



JUDICIAL
COLLEGE

PROSPECTUS

APRIL 2014–MARCH 2015

COURTS JUDICIARY

JUDICIAL COLLEGE

FOREWORD BY THE LORD CHIEF JUSTICE



The Judicial Studies Board published the first Prospectus for the Courts' Judiciary in 2009. In his Foreword my predecessor, Lord Judge, expressed the hope that it marked the beginning of a process which would end in the establishment of a Judicial College.

Under the guidance of Lord Judge and Lord Carnwath, then Senior President of Tribunals, this vision has now become a reality. The Judicial College came into being on 1 April 2011 and is responsible for the training of all 36,000 judicial office holders in England and Wales and tribunals around the UK. We are all indebted to Lord Judge and Lord Carnwath

for establishing this central, professional learning and development institution for the judiciary.

It is a mark of the College's professionalism that, despite a substantial reduction in its budget caused by the economic downturn, it continues to achieve the highest standards at home and has acquired an enviable reputation internationally. According to the College's strategy for 2011-2014 its vision is to become and be recognised as a world leader in judicial education. I have no doubt that under the leadership of Lady Justice Hallett it has achieved its vision, and in a remarkably short time.

In the Foreword to the first Prospectus Lord Judge said that continuing education represented an integral part of the working life of a judge. I agree that each judge must have the benefit of continuing education in those areas of law relevant to that judge's future sitting pattern; as significant change is inevitable, the importance of continuing education cannot be underestimated. It is likely, as the business of the courts

and tribunals changes, that we must recognise that some may have to learn an area of law that is entirely new or one that was last studied by that judge at law school many years before. It is a mark of the standing and expertise of the Judicial College that it will be able to fulfil these and other objectives to the highest standards.

Finally, as Lady Justice Hallett states in her introduction, this prospectus contains the widest and most ambitious programme of education for courts' judges offered by the College. I do hope that you will take full advantage of it. I should also like to thank the Directors of Training, Course Directors, Course Tutors and members of the College staff whose hard work and imagination have made this possible.

Sir John Thomas
Lord Chief Justice of England and Wales

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FOREWORD BY THE LORD CHIEF JUSTICE

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1

INTRODUCTION





I should like to welcome you to the 2014-2015 Prospectus for the Courts' Judiciary.

In the two years since its foundation the Judicial College has firmly established itself as the national training institution for all judicial office holders within its remit and has achieved the highest professional standards. This is the consistent message contained in the many evaluation reports I read. In addition the College has a first class international reputation, evidenced by the many invitations it receives to deliver training overseas, only some of which it can accept. The College has become, and is now recognised as, a world leader in judicial education and is justifiably proud of that fact.

The College has achieved all this despite continuing austerity measures. The effect of this has been dramatic, namely a reduction in our budget of 23% from 2011 to 2014. Subsequent budgets may require even greater savings. Frankly, I wonder whether we have emphasised this stark fact sufficiently. Unfortunately, savings of such a magnitude cannot be achieved by tinkering but only through staff reduction and spending less on training. The College has done both. Staff reduction was achieved by a 'Voluntary Early Departure Scheme'. A reduction in training expenditure has been achieved by changing the length of courts' residential seminars from two days' training spread over three days to two days' training spread over two days (similar savings measures have been taken on the tribunals' side). Much as the College would like to revert to three day seminars, there is no real prospect of our doing so in the near future, given the present state of resources. What we can do is to encourage all those who design courses to make the most efficient and effective use of the time available.

Next I should like to say something about the prospectus and other recent developments within the College. The prospectus contains new seminars and modules at both national and circuit level. At a national level, you will find a new combined Criminal and Family seminar, a new Crown Court trial seminar with several optional modules and a new Court of Protection seminar. The Civil law seminar contains several new modules, including one entitled 'Computer challenges for the Civil judge'.

At the Circuit level, on the Midland and Western Circuits there will be a new pilot scheme of Circuit education, featuring one day seminars in Civil, Criminal and Family law on each. These seminars will replace the Circuit Criminal seminars and DDJ annual seminars on these two Circuits. The scheme is explained in more detail in section 2.2.

The College has also introduced a new, modern Learning Management System (LMS), to which you all have access through the new Judicial Intranet. This is much more sophisticated than the

old College training website, which will now be closed. The features of the LMS are explained in more detail in section 2.3 but the main point is that virtually all the process involved in attending a seminar will now take place online. Registration will be online, all the training materials and other information will be online, and you will be asked to evaluate the seminar online. I invite you to explore the LMS and very much hope you will find the process far easier and the content of the LMS far more helpful.

The College has tried hard in recent years to update its training methods and increase its professionalism. The prospectus itself is an example of that, as is our innovative and highly practical approach to training. However, the College is conscious of the fact we may not have paid as much attention to the preparation required for a seminar. As explained in section 4, this is now the subject of a new protocol which reflects comments made by participants in numerous course Feedback Forms. It is aimed at limiting the quantity of training materials, limiting

the time required to prepare them, and improving their presentation and organisation. The College aims to achieve this without losing any training benefit. I hope you will find this initiative helpful and that it will save you some time.

The College's first academic programme has been well received, with good attendances at the lectures in London, Cardiff, Oxford and Manchester. I am pleased to say that there will be a second programme in 2014-2015, details of which will be announced later.

Section 11 of the prospectus sets out the international opportunities available to courts judges in England and Wales, notably the exchange programme and catalogue programme organised by the European Judicial Training Network. These will be advertised on the judicial intranet and the LMS. They provide a real opportunity to experience and learn from different legal systems and to contribute to the debate on the development of the law. I encourage you to participate in them.

Despite the effects of the economic downturn, this prospectus contains the widest and most ambitious programme of education for courts' judges offered by the College. This would not have been possible without the skill and dedication of the Directors of Training, Course Directors, Course Tutors and members of the College staff who design, deliver and support the College's training programmes. I congratulate and thank them all.

Finally, I very much hope that you will enjoy the programme contained in the prospectus and that it will be of real benefit to you in your work as a judge.

**The Rt Hon Lady Justice Hallett DBE
Chairman of the Judicial College**

2

NEW IN 2014–2015

- 2.1 National seminars
- 2.2 Circuit seminars
- 2.3 Learning Management System



This section summarises at a glance what is new in the prospectus and is divided into three subsections. Section 2.1 deals with national seminars, i.e. those that take place mainly at Warwick or Northampton. Section 2.2 introduces the new one-day seminars on the Midland and Western Circuits and section 2.3 introduces the College's new Learning Management System (LMS).

2.1 National seminars

Administrative law seminar

This seminar was introduced in 2013 – 2014 and will take place again this year but with new content. It is designed for High Court Judges, Deputy High Court Judges and circuit judges who sit in the Administrative Court. It will take place in London.

Since the seminar lasts for only one day, any judge attending it may select an additional seminar from the prospectus if he or she wishes.

Seminar for judges sitting in the Queen's Bench Division

This is a new seminar designed for High Court Judges, Deputy High Court Judges, and circuit judges and recorders who sit in the Queen's Bench Division.

Since the seminar lasts for only one day, any judge attending it may select an additional seminar from the prospectus if he or she wishes.

Civil law seminar

A new one day module on case and costs management has been developed in response to the recommendations of the Jackson report. Implementation of the recommendations in April 2013 means that costs management will become an important skill for all civil judges.

The module 'Costs for the civil judge' has also been substantially amended to reflect these reforms.

The Enforcement module has been rewritten to reflect the fact that the amendments in the Tribunals, Courts and Enforcement Act 2007 are largely not in force and there are no current plans to

bring them into force. The module will now deal with enforcement procedures currently in common use and will provide a short update on the implementation (if any) of the 2007 Act.

The Equality module has been reduced to half a day.

The module 'Law of contract and tort: update' has been replaced by a module in two distinct parts. The first part provides an update on recent developments in law and procedure across the jurisdiction of the civil judge. The second part provides an introduction to the internet, considers the legal implications of some of its most popular uses and explores other emerging technologies.

The module 'Post-termination restraints in contracts' has been replaced by a module providing an introduction to the law of restitution. Its purpose is to enable civil judges to recognise and deal with restitutionary claims.

Other modules have been 'refreshed' with new scenarios or otherwise updated.

Court of Protection seminar

This new seminar provides judges who are authorised to hear Court of Protection cases with an opportunity to review and develop their knowledge and skill in managing and determining cases in this jurisdiction. It will take place in London.

Since the seminar lasts for only one day, any judge attending it may select an additional seminar from the prospectus if he or she wishes.

Crown Court trial seminar

The content of this seminar is new and it takes a different form, in that it now comprises a number of separate modules. There is a ‘core’ module dealing with case management, jury management and vulnerable witnesses in which all judges will participate. There are then four optional modules from which judges will select any two at the time of booking:

- Defendant in person and contempt
- Admissibility of evidence and joint enterprise
- Disclosure and PII
- Summing up

Crown Court combined seminar

This seminar combines elements of the Crown Court sentencing and trial seminars, each part lasting for one day. The part devoted to the Crown Court trial is new and comprises a number of separate modules from which judges may select those best suited to their needs.

Long and complex trials seminar

The content is new. The seminar will concentrate on equipping judges to control all aspects of a complex case, including robust control of the questioning and unfair treatment of witnesses.

Serious crime seminar

The content is new.

Criminal and family law seminar

This new seminar is designed for those salaried and fee-paid judges who are authorised to sit both in the Crown Court and on public law children cases and wish to receive some training in both jurisdictions. Judges will spend one day on each and will be able to select from a number of different modules, as best suits them.

Business of Judging

Until now this seminar has been available only to salaried judges. It is now open as well to any fee-paid judge sitting in any jurisdiction, since the College wishes to encourage a mix of salaried and fee-paid judges.

Family law seminars

All family law seminars begin a new cycle in 2014-2015 and accordingly all have new content.

Seminar for District Judges (Magistrates’ Courts) and Deputy District Judges (Magistrates’ Courts)

The content is new.

Civil induction training for existing judges

From time to time the College runs what have in the past been called “recorder induction seminars” but will in the future be known as “civil induction seminars”. The name of the seminars has been changed because the College is aware that in some circumstances salaried judges may require civil induction training.

Civil induction training will be appropriate for circuit judges who have not previously sat on civil work (and therefore have not had any civil training) who are (a) newly appointed or (b) newly authorised to sit on civil work. Those judges often assume that they are not eligible for the recorder induction seminars and so opt to attend a civil law seminar (i.e. a continuation seminar) which may not provide the basic grounding in civil law that would benefit them most.

Sometimes district judges who have previously sat only on family work are required, perhaps because of a move to another court, to do civil sittings. They need civil induction training, especially if they have not previously attended the deputy district judge induction seminar. Their training needs may best be met by a combination of modules from the deputy district judge induction seminar and the civil law seminar.

If you come into either of these categories, please contact Diane Lennon at the College and discuss with her how your training needs can best be met.

TCC and Chancery training

Training will be available within this jurisdiction for the coming year. However it will not be booked through the prospectus. Those holding a s9 ticket will be alerted when the arrangements have been made.

As this training is separate from that organised by the Judicial College, and will last for one day only, those who wish to attend will still be eligible to attend a seminar listed in this prospectus.

2.2 Circuit seminars on the Midland and Western Circuits

The College is pleased to announce this new series of circuit seminars. It comprises one-day seminars in civil, criminal and family law which will be piloted on the Midland and Western Circuits in 2014-2015 and 2015-2016. They will replace the existing circuit criminal seminars and DDJ annual seminars on those circuits. Circuit education on the other circuits will be unaffected for the period of the pilot. At the end of the pilot a decision will be taken whether to implement the

scheme nationally, on all circuits.

Until now national training and circuit training have developed separately rather than as a coherent whole. For example, a judge who selects a national criminal seminar from the prospectus has been required to attend a circuit criminal seminar as well in the same year. His or her needs might better be met by attendance at a circuit seminar in civil or family law instead. Equally, a judge who selects a national seminar in civil law might prefer to attend a circuit seminar in family law in that year, and so on. The new scheme increases the breadth of education open to judges and is an additional way of helping them to create a personal education programme matching their individual requirements.

The pilot scheme translates most features of national training to circuit training. Judges on the pilot circuits will select a circuit seminar from the prospectus and book online using the LMS, as they do already for national seminars. The circuit seminars will be held in venues suitable

for training and courts will not close for the day. The College will be responsible for the design of all training materials and delivery will be organised locally by local course directors and College-trained course tutors.

