommodate only 36 judges at a time, that number being equally split between Court Judges and Tribunal Judges.

- [Business of Judging](#)
- [Judge as Communicator](#)

## Business of Judging

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### Aim

The object of this two-day seminar is to help judges improve their judicial skills by practising them and learning from judges who sit in other jurisdictions.

### Who is it for?

Any salaried or fee-paid judge sitting in any jurisdiction and of any level of experience. The greater the mix of experiences, the more effective the course, we believe.

### Content

Traditionally the College's training for judges has been jurisdiction-based, with separate seminars in civil, criminal, family, coronial law and various tribunal laws. However, there are many judicial skills which transcend the jurisdictions and are common to all of them. The highly successful Business of Judging course offers you an opportunity to develop these in a friendly, collegiate environment and to share your experiences with other courts and tribunals judges.

The modules include:

- Dealing with ethical and other problems that confront judges inside and outside the court or tribunal
- Assessing the credibility and reliability of evidence
- Giving a well-structured oral judgment or decision
- Increasing judicial resilience
- Dealing with high conflict and unexpected situations that arise during a hearing.

The seminar is highly participative. For example, you are invited to watch a DVD of a contested hearing, to assess the credibility of the witnesses, and then to deliver an oral judgment in a small group setting (with six judges per group).

You are also asked to conduct a short 'live' hearing, again in a small group, and to use your judicial skills to deal with the problems that unfold before you. Professional actors and advocates present the case and you are offered feedback from your colleagues.

We are pleased to offer an extra seminar due to the popularity of this programme.

### Dates

- July 2018
- September 2018
- March 2019

## Judge as Communicator

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### Aim

To help judges improve their judicial skills in communicating with those who appear before them, both in the hearing and in the judgments or decisions they give.

### Who is it for?

Any salaried or fee-paid judge sitting in any jurisdiction and of any level of experience – this course thrives on the mixture of judges attending.

### Content

This course is a development of the Judging Today course which was run in May 2016. Whilst there have been some changes and improvements it remains fundamentally the same course.

‘The single biggest problem in communication is the illusion that it has taken place’ said George Bernard Shaw. In this seminar we seek to dispel the illusion using an interesting mixture of presentations and practical exercises involving an experienced team of course tutors.

Amongst the many and varied topics covered are:

- Making communication work
- Using language appropriate to the case and the participants
- Understanding and applying the psychology of judging
- Structuring and delivering a judgment or decision that is easily understandable by and meets the needs of the parties, particularly if unrepresented

As with the Business of Judging course, the seminar is highly participative and much of it takes place in small groups of six judges. You will undertake several interesting and enjoyable practical exercises designed to improve your communication skills; these include conducting a short ‘live’ hearing presented by professional actors and advocates, and preparing and delivering directions in cases involving unrepresented parties.

### Dates

- November 2018
- January 2019

## Civil and Family law combined seminar

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This interesting and increasingly popular cross-jurisdictional seminar is a synthesis of seminars which are provided in the existing civil law and family law programmes. It provides an alternative for those who seek more general training in both civil and family law.

- [Civil and Family Law](#)

## Civil and Family law combined seminar

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This seminar is a synthesis of seminars which are provided in the existing civil law and family law programmes. It provides an alternative for those who seek more general training in both civil and family law. This is proving to be a popular and interesting programme.

### Who is it for?

The seminar is modular and is open to all levels of the judiciary whose sittings straddle the civil and family jurisdictions. It may be suitable for District Judges and Deputy District Judges in particular. The College recognises that the training options of the latter are more limited and that they may benefit from a seminar which addresses wider aspects of their jurisdiction.

### Summary

The first day of this two day seminar will be devoted to civil law and participants are asked to choose two civil modules from the list below. Each module lasts for half a day. *The second day will be devoted to family law and participants are asked to choose one of two modules, each of which will last for the whole day. The two modules are family money and private family law.*

Please note that your choice of modules is fundamental to the advance planning of the seminar. It may not be possible to accommodate requests to change modules later.

#### *Civil law modules*

- Capacity issues for civil judges
- Consumer Disputes
- Essential Costs and More
- Essential Housing
- Delivering Justice
- Procedure in Practice

For fuller details of the contents of these modules please refer to the Civil Law section of the prospectus.

