

Judicial Institute
for Scotland



Annual Report 2015/16

For the year to 31 March 2016

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Foreword by the Chairman



I am delighted to present the Judicial Institute Annual Report for the year to 31 March 2016, the first under my chairmanship.

The Institute continues to grow and mature and offers a comprehensive range of judicial training and guidance material which is the envy of other judicial training bodies.

During the past year the Institute has responded to a number of changes affecting the judiciary, including providing training for sheriffs appointed to the new Sheriff Appeal Court and the all Scotland Personal Injury Court.

Further changes are imminent with the introduction in April 2016 of the new judicial role of summary sheriff for which a bespoke programme of blended induction training has been created.

The Institute places great importance on reviewing all aspects of its effectiveness. To this end two significant steps have been taken this year.

The first is the introduction of a new evaluation process which will provide the organisation with feedback to measure the success, efficacy and impact of the courses it delivers.

The second relates to a review of the Institute by Professor Dame Hazel Genn of the Judicial Institute of University College London. The Institute is very grateful to Professor Genn and her colleague Professor Cheryl Thomas for the extensive work they undertook in examining the structure and administrative arrangements of the Institute and reviewing the programme of courses and course materials. The purpose of the review was to assess how well the Judicial Institute meets the learning needs of the Scottish judiciary, how the training and associated activities developed by the Institute compare with international judicial training standards, and make suggestions for future development. The Report prepared by Professors Genn and Thomas fully addresses these aspects and will inform the future work and direction of the Institute.

There are many changes and challenges ahead for the Institute, but I am confident that with the imagination, enthusiasm and commitment of each and every member of the team we all look to the future with relish.

A handwritten signature in black ink, reading 'Stephen E. Woolman'.

Stephen Woolman
Chairman

A Word from the Director



The last year has brought further recognition of the growing reputation of the Judicial Institute on the national and international stage.

Our prospectus of courses proved very successful with the judges attending and the continuing development of the Judicial Hub has provided judicial office holders in Scotland with an increasingly comprehensive suite of online resources which assist and support them in the exercise of their duties. I was particularly pleased to launch the Jury Manual, our flagship publication, as an exclusively online resource. Judges can still access and use it in a number of flexible formats but, in its new online version, the Institute has complete and instant control of the Manual, making it much easier to maintain and update it as legal developments require.

I was particularly pleased that the Institute's work was acknowledged in the securing of two prestigious awards about which you can read more detail below.

In September 2015, at the first Scottish Lesbian, Gay, Bisexual, Transgender and Intersex Awards held in Glasgow, the Institute was awarded the 'Public Body Initiative of the Year' accolade in recognition of its work on transgender training and the review of the Equal Treatment Bench Book.

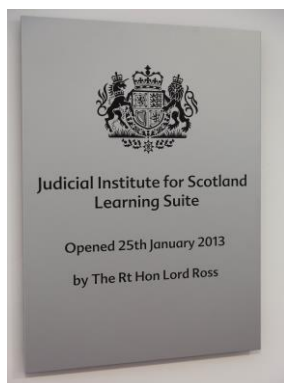
Then in October 2015 the Judicial Institute was awarded by the European Commission the Crystal Scales of Justice Award at a ceremony in Banja Luka, Bosnia and Herzegovina for the innovative nature of its Judicial Hub.

The year to come will raise more challenges with the continuing implementation of court reforms and the constant turmoil of other legislative change, but I am confident that, with the hard working and expert team of colleagues I have supporting me and the Deputy Director, the Institute will be up to the task.

A handwritten signature in black ink, appearing to read 'A Duff'.

Alistair Duff
Director

About the Judicial Institute



The Judicial Institute for Scotland (formerly the Judicial Studies Committee) was officially formed on 1st January 2013 and operates from a bespoke Learning Suite and offices in Parliament House, Edinburgh.

The Institute is delegated by the Lord President with responsibility to provide a range of professional development opportunities to all judicial office holders in Scotland. The Institute's guiding philosophy is that all judicial education will be judge-led, judge-devised and judge-delivered.

The Institute also develops guidance materials for the judiciary including the Jury Manual, Equal Treatment Bench Book and various other bench books, checklists and briefing papers and notes, all as detailed in this Report.

The Institute regularly welcomes senior judges from England and Wales, and from further afield to assist in training, as well as engaging with experts in the field and representatives from many criminal justice related organisations.

The Judicial Institute has established many valuable connections with other judicial training bodies throughout the world which allows the sharing of best practice and allows the Institute to keep up to date with developments in judicial education internationally.

The number of judicial office holders in Scotland as at 31 March 2016 is 564:

Senators	31
Temporary Judges	16
Sheriffs Principal	6
Sheriffs	131
Part-Time Sheriffs	42
Justices of the Peace	330
Stipendiary Magistrates	8

Summary Sheriffs

In addition to the above, a new office of Summary Sheriff was created under the Courts Reform (Scotland) Act 2014. The first Summary Sheriffs take up post with effect from April 2016 and the office of Stipendiary Magistrate will cease to exist.