Most judges on the two circuits (circuit judges, district judges, recorders and deputy district judges) will attend a pilot seminar once in the two year period. The seminars will take the form of circuit ‘master classes’ with no more than 50 judges attending each. The scheme is aimed at quality, not quantity.

Full details of this new range of circuit education are given in sections 7 and 8. The College hopes that judges will embrace it, enjoy it and find it of real value.

If you do not sit on either the Midland Circuit or the Western Circuit your circuit training will be arranged through your regional office as in previous years.

2.3 Learning management system

The College’s Learning Management System (LMS) has now replaced the old training website, which had become obsolete in IT terms. The LMS sits on a modern Moodle platform of the kind used by universities and colleges throughout the world. It is available to all 36,000 judicial office holders by clicking on the LMS link from the new Judicial Intranet.

The LMS is being developed over time but currently includes the following:

- News section with up to date information about the College and its activities
- Prospectus for the Courts Judiciary 2014-2015
- Online booking system for national seminars and pilot circuit seminars
- Separate ‘classroom’ page for each seminar in which the training pack for that seminar will be located
- Online evaluation system for all seminars (see section 5)
- E-letters in civil, criminal and family law

- E-libraries in civil, criminal and family law
- E-learning programmes on European Constitutional Law and European Criminal Law
- Cross-jurisdictional section
- Tribunals section
- International section

The College hopes that you will take a few moments to visit the LMS and familiarise yourself with it.

3

SELECTING AND BOOKING A SEMINAR



Outline

The prospectus enables judges to design their own personal education plan by choosing from the range of seminars it contains. It is concerned only with continuing education at national seminars and at the newly introduced circuit seminars on the Midland and Western Circuits.

High Court Judges

High Court Judges are welcome to attend any of the seminars in the prospectus provided that their attendance accords with the protocol governing their training. We would like to draw attention to the following seminars that are particularly suited to them:

- [Administrative law seminar on 2 June 2014](#)
- [Civil law seminars starting on 19 May 2014 and 21 May 2014](#)
- [Seminar for judges sitting in the Queen's Bench Division on 29 September 2014](#)
- [High Court seminar in family law starting on 12 January 2015](#)
- [Serious crime seminar starting on 22 September 2014](#)

Salaried judges

Continuing education is a mandatory requirement. All salaried judges (except High Court Judges) are required to attend one national seminar every year but are free to choose which. This means that all salaried judges should choose one national seminar from section 6.

Some salaried judges on the Midland and Western Circuits will also be required to attend one of the pilot seminars on those circuits. We will inform them separately. This means that those whom we inform should choose one circuit seminar from either section 7 or section 8, as appropriate. To be clear, this is in addition to the national seminar they choose. Salaried judges on other circuits are not affected by the pilot scheme.

Fee-paid judges

Fee-paid judges will be required to attend a national seminar of their choice less frequently than once per year, selection depending on the date of last attendance and the number of authorisations held. We will inform those fee-paid judges who are required to attend a national seminar

separately. This means that those so informed should choose one national seminar from section 6.

Some fee-paid judges on the Midland and Western Circuits will be required to attend one of the pilot seminars on those circuits. We will inform them separately. This means that those whom we inform should choose one circuit seminar from either section 7 or section 8, as appropriate. Fee-paid judges on other circuits are not affected by the pilot scheme.

Selecting a seminar

Details of each seminar are set out in sections 6, 7 and 8. There you will find a description of the aims of the seminar and who it is for, together with a summary of the format and content. The expected preparation time is stated.

You will also see the names of the course directors, the date(s) on which it will be delivered, the location, the name of the course organiser and finally the 'cycle' for the seminar. This indicates whether and when the seminar has been delivered before. It also states whether it is likely

to be repeated in future. These details are particularly important because they will help you to plan your education programme and prevent you attending the same seminar twice.

You must of course ensure that your education programme includes regular training in the work you do or are authorised to do. Every year we will send to the judicial secretariat in each region details of the training you have undertaken so that your Presiding and Liaison Judges may, if they wish, review it with you.

Residential and non-residential seminars

All national seminars in section 6 are residential except for five. The five non-residential national seminars are:

- [Court of Protection seminar \(28 April 2014, Northampton\)](#)
- [Administrative law seminar \(2 June 2014, London\)](#)
- [Crown Court trial seminar \(16-17 June 2014, Manchester\)](#)
- [Seminar for judges sitting in the Queen's Bench Division \(29 September 2014, London\)](#)

- [Civil and family law combined seminar \(2-3 March 2015, London\)](#)

The circuit seminars on the Midland and Western circuits in sections 7 and 8 are all one-day non-residential seminars.

Consulting your court manager or listing officer

Salaried judges should consult their court manager or listing officer before booking. This will help to minimise the effect on court business.

Online booking

Please book online using the LMS. From the homepage there is a link to the prospectus in the 'News' section. Alternatively go to the homepage, click on 'Courts' and then on 'Prospectus'. When the prospectus opens you will be able to view information about the seminars available.

When you have chosen the seminar(s) you wish to book, click the link on the date in the prospectus page and you will be taken to the booking area for that seminar. Please follow the on screen instructions. You will receive immediate email confirmation of your booking.

If your preferred seminar or date is no longer available please select an alternative and follow the same process.

Last date for booking and consequences of not booking

The last date for booking is Friday, 1 November 2013. If you have not booked by then the College will send you one reminder giving you a short time to do so. After that the College may refer the matter to the Senior Presiding Judge.

Changing to another seminar

Attendance at the seminar(s) you book takes precedence over all other commitments unless there are very exceptional circumstances. If for any reason you wish to change your booking you should contact the course organiser immediately, giving your reasons. The course organiser will then either change your booking or refer your request to your Presiding Judge, Family Division Liaison Judge or the Senior District Judge (Chief Magistrate).

Late excusals from attending a seminar

Any request for late excusal must be made to your Presiding Judge, Family Division Liaison Judge or the Senior District Judge (Chief Magistrate). They will grant such a request only in very exceptional circumstances, especially since the College incurs cancellation charges for unused accommodation.

CPD points

Practising barristers and solicitors may claim CPD points for attending College seminars. Full details will appear in the seminar programme for the seminar you are attending.

Accommodation

The College will pay overnight expenses where a judge would have to leave home before 7.00am in order to attend any residential or one-day non-residential seminar. 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

Attendance at a seminar counts against your sitting days for the year. Fee-paid judges will receive a half-day fee for each day of attendance. You are entitled to travel and subsistence expenses at the prevailing rates.

Helpline

If you need any help in booking please telephone the College 'helpline' on 020 3334 0333. The line is open during the booking period from Monday to Friday between 8.30am and 5.30pm.

4

PREPARING FOR AND ATTENDING A SEMINAR



Preparation

As Lady Justice Hallett says in her introduction, preparation for a seminar is now the subject of a new protocol aimed at limiting the quantity of training materials, limiting the time required to prepare them, and improving their presentation and organisation.

The effect of the protocol on judges who attend any seminar is as follows:

- Preparation time should not exceed four hours for a reasonably experienced judge (excluding the viewing of any online lecture or presentation)
- The training pack for the seminar will be divided into three sections:
 - (1) introductory letter and programme
 - (2) essential reading
 - (3) recommended reading
- The first two sections will be in a common house style
- The ‘essential reading’ section will not usually exceed 50 pages and will be indexed with the pages numbered

- The ‘recommended reading’ section should be proportionate in amount
- All training materials will be available on the LMS at least three weeks before the first day of the seminar

The introduction of the protocol means that judges will know exactly what to expect by way of preparation for a seminar, whatever its jurisdiction. The College hopes that you will find this new initiative helpful and that it will save you some time.

Start and finish times

The College has made some adjustments in light of the fact that national seminars now last for two days over two instead of two days over three. The aim is to make travel to and from seminars easier. Accordingly a two day residential seminar will not start earlier than 10.00am on the first day or end later than 3.45pm on the second. Similarly one day seminars will not start earlier than 10.00am or end later than 3.45pm.

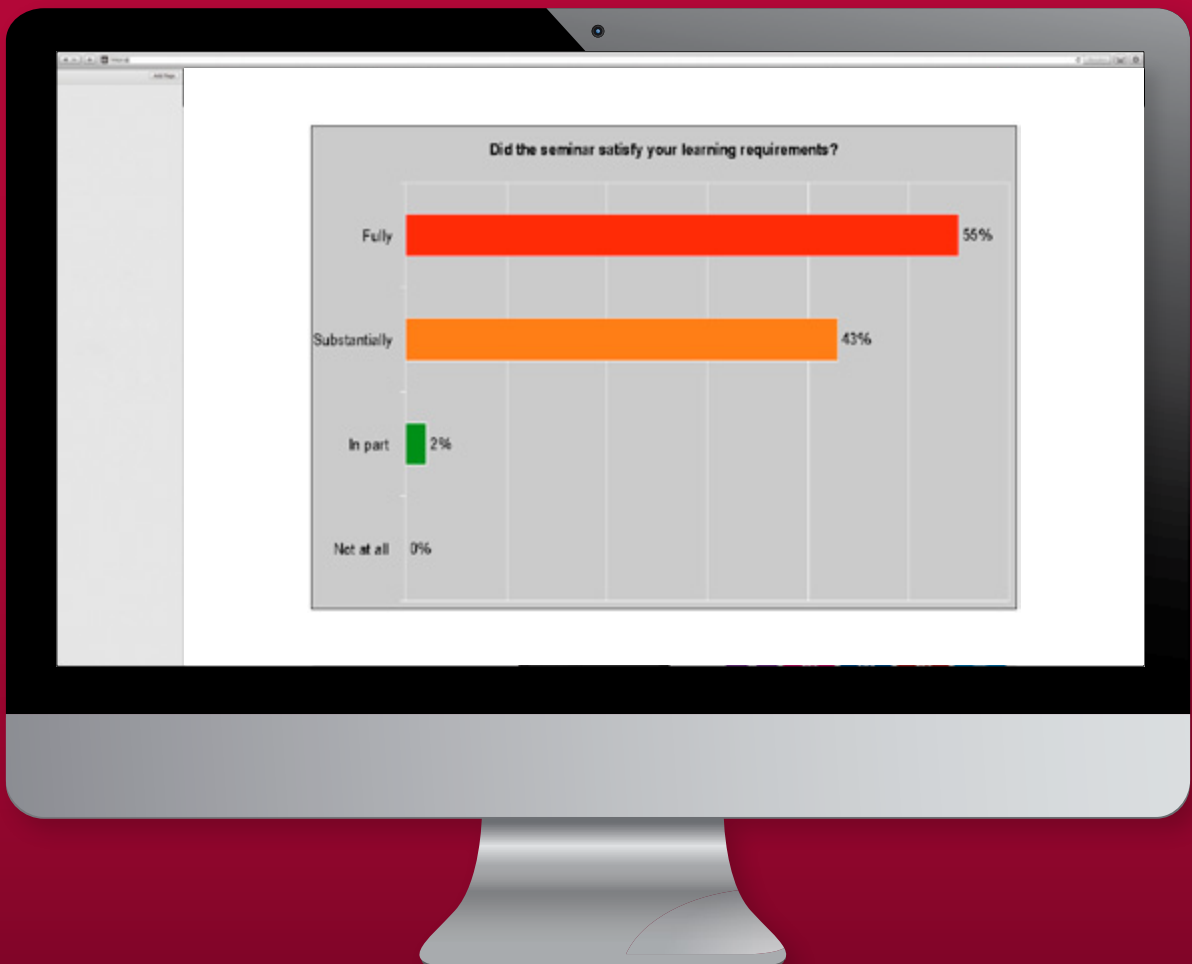
The College will pay overnight expenses where a judge would have to leave home before

7.00am in order to attend any residential or one-day non-residential seminar.

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.

5

EVALUATING A SEMINAR



One of the new features of the LMS is an online evaluation system. Hitherto the College has obtained feedback about its seminars by asking judges to complete a paper form before they leave. This has two drawbacks. First, a significant number of participants do not complete a form at all. This may be understandable given the need to travel home but it means that the College does not always get a full picture of the seminar it has just delivered. Second, the College considers all the comments made by individual judges about a seminar and, if 80 or 90 judges have attended, they take many hours to type up.