#### *Family law modules:*

*The family money module will include:*

- Preparation of judgments
- Enforcement
- Pensions
- FDR
- Agreements
- Legal update

*The private family law module will include:*

- Legal update
- Jurisdiction
- PD12J
- A recent development

**Dates**

- December 2018
- February 2019



## Civil law

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- [Administrative law](#)
- [Civil law](#)
- [Seminar for Judges sitting in the Specialist Civil Jurisdictions](#)
- [Queen's Bench](#)

## Administrative law

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### Aim

To provide judges who sit in the Administrative Court with an opportunity to develop their knowledge and understanding of administrative law and procedure; and to assist them in managing and solving the kind of problems commonly encountered in this wide jurisdiction.

### Who is it for?

High Court Judges, Deputy High Court Judges and Circuit Judges who sit in the Administrative Court.

### Content

An update on the law and practice of the Administrative Court, and an opportunity to apply law and practice to case studies supplied in advance and to discuss these in syndicate groups.

**This is a one day seminar. Any Judge attending it may select an additional seminar from the prospectus if he or she so wishes.**

### Date

- June 2018

## Civil law

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### Aim

To provide judges who sit in the civil jurisdiction with an opportunity to develop their knowledge and skill in those areas of law, procedure and social context which they consider most important for their personal development.

### Who is it for?

All salaried and fee-paid judges sitting in the civil jurisdiction.

### Content

The seminar consists of a suite of fourteen modules, with at least eleven available on each seminar, each taking half a day. It allows you to create the programme that best meets your requirements by choosing four modules.

Below you will find a link to a chart setting out which modules are available on which dates. Not all modules are offered at every seminar. From the chart there is a further link to a description of each module, which will identify those that best match your needs. You will be asked to choose your modules when you book.

### Dates

- May 2018
- July 2018
- November 2018

## Seminar for Judges sitting in the Specialist Civil Jurisdictions

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### Aim

The aim of this seminar is to provide judges with the opportunity to review and develop their knowledge and practical skills in managing and trying cases when sitting in the specialist civil jurisdictions. It is also to provide an insight into work which arises in those jurisdictions for judges who do not sit there but would benefit from the particular subjects covered in the seminar.

### Who is it for?

High Court Judges, Circuit and District Judges, Masters, Registrars and fee-paid judges (Deputy High Court Judges, Recorders, Deputy District Judges, Masters and Registrars) who manage or try cases in the Chancery Division, Commercial or Circuit Commercial Courts or Technology and Construction Courts; in other words the spectrum of work in the Business and Property Courts. It is also for full-time or fee-paid civil judges who are interested in the topics covered in the seminar even if not sitting or authorised in those specialist jurisdictions.

### Summary

This intellectually stimulating seminar provides a forum for judges who sit or are interested in the specialist jurisdictions. In addition to hearing presentations by experts in their field, you will have the opportunity to discuss issues, exchange views and share experiences with judicial colleagues in small group and plenary sessions.

The course will contain one mandatory and four elective modules dealing with both procedural and substantive aspects of specialist work. In addition there will be two keynote lectures from leading academics, an address from a member of the senior judiciary and a demonstration of “hot-tubbing”.

The mandatory module will focus on advanced case management issues examined through the scenario of one case at different stages before trial. Issues for discussion include expert evidence, security for costs and the impact of ATE insurance, preliminary issues and late applications made shortly before trial. There is a limited amount of pre-reading but no questions to prepare in advance.

### Optional Module Topics are:

#### Advanced insolvency

*This will include a talk on a variety of topical issues. There will also be two scenarios covering (i) jurisdictional and practical issues arising in cross border insolvency cases and (ii) challenges posed by the director disqualification compensation regime recently introduced by ss15A-C of the Company Directors Disqualification Act 1986.*

#### Conflicts of laws – jurisdiction under the Brussels 1A Regulation

*This will look in particular at the differing regimes for the treatment of claims in contract and tort in the Recast Brussels Regulation.*

**Financial services with emphasis on mis-selling claims**

*The module will give an overview of some of the current issues, particularly in contract and tort, arising out of the sale of swaps and other financial products.*