Governance Structure

The Lord President is President of the Judicial Institute.

The Institute's [Governance Framework](#) provides that there shall be a Board of no more than 12 persons comprising:

- Two Senators of the College of Justice, one of whom shall act as Chair and the other as Vice Chair
- A Sheriff who shall be the Director of the Institute, and
- A Sheriff who shall be the Deputy Director of the Institute

It also provides that there shall be an Advisory Council comprising:

- A Sheriff Principal
- Two Sheriffs
- One part-time Sheriff
- Two Justices of the Peace
- A representative of the Justice Department of the Scottish Government
- A lay person
- Such other persons who possess such particular expertise as the Chairman considers would be of assistance to the work of the Judicial Institute

The Advisory Council meets on a quarterly basis.

Advisory Council Members

(as at 31 March 2016)

The Rt Hon Lord Carloway	Lord President, President of the Judicial Institute
The Hon Lord Woolman	Chairman
The Hon Lady Stacey	Vice Chair
Sheriff Alistair Duff	Director
Sheriff Andrew Cubie	Deputy Director
Sheriff Principal Marysia Lewis	Sheriff Principal
Sheriff Susan Craig	Sheriff
Sheriff Johanna Johnston QC	Sheriff
Sheriff Brian Cameron	Part-time Sheriff
Robin White JP	Justice of the Peace
Tom Finnigan JP	Justice of the Peace
Dr Judith McClure CBE	Former Head Teacher of St George's School for Girls
Judge Shona Simon	President, Employment Tribunals (Scotland)
Neil Rennick	Criminal Justice Division, Scottish Government

The Chair and the Vice-Chair are engaged in full-time duties as Senators of the College of Justice sitting in the Supreme Courts. Lord Woolman succeeded Lord Malcolm as Chair on 1 August 2015. Lady Stacey succeeded Lord Woolman as Vice Chair with effect from February 2016.

The Director and Deputy Director are serving Sheriffs but are engaged full time with the work of the Judicial Institute on a fixed term basis.

Judicial Institute Staff

(as at 31 March 2016)

Director	Sheriff Alistair Duff
Deputy Director	Sheriff Andrew Cubie
Head of Education	Jessica Macdonald (<i>currently on maternity leave</i>)
Head of JP Programmes	Collette Paterson
Learning Technology Manager	Jacqueline Carter
Learning Technology Technician	Gavin Downey
Project Support Officer	Brittany Stewart
Programme Managers	Anne Fisher, Lesley Macaulay
Legal Assistants	Jamie McNish, Lucas Clover Alcolea
Course Officers	Michael Wilson, Anna Armitage, Cezary Zduniak
Course Assistant	Alastair Plews

Education Strategy



The Institute's approach to judicial education is transformative and experiential. The 2015/16 curriculum continued to offer targeted one and two day courses addressing topics directly related to the judicial role. Courses also provided the opportunity for judges to learn, reflect, share knowledge and experience, critically analyse assumptions, and challenge their own social, moral and philosophical understandings of their judicial role.

A new education strategy was introduced in August 2015 which sets out the Institute's commitment to deliver judicial education through a mix of active lecturing, problem-based learning, learning democracies, and blended learning, all with clear learning objectives.

Evaluation

The Institute considers feedback from individual judges to be an important and effective means of measuring the efficacy of the training it delivers and the curriculum is subject to consistent evaluation and quality assurances processes. At the beginning of 2016 a new evaluation framework was introduced. The evaluation framework provides the opportunity for judges to complete a more detailed evaluation questionnaire online, at a time and place that suits them. The information provided by the online survey can be more effectively analysed than the handwritten questionnaires previously used, and provides both qualitative and quantitative data.

In the coming months it is intended to follow this first stage feedback with a second stage feedback form to assess the impact and value of the training in the longer term.

Induction

Induction training for all newly appointed **senators** and **sheriffs** is compulsory and is provided by the Judicial Institute under the terms of the Judicial Training Determination No 1 issued by the Lord President. Induction training includes the following:

- Judicial ethics and conduct
- Court management, including jury trial management
- Procedural and evidential issues
- Assessment of witnesses
- Judgment writing and *ex tempore* decisions
- Sentencing
- Social context, equal treatment and diversity issues
- Contempt of court
- Use of information technology
- Unrepresented litigants and vulnerable persons in courts

Sheriff Induction Training

April 2015, September 2015

Training was held in the Judicial Institute offices for two newly-appointed Sheriffs in April and a further two in September. The Directors led them through a number of training exercises covering the areas above and included a visit to a local prison and social work department.