The online evaluation system requires judges to complete the same feedback form as before but to do so online. The system then produces automatically bar charts showing the various satisfaction rates. It also transcribes and lists automatically all the comments made by judges about individual modules and the seminar as a whole. These are important advantages and so henceforth all College evaluation will take place online.

Some judges will want to complete the form online as the seminar progresses and this may well be the best and easiest way. Otherwise judges are asked to complete the form as soon as they return home. We do ask you to help the College in this way, since the ultimate aim is to review and improve the quality of the education we deliver.

6

NATIONAL SEMINARS



- 6.1 Administrative law**
 - Administrative law seminar
- 6.2 Civil law**
 - Seminar for judges sitting in the Queen's Bench Division
 - Civil Law seminar
- 6.3 Civil and family law**
 - Civil and family law combined seminar
- 6.4 Court of Protection**
 - Court of Protection seminar
- 6.5 Criminal law**
 - Crown Court sentencing seminar
 - Crown Court trial seminar
 - Crown Court combined seminar
 - Crown Court mixed seminar
 - Long and complex trials seminar
 - Serious sexual offences seminar
 - Serious crime seminar
- 6.6 Criminal and family law**
 - Criminal and family law combined seminar
- 6.7 Cross-jurisdictional education**
 - Business of Judging
- 6.8 Family law**
 - High Court seminar
 - Seminar for judges authorised to hear High Court cases
 - Public family law seminar
 - Private law children seminar
 - Financial remedies and family money seminar
- 6.9 Magisterial law**
 - Seminar for District Judges (Magistrates' Courts) and Deputy District Judges (Magistrates' Courts)

6.1 ADMINISTRATIVE LAW

ADMINISTRATIVE LAW SEMINAR

Since the seminar lasts for only one day, any judge attending it may select an additional seminar from the prospectus if he or she wishes.

Director of Senior Judiciary Training

Mr Justice Foskett

Course director

Mr Justice Kenneth Parker

Date

2 June 2014

Location

London

Cycle

New in 2014-2015

Preparation

About four hours

Course contact

Melissa Henderson
020 3334 2951
melissa.henderson@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide judges who sit in the Administrative Court with an opportunity to develop their knowledge and understanding of administrative law and procedure. It provides an update on current law and seeks to assist judges 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.

Summary

Topics covered include:

- Recent developments in immigration and asylum law
- Latest ECHR cases
- Important new statutes
- New procedural issues
- Changes in the operation of the Administrative Court

The seminar will be delivered by means of lectures and small group discussions based on case studies. The small group discussions will provide judges with an opportunity to exchange views and share experiences with other judges who sit in the court. These groups will be led by judges who are experienced in Administrative Court work.

6.2 CIVIL LAW

SEMINAR FOR JUDGES SITTING IN THE QUEEN'S BENCH DIVISION

Since the seminar lasts for only one day, any judge attending it may select an additional seminar from the prospectus if he or she wishes.

**Director of Senior
Judiciary Training**
Mr Justice Foskett

Director of Civil Training
Mrs Justice Swift DBE

Course director
To be appointed

Date
29 September 2014

Location
London

Cycle
New in 2014-2015

Preparation
Not more than four hours

Course contact
Diane Lennon
020 3334 2927
diane.lennon@judiciary.gsi.gov.uk

Aim

This is a new seminar specially 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 of the Division; and to debate with other members of the Division appropriate strategies for managing and solving the types of problems (including leadership and management problems) encountered in the course of their daily work.

Who is it for?

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

Summary

The subjects covered will be those topical at the time.

The seminar will be delivered by means of lectures and small group discussions based on case studies. The small group discussions will provide judges with an opportunity to exchange views and share experiences with other judges who sit in the Queen's Bench Division. These groups will be led by judges who are experienced in the work of the Division.

CIVIL LAW SEMINAR

Director of Senior Judiciary Training

Mr Justice Foskett

Director of Civil Training

Mrs Justice Swift DBE

Course directors

Judge Allan Gore QC

Judge Roger Kaye QC

District Judge Michael Anson

District Judge Lindsey George

District Judge Simon
Middleton

Dates

19 and 20 May 2014

21 and 22 May 2014

23 and 24 June 2014

25 and 26 June 2014

10 and 11 November 2014

12 and 13 November 2014

19 and 20 January 2015

21 and 22 January 2015

Location

Warwick

Cycle

Please see the descriptions
of the individual modules

Preparation

Please see the descriptions
of the individual modules

Course contact

Diane Lennon

020 3334 2927

diane.lennon@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide judges who sit in the civil jurisdiction with an opportunity to develop their knowledge and skills 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.

Summary

The Judicial College has sought to acknowledge the breadth and depth of the civil jurisdiction by developing a seminar that enables judges to tailor its content to their own learning needs.

The seminar consists of a suite of 15 modules, two taking a full day, the remainder half a day each. It allows you to create the programme that best meets your requirements by choosing four modules (three if you select a full day module).

On page 22 you will find a chart setting out which modules are available on which dates. Not all modules are offered at every seminar.

Full details of the individual modules can then be found on pages 23 to 31. Attention to their content will identify those that best match your particular needs. Some are particularly suited to judges with specialist authorisations. You will be asked to choose your modules when you book.

Please note that your choice of modules is fundamental to the advance planning of each seminar. It may not be possible to accommodate requests to change modules subsequently. Any changes will be made at the discretion of the course directors.

The seminar is delivered using a variety of training methods including lectures, DVDs and skills practice, with a focus on working in small groups to allow you to exchange views and share experiences in an informal setting.

TABLE OF MODULES

Table of modules for the civil law seminar from April 2014 to March 2015

	19-20 May 2014	21-22 May 2014	23-24 June 2014	25-26 June 2014	10-11 Nov 2014	12-13 Nov 2014	19-20 Jan 2015	21-22 Jan 2015
Appeals and civil restraint orders (one day)	✓ ✓	✓ ✓	x x	x x	✓ ✓	x x	x x	x x
Capacity issues for civil judges	x	x	✓	✓	✓	✓	✓	✓
Chancery for district judges	✓	✓	x	x	x	x	x	x
Contract and consumer	x	x	✓	✓	✓	✓	✓	✓
Costs for the civil judge	✓	✓	✓	✓	✓	✓	✓	✓
Damages	✓	✓	✓	✓	✓	✓	✓	✓
Enforcement of judgments	x	x	✓	✓	x	✓	✓	✓
Equality Act 2010	✓	✓	✓	✓	✓	✓	✓	✓
Insolvency for the county court judge	✓	✓	✓	✓	x	✓	✓	✓
Law and procedure update; and Computer challenges for the civil judge	✓	✓	✓	✓	✓	✓	✓	✓
Law of restitution	✓	✓	x	x	x	x	x	x
Management of case preparation (to include management of costs) (one day)	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓
Management of trial preparation & presentation	x	x	✓	✓	✓	✓	✓	✓
Property law	✓	✓	x	x	x	x	x	x
Trial of housing cases	x	x	✓	✓	✓	✓	✓	✓
No of modules	12	12	12	12	12	12	12	12

DESCRIPTION OF MODULES

Appeals and civil restraint orders

Please note that this is a one day module and will count as two elections for the purpose of electing four modules.

Aim

The aim of this module is to give practical guidance in the management of appeals and the making of CROs. It deals with the special challenges posed by some litigants in person.

Who is it for?

This module is directed principally to High Court Judges, senior circuit judges, designated civil judges and s9 authorised circuit judges. It may also be suitable for circuit judges who sit for a large proportion of their time on civil work. This module is not suitable for district judges or fee paid judges, (whether recorders or Deputy High Court judges).

Summary

This is a double module which will occupy two half-day

sessions. The areas covered include:

- Case managing appeals, with particular attention to appeals by litigants in person
- Making case management orders using the judicial template
- Making effective CROs using Bhamjee jurisdiction
- Use of IT in the making of CROs

Judges selecting this module should bring laptops and have a basic understanding of IT (making Word documents; saving to file).

Cycle

First delivered in 2011-2012.

Preparation

About one hour.

Capacity issues for civil judges

Aim

The aim of this module is to prepare and equip judges of all levels to identify capacity issues when they arise, to

investigate those issues and to rule upon them.

Who is it for?

This module is suitable for all judges who sit in the civil courts.

Summary

Learning is by lecture (which will be available for viewing prior to attending the seminar) and in small syndicate groups, involving presentations and the consideration of practical exercises. The module will address the following areas:

- Identification of capacity issues
- Introduction to the principles and provisions of the Mental Capacity Act 2005
- Investigation of capacity
- Determining capacity
- Approval of settlements and investment decisions
- Whether, when and how to involve the Court of Protection and its relationship with the civil courts

Cycle

First delivered in 2012-2013.

It will continue to be a key module for the foreseeable future.

Preparation

About one and a half hours (including the viewing of the filmed lecture).

Chancery for district judges

Aim

The aim of this module is to remind district judges of their Chancery jurisdiction and to familiarise them with case management, applications and procedure within this jurisdiction.

Who is it for?

There has been an increase in the nature and complexity of the Chancery work with which district judges have to deal, yet many district judges have received little specific training for this responsibility. This module is primarily for district judges, but it may be of interest to circuit judges with concurrent jurisdiction who would like an overview of

some commonly encountered Chancery applications.

Summary

Participants will receive a comprehensive written summary of the district judge's Chancery jurisdiction. This will be the basis of an introductory talk, delivered in syndicate groups by tutor judges.

The particular problems of case managing Chancery cases (including probate) will be discussed. Case studies will explore case management but will focus on Chancery applications, including *Re Beddoe* (application by trustees for approval to commence or defend legal proceedings), removal of trustees, FDR in family provision and TOLATA cases, accounts and inquiries and enforcing charging orders.

Cycle

First delivered in 2012-2013.

It is anticipated that it will be a key module for the foreseeable future.

Preparation

One to two hours.

Contract and consumer

Aim

The aim of this module is to familiarise judges with the statutory regimes governing contract and consumer cases and equip judges to try them.

Who is it for?

This module is directed to all those who try contract and consumer cases and will be particularly helpful to district judges and deputy district judges who try small claims matters. It is unlikely to assist High Court and specialist jurisdiction judges.

Summary

Learning is in small syndicate groups and involves the consideration of practical exercises. The seminar will address the following areas:

- Unfair contract terms
- Sale of goods
- Supply of services
- Holiday claims
- Distance selling regulations
- Consumer Credit Act provisions to alleviate debt and onerous conditions

Cycle

First delivered in 2010-2011 Since then it has been amended to reflect changes in the law. This is a popular module and it is anticipated that it will be a key module for the foreseeable future.

Preparation

You should undertake 45 minutes pre-reading of the downloaded file of papers and a further thirty minutes considering the questions but you are not expected to have prepared answers in advance.

Costs for the civil judge

Aim

The aim of this module is to provide the trial judge with a firm and systematic basis for the award of costs, to equip the judge to conduct a summary assessment of costs efficiently, to deal with some more challenging issues that may arise on summary assessment and provide participants with an understanding of current issues arising after the amendments to the CPR in April 2013.

Who is it for?

This module is directed at those who have to award costs and summarily assess costs in court. It is probably not suitable for the most experienced district judges who regularly deal with costs matters.

Summary

Teaching is in small syndicate groups and involves PowerPoint presentations and the consideration of practical exercises. The seminar will address the following areas:

- Award of costs using Part 44.2 as a template
- Part 36 offers
- Assisting the assessing judge in the discharge of the Part 44.3 and Part 44.4 duties
- Issues arising out of the summary assessment of costs at both interim and final stages
- Update on current costs law as it relates to the summary assessment of costs

Cycle

The module was introduced in May 2013. The module has been revised to take account

of the CPR amendments introduced in April 2013.

Preparation

The exercises provide details of the suggested pre-reading but how much judges wish to undertake is a matter for them. No more than an hour and a half should be spent as a maximum.

Damages

Aim

The aim of this module is to provide judges with a framework for the analysis and award of damages in the civil courts. It is designed to cover damages in contract and tort and includes the award of damages in special cases.

Who is it for?

This module is suitable for judges sitting in the civil courts at all levels and focuses on the range of damages that a judge may have to consider.