**Property law**

*The focus of the syndicate groups will be the current law of easements with particular emphasis upon characteristics and methods of acquisition. Delegates who attended last year's seminar should be aware that the content of the module will be substantially the same as last year. There will be a 30 minute lecture followed by a 60 minute syndicate group session.*

**Rectification**

*This will be examined in the contractual context along with issues of construction that arise at the same time. There will be a talk by HHJ Hodge QC for about 30 minutes on the principles governing claims to correct mistakes in documents followed by syndicate discussions of two problems.*

**Breach of Fiduciary Duty**

*This is an overview of the present law of fiduciary duties in particular in the context of commercial contracts. There will be an introductory talk lasting about 20 minutes, followed by discussion in tutor groups of the published case studies and problems. The content of this module is substantially the same as that presented at the Specialist Jurisdiction Seminar in December 2016.*

**Chancery for the Specialist Judge**

*Issues relating to contested probate, inheritance and trust and accounts issues will be considered in a litigation context.*

The procedure for choosing the four elective modules is explained on the Judicial College Learning Management System when you apply for the course.

**Dates**

- November 2018

## Queen's Bench Division Seminar

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The seminar is designed to provide judges who sit in the Queen's Bench Division with an opportunity to develop their knowledge and understanding of the relevant law and procedure and current issues affecting the work undertaken in the Division; and to discuss with others who sit in the Division, whether in or outside London, appropriate strategies for managing and solving the types of problem encountered in the course of their sittings.

### Who is it for?

High Court Judges, Deputy High Court Judges and Circuit Judges who sit in the Queen's Bench Division.

### Content

The subjects covered will be those topical at the time. The seminar will be delivered by means of presentations and a discussion of the issues raised within the whole group of those attending. The group discussion will provide judges with an opportunity to exchange views and share experiences with other judges who sit in the Queen's Bench Division.

**This is a one day seminar. Any Judge attending it may select an additional seminar from the prospectus if he or she so wishes.**

### Dates

- September 2018

## Criminal law

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- [Long & Complex Trials](#)
- [Delivering Judgments and Admissibility of Evidence Rulings](#)
- [Case and Trial Management](#)
- [Serious Crime](#)
- [Serious Sexual Offences](#)
- [Sentencing and Confiscation](#)

## **Long and Complex Trials**

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### **Aim**

To assist those who try or wish to try longer and more complicated criminal trials; to learn and exchange experiences of existing law, practice and recent developments; and to identify and disseminate best practice in all aspects of such trials, including pre-trial case management, trial and jury management and post-trial orders.

### **Who is it for?**

Salaried and fee-paid judges sitting in the Crown Court who try or who are likely to try criminal cases lasting four weeks or more.

### **Content**

The emphasis of the seminar is on discussion and practice in syndicate groups. There will, however, be leading academic and judicial speakers on relevant and current topics of criminal law.

### **Dates**

- January 2019



## **Delivering Judgments and Admissibility of Evidence Rulings**

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### **Aim**

The aim of the course is for delegates to focus on their skills both in deciding legal issues which arise in the trial process and in delivering structured and well-organised judgments.

This will be a practical course with a combination of lectures and workshops. The lectures from leading academic and judicial speakers will focus on updates on the law including bad character and hearsay and other topical issues and on how to structure a judgment.

In the workshops, there will be trial scenarios to follow and delegates will be asked to consider what their decision is and to give a judgment as though in a real trial. Unexpected issues and applications will come up which will need ruling upon without notice. Other rulings and judgments will be more considered. If a piece of evidence is ruled admissible, delegates will be asked what direction the jury will be given.

By the end of the course delegates will have developed their understanding of current legal issues and developed their skills in delivering cogent and well-structured rulings and judgments. The course will provide an opportunity for delegates to exchange experiences and identify best practices.

### **Who is it for?**

All salaried and fee-paid judges sitting in the Crown Court.

### **Content**

This is a highly practical seminar. The focus is on work in small groups facilitated by a team of trained and experienced syndicate leaders. The groups provide an opportunity to discuss the correct approach and see the approaches of other judges to structuring judgments and decisions.