Induction for **Prospective Justices of the Peace** is delivered in partnership with the Sheriffdom prior to appointment as required by section 3 (4) of the Justices of the Peace (Scotland) Order 2007. The Approved Course of Training for Justices of the Peace was approved by the Lord President in 2014. Prospective Justices are trained for up to ten months locally within the Sheriffdom, and training concludes with a two day induction in the Judicial Institute Learning Suite.

Induction Training for Prospective Justices of the Peace in North Strathclyde

14 – 15 January 2016

This two day course took place in January following 10 months of local training within the Sheriffdom. Day one of the course covered Avoiding Bias when Assessing Credibility and Reliability of Witnesses; Judicial Independence; Impartiality and Ethics. Delegates also participated in group discussions on common court scenarios. Day two provided the Justices with a Sheriff's perspective on "The Three C's" (Control, Communication and Confidence)", together with an introduction to the Sheriff Appeal Court and appeals, and a session on Equal Treatment in Court. Delegates revisited the court scenarios from day 1 in the simulated courtroom environment to develop court craft.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Collette Paterson, Head of JP Programmes (Course Director); Sheriff Principal D Murray; ; Jackie Carter; Ashleigh McGregor; Sheriff A Watson; Sheriff Principal M Stephen QC; Kevin Walsh; Shona Simon, President of Scottish Tribunals, and James Morton, from the Scottish Transgender Alliance

Curriculum

Core Curriculum: Two Day Courses

The Art and Craft of Judging

13 – 14 April 2015

This interactive workshop, designed and delivered by VOX Coaching, was once again popular and fully subscribed. The course challenges participants to develop and improve key courtroom communication and management skills and helps them adapt the way they communicate and express complex ideas in an understandable way without sacrificing authenticity or authority.

Feedback for the event included – *“The course was well constructed with a unified feel of progression and development”*; and *“I shall employ many of the techniques taught – very relevant”*

Faculty: Sheriff A Duff (Chair); Pete Bailie and Dominic Rickhards, VOX Coaching

Case Management

27 – 28 April 2015

The underlying issues and theories of judicial case management were the focus of this course, together with their practical application.

Lord Malcolm gave a personal perspective on his experiences in the Commercial Court. Mark Traynor, of Alex Quinn & Partners Ltd, spoke about the impact of court reform and the Taylor review on expenses. The Hon Mr Justice Stewart gave an insight into the situation in England & Wales in light of the Jackson reforms. A session from the Scottish Legal Aid Board considered the legal aid implications of case management, followed by some practical scenarios. The delegates also discussed the impact of the new court reforms on the Sheriff Court.

The second day took a more academic tack with sessions from Elaine Samuel of the University of Edinburgh, who explored different models of case management with reference to the Taylor report, and Professor Penny Derbyshire of Kingston University who looked towards England and Wales, and asked what lessons could be learned with regard to civil case management. The final session in the afternoon took the form of a workshop on identifying the key principles in case management.

Faculty: The Rt Hon Lord Malcolm (Chair); Sheriff A Duff; Sheriff A Cubie; Charles Hennessy, Academic Director, DPLP, University of Strathclyde; Ronnie Conway, Solicitor Advocate; member of the Taylor Review Group; Ian Dickson, Principal Legal Advisor, Scottish Legal Aid Board; Lord Justice Ernest Ryder, Court of Appeal of England and Wales; Roddy Flinn, Legal Secretary to the Lord President; Judge Shona Simon, President, and Judge Susan Walker, Employment Tribunals Scotland

Vulnerable Witnesses and Technology

11 – 12 May 2015

In anticipation of the introduction of special measures for vulnerable witnesses in the JP courts, JPs and Legal Advisers were invited to attend this course. Presentations from academics were followed by practical exercises on the bench, utilising the CCTV technology. External actors and others played the part of witnesses and lawyers, including actors from Lung Ha's theatre company. The presentations were all considered to be very informative and illuminating with delegates indicating that they went away better able to understand the many ways in which the term 'vulnerable' might apply to court users. The practical elements of the course provided a significant learning experience.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Professor Margaret Ross, University of Aberdeen; Dr David La Rooy, University of Abertay; Dr Katherine Edward, Chartered and Clinical Psychologist; Professor Penny Cooper, Kingston University; Professor Thanos Karatzias, Napier University

Judicial Writing and Reasoning

7 – 8 September 2015

This course examined effective communication and the decision-making process both in a strict judicial sense and more broadly, and speakers included Lord Glennie, Lord Eassie, and Professor of creative writing, Alan Spence. Sessions on logic and argument from Drs Euan MacDonald and Luis Duarte d'Almeida of Edinburgh University covered the terminology of "rights", as well as looking at fallacies in arguments, and how to avoid these. Martin Cutts of the Plain Language Commission described how language can be used to ensure that judgments are understood by a broad audience. Participants also worked in pairs to prepare and deliver judgments.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); The Hon Lord Glennie; The Rt Hon Lord Eassie; Professor Alan Spence, University of Aberdeen; Dr Euan MacDonald and Dr Luis Duarte d'Almeida, University of Edinburgh; Martin Cutts, Plain Language Commission