Summary

Learning is in small syndicate groups and involves the consideration of practical exercises. The module will address the following areas:

- Damages in tort including pain, suffering and loss of amenity
- Damages for financial loss and in particular future financial loss including
 - ▶ using the Ogden Tables and selecting multipliers
 - ▶ considering the forms awards may take
 - ▶ difficult heads of claim such as accommodation or receivership costs for protected beneficiaries
- Damages for breach of contract in building cases
- Damages for loss of enjoyment, anxiety and upset
- Damages in holiday cases
- Damages in other special cases including credit hire cases

Cycle

First delivered in 2010-2011. Since then it has been amended to reflect changes in the law. This is a popular module and it is anticipated that it will be a key module for the foreseeable future.

Preparation

You should undertake one hour of distance learning and thirty minute's pre-reading of the downloadable file of papers but you are not

expected to have prepared answers in advance.

Enforcement of judgments

Aim

The aim of this module is to provide judges with a clear view of the current framework for enforcing judgments.

Who is it for?

This module is particularly suitable for district judges and deputy district judges who deal with enforcement on a daily basis in box work and at hearings.

Summary

The module will look at the current methods of enforcement available to a judgment creditor including:

- Charging orders and orders for sale
- Third party debt orders
- Attachment of earnings orders
- Warrants – execution and possession

We will also consider the position of the impecunious debtor and any relief available to him or her.

If during the currency of this module the outstanding provisions of the Tribunal, Courts and Enforcement Act 2007 come into force, the module will reflect the up-to-date position.

Cycle

This is the first time that this module has been delivered in this form. It is anticipated that it will be a key module for the foreseeable future.

Preparation

About one hour.

The syndicate exercises will not be provided in advance but will be handed out and discussed during the syndicate. Suggested answers will be provided.

Equality Act 2010

Aim

The aim of this module is to acquaint judges of all levels with law, practice and procedure under the Equality Act 2010. It will also prepare and equip them to identify equality issues and to hear all stages of cases involving claims under the Act.

Who is it for?

This module is suitable for all judges who sit in the civil courts. The Act is pervasive in its effect and may have to be considered in cases other than those brought directly under the Act. For example, a defendant to a possession claim may allege discrimination arising from disability. Accordingly all levels of the judiciary will benefit from this training.

Summary

The module commences with a short lecture describing the main provisions of the Act and its impact on the work of the civil courts.

The remainder of the module (the bulk) will be devoted to the discussion of case studies in syndicate groups.

Cycle

First delivered as a one day seminar in January 2011.

Since then it has been refined into a three hour module. This is an important module and it is anticipated that it will be a key module for the foreseeable future.

Preparation

Pre-seminar reading comprises a resource pack and case studies to be considered in syndicate groups. It is estimated that preparation will take about two hours.

Insolvency for the county court judge

Aim

The aim of this module is to acquaint judges with the practice and procedure of personal and corporate insolvency and to bring them up to date with changes to insolvency law and practice which are intended to be brought about by primary and secondary legislation. Most of the module will be devoted to personal insolvency.

Who is it for?

This module is designed for district judges and deputy district judges who deal with insolvency matters, both in box work and in court. It is unlikely to assist circuit judges or recorders except for those who may be called upon to undertake the more technical and advanced aspects of insolvency and who wish to have grounding in basic and

intermediate insolvency before doing so.

Summary

Learning is in small syndicate groups and involves the consideration of practical exercises.

The following are covered in the resource pack and syndicate exercises:

- Account of the various insolvency regimes under the insolvency legislation
- Interim applications and IVAs
- Applications to set aside statutory demands
- Hearing a bankruptcy petition
- Personal insolvency both contested and uncontested
- Insolvency proceedings ordinarily heard in insolvency courts
- Directors' disqualification
- BROs and BRUs
- Public and private examinations
- Winding up of companies

Cycle

First delivered in 2010-2011.

Since then it has been amended to reflect changes in the law. This is a popular

module and it is anticipated that it will be a key module for the foreseeable future.

Preparation

It is thought that judges will benefit by not having the syndicate exercises in advance of the seminar, thereby enabling them to form an instinctive view about the issues that arise. The exercises will therefore be handed out at the seminar. It would assist if you could undertake about one hour's pre-reading of the materials included in the resource pack.

Law and procedure update; and Computer challenges for the civil judge

Aim

The aims of this module are, first, to provide an update on recent developments in law and procedure across the jurisdiction of the civil judge; and secondly, to provide an introduction to the Internet, to consider the legal implications of some of its most popular uses, including Facebook, Twitter, LinkedIn, YouTube, Skype, and Google and to explore emerging

technologies, such as cloud computing, telepresence (video meetings), and artificial intelligence.

Who is it for?

The module is suitable for all judges who sit in the civil courts.

Summary

The module is based on two lectures, one on law and procedure and the other on computer challenges. Each will be delivered in plenary session and there will be time for questions and discussion.

The lectures are designed to be intellectually challenging and will review recent case law and legislation as well as introducing the computer systems and services that will increasingly feature in cases coming before all judges. Lecture notes will be provided.

Cycle

First delivered in 2014-2015.

This module replaces the lectures from Oxford academics on the law of contract and the law of tort.

Preparation

None.

Law of restitution

Aim

The aim of this module is to provide an introduction to the law of restitution and restitutionary claims, so as to enable civil judges to recognize and deal with these claims as and when they arise.

Who is it for?

The module is suitable for all judges who sit in the civil courts.

Summary

The module is based on two lectures, each of one and a half hours. They will be delivered in plenary session and there will be time for questions and discussion. The module is provided by a Cambridge academic and author who will deliver lectures by way of introduction to the law of restitution and deal with all recent developments in this area. The lectures are designed to be intellectually challenging and will review relevant applicable legislation as well as recent cases in the Supreme Court and Court of Appeal. Lecture notes will be provided.

Cycle

First delivered in 2014-2015.

Preparation

None.

Management of case preparation (to include management of costs)

Please note that this is a one day module and will count as two elections for the purpose of electing four modules.

Aim

The Jackson Reforms introduced in April 2013 have revolutionised the practice of case management. The aim of this one day module is to synthesise costs and case management in order to help all judges to understand the principles of costs management, to manage cases proportionately, effectively and efficiently, and to ensure that the case is properly prepared for trial without the need for any adjournments.

Who is it for?

This module is designed for those who wish to improve their understanding of the application of costs and case management, together with those more experienced judges who wish to revisit this

area. It is probably not suitable for more experienced judges who regularly case manage in the new environment.

Summary

Learning is in a mixture of plenary and small syndicate groups and involves an introductory lecture and the consideration of practical exercises. The seminar will address the following areas:

- Principles of costs management
- Preparing for the CMC
- Conducting the CMC
- Budget setting
- Active case management to include control of disclosure, expert evidence, witness statements, trial of separate issues and trial length
- Handling of interim case management applications with or without hearings
- Telephone hearings
- Listing and time estimates
- Further hearings
 - ▶ when more than one CMC may be necessary
 - ▶ PTR or no PTR?
 - ▶ Variation of budgets
- Formulation of complete and effective directions orders

- Use of IT
 - ▶ judicial template
 - ▶ autotext

Note that the assessment of costs arises under the Costs for the Civil Judge module.

Cycle

New in 2014-2015.

This represents a new course, bringing together elements of the old costs management and case management modules.

Preparation

Preparation has been kept to a minimum. Participants may be provided with a podcast to listen to before the seminar. In syndicate groups judges will consider a case as it evolves and watch a DVD. They will be provided with a resource pack in advance. They will be expected to acquaint themselves with a short briefing paper and be familiar with the resource material. To this end there is a short quiz for them to answer before the seminar. It is estimated that they should be able to achieve this within an hour. Total preparation time including listening to the podcast – one and a half hours.

Management of trial preparation and presentation

Aim

The aim of this module is to help all levels of judge to hear a civil trial fairly, whilst at the same time using the court's resources effectively and efficiently.

Who is it for?

This module is for all judges who try civil matters and consider that they would benefit from a systematic consideration of issues arising out of a civil trial.

Summary

Learning is in small syndicate groups and involves the consideration of practical exercises. The seminar will address the following areas:

- Preparing for trial
- Overseeing the court environment so as to anticipate or deal with security issues, thereby avoiding violent and abusive situations
- Management of time and timetabling
- Litigants in person, lay representatives and Mackenzie friends

- Recusal
- Views
- Video links and other methods of taking evidence
- Excluding evidence
- Late evidence
- Evidence in fraudulent claims
- Managing hearsay
- Expert evidence
 - ▶ availability and timing of experts, including 'hot tubbing'
 - ▶ evaluating expert evidence
- Contempt in the face of the court
- Judgment
 - ▶ extempore or reserved
 - ▶ preparation
 - ▶ presentation
- Permission to appeal

Cycle

First delivered in 2012-2013.

This module, together with Management of case preparation, was developed to replace the old modules of Effective case management, Effective trial management, Evidence, and Personal judicial skills. It is anticipated that these modules will be delivered in a form similar to the present for the foreseeable future.

Preparation

Preparation involves the consideration of a resource pack and the preparation of syndicate exercises. This should take about one hour.

Property law

Aim

The aim of this module is to provide an update on recent developments in the law of real property and to highlight proposals for reform.

Who is it for?

All judges who have to determine disputes over land, including TOLATA cases. It might also be of interest to Crown Court judges and recorders who have to determine issues of land ownership in confiscation proceedings under the Proceeds of Crime Act 2002.

Summary

The module is based on a one hour lecture delivered in plenary session. There will be some time for questions and discussion. This will be followed by case studies, discussed in syndicate groups, involving co-ownership, constructive trust, estoppel,

adverse possession and the Land Registration Act 2002.

Cycle

First delivered in 2012-2013.

It is anticipated that this will be a key module for the foreseeable future. Its content will adapt to new and emerging trends in property law. Lecture notes will be provided.

Preparation

One to two hours.

Trial of housing cases

Aim

The aim of this module is to equip judges to try the full range of housing cases, from box work applications under the accelerated procedure through to the trial of nuisance cases. It considers housing and mortgage applications and the protocols underpinning them. It seeks to go beyond the legal principles and to familiarise participants with the benefits regime and the regulatory guidance governing the actions of social landlords and mortgage lenders.

Who is it for?

This module is directed to all judges, experienced and inexperienced, who try housing matters in the county court. It is unlikely to assist High Court and specialist jurisdiction judges.

Summary

Learning is in small syndicate groups and involves PowerPoint presentations and the consideration of practical exercises. The seminar will address the following areas:

- Accelerated possession
- Rent arrears actions
- Mortgage actions
- Housing benefits regime
- Rules and guidance governing social landlords and mortgage lenders
- Case management and trial of nuisance cases (including the grant and enforcement of injunctions under section 153 of the Housing Act 1996)

Cycle

First delivered in 2010-2011.

Since then it has been amended to reflect changes in the law. This is a popular module and it is anticipated

that it will be a key module for the foreseeable future.

Preparation

Two hours' work pre-reading the downloaded file of papers; however, judges are not expected to have prepared detailed answers in advance.

6.3 CIVIL AND FAMILY LAW

CIVIL AND FAMILY LAW COMBINED SEMINAR

Director of Civil Training

Mrs Justice Swift DBE

Director of Family Training

Mr Justice Bodey

Course directors

HHJ Sally Williams
District Judge Michael Anson
District Judge Stephen Arnold

Dates

24-25 November 2014
(residential)
2-3 March 2015
(non-residential)

Location

Warwick (residential)
London (non-residential)

Cycle

New in 2013-2014

Preparation

You will need to prepare the syndicate exercises in advance. This should take around three hours, depending on experience

Course contact

Melissa Henderson
020 3334 2951
melissa.henderson@judiciary.gsi.gov.uk

Aim

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.

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 except the management of case preparation (to include management of costs) module, which lasts for one day and therefore counts as two modules.

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
- Contract and consumer
- Enforcement of judgments
- Insolvency for the county court judge
- Trial of housing cases
- Management of case preparation (to include management of costs) (counts as two modules)

Family law modules

The family money module may include any of the following:

- Legal update
- Cohabitation and TOLATA
- Pensions

- Welfare benefits
- Construction and delivery of judgments in family money cases

The private family law module may include any of the following:

- Legal update and current topics
- Case management issues
- Managing child arrangement orders
- Shared parenting

6.4 COURT OF PROTECTION

COURT OF PROTECTION SEMINAR

Since the seminar lasts for only one day, any judge attending it may select an additional seminar from the prospectus if he or she wishes.