The seminar will cover a range of topics such as:

- Bad character
- Hearsay
- Abuse of process
- Terminatory rulings
- Admissibility of forensic evidence
- Breaches of PACE
- Topical legal problems

### **Dates**

- October 2018
- February 2019

## Case and Trial Management

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### Aim

The aim of this course is to help judges develop and refine their skills in case and trial management. This will be a practical course with a combination of topical lectures from leading academic and judicial speakers and workshops. We will provide a forum for judges to discuss and share best practice.

The workshops will focus on a trial scenario on the DCS. Delegates will work together in groups conducting the PTPH and parts of the trial, deploying their case management powers to set the trial on the right course and then dealing with practical problems that crop up. Delegates will also sum up part of the law and facts of the case and receive feedback and ideas within the group.

The learning outcome will be that delegates will build on their understanding of their case and trial management powers and how best to deploy them, be able to deal with the various practical problems that may arise during the trial and develop their style of summing up of law and fact.

This course will promote the effective use of the Criminal Procedure Rules as a means of managing the trial.

### Who is it for?

All salaried and fee-paid judges sitting in the Crown Court

### Dates

- June 2018
- October 2018

## Serious Crime

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### Aim

To ensure that those attending are fully conversant with all aspects of substantive law, evidence, procedure and sentencing relating to homicide; and to provide a forum for the discussion of practical problems that can arise in the pre-trial management and during the trial and sentencing of these serious, difficult, high-profile and sensitive cases.

### Who is it for?

High Court Judges and Class 1 authorised Circuit Judges who try such cases. Please note that unless you have a full murder ticket you are not eligible to attend this course.

### Content

The course will involve updates on bad character, hearsay, loss of control, diminished responsibility, joint enterprise, sentencing and any other current topics which have featured in recent decisions of the CACD.

Other subjects likely to feature will be routes to verdict, sentencing remarks, minimum terms and defences that need to be left to the jury. It will include some lectures but will substantially comprise of syndicate exercises.

### Dates

- September 2018

## Serious Sexual Offences

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### Aim

To enable judges to try these cases with sensitivity and confidence, equipped with knowledge of current law and practice. To ensure the continued development of a trial process which is fair and appropriate to the needs of all parties and witnesses, whatever their role in the proceedings. To discuss and share judicial experiences and identify issues of concern.

### Who is it for?

All judges, salaried and fee-paid, who are authorised to try serious sexual cases.

### Content

This will include:

- S41: Where now? Where next?
- Disclosure: to include – how relevant are counselling notes? Other complaints of sexual assault?
- Trial and sentencing
- Vulnerability: who is vulnerable? How has s28 been interpreted so far? How might it develop?
- Risk assessment: understanding when an indeterminate sentence may be appropriate. Identifying “dangerousness”
- Risk reduction and management: learning about treatment programmes both in custody and in the community
- Judicial resilience: when does the Judge need help?

Learning material will be available on the LMS. The seminar will combine lectures with small learning groups and will maximise opportunity to talk informally with and learn from other judges.

### Dates

- July 2018
- November 2018
- January 2019

## Sentencing and Confiscation

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### Aim

The aim of this course is to ensure not only that judges are up to date with changes in the law, with sentencing guidelines and with authorities on sentencing but also to help judges identify the correct approach and structure to sentencing in both guideline and non-guideline cases and to pass a sentence that is not simply legally sound and technically correct but which can be understood by the defendant, by victims and by the public.

We will look at sensitive and often difficult areas such as domestic violence and sentences involving defendants who are carers, defendants who are young, defendants who may have been trafficked and defendants with mental health problems.

We will look at the role of victims in the sentencing process.

We will look at the issue of unconscious bias in sentencing.

We will look at how the Criminal Procedure Rules and Criminal Practice Directions are key tools in sentencing, for example with indications of sentence, basis of pleas and victim personal statements.

We hope to provide an environment where judges will discuss their sentencing practices in order to identify and share best practice.

The aim is also to ensure that judges are equipped to deal with confiscation cases and are confident in doing so. This is a rapidly developing area that can be problematic. Our course focuses on how timely and robust case management of confiscation cases can help identify the key issues for determination.

### Who is it for?

All salaried and fee-paid judges sitting in the Crown Court

### Content

This is a very practical course made up of a number of lectures and workshops. The workshops will be made up of case studies. In addition to discussion and sharing of experience, judges will be asked to demonstrate how they would deliver sentence in these cases and receive feedback from their course tutor and the group.