Criminal Law and Sentencing

5 – 6 October 2015

Delegates found this course to be full of practical and useful advice and hailed it as one of the most enjoyable and helpful courses offered by the Institute. A wide range of areas were covered including charging the jury and the use of the Jury Manual by Lord Brodie; directing the jury on statutory charges by Lord Bracadale; and sexual offences cases by Lord Turnbull. Mentally disordered offenders were discussed separately by Dr Darjee and Sheriff Hamilton. Professor James Chalmers addressed alternative verdicts and multiple charges spanning lengthy periods, while Sheriff Small discussed Protective Measures, and Lord Bonomy gave an insight into the shape of things to come.

Faculty: Sheriff A Duff (Chair); The Rt Hon Lord Brodie; The Rt Hon Lord Bracadale; Professor James Chalmers, Regius Professor of Law, University of Glasgow; The Hon Lord Turnbull; The Rt Hon Lord Bonomy; Sheriff Derek J Hamilton; Sheriff Ray Small; Dr Rajan Darjee, Consultant Forensic Psychiatrist, The Orchard Clinic

Anatomy of a Jury Trial

15 – 16 February 2016

A hypothetical solemn criminal case formed the basis of this two day course. On day one participants heard from the Crown on the preliminary stages of such cases, followed by a session on the challenges for the defence, and an update on criminal legal aid by SLAB. Day one finished with a session by Sheriff Brown focussing on First Diets and preliminary issues. On the second day the focus was on Solemn Case Management, the trial itself, charging the jury and the use of the Jury Manual with input from the Lord President, Lady Scott, Lord Burns and Lord Uist. Finally participants heard from the Risk Management Authority on risk assessment and OLRs.

Faculty: Sheriff A Duff (Chair); Graeme Jessop, COPFS; Neil McCulloch, Gallen & Co; Douglas Haggarty, Scottish Legal Aid Board; Sheriff Paul Arthurson QC; Sheriff Alastair Brown; The Rt Hon Lord Carloway, The Lord President; The Hon Lady Scott; The Hon Lord Burns; The Hon Lord Uist; Mark McSherry and Lesley Martin, Risk Management Authority

Core Curriculum: One Day Courses

Mentor Refresher

17 April 2015

This was the third such “refresher” session, run to allow the existing bank of trained judicial mentors to review their experiences and learn about advanced mentoring techniques. The course was facilitated by internationally renowned mentoring expert Professor David Clutterbuck.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Professor David Clutterbuck, David Clutterbuck Partnership

Judging in the Social Context: Equality and Diversity

24 April 2015

This course was designed to explore issues related to the social context in which judges operate and covered topics such as self-represented persons, persons affected by mental health problems and learning difficulties, and interpretation for those who are deaf. Speakers included the Hon Mr Justice Warren, Sir Harry Burns, Colin McKay of the Mental Welfare Commission, and representatives of Scottish Association of Sign Language Interpreters and Just Sign.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); The Hon Mr Justice Warren; Sir Harry Burns, University of Strathclyde; Colin McKay, Chief Executive; Mental Welfare Commission for Scotland; Carly Brownlie, Scottish Association for Sign Language Interpreters; Brenda Mackay, Just Sign Ltd

Housing Law

8 May 2015, 25 February 2016

Delivered twice, this popular course aimed to help judges understand the complex framework of legislation which regulates the landlord/tenant relationship, with contributions from members of the judiciary, academics, and housing associations. Topics included the shrieval role in relation to residential tenancies and heritable securities. These courses were found to be instructive and helped raise awareness of the complexities of the law in this area. Following the merger with Scottish Tribunals, the Institute were pleased to welcome Aileen Devanny and Patricia Price of the Private Rented Housing Panel as guests at the course in February.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Professor Peter Robson, University of Strathclyde; Sheriff D Livingston; Andrea Curley, Scottish Federation of Housing Associations; Bruce Forbes, Angus Housing Association; Sheriff A Anwar; Mark Higgins, Irwin Mitchell Solicitors

Cybercrime and Data Protection

22 May 2015, 26 October 2015

This course was an amalgamation of two previous courses, where the common background of computer usage was brought together. A mix of academic and police speakers contributed to the day, with a keynote speech from Lord Carlile of Berriew on Cyberterrorism. Richard Susskind OBE, joined the course on both occasions by video link with an update on IT, the Internet and the Courts in England and Wales, and throughout the afternoon members of Police Scotland provided an update on various digital policing processes used in relation to child protection issues, terrorism and sex offenders. In May representatives from McNeill and Cadzow provided a look into the future with paperless courts, and the October course included an insight from counsel in a recent terrorism trial.