Director of Family Training

Mr Justice Bodey

Course directors

Her Honour Judge Lesley Newton

District Judge Michael Anson

Date

28 April 2014

Location

London

Cycle

New in 2014-2015

To be repeated in 2015-2016

Preparation

You will need to prepare the syndicate exercises in advance. This should take around three hours, depending on experience

Course contact

Adrian Sayles

020 3334 2925

adrian.sayles@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide judges who are authorised to hear Court of Protection cases with an opportunity to review and develop their knowledge and skills in managing and determining cases in this jurisdiction.

Who is it for?

Judges who are authorised to hear Court of Protection cases.

Summary

The seminar combines presentations from experts in their field with small group discussions that provide you with an opportunity to exchange views and share experiences with fellow judges who hear these cases.

Topics covered include:

- Update on law and case management
- Deprivation of liberty
- Planned reforms

6.5 CRIMINAL LAW

CROWN COURT SENTENCING SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Course directors

Her Honour Judge Sally Cahill QC
His Honour Judge Jeffrey Pegden QC

Dates

7-8 April 2014
17-18 September 2014
18-19 March 2015

Location

Warwick

Cycle

This seminar was first delivered in 2013-2014 and will be repeated in 2015-2016

Preparation

Part of the preparation will be viewing online material and in addition there will be preparation of up to four hours

Course contact

Patience Lusengo
020 3334 2922
patience.lusengo@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to help judges to identify the correct approach to sentencing; to explore the outcomes that correct approach suggests; and to deliver sound, understandable and technically correct sentences.

Who is it for?

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

Summary

This is a highly practical seminar for judges who sentence in the Crown Court. The focus is on work in small groups facilitated by a team of trained and experienced course tutors. The groups provide an opportunity to discuss the correct approach and the right sentencing outcome in relation to a number 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.

There is also an option to take either a confiscation module for those interested in this

field, or a module concerned with practical problems. The practical problems module is designed to deal with short matters that can and do occur, but may not be routine.

We would suggest that the confiscation module will be particularly helpful for salaried judges who hear confiscation cases, whilst the practical problems module is directed towards those judges or recorders who do not sit regularly in the Crown Court.

Plenary sessions consist of lectures and panel discussions on questions submitted by tutor groups.

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
- Practical problems

CROWN COURT TRIAL SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Course directors

Her Honour Judge Sally Cahill QC
His Honour Judge Jeffrey Pegden QC

Dates

9-10 April 2014 (residential)
16-17 June 2014 (non-residential)

Location

Warwick (residential)
Manchester (non-residential)

Cycle

This is a new seminar and will be repeated in 2015-2016

Preparation

Part of the preparation will be viewing online material and in addition there will be preparation of up to four hours

Course contact

Patience Lusengo
020 3334 2922
patience.lusengo@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to help judges to increase and develop their knowledge and understanding of criminal law, evidence and procedure; and to improve and refine the manner in which they exercise control over proceedings, give rulings and deliver legal directions.

Who is it for?

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

Summary

The seminar deals with aspects of a criminal trial, including compulsory core modules on:

- Case management
- Jury management
- Vulnerable witnesses

And optional modules on:

- Defendant in person and contempt
- Admissibility of evidence and joint enterprise
- Disclosure and PII
- Summing up

Participants will be asked to choose two optional modules from the four above when booking. Places on the optional modules are limited and will be allocated on a first come, first served basis.

This is a highly practical seminar. It consists of plenary lectures, syndicate group work, and DVD exercises dealt with in small groups, facilitated by a team of trained and experienced course tutors.

Judges will have the opportunity to demonstrate how they would deal with different issues. They will be asked to give short rulings and receive feedback from their course tutor and the group.

There will be an opportunity for questions in plenary sessions.

CROWN COURT COMBINED SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Course directors

Her Honour Judge Sally Cahill QC

His Honour Judge Jeffrey Pegden QC

Date

16-17 March 2015

Location

Warwick

Cycle

The trial part of the seminar is new. The sentencing part was first delivered in 2013-2014. The seminar will be repeated in 2015-2016

Preparation

Part of the preparation will be viewing online material and in addition there will be preparation of up to four hours

Course contact

Patience Lusengo

020 3334 2922

patience.lusengo@judiciary.gsi.gov.uk

Aim

This seminar combines elements of the Crown Court sentencing and trial seminars. Accordingly the aims are the same as for those, although each subject will be covered in less detail.

Who is it for?

All salaried and fee-paid judges sitting in the Crown Court. The seminar is particularly aimed at judges who sit in jurisdictions other than crime and therefore may not be able to attend the two separate trial and sentencing seminars. Inevitably topics cannot be dealt with in the same depth as at those seminars.

Summary

This is a highly practical seminar divided into two sections, the first dealing with issues faced at trial with an emphasis on case management, vulnerable witnesses and jury issues. The second section addresses sentencing in the Crown Court.

The seminar is delivered using a variety of methods as described in the summaries of the sentencing and trial seminars, with the focus on working in small groups led by trained and experienced course tutors.

There are compulsory core modules on:

- Sentencing
- Vulnerable witnesses /case management

And optional modules on:

- Jury management or summing up,
- Contempt/PII or defendant in person/disclosure

Thus participants will be expected to choose one module from each of two pairs when they book. The first pair is jury management or summing up. The second pair is contempt/PII or Defendant in person/disclosure. Places on the optional modules are limited and will be allocated on a first come, first served basis.

CROWN COURT MIXED SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Course directors

Her Honour Judge Sally Cahill QC
His Honour Judge Jeffrey Pegden QC

Date

15-16 September 2014

Location

Warwick

Cycle

First delivered in 2011-2012 in London and repeated in 2012-2013 in Leeds. Not delivered in 2013-2014

Preparation

Part of the preparation will be viewing online material and in addition there will be preparation of up to four hours

Course contact

Patience Lusengo
020 3334 2922
patience.lusengo@judiciary.gsi.gov.uk

Aim

This seminar covers three distinct topics:

- Aspects of criminal law relating to the European Community and European criminal law
- Case management or jury management
- Summing-up or defendant in person/disclosure

It is increasingly likely that Crown Court judges will have to deal with both substantive and procedural issues raised by the interrelationship of the Community law and domestic criminal law. One aim of the seminar is to inform judges of relevant provisions of Community law and their increasing effect on domestic criminal jurisprudence. It also aims to help judges to increase and apply their knowledge of the Criminal Procedure Rules and to deliver training in various aspects of trial management.

Participants will be expected to choose one module from each of two pairs when they book. The first pair is

case management or jury management. The second pair is summing up or defendant in person/disclosure. Places on the optional modules are limited and will be allocated on a first come, first served basis.

Who is it for?

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

Summary

The European modules will consist of lectures on relevant law together with practical exercises in syndicates. The case management and summing-up modules will include lectures on the Criminal Procedure Rules and Crown Court Bench Book, together with syndicate exercises, allowing judges to practise relevant skills. The jury management and defendant in person/disclosure modules will be dealt with in syndicates using exercises to facilitate discussion.

In all modules participants will be expected to prepare and deliver short rulings.

LONG AND COMPLEX TRIALS SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Course directors

His Honour Judge Jonathan Durham Hall QC

Deputy course director

His Honour Judge Martin Edmunds QC

Date

11-12 February 2015

Location

Warwick

Cycle

New content in 2014-2015

Preparation

About three hours

Course contact

Patience Lusengo
020 3334 2922
patience.lusengo@judiciary.gsi.gov.uk

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 and the fair and just means of avoiding delay, adjournment and unnecessary cost.

Particular attention will be paid to equipping judges to control all aspects of a complex case, including robust control of questioning and unfair treatment of witnesses.

Who is it for?

Judges and recorders who try or are likely to try criminal cases lasting four or more weeks.

Summary

The emphasis of this seminar is on discussion and practice in syndicates. In addition the seminar will be assisted by leading judicial and academic speakers on topics including recent developments in law, evidence and practice; case, trial and jury management; and discrete topics, including corruption, bribery, money laundering and cyber crime issues.

SERIOUS SEXUAL OFFENCES SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Course directors

His Honour Judge Martin
Picton

Dates

30 June-1 July 2014
3-4 November 2014
9-10 February 2015

Location

Warwick

Cycle

First delivered in this form in
2013-2014

Preparation

Four hours

Course contact

Patience Lusengo
020 3334 2922
patience.lusengo@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide those who try serious sexual offences with an opportunity to identify and address current legal, evidential, procedural and sentencing issues. It provides an update on current law and seeks to assist judges to develop their judicial skills in relation to the trial of serious sexual offences.

Who is it for?

Salaried and fee-paid judges who are authorised to try serious sexual cases.

Summary

The seminar includes lectures from distinguished academics, and several judges, who have extensive experience of trying cases of a sexual nature. These lectures cover topics such as historic sex cases, the competence of child and vulnerable witnesses, intermediaries, internet sexual abuse and how to case manage and conduct a trial of sexual offences.

Conduct of the trial includes controlling cross-examination

so as to strike an appropriate balance between the interests of child or otherwise vulnerable witnesses and the need for a defendant to have the opportunity to meet and challenge the prosecution case, as well as the issue of disclosure. Lectures from academics cover such topics as hearsay and bad character as well as applications to admit the previous sexual history of complainants.

Each seminar will endeavour to provide input from academics on topics such as juries in the context of the trial of sexual offences, as well as the psychological effect of being a victim of a sexual crime and how that may impact upon the nature of the evidence given. There are lectures from judges about the legal issues that arise in this field as well as evidential and procedural matters. Emphasis is placed upon the importance of maintaining balance, when conducting the trial and summing up, in these sensitive and often highly charged cases. Guidance is provided in the crafting of appropriate generic directions.

Finally, there are lectures from experienced judges dealing with the sentencing of offenders convicted of sexual crime, including the imposition of SOPOs.

An equally important feature of the seminar is the opportunity to discuss case studies, to view and debate issues arising out of a DVD about evidential and other issues relating to crimes of a sexual nature, and to consider various sentencing exercises. These exercises are carried out in small groups led by experienced course tutors. Considerable importance is attached to the opportunity this provides for those who try these cases to share experiences and to learn from others about how they deal with this difficult work.

Where appropriate the material provided at the seminar will be supplemented by additional papers, streamed lectures and other e-learning material made available on the College's LMS. This is an aspect of the course material that is being developed and enlarged over time and it is intended to provide a permanent resource for authorised judges and recorders.

SERIOUS CRIME SEMINAR

**Director of Senior
Judiciary Training**

Mr Justice Foskett

**Director of Criminal
Training**

Mr Justice Openshaw

Course directors

Mr Justice Holroyde
His Honour Judge Paul
Worsley QC

Date

22-23 September 2014

Location

Warwick

Cycle

The content is new for
2014-2015

Preparation

Not more than four hours

Course contact

Melissa Henderson
020 3334 2951
[melissa.henderson@
judiciary.gsi.gov.uk](mailto:melissa.henderson@judiciary.gsi.gov.uk)

Aim

The aim of this seminar is to ensure that those attending will be fully conversant with all aspects of substantive law, evidence, procedure and sentencing relating to homicide and terrorism cases; and to provide a forum for the discussion of practical problems that can arise in the pre-trial management and during the trials of serious, difficult, high-profile and sensitive cases of this kind.

Who is it for?

High Court Judges and Class 1 authorised circuit judges who try such cases.

Summary

The seminar will be delivered by a combination of lectures from distinguished academics and members of the senior judiciary; small discussion groups led by experienced course tutors; and plenary sessions to allow for the wider discussion of issues that arise.

Amongst the subjects covered will be:

- Pre-trial problems such as anonymity, media reporting, jury protection and disclosure
- Trial problems such as partial defences to murder, summing up, dealing with experts, joint enterprise and bad character
- Sentencing problems such as dealing with young offenders and dangerous offenders, whole life tariffs and sentencing guidelines

6.6 CRIMINAL AND FAMILY LAW

CRIMINAL AND FAMILY LAW COMBINED SEMINAR

Director of Criminal Training

Mr Justice Openshaw

Director of Family Training

Mr Justice Bodey

Course directors

Her Honour Judge Sally Cahill QC

Her Honour Judge Lesley Newton

Date

26-27 November 2014

Location

Warwick

Cycle

The materials are new for 2014-2015, apart from the sentencing materials, which were first delivered in 2013-2014

Preparation

About four hours

Course contact

Melissa Henderson
020 3334 2951
melissa.henderson@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to help judges authorised to sit in crime to increase and develop their knowledge and understanding of criminal law, evidence and procedure.