The seminar covers:

- General principles of sentencing in the light of statutory provisions, sentencing guidelines and case law
- Sentencing in particular cases of general and current importance
- Delivery of sentencing remarks, both as to style and content
- Confiscation
- Compensation
- Costs
- Ancillary Orders

**Dates**

- June 2018
- February 2019

## Family law

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- [Court of Protection](#)
- [Family Money](#)
- [Private Law](#)
- [Public Law](#)
- [Seminar for High Court Judges](#)
- [S9 Public Law](#)
- [The Family Court Judge](#)

## Court of Protection

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### Aim

The aim of this course is to enable those judges who are authorised to hear Court of Protection(COP) cases to refresh their understanding of the relevant law, practice and procedure and of the judicial skills which are required to discharge this jurisdiction.

### Who is it for?

Judges nominated to hear COP cases (except those whose nomination is limited to the *Re X* streamlined procedure.)

### Content

Updating COP judges on personal welfare, deprivation of liberty and property and affairs law and procedure, and topical issues about the Court which have arisen over the previous 12 months.

The course will include the opportunity to share experiences with other participants in syndicates and in plenary sessions.

**This is a one day seminar. Any judge attending it may select an additional seminar from the prospectus if he or she so wishes.**

### Dates

- April 2018
- May 2018



## Family Money

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### Aim

To help judges to obtain and develop a practical understanding of the law, practice and procedure and the judge craft required for a family money case by following a case from commencement to conclusion.

### Content

In particular the course aims to provide you with:

- an update on law and procedure
- an analysis of the First Appointment and issues that arise
- an ability to practice skills required to conduct an FDR
- judgment writing skills
- an opportunity to share experiences in small group discussions on pre-read case studies

### Who is it for?

This seminar is for judges, both salaried and fee-paid, who hear private law money cases.

### Learning Outcome

By the end of the course, and with the benefit of retained material and material on LMS you will be able to:

- effectively identify and manage issues that arise from applications for financial remedies in from every stage of the process
- effectively manage an FDR
- effectively manage and make decisions in financial applications in order to provide a fair outcome for the parties

### Dates

- June 2018

## Private law

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### **Aim**

The seminar will focus on issues typically arising in difficult contact cases, how to mediate, conciliate and settle and the impact of domestic violence.

### **Who is it for?**

This is for judges (both salaried and fee-paid) sitting in the private law jurisdiction. It will be an opportunity to hear about recent developments in private law.

### **Content:**

- Recent developments
- Jurisdiction
- Relocation
- Impact of domestic violence
- PD12J
- Mediation and other options to settle
- Enforcement

### **Dates**

- October 2018

## Public law

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### **Aim**

To provide suitably authorised judges with an opportunity to review and develop their knowledge and skill in managing and determining public law cases.

### **Who is it for?**

Salaried and fee paid judges sitting in the Family Court who are authorised to hear public law cases.

### **Content:**

- Legal update
- Case Management

And to include some or all of the following topics:

- Placement and Adoption Orders
- Special Guardianship
- International issues
- Coming changes in children's public law work

### **Dates**

- July 2018
- October 2018

## Seminar for High Court Judges

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### Aim

To provide High Court Judges with an opportunity to review and develop their knowledge and skill in family cases.

### Who is it for?

High Court Judges of the Family Division.

Other judges who are authorised to hear family cases in the High Court may wish to attend the S9 Public Law seminar for judges authorised to sit in the High Court which runs parallel to this seminar.

### Content

The seminar will combine presentations by speakers from within or outside the judiciary, who have knowledge and expertise in their respective fields, with small group discussions, providing judges with an opportunity to exchange views and share experiences with fellow judges sitting in the High Court.

The presence at the venue of other family judges at the same time will allow for other more informal exchanges on issues of common interest.

Topics covered include:

- Issues in international family law
- Court of Protection update
- Topics of current interest

The seminar is delivered over one and a half days with one overnight stay.

### Dates

- January 2018

## **S9 Public Law**

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This is a bespoke course that will be run once in this prospectus period.

### **Aim**

To provide an update and an opportunity to discuss practical issues.

### **Who is it for?**

It is intended for salaried and fee-paid judges who are authorised to sit as a High Court Judge in Children's cases but are not full time High Court Judges.