Faculty: Sheriff A Cubie (Chair); Sheriff A Duff; Richard Susskind OBE, IT Adviser to the Lord Chief Justice of England and Wales; The Rt Hon The Lord Carlile of Berriew; Grace Moyles, Ela Dabrowska and Kevin Wicksted, McNeill and Cadzow; Murdo MacLeod QC, Advocate and Part-time Sheriff; DSU Steven Wilson, DC Andrew Davis, DS Alistair Wilson, DS Colin McDonald, DI Eamonn Keane, DCI Willie Cravens, and Mike Dickson, all Police Scotland

Appeal Court Training

1 June 2015

Organised in conjunction with the Lord Justice Clerk, Lord Carloway and Lady Dorrian, the purpose of this course was to help prepare Senators, Sheriffs Principal and Clerks for upcoming changes to the appeal process in light of the Courts Reform (Scotland) Act 2014.

The delegates were given an overview of the new appeal provisions followed by a presentation on Bills of Suspension and Advocation. The remainder of the time was devoted to group work which allowed delegates the opportunity to exchange views and ideas.

Faculty: The Rt Hon Lord Carloway and the Rt Hon Lady Dorrian (Joint Chair)

Children's Hearings

5 June 2015, 4 December 2015, 2 March 2016

New for 2015, this course was devised to allow the sheriffs to deal with a case study from the first child protection order to the last appeal, through a variety of different procedural and evidential situations. Sheriff A Grant McCulloch and Sheriff Alan Miller gave presentations on the journey from initial order to appeal. Professor Kay Tisdall and Fiona Jones provided an interesting perspective on how properly to have due regard to children's views, and Malcolm Schaffer put forward 'A Reporter's Perspective on Appeals Against the Decisions of Children's Hearings'.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Sheriff A Grant McCulloch; Professor Kay Tisdall, University of Edinburgh and Fiona Jones, Policy and Advocacy Consultant, Clan Childlaw; Malcolm Schaffer, Scottish Children's Reporter Administration; Sheriff Alan Miller

Solemn Case Management

26 June 2015, 23 November 2015

This course aimed to address the underlying issues, competing theories, practical application and future challenges of judicial case management in solemn cases. Beginning with a pre-recorded keynote speech from The Lord Justice Clerk, Lord Carloway, the day continued with a combination of presentations, group discussions and exercises.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); The Rt Hon Lord Carloway, The Lord Justice Clerk; Steve Bain, Sheriff Clerk, Glasgow; John Dunn, PF East of Scotland, COPFS; Sheriff Principal Derek Pyle; The Hon Lord Turnbull, ; Sheriff John Beckett QC

Language Interpretation

3 July 2015

Interpretation and translation are now common features in Scottish Courts and this one day seminar aimed to enhance judicial knowledge and provide practical guidance in dealing with interpretation issues.

During the day there were presentations from staff at Heriot-Watt University on foreign language interpretation and from BSI and SASLI on interpreting for the deaf. Participants found that the presentations greatly enhanced their awareness of the issues. This was reinforced by practical exercises highlighting the risk of things being lost in translation.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Christine Wilson, Senior Teaching Fellow in Languages, Heriot Watt University; Margo Currie, British Sign Language Interpreter and former Teaching Fellow in Sign Language Interpreting at the University of Durham; Brenda McKay, Just Sign Ltd; and Sophia Cumming, Scottish Association for Sign Language Interpreters

The European Court of Justice: Neither Here nor There

31 August 2015

Contemporary European law issues and their relevance in Scotland were highlighted in this course. Lord Eassie gave a keynote address, reflecting on the subject of EU law and its evolution over the years. Dr Tobias Lock and Dr Arianna Andreangeli of the Europa Institute at Edinburgh University provided an overview of the basic principles of EU law with particular focus on their implication on Scots law. They also explored the effect of the EU Charter of Fundamental Rights, and preliminary reference procedure under Article 267 of the Treaty on the Functioning of the European Union. Practical scenarios on topics such as flight delays and satellite broadcasting were considered.

Delegates found the course to be “... *logical and instructing*”, and “...*very relevant to the types of cases a sheriff deals with*”. The Institute were pleased to welcome guest judges from Germany and Spain to the course.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); The Rt Hon Lord Eassie; Dr Tobias Lock and Dr Arianna Andreangeli, University of Edinburgh

Appeal Court Training

31 August 2015

The Judicial Institute held a training day for the sheriffs appointed under the terms of the Court Reform (Scotland) Act 2014 to the newly created judicial office of Appeal Court Sheriff. Training took place at Edinburgh Sheriff Court in anticipation of them sitting in the new Sheriff Appeal Court from 22 September 2015. Also attending were the Sheriffs Principal for each sheriffdom, and retired Sheriffs Principal B Lockhart and A Dunlop who were also appointed to the office of Appeal Sheriff.