It also aims to provide suitably authorised judges with an opportunity to review and develop their knowledge and skills in managing and determining public law children cases.

Who is it for?

The seminar is aimed at salaried and fee-paid judges who are authorised to sit in the Crown Court and also authorised to hear public law children cases. It may be particularly suitable for recorders who hold both these authorisations. 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 seminar combines presentations from experts in their field with small group discussions that provide you with an opportunity to exchange views and share experiences with fellow judges. Participants will spend one day on criminal law and one day on family law.

As regards criminal law, participants will be asked to select one of the following two modules when they book:

- Sentencing update and sentencing exercises
- Case management, jury management and summing up

As regards family law, the topics covered include:

- Legal update
- Consolidating the Family Justice Reforms
- Constructing and delivering a judgment

6.7 CROSS-JURISDICTIONAL EDUCATION

BUSINESS OF JUDGING

Course chairman

Mrs Justice Cox DBE

Course directors

Professor Jeremy Cooper
His Honour Judge John Phillips CBE

Dates

12-13 June 2014
13-14 October 2014
26-27 January 2015

Location

Northampton

Cycle

New in 2013-2014

Preparation

Little or none

Course contact

Melissa Henderson
020 3334 2951
[melissa.henderson@
judiciary.gsi.gov.uk](mailto:melissa.henderson@judiciary.gsi.gov.uk)

Aim

This cross-jurisdictional seminar develops the themes and training methods used in its predecessor, the Craft of Judging. As with 'Craft', its aim 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 (including the magisterial and coronial jurisdictions), though the seminar is particularly suited to less experienced judges. It is not considered suitable for High Court Judges.

The number of places is limited and the seminar is not available to judges who have already attended the Craft of Judging.

Since the aim is to achieve a mix of judges from across the College, tribunal judges will also participate in roughly equal numbers, though separate booking arrangements will apply to them.

Summary

Traditionally the College's training for judges has been jurisdiction-based, with separate seminars in civil, criminal, family and tribunal law. However, there are many judicial skills which transcend the jurisdictions and are common to all of them. The Business of Judging 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 are:

- 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
- Managing judicial life
- Dealing with high conflict and unexpected situations that arise during a hearing

The seminar is 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). The judgment is filmed and you receive oral feedback from your colleagues.

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, again with the hearing being filmed.

The purpose of the filming is for you to see yourself on the bench as you really are. There is only one copy of each film and you take both home with you.

The emphasis on the development of practical skills means that most of the seminar takes place in small groups facilitated by experienced judges. There are few plenary sessions.

6.8 FAMILY LAW

HIGH COURT SEMINAR

**Director of Senior
Judiciary Training**

Mr Justice Foskett

**Director of Family
Training**

Mr Justice Bodey

Course director

Mr Justice Peter Jackson

Date

12-13 January 2015

Location

Northampton

Cycle

First delivered in 2011-2012
and adapted each year

Preparation

You will be asked to prepare
syndicate exercises in
advance. This should take
around two hours

Course contact

Adrian Sayles
020 3334 2925
adrian.sayles@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide High Court Judges with an opportunity to review and develop their knowledge and skill.

Who is it for?

Judges of the Family Division.

Summary

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

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

SEMINAR FOR JUDGES AUTHORISED TO HEAR HIGH COURT CASES

Director of Family Training

Mr Justice Bodey

Course directors

Her Honour Judge Lesley Newton

Her Honour Judge Sally Williams

Date

12-13 January 2015

Location

Northampton

Cycle

New for 2014-2015

Preparation

You will be asked to prepare syndicate exercises in advance. This should take around three hours

Course contact

Adrian Sayles
020 3334 2925
adrian.sayles@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide judges who are authorised to try High Court Family Division cases with an opportunity to review and develop their knowledge and skill in conducting such cases.

Who is it for?

Salaried and fee-paid judges who regularly exercise the jurisdiction of the Family Division of the High Court but who are not full time judges of the Division.

Summary

This challenging seminar combines presentations from experts in their field with small group discussions that provide you with an opportunity to exchange views and learn from other experienced family judges.

Topics covered include:

- Consolidating the Family Justice Reforms, both public and private
- International elements in children cases
- Update on recent developments in law and practice

This seminar runs concurrently with the High Court seminar for judges of the Family Division.

PUBLIC FAMILY LAW SEMINAR

Director of Family Training

Mr Justice Bodey

Course directors

Her Honour Judge Lesley
Newton
Her Honour Judge Sally
Williams

Dates

6-7 October 2014
5-6 November 2014

Location

Northampton

Cycle

This seminar is new in
2014-2015. The topics will
be repeated in 2015-2016

Preparation

You will need to prepare
the syndicate exercises
in advance. This should
take around three hours,
depending on experience

Course contact

Adrian Sayles
020 3334 2925
adrian.sayles@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide suitably authorised judges with an opportunity to review and develop their knowledge and skills 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 children cases.

Summary

The seminar combines presentations from experts in their field with small group discussions, providing you with an opportunity to exchange views and share experiences with fellow judges who hear these challenging cases.

Topics covered include:

- Legal update
- Consolidating the Family Justice Reforms
- Constructing and delivering a judgment
- Assessing parental capacity to change
- Transparency

PRIVATE LAW CHILDREN SEMINAR

Director of Family Training

Mr Justice Bodey

Course directors

Her Honour Judge Sally Williams

District Judge Stephen Arnold

District Judge Martin Dancey

Dates

3-4 November 2014

14-15 January 2015

Location

Northampton

Cycle

This seminar is new in 2014-2015. The topics will be repeated in 2015-2016

Preparation

You will need to prepare the syndicate exercises in advance. This should take around three hours, depending on experience

Course contact

Adrian Sayles

020 3334 2925

adrian.sayles@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide judges who hear private family law children cases with an opportunity to identify and address current issues, update themselves on current law, practice and procedure, and advance their judicial skills in this jurisdiction.

Who is it for?

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

Summary

The seminar combines presentations from experts in their field with small group discussions, providing you with an opportunity to exchange views and share experiences with fellow judges who hear these cases.

Topics covered include:

- Legal update
- Case management issues
- Managing child arrangement orders
- Shared parenting

FINANCIAL REMEDIES AND FAMILY MONEY SEMINAR

Director of Family Training

Mr Justice Bodey

Course directors

District Judge Stephen Arnold
District Judge Martin Dancey

Date

8-9 October 2014

Location

Northampton

Cycle

This seminar is new in 2014-2015. The topics will be repeated in 2015-2016

Preparation

You will need to prepare the syndicate exercises in advance. This should take around three hours, depending on experience

Course contact

Adrian Sayles
020 3334 2925
adrian.sayles@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide judges with an opportunity to identify and address current issues in financial remedies and family money and to be provided with an update on the current law, practice and procedure.

Who is it for?

Salaried and fee-paid judges sitting in the Family Court including an option for those authorised to hear appeals in family money cases.

Summary

This seminar will be delivered by means of lectures and small group discussions based upon case studies, providing judges with an opportunity to exchange views and share experiences with fellow judges who hear these cases. The syndicates will be led by experienced family judges.

Topics covered include:

- Legal update
- Cohabitation and TOLATA
- Pensions
- Welfare benefits
- Case management and litigants in person
- Construction and delivery of judgments in money cases
- Bankruptcy and financial remedies
- Appeals in family money cases

Participants who wish to choose the appeals option will be asked to do so at the time of booking.

6.9 MAGISTERIAL LAW

SEMINAR FOR DISTRICT JUDGES (MAGISTRATES' COURTS) AND DEPUTY DISTRICT JUDGES (MAGISTRATES' COURTS)

Director of Magistrates' Training

Mrs Justice Thirlwall DBE

Course directors

District Judge (Magistrates' Courts) Barbara Barnes
District Judge (Magistrates' Courts) Martin Brown (Youth Court)

Dates

28-29 April 2014
30 April-1 May 2014
19-20 May 2014
21-22 May 2014

Location

Northampton

Cycle

All materials are new for 2014-2015

Preparation

Four hours maximum

Course contact

Danny Branch
020 3334 2880
danny.branch@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to support continuous professional development for judges. It gives them the opportunity to address and discuss current issues of law, practice and procedure with colleagues, including anticipated changes, and to share experiences and best practice. It assists them to maintain and develop the skills and knowledge needed to carry out their role in court.

Who is it for?

District judges (magistrates' courts) and deputy district judges (magistrates' courts).

Summary

The seminar consists mainly of syndicate sessions allowing for detailed discussion in small groups. These are facilitated by trained and experienced district judges (magistrates' courts) and discussion and debate is encouraged. Plenary sessions may feature guest speakers from outside

agencies or from the judiciary, depending on the topic.

DVDs and video may be used in both plenary and syndicate groups as training tools, particularly where the maintenance and development of courtroom skills is concerned. The precise format of the seminar depends on the nature and content of current requirements and any anticipated legislative or procedural changes.

Topics covered include:

- Case management
- Admissibility of evidence and related applications
- Sentencing
- Ancillary orders
- Civil orders
- Vulnerable witnesses and defendants
- Courtroom skills
- Mental health issues
- IT resources

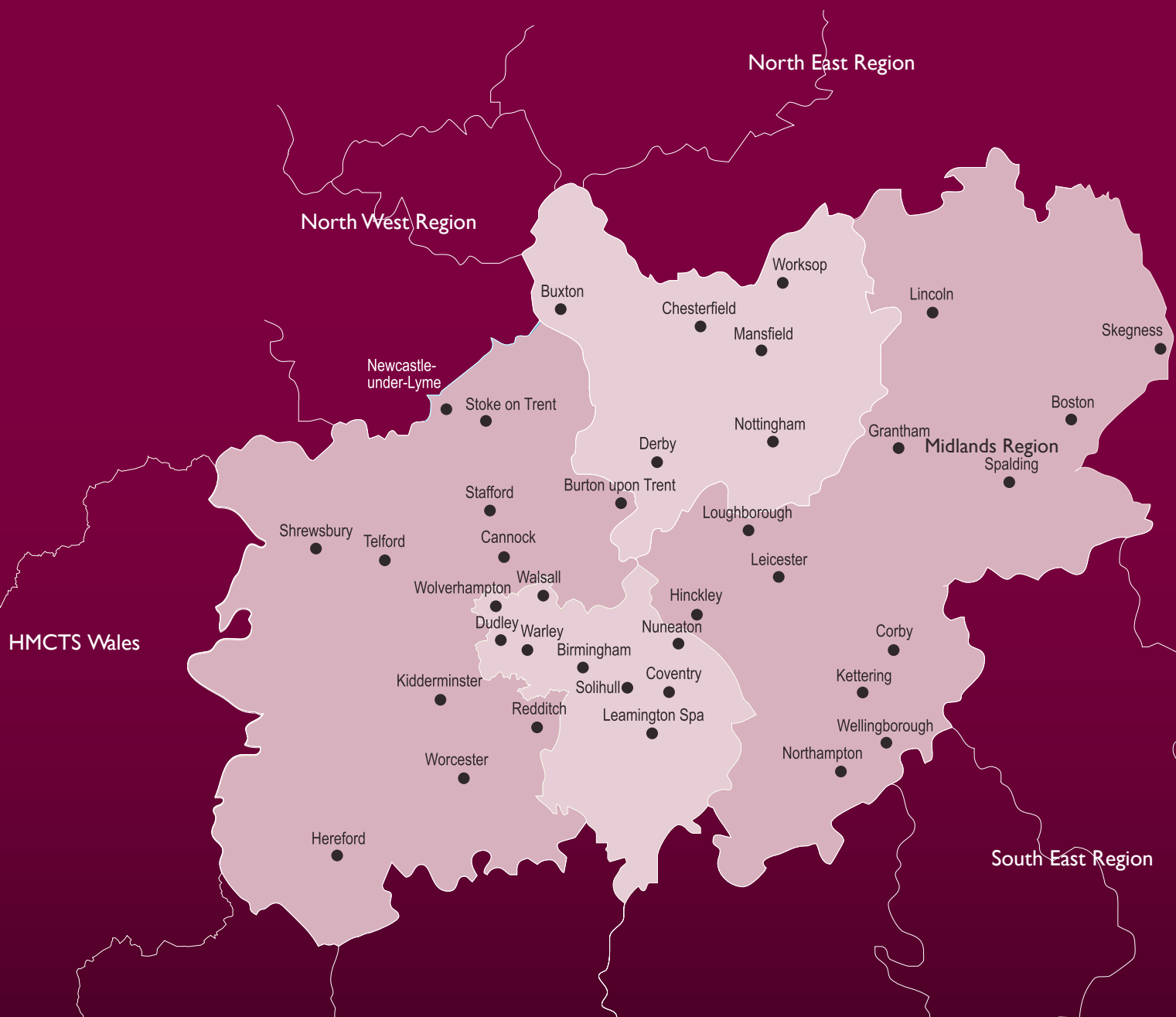
In addition there will be a module covering Youth Court practice and procedure. This comprises a half-day module within each seminar and includes any aspect of law, procedure and sentencing of current importance. This module is intended for district judges (magistrates' courts) who sit in Youth Courts and should be selected at the time of booking.