### **Content**

- Legal update
- Adoption and placement
- International issues
- Matters arising from complex public and private law children's cases
- Current and future developments
- Syndicate groups with more complex scenarios than appear on the Public Law continuation course

### **Dates**

- January 2018

## The Family Court Judge

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### Aim

The aim of this course is to enable judges to obtain and develop a practical understanding of the law, practice and procedure and the judge craft required in family cases.

### Who is it for?

Judges both full and part time, who sit occasionally or entirely in the family court.

### Aims and Content

In particular the course aims to update you with:

- An update on law and procedure in both private law children and family money
- Practical steps at first hearings (FHDRA's and First Appointments)
- Dispute Resolution (the DRA and FDR)
- Jurisdiction and habitual residence
- Without Notice Orders
- Injunctions
- Committals and enforcement
- Judgment writing in family cases – structure and form
- Judge craft in the family court
- An opportunity to share experiences in small group discussions on pre-read case studies

### Dates

- March 2018

## District Judge (Magistrates' Courts) and Deputies

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- [DJ&DDJ\(MC\) Continuation Seminars](#)
- [1 Day Adult Court Seminar](#)

## DJ & DDJ (MC) two-day residential Continuation Seminar

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### Aim

To provide an update to all District Judges on some areas of law and practice relevant to the Magistrates' Courts.

To improve their judicial skills by discussing with other judges who practice in the same jurisdiction.

To provide an update for District Judges (Magistrates' Courts) on law and practice in the Youth Court.

### Who is it for?

District Judges and Deputy District Judges (Magistrates' Courts).

### Content

The modules include:

- An update on relevant legislation and case law
- Looking at problems that typically and atypically arise in domestic violence cases, including dealing with young and vulnerable witnesses
- Establishing how to deal with Judicial Review and Cases Stated
- For deputies, looking at how to deal with mentally disordered offenders and fact finding in the Magistrates Court (deputies only), using section 37 MHA
- Looking at issues of bias and diversity
- Prison law practice (optional for Prison Adjudicators only)
- An update in Youth Court practice including consideration of the new youth sentencing guidelines and the sentencing of offences relating to weapons

The seminar will be highly participative with break out groups and interaction in a talk led by one of the speakers.

### Dates

- May 2018
- June 2018



## 1 Day Adult Court Seminar

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### **Aim**

To provide an update on some areas of law and practice relevant to Deputy District Judges who sit in the Magistrates' Courts. To improve their judicial skills by discussing with other judges who practice in the same jurisdiction.

### **Who is it for?**

Deputy District Judges (Magistrates' Courts)

### **Content:**

The modules will include:

- Looking at some of the issues that can arise in domestic violence cases
- Looking at how to deal with mentally disordered offenders and fact-finding in the Magistrates Court (deputies only), using section 37 Mental Health Act

### **Dates**

- June 2018

### 3. Leadership & Management

- [Leadership & Management Development Programme](#)



## Leadership and Management Development Programme

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### Leadership and Management Development Programme and One Year On Workshop

#### Aim

The aim of the Leadership and Management Development (LMD) Programme is to provide to all judicial office holders who have leadership and management responsibilities a range of opportunities to develop their knowledge and skills in priority areas.

#### Who is it for?

This cross-jurisdictional programme is for those courts judges, tribunal judges and senior coroners with leadership and management responsibilities, at all levels within the judiciary. It is designed to address the needs of those who have recently been appointed to a leadership and management role as well as those experienced judicial leaders and managers who wish to develop their skills further.

#### Content

The Programme consists of three modules, taken over a three month period. Each module begins with a one-day workshop and is followed by a variety of work-place activities and a 360 degree feedback process. Participants will also have the option to select a leadership mentor who will support them in their leadership and management role.

There is a further opportunity for judicial leaders to review and extend their learning with other LMD cohorts at a '**One Year On**' Workshop. Invitations for this event will be issued to participants once they have completed the full LMD Programme.

The programme is reviewed constantly to ensure that it address current judicial leadership challenges and circumstances. It is led by judicial trainers with vast leadership experience.