Faculty: Sheriff Principal M Stephen QC, President of the Sheriff Appeal Court (Chair); The Rt Hon Lord Carloway, Lord Justice Clerk; The Rt Hon Lady Dorrian; The Rt Hon Lord Malcolm; Sheriff Principal A Dunlop QC; Claire Mitchell, Advocate; Alex McKay, Deputy Clerk of Session and Justiciary

Mediation Skills

25 September 2015

Facilitated by representatives of Relationships Scotland, this training day focused on improving mediation skills in a judicial setting. The sessions involved exploration of the theory of mediation followed by the implementation of these in practical scenarios with a particular focus on children's hearings and situations involving children. Those who attended the course felt that it was very useful and indicated that they would seek to implement what they had learned in their daily practice.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Rosanne Cubitt and Sonia Bruce, Relationships Scotland

Personal Injury Court

28 September 2015

This specialised training was arranged in advance of the creation of the All-Scotland Sheriff Personal Injury court. Participants heard from Lord Jones, members of the Rules Rewrite Team who have been involved in drafting the new rules, clerks from the Court of Session and practitioners. Participants found the insights from the practitioners to be especially valuable.

Faculty: Sheriff Principal M Stephen QC (Chair); The Hon Lord Jones; Kenneth Htet-Khin and Stephen Feltham, Scottish Civil Justice Council; Fraser Simpson, Digby Brown; Tony Murray, BLM; Maria Maguire QC, Faculty of Advocates; The Hon Lord Bannatyne; Catherine Grant and Ross Martin, First Instance Depute Clerks;

Using Online Resources and Technology

14 October 2015

Several of these courses have been run by the Institute, each tailored to the specific levels of digital literacy and technology skills expertise of the participants. This particular iteration of the course gave an overview of technology and useful online resources, commonly used data storage devices, and the Judicial Hub VLE, before a focus on Westlaw in the afternoon. Follow-up one-to-one sessions on Westlaw were arranged with the participants after the course as requested.

Faculty: Jackie Carter, Learning Technology Manager, and Michael Wilson, Judicial Institute; Mark Rourke and Peter Yule, IT Department, SCTS; Baktosch Gillan, Judicial Media and Communications Officer, Judicial Office for Scotland

Judicial Resilience

16 October 2015

The successful Judicial Resilience course took place once more, allowing another group of judges to take advantage of its lessons on topics such as stress relief and work/life balance. Delivered by GPs and other health professionals, these sessions were once again very well received by the participants.

Faculty: Sheriff A Duff (Chair); Professor Kevin Power, Honorary Professor of Psychology, University of Stirling and Head of Services, Tayside Area Psychological Therapies Service; Professor Jonathan Chick, Medical Director, Castle Craig Hospital, Consultant Psychiatrist, Spire Shawfair Park Hospital, and Honorary Professor, Queen Margaret University, Edinburgh; Dr Peter Copp, Medical Director, GP-Plus Ltd, and Honorary Clinical Tutor, University of Edinburgh Medical School; Dr Alex Yellowlees, Medical Director, Priory Hospital, Glasgow, and Consultant Psychiatrist

Solemn Crime – The Challenges

18 January 2016

This bespoke one day course for part time sheriffs focussed on the key challenges of dealing with solemn criminal cases. Areas covered were first diets, charging the jury and using the jury manual, sections 274-275B of the Criminal Procedure (Scotland) Act 1995, and sentencing. Delegates found it particularly interesting, helpful and supportive to share experiences with fellow part time sheriffs, and felt the course overall gave them increased confidence for dealing with such cases in future.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair)

Sentencing – A Holistic Approach

28 January 2016

The challenges presented by custodial and community sentences and their impact on reducing reoffending were the focus of this one day course. Firstly delegates heard about trends in crime, sentencing and the prison population, followed by sessions focussing on young people and women.

Faculty: Sheriff A Duff (Chair); Sheriff A Cubie; Peter Conlong, Justice Analytical Unit, Scottish Government; Professor Michele Burman, University of Glasgow; Professor Nancy Loucks OBE, Chief Executive, Families Outside; Kirsty Pate, The Willow Project; Stewart Simpson and Claire Lightowler, Centre for Youth and Criminal Justice, University of Strathclyde

Party Litigants and Lay Representatives

21 March 2016

This course was held to deal with the specific issues faced by judges when dealing with party litigants and lay representatives, an area on which training is often requested.

Sessions from Lord Menzies and Lady Justice Gloster offered insight into their personal experiences of and tips on dealing with such parties. This was followed by a session from James Battye of Shelter, who provided an update on lay representation in Scotland's civil courts. Participants then turned their minds to set case studies with issues around party litigants and lay representatives built into the problems.