7

CIRCUIT SEMINARS ON THE MIDLAND CIRCUIT

- 7.1 Civil law
- 7.2 Criminal law
- 7.3 Family law

Please read sections 2.2 and 3 of the prospectus before selecting a seminar from this section.



7.1 CIVIL LAW

Presiding Judges

Mr Justice Flaux
Mrs Justice Thirlwall DBE

Circuit course director

His Honour Judge Robert Owen QC

College course director

His Honour Judge David Waksman QC

Date

5 December 2014

Location

Warwick

Cycle

These are the first seminars in a new cycle

Preparation

About three hours

Course contact

Booking Helpline
020 3334 0333
[courtsjudicialtraining@
judiciary.gsi.gov.uk](mailto:courtsjudicialtraining@judiciary.gsi.gov.uk)

Aim

The aim of the seminar is to develop and reinforce judicial skills in case management before and at trial. It will also consolidate expertise in a selection of procedural and substantive law topics.

Who is it for?

All salaried and fee-paid judges sitting in the county court and in the relevant District Registry of the High Court.

Summary

This is a new, practical seminar containing both core and optional modules.

The core module, in which all those attending will participate, is based upon case management by reference to the life of a fictional case as it proceeds to trial. It will be undertaken in small syndicate groups facilitated by trained and experienced course tutors. It will not replicate the national case management module.

Within the module particular issues, and how to approach them, will be considered including putting proportionality into practice, costs budgeting, litigants in person and delivering judgments. Some of these will be presented for syndicate discussion in a DVD. In addition participants will be asked to give brief rulings, deal with particular situations as they arise or deliver elements of their judgments. Time will be allowed for feedback from the course tutor and the group. This module will take up the entire morning except for the first 30 minutes when there will be a short update lecture on topical subjects.

The afternoon will be taken up principally with two successive modules which participants can select from a range of three at the time of booking. Again these will be dealt with in syndicate.

The modules are:

- A substantive law problem involving incorporation and interpretation of an exclusion and/or limitation clause and its reasonableness in a sale of goods context
- A procedural law exercise involving a summary judgment/strike out application, incorporating issues of appropriateness of dealing summarily with (i) points of law (ii) points of construction (iii) disputed facts and the power to order payment into court
- An exercise concerned with examining (i) what amounts to expert evidence (ii) the making of expert evidence directions to include proportionality of having an expert at all, two experts or SJE and hot-tubbing orders and (iii) dealing with such evidence at trial including a role play element

As with the core module participants will be asked to give short rulings and receive feedback from their course tutor and the group.

There may also be a short plenary session at which issues of local interest and importance on the circuit will be raised and discussed.

7.2 CRIMINAL LAW

Presiding Judges

Mr Justice Flaux
Mrs Justice Thirlwall DBE

Circuit course director

His Honour Judge Melbourne
Inman QC

College course director

His Honour Judge Gary Burrell
QC

Dates

17 November 2014
24 November 2014

Location

Warwick

Cycle

These are the first seminars in a new cycle. All the modules are new, although the three optional modules are also available at the Crown Court Trial Seminar which will take place at Warwick on 9-10 April 2014 and at Manchester on 16-17 June 2014

Preparation

About four hours

Course contact

Booking Helpline
020 3334 0333
[courtjudicialtraining@
judiciary.gsi.gov.uk](mailto:courtjudicialtraining@judiciary.gsi.gov.uk)

Aim

The aim of the seminar is to help judges to identify the correct approach to sentencing and to deliver sound, understandable and technically correct sentences. It also aims to develop their judicial skills in managing particular aspects of pre-trial and trial proceedings.

Who is it for?

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

Summary

This is a new, practical seminar containing both core and optional modules.

The core module, in which all those attending will participate, is a sentencing module. The focus is on work in small groups facilitated by a team of trained and experienced course tutors. The groups provide an opportunity to discuss the correct approach and the right sentencing outcome in relation to a small number of topical case studies. In addition to discussion and a 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.

In addition there are three optional modules, from which judges will be asked to select two at the time of booking:

- Case management
- Managing vulnerable witnesses
- Disclosure and public interest immunity

The optional modules will consist of presentations by experts in the field and work in small groups. Judges will have the opportunity to demonstrate how they would deal with different issues. They will be asked to give short rulings and receive feedback from their course tutor and the group.

Some of the materials for the seminar will be presented by the use of DVD.

There may also be a short plenary session at which issues of local interest and importance on the circuit will be raised and discussed.

7.3 FAMILY LAW

Family Division Liaison Judge

Mrs Justice Eleanor King DBE

Circuit course director

His Honour Judge Mark Rogers

College course director

District Judge Martin Dancey

Date

21 November 2014

Location

Northampton

Cycle

This course is being run as a pilot on the Western and Midlands Circuits for a 2 year period from 2014

Preparation

You will need to prepare the syndicate exercises in advance. This should take around three hours, depending on experience. The course papers will be provided so that they may be read in advance

Course contact

Booking Helpline
020 3334 0333
courtsjudicialtraining@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide a circuit-based opportunity for all judges authorised to hear family cases to update and review their knowledge and skills in family cases.

Who is it for?

Salaried and fee-paid judges (circuit judges, district judges, district judges (magistrates' courts), recorders and deputy district judges) sitting in the Family Court.

Summary

This seminar combines presentations on matters of general interest in the family jurisdiction with three modular options in family money, private family law and public family law.

The seminar will include managing litigants in person as a core module, undertaken by all participants.

Participants will then be asked to select one of the three options (family money, private family law and public family law), each of which will include legal updates and practice points relevant to the chosen option and other subjects topical at the time.

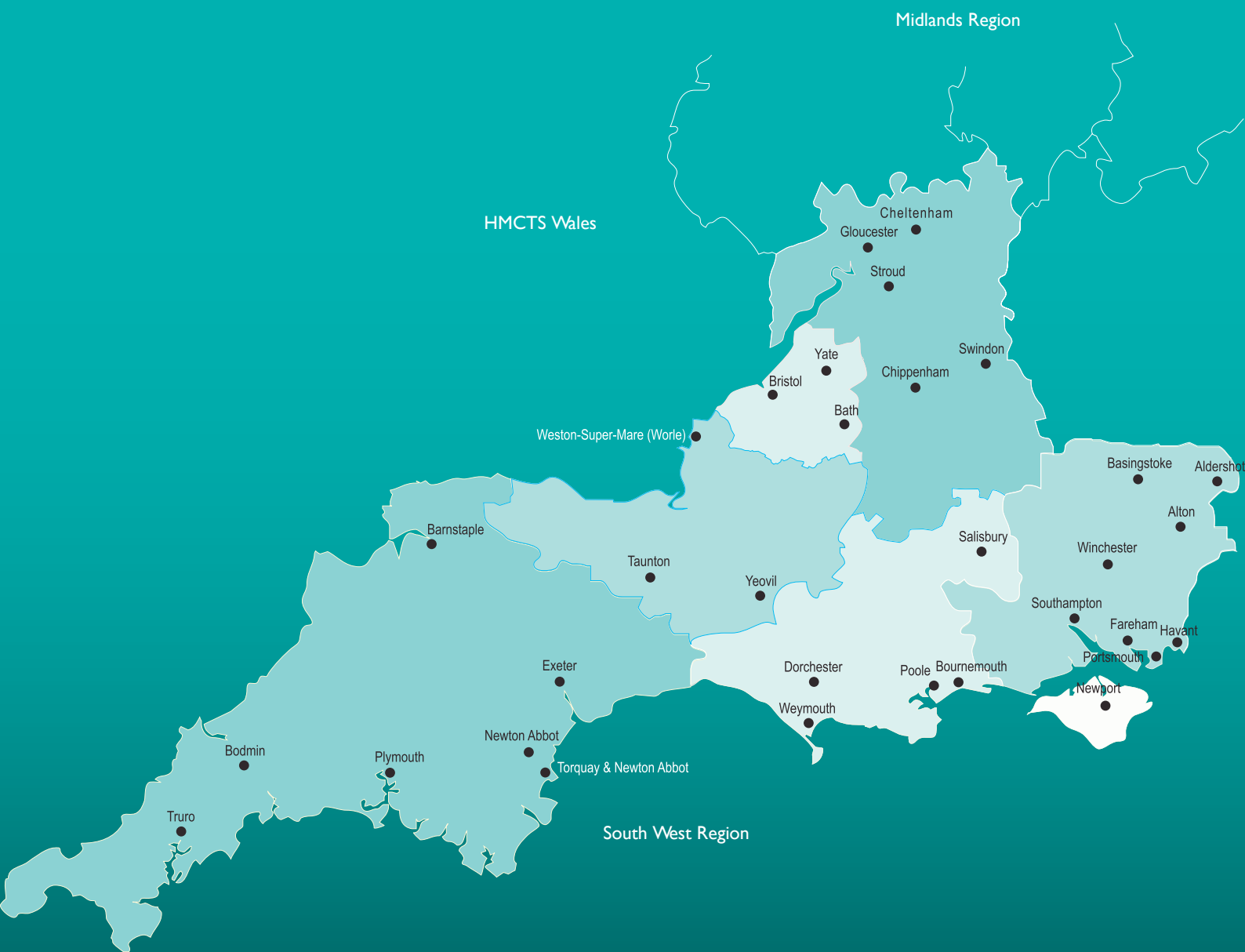
There may also be a short plenary session at which issues of local interest and importance on the circuit will be raised and discussed.

8

CIRCUIT SEMINARS ON THE WESTERN CIRCUIT

- 8.1 Civil law
- 8.2 Criminal law
- 8.3 Family law

Please read sections 2.2 and 3 of the prospectus before selecting a seminar from this section.



8.1 CIVIL LAW

Presiding Judges

Mr Justice Burnett
Mrs Justice Sharp DBE

Circuit course director

District Judge Myles Watkins

College course director

His Honour Judge David
Waksman QC

Date

15 December 2014

Location

Swindon

Cycle

These are the first seminars
in a new cycle

Preparation

About three hours

Course contact

Booking Helpline
020 3334 0333
[courtsjudicialtraining@
judiciary.gsi.gov.uk](mailto:courtsjudicialtraining@judiciary.gsi.gov.uk)

Aim

The aim of the seminar is to develop and reinforce judicial skills in case management before and at trial. It will also consolidate expertise in a selection of procedural and substantive law topics.

Who is it for?

All salaried and fee-paid judges sitting in the county court and in the relevant District Registry of the High Court.

Summary

This is a new, practical seminar containing both core and optional modules.

The core module, in which all those attending will participate, is based upon case management by reference to the life of a fictional case as it proceeds to trial. It will be undertaken in small syndicate groups facilitated by trained and experienced course tutors. It will not replicate the national case management module.

Within the module particular issues, and how to approach them, will be considered including putting proportionality into practice, costs budgeting, litigants in person and delivering judgments. Some of these will be presented for syndicate discussion in a DVD. In addition participants will be asked to give brief rulings, deal with particular situations as they arise or deliver elements of their judgments. Time will be allowed for feedback from the course tutor and the group. This module will take up the entire morning except for the first 30 minutes when there will be a short update lecture on topical subjects.