<b>Programme 9</b>	<b>Topic</b>	<b>Event</b>
Module 1	Understanding your organisation and communicating with others	Workshop
Module 2	People Management	Workshop
Module 3	Managing yourself as a leader	Workshop
<b>Programme 10</b>		
Module 1	Understanding your organisation and communicating with others	Workshop
Module 2	People Management	Workshop
Module 3	Managing yourself as a leader	Workshop
One Year On	Continuing your leadership development	Workshop

### **Programmes**

- Programme 9 – May to July 2018
- Programme 10 – September to December 2018

## 4. Appraisal and Mentoring Skills

- [Appraisal skills](#)
- [Mentoring skills](#)



## Appraisal skills

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### **Aim**

To enhance participants' skills and knowledge in managing all aspects of the appraisal process.

### **Who is it for?**

All judicial office holders across any jurisdiction, including medical members and specialist and lay members who may appraise others.

### **Content**

This interactive course focuses on the skills appraisers need from beginning to end of the appraisal process: from the notification of an appraisal to be completed through to the end of the appraisal discussion.

Participants will create a checklist of preparations for an appraisal, they will identify what to focus on when observing the appraisee using the Judicial Skills and Abilities Framework. They will plan a structured approach to their appraisal discussion and discuss ways in which to manage challenging conversations.

### **Date**

- April 2018

## **Mentoring skills**

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### **Aim**

To enable participants to develop and enhance their mentoring skills.

### **Who is it for?**

All judicial office holders who are about to mentor others for the first time (either through a formal mentor scheme or informally) or those who have mentored others previously and would like a refresher.

### **Content**

The course complements any judicial mentor scheme as it introduces the principles of mentoring and covers a range of mentoring tools and techniques. It is a practical course in which participants plan their first meeting with a new mentee and discuss possible challenges. It encourages participants to consider their roles and responsibilities, including the boundaries of the mentor relationship.

### **Date**

- May 2018

## 5. Training for trainers

- [Course Design Skills](#)
- [Facilitation Skills](#)





## Course Design Skills

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### Aim

The aim of the course is to enable participants to design and deliver focused and effective judicial training.

### Who is it for?

All judicial office holders including medical members and specialist and lay members with responsibility for designing courses or elements of courses including syndicate exercises and case studies to be used as part of a wider training.

### Content

This highly interactive course includes topics on how to adopt a systematic approach to the identification of learning needs and the design of your training, how to prepare learning outcomes and how to select appropriate training methods. The course provides a practical opportunity to design or revise a training session, with support from colleagues.

### Dates

- May 2018
- November 2018
- March 2019

## Facilitation Skills

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### **Aim**

The aim is to support the development and the consolidation of training and facilitation skills among judicial tutors/facilitators.

### **Who is it for?**

All judicial office holders, medical members and specialist and lay members with responsibility for managing small groups or running syndicate exercises as part of a training seminar, course or programme.

### **Content**

This highly interactive course includes topics on how adults learn, how to manage group learning, including dealing with difficult situations, and a range of facilitation skills and techniques. There is a practical opportunity for participants to facilitate a small group and receive feedback from colleagues.

### **Dates**

- May 2018
- July 2018
- November 2018

## 6. e-Learning Programmes

E-learning has many advantages which include enabling the Judicial College to reach a large number of judges quickly, enabling judges to undertake learning at their own pace and at times suitable to them and enabling judges to choose the material in which they have an interest or a learning need.

We hope you will enjoy and benefit from the programmes we currently offer and will offer during the course of the year. When a new programme is ready for launch it will be fully advertised on the LMS.

We are seeking to enlarge and improve the content available and we are regularly in discussion with course directors and outside agencies to seek to develop this area.

No fee is payable to judges who undertake an e-learning programme set out in the prospectus.

If you have any comments you wish to express, be they good or bad, about the experience of using e-learning on the LMS please let us know by contacting Andrew Hatton using the following:

[courts\\_prospectus@judiciary.gsi.gov.uk](mailto:courts_prospectus@judiciary.gsi.gov.uk)



## **e-Learning Programmes**

I acknowledge that the LMS is not the easiest thing to navigate and finding e-learning on the system is not always straightforward.

The future development of the LMS was the main topic of a two-day conference for training leads and course directors earlier this year. Following that conference, a review panel of the College's technical teams and judges drawn from all jurisdictions within courts and tribunals was established. The panel meets regularly by telephone link and using computer technology.