The afternoon session was delivered by two academics from the University of Sheffield, Dr Tom Stafford and Dr Jules Holroyd, and focussed on implicit bias, and the challenges of recognising and combating bias.

Faculty: Sheriff A Cubie (Chair); Sheriff A Duff; The Rt Hon Lord Menzies; The Rt Hon Dame Elizabeth Gloster; James Battye, Shelter Scotland; Dr Tom Stafford and Dr Jules Holroyd, University of Sheffield

Senators' Training



Immigration and Judicial Review

5 March 2015, 18 June 2015, 8 October 2015

This course was delivered three times to enable all senators to attend. Lord Bannatyne presented and covered the key principles and practical tips in dealing with judicial review in immigration cases.

Faculty: The Hon Lord Woolman (Chair); The Hon Lord Bannatyne

Judicial Resilience – Practical Workshop

9 November 2015

At the request of the Lord President, this practical workshop was arranged for those senators who had previously attended the earlier Judicial Resilience course. The course was delivered by Mary Sharpe of Sharpe Thinking and helped provide participants with core skills and practical tools to manage their own resilience effectively.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Mary Sharpe (Facilitator)

Leave to Appeal

16 January 2016

This course for Inner House judges focussed on the granting of leave to appeal to the Supreme Court, appeals from the upper tribunals, the judicial review regime, and appeals from the Sheriff Appeal Court to the Inner House.

Faculty: The Rt Hon Lord Carloway, Lord President (Chair); The Rt Hon Lord Menzies; The Rt Hon Lady Smith; The Rt Hon Lord Malcolm

The Challenges and Complexities in Historical Abuse Cases

7 March 2016

An increasing number of historical abuse cases now come before senators in the High Court with many complexities. As well as hearing informative presentations from judges experienced in these cases on the role of the judge in relation to witnesses and to the jury, this course also provided a valuable opportunity for participants to share information and discuss experiences. The afternoon contained input from Dr Katherine Edward on Understanding the Experience of Victims of Sexual Crimes and from Dr Rajan Darjee on the role of risk assessment in sentencing.

Faculty: The Hon Lord Woolman(Chair); The Hon Lady Scott; Sheriff Johanna Johnston QC; Dr Katherine Edward, Chartered and Clinical Psychologist; Dr Rajan Darjee, Consultant Forensic Psychiatrist, The Orchard Clinic

Leadership and Management Training

Leadership and Management Training

27 November 2015

Aimed at Sheriffs Principal, this one day course focussed on refreshing their leadership and management skills and allowed them the opportunity to share best practice. Facilitated by Dr Kay Evans and Lord Justice Ryder the day covered issues such as Leading and Managing the Judiciary, Managing Judicial Business, and Motivating and Developing Others.

Faculty: Sheriff Principal D L Murray (Chair); Dr Kay Evans, Judicial College, England and Wales; The Rt Hon Sir Ernest Ryder, Senior President of Tribunals, England and Wales

Stipendiary Magistrates

Stipendiary Magistrates Training

5 November 2015

In anticipation of the role of the stipendiary magistrates changing to become summary sheriffs with an expanded criminal jurisdiction, this course concentrated on the area of domestic abuse. Dr Marsha Scott and Kay Steven of Scottish Women's aid gave an overview of the key concepts and issues surrounding domestic abuse and this was followed with a session involving practical scenarios illustrated with the use of a DVD. Finally the day closed with a session outlining the Caledonian Programme, which looked at the issues surrounding sentencing in domestic abuse cases.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Dr Marsha Scott and Kay Steven, Scottish Women's Aid; Vikki Kerr, Caledonian Programme, Edinburgh

Sheriffdom Conferences

Sheriffdom Conferences

2015

Each of the six sheriffdoms held a one day conference, chaired by the Sheriff Principal, for the sheriffs in that area. These provide an opportunity for all sheriffs in the sheriffdom to discuss issues of particular relevance and interest in their area and to share experiences with colleagues.

Topics covered this year included Criminal Case Management; Family Case Management; Female Offenders; Corroboration; Adult Guardianship; Drugs and Alcohol in Offending; The Voice of the Child in Court Proceedings; Sexual Offending; Drugs Courts; Specification of Documents; Vulnerable witnesses; Witness Protection Scheme; Consumer Rights; Community Payback Orders; Expert Evidence; Sequestration Petitions; Heritable Property; First Diets; Contempt of Court; The Future of Scots Civil Law; The Sheriff Appeal Court; Children's Hearings; Land Law; Expenses; and Social Work Interventions.

The Scottish Sentencing Council and the Scottish Civil Justice Council presented at each conference.