The afternoon will be taken up principally with two successive modules which participants can select from a range of three at the time of booking. Again these will be dealt with in syndicate.

The modules are:

- A substantive law problem involving incorporation and interpretation of an exclusion and/or limitation clause and its reasonableness in a sale of goods context
- A procedural law exercise involving a summary judgment/strike out application, incorporating issues of appropriateness of dealing summarily with (i) points of law (ii) points of construction (iii) disputed facts and the power to order payment into court
- An exercise concerned with examining (i) what amounts to expert evidence (ii) the making of expert evidence directions to include proportionality of having an expert at all, two experts or SJE and hot-tubbing orders and (iii) dealing with such evidence at trial including a role play element

As with the core module participants will be asked to give short rulings and receive feedback from their course tutor and the group.

There may also be a short plenary session at which issues of local interest and importance on the circuit will be raised and discussed.

8.2 CRIMINAL LAW

Presiding Judges

Mr Justice Burnett
Mrs Justice Sharp DBE

Circuit course director

His Honour Judge Philip Wassall

College course director

His Honour Judge Gary Burrell QC

Date

1 December 2014

Location

Swindon

Cycle

These are the first seminars in a new cycle. All the modules are new, although the three optional modules are also available at the Crown Court Trial Seminar which will take place at Warwick on 9-10 April 2014 and at Manchester on 16-17 June 2014

Preparation

About four hours

Course contact

Booking Helpline
020 3334 0333
courtsjudicialtraining@judiciary.gsi.gov.uk

Aim

The aim of the seminar is to help judges to identify the correct approach to sentencing and to deliver sound, understandable and technically correct sentences. It also aims to develop their judicial skills in managing particular aspects of pre-trial and trial proceedings.

Who is it for?

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

Summary

This is a new, practical seminar containing both core and optional modules.

The core module, in which all those attending will participate, is a sentencing module. The focus is on work in small groups facilitated by a team of trained and experienced course tutors. The groups provide an opportunity to discuss the correct approach and the right sentencing outcome in relation to a small number of topical case studies. In addition to discussion and a 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.

In addition there are three optional modules, from which judges will be asked to select two at the time of booking:

- Case management
- Managing vulnerable witnesses
- Disclosure and public interest immunity

The optional modules will consist of presentations by experts in the field and work in small groups. Judges will have the opportunity to demonstrate how they would deal with different issues. They will be asked to give short rulings and receive feedback from their course tutor and the group.

Some of the materials for the seminar will be presented by the use of DVD.

There may also be a short plenary session at which issues of local interest and importance on the circuit will be raised and discussed.

8.3 FAMILY LAW

Family Division Liaison Judge

Mr Justice Baker

Circuit course director

Her Honour Judge Katharine Marshall

College course director

District Judge Martin Dancey

Date

8 December 2014

Location

Swindon

Cycle

This course is being run as a pilot on the Western and Midlands Circuits for a 2 year period from 2014

Preparation

You will need to prepare the syndicate exercises in advance. This should take around three hours, depending on experience. The course papers will be provided so that they may be read in advance

Course contact

Booking Helpline
020 3334 0333
courtsjudicialtraining@judiciary.gsi.gov.uk

Aim

The aim of this seminar is to provide a circuit-based opportunity for all judges authorised to hear family cases to update and review their knowledge and skills in family cases.

Who is it for?

Salaried and fee-paid judges (circuit judges, district judges, district judges (magistrates' courts), recorders and deputy district judges) sitting in the Family Court.

Summary

This seminar combines presentations on matters of general interest in the family jurisdiction with three modular options in family money, private family law and public family law.

The seminar will include managing litigants in person as a core module, undertaken by all participants.

Participants will then be asked to select one of the three options (family money, private family law and public family law), each of which will include legal updates and practice points relevant to the chosen option and other subjects topical at the time.

There may also be a short plenary session at which issues of local interest and importance on the circuit will be raised and discussed.

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ACADEMIC PROGRAMME



The College's curriculum focuses mainly on what judges do in court and the public interest in having a properly trained judiciary no doubt requires that. However, we would also like to offer judges a broader range of educational opportunities and to that end we shall continue with our academic programme for a second year.

The first programme was well received and consisted of four lectures given by distinguished jurists, each of which was based on the subject 'Being a judge in the modern world'. The speakers presented very different perspectives on this broad topic, two judicial (Lord Carnwath and the Lord Chief Justice) and two non-judicial (Shami Chakrabarti and Joshua Rozenberg). Each lecture was stimulating and thought-provoking in its own right.

The College is planning a second series of lectures and, when finalised, this will be widely advertised on the judicial intranet, the LMS and elsewhere.

Each lecture will start at 5.30pm and the host venue will provide a modest reception afterwards. Places will be available to all judicial office holders and will be allocated on a first come, first served basis. We do hope that you will continue to support this College venture and benefit both from the lectures and from meeting your colleagues in informal surroundings.

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EUROPEAN LAW

10.1 European constitutional law

10.2 Introduction to European criminal justice



10.1

EUROPEAN CONSTITUTIONAL LAW

European law plays an increasing role in the day to day business of courts and tribunals. Accordingly the prospectus offers two interactive e-learning programmes in the subject, both developed by the Academy of European Law in Trier. The first, European constitutional law, is a broad introduction to the law and institutions of the EU.

The programme is divided into modules and each module has several lessons. You are free to decide which parts of the modules you study and how you go through the materials. There is no required order. Accompanying the modules you will find quizzes. These are intended as a form of self-test which you can undertake if you want. Needless to say, no one is monitoring the results.

There are three modules altogether. The first introduces you to EU institutions and organs and their relationship with each other. The second deals with the legal instruments and decision-making processes of the EU. The third considers the overall jurisdiction of the EU and also its limits.

10.2

INTRODUCTION TO EUROPEAN CRIMINAL JUSTICE

This programme also has three modules. The first deals with the legal and institutional framework of European criminal justice. The second considers a number of areas:

- [Mutual legal assistance in criminal matters](#)
- [Mutual recognition in criminal matters \(including the European Arrest Warrant\)](#)

- [European criminal procedure](#)
- [Substantive European criminal law](#)
- [Police co-operation in the EU](#)

The third module relates to organisations which enable judicial and police co-operation in criminal matters.

Access

Both e-learning programmes are available in the international section of the LMS, under the tab 'International eLearning'.

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INTERNATIONAL TRAINING AND OPPORTUNITIES

Director of International Training
Mr Justice Haddon-Cave

- 11.1 Training overseas
- 11.2 European Judicial Training Network
- 11.3 Exchange programme
- 11.4 Catalogue programme



11.1

TRAINING OVERSEAS

International judicial training is a key element of the College's strategy. It intends to participate in international judicial training projects which strengthen judicial independence and reinforce the judiciary as a key institution of democratic governance. To this end it has appointed Mr Justice Haddon-Cave as Director of International Training and

chairman of the College's International Committee, which includes judges from courts and tribunals with a particular interest in this area. The College will implement its strategy by offering an increased number of places to international judges at seminars here, particularly those with training responsibilities, and also by providing training overseas,

when requested to do so and within available resources. For example, in recent months the College has delivered training in Malta, Trinidad, Rwanda and Mauritius.

11.2

EUROPEAN JUDICIAL TRAINING NETWORK

The European Judicial Training Network (EJTN) was founded in 2000 by the judicial training institutions of the EU Member States in order to develop genuine co-operation between them. Until March 2014 England and Wales is a member of the Steering Committee. The EJTN offers two programmes which are of

particular interest to English and Welsh courts judges, the exchange programme and the catalogue programme.

11.3

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 institute 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. England and Wales and reserved tribunals in Scotland participate in the programme, which is administered jointly by the Judicial Office and Judicial College. We offer a number of places each year and these will be advertised on the judicial intranet and the LMS. Please note that a good command of the language of the host country is required.

11.4

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 2013 catalogue, for example, contains over 250 seminars covering practically every aspect of judicial work. Again a good command of the language of the host country is usually required, though some seminars are delivered

in 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.net). We do hope that judges will want to apply when

places are advertised and we encourage them to do so.

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JUDICIAL COLLEGE CONTACT DETAILS



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Course organisation team

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Civil law seminar lead

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Family law seminars lead

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Civil and family law combined seminar lead

Melissa Henderson
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Criminal and family law combined seminar lead

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Court of Protection seminar lead

Melissa Henderson
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Criminal law seminars lead (except serious crime)

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Serious crime seminar

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Magisterial law team

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Business of Judging lead

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International training and opportunities

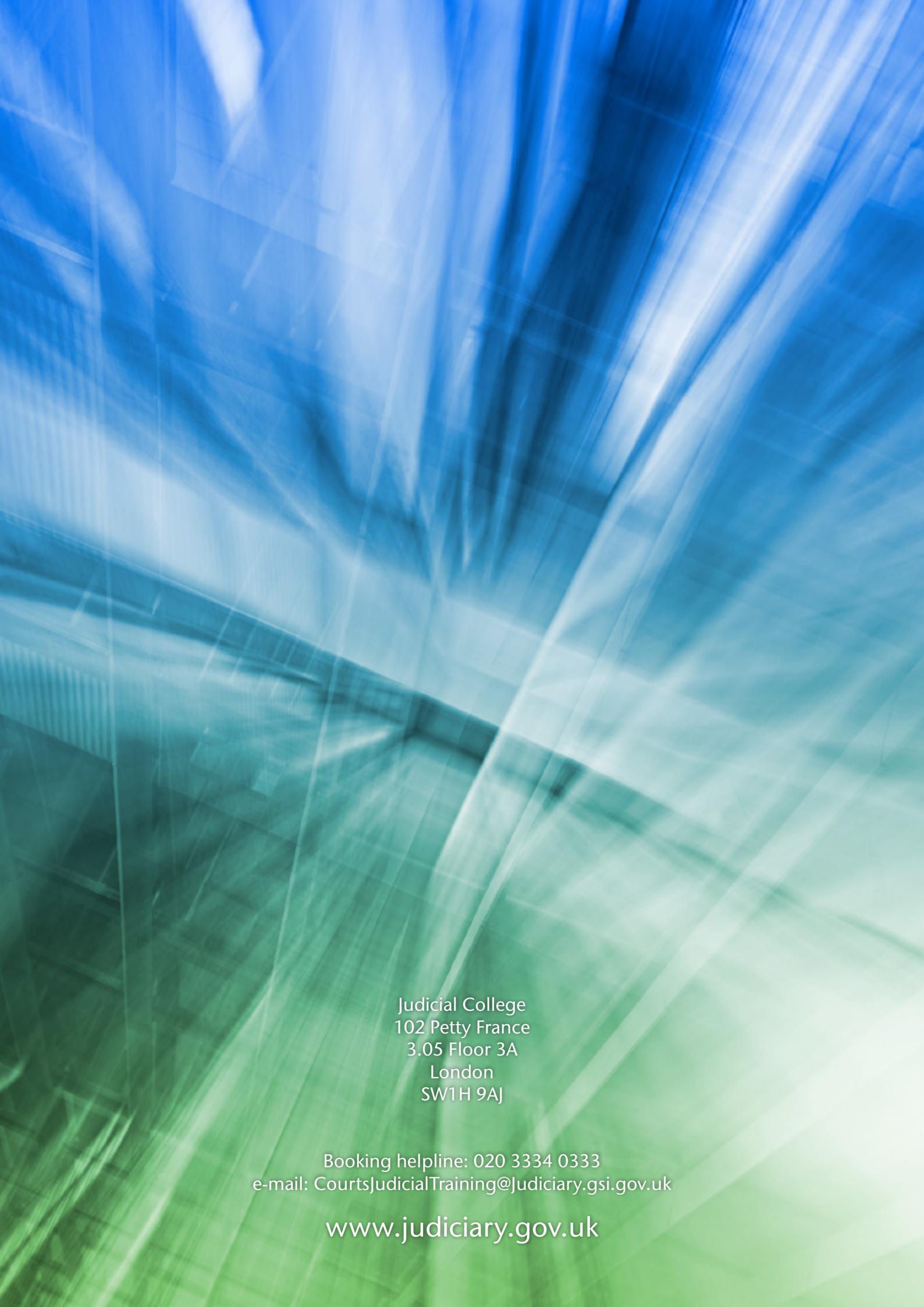
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Bookings

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