The review panel is developing a much improved LMS which we hope to launch in the first quarter of 2018. It will be more user-friendly, be much easier to navigate and to search, and be rather more visually appealing.

In the meantime, the following links to material recently added may be of some assistance.

### **e-diversity**

Comprises modules on communicating with individuals:

- who are deaf, deafened or hard of hearing
- with learning difficulties
- with autistic spectrum disorder
- who are blind or partially sighted
- with a mental health disorder

### **Litigants in Person**

Comprising five modules:

- suggesting a defence
- point of law
- financial remedy application
- asking questions on behalf of unrepresented parties
- a litigant in person's perspective

### **Andrew Hatton**

## 7. Opportunities in International Judicial Education

### Delivery of international training and international visits

Although secondary in importance to the training of judges in the UK, the design and delivery of international training is a key element of the work of the Judicial College. The training of foreign judges, both in their own jurisdictions and in the UK, can have a significant impact on the Rule of Law globally and can enhance the reputation and status of our judiciary and the UK more generally.

Given its excellent reputation the College receives many requests to support foreign judiciaries, directly from judges and from bodies such as the Foreign and Commonwealth Office. There is a growing understanding that a healthy justice system is fundamental to prosperity and that a strong, independent and well-trained judiciary is the keystone of any justice system. The International Committee of the Judicial College considers the requests that it receives with great care before acting and intends to increasingly focus on countries where there is evidence that judicial input will be strategic and sustainable. Training is not seen as something which takes place in isolation and the Committee, with support from the International Team within the Judicial Office cooperates with other international agencies such as the British Council, the FCO, DfID, the CPS, the Slynn Foundation and some UN organisations to ensure that judicial activity is well targeted. A great deal of thought goes into the design of overseas training programmes to ensure that they meet the legal requirements of the requesting country and to adapt materials so that they are appropriate to the customs and location of the host. The Committee has a pool of experienced and specifically trained Judges to assist. Where it is feasible to do so the College ensures that backfill is paid to HMCTS for any lost sitting days.

Judges making visits overseas, even in their own time, are requested to make contact with the International Team within the Judicial Office before accepting invitations. Staff can provide information on issues to develop or topics to avoid, ensuring that judges are well-sighted on any relevant judicial activity. The team can also put judges in contact with trusted contacts in-country to ensure that, if needed, support can be provided on the ground.

### Opportunities to undertake international training

The International Team in the Judicial Office supports judges in their Judicial College roles and administers and supports the following:

#### European Judicial Training Network

The EJTN was founded in 2000 by the judicial training institutions of the EU Member States in order to develop genuine co-operation between them. Despite the process of withdrawal from the EU both sides appreciate that there is substantial mutual benefit in continuing our relationship through the EJTN and certainly for now we remain very active participants in its activities.

The EJTN offers two programmes which are of particular interest to English and Welsh judges, the Exchange Programme and the Catalogue Programme.

**EJTN Exchange Programme**

This is the EJTN's flagship project. It allows European judges, prosecutors and judicial trainers to familiarise themselves with the work of the courts or judicial training institution of a European country other than their own. It also includes study visits to the European Court of Human Rights and the Court of Justice of the European Union. Exchanges and visits generally last for one or two weeks. Judges from England and Wales and reserved tribunals in Scotland are entitled to participate in the programme. The Judicial College offers a number of places each year and these will be advertised on the judicial intranet and the LMS.

**EJTN Catalogue Programme**

Each year the EJTN publishes a catalogue of seminars which take place in various Member States but are open to judges from other Member States. The catalogues traditionally contain seminars covering practically every aspect of judicial work. Many seminars are delivered in English or with interpretation into English. England and Wales and reserved tribunals in Scotland participate in this programme and again the available places will be advertised on the judicial intranet and the LMS. Further details of both programmes can be found on the EJTN website [www.ejtn.eu](http://www.ejtn.eu)

We do hope that judges will want to apply when places are advertised and we strongly encourage them to do so.

**Expenses and fees**

Travel and subsistence expenses are generally reimbursed. At present salaried and fee-paid judges who deliver or undertake international training do so in their own time and no fee is payable.