Tayside, Central and Fife

23 October 2015

Faculty: Sheriff Principal M Lewis (Chair); The Rt Hon the Lord Boyd of Duncansby; Kate Dowdalls QC; Ondine Tennant, Scottish Sentencing Council.

South Strathclyde Dumfries and Galloway

30 October 2015

Faculty: Sheriff Principal I Abercrombie QC (Chair); Sheriff C Stoddart; Debra Allison, Office of the Public Guardian, Anne Dickie, Solicitor, Ken Barrie, University of West of Scotland; Tam Baillie, Scotland's Commissioner for Children and Young People; Helen Stalford, University of Liverpool; Ondine Tennant, Scottish Sentencing Council; Mandy Williams and Kenny Htet-Khin, Scottish Civil Justice Council.

Glasgow and Strathkelvin

6 November 2014

Faculty: Sheriff Principal C Scott QC (Chair); Stephen Humphreys; Sheriff N Ritchie QC; Sheriff L Wood; Sheriff M Jones QC; Sheriff J Johnston QC; Sheriff P Crozier; Sheriff A Deutsch; Sheriff A Mackie; Sheriff A Miller; Sheriff S Reid; Sheriff A Anwar; Det Supt Steven Wilson, Police Scotland; Ondine Tennant, Scottish Sentencing Council.

North Strathclyde

13 November 2015

Faculty: Sheriff Principal D Murray (Chair); The Hon Lady Scott; Sheriff C Stoddart; Ondine Tennant, Scottish Sentencing Council; Kenneth Htet-Khin and Luke McBratney Scottish Civil Justice Council.

Grampian Highland and Islands

20 November 2015

Faculty: Sheriff Principal D Pyle (Chair); The Rt Hon Lord Reed; Professor Hector MacQueen, University of Edinburgh; Professor James Hunter, University of the Highlands and Islands; Ondine Tennant, Scottish Sentencing Council.

Lothian and Borders

7 December 2015

Faculty: Sheriff Principal M Stephen QC (Chair); Professor Kenneth Norrie, University of Strathclyde; Professor George Gretton, University of Edinburgh; Sheriff P Anderson; Michelle Miller, and Harry Robertson, City of Edinburgh Council; Val Lawrie, DTO Sector Manager, Edinburgh; Margaret Brewer, Statutory Service Manager, Midlothian Council; Fiona Duncan, East Lothian Criminal Justice Services; Ondine Tennant, Scottish Sentencing Council.

Justices of the Peace

Justice of the Peace courts (also known as JP courts) are a unique part of Scotland's criminal justice system.

The office of Justice of the Peace dates back to 1609. The current Justice of the Peace courts were created in 2007.

Justices of the Peace are lay magistrates who sit with a legally qualified adviser to deal with summary criminal cases.



Following the outcomes of the 2014 public consultation on the future of training for lay Justices of the Peace, work continued in support of the preferred option of the Lord President of a partnership between the Judicial Institute and local Sheriffdom Training Committees.

In August 2015, the new role of Head of JP Programmes was created to produce the detailed arrangements and implement the partnership which will take effect from 1 January 2017.

This current reporting year has provided Justices of the Peace with a choice of one day courses on specific topics to allow them to attend the courses which best meet their personal and professional requirements.

As part of the transition towards new arrangements which will focus on the Institute delivering one day courses in core topics, with sub-topics to be taught pervasively across those core programmes, there were also the last two day and one day courses covering a range of subjects.

The Institute continues to deliver national training, and also accepts invitations to take part in training at Sheriffdom level.

Justice of the Peace Curriculum: Two Day Conferences



Two Day Conference

20 – 21 June 2015

This two day conference covered a range of topics including sessions by Police Scotland on the roles and benefits of CCTV evidence; Victim Support Scotland on Victims in Court; The Scottish Association for Sign Language Interpreters and Just Sign Ltd on the implications of interpreting for those that are deaf; the Children's Commissioner for Scotland on the court system "Through the Eyes of the Child"; and finally a session on the methods of intervention adopted by Includem.

Delegates found the variety of topics covered interesting, awareness-raising and worthy of praise.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Chief Inspector James Royan, Police Scotland; Michaela Pagani, Victim Support Scotland; Carly Brownlie, Scottish Association for Sign Language Interpreters; Brenda Mackay, Just Sign Ltd; Tam Baillie, Scotland's Commissioner for Children and Young People; David Ferrier, Includem

Two Day Conference

10 – 11 December 2015

This was the last two day conference for Justices. Day one featured a range of topics including Community Justice Reform; Special Reasons and Exceptional Hardship in Road Traffic cases; Understanding the Vulnerability of Adolescents; and the Difficulties of Being Addicted; while day two focussed on Appeals, e-Resources and finished with an Introduction to Autism in the Justice of the Peace Court.

Participants found the range of topics covered over the two days provided much useful information for them to absorb, with great practical application to the work of the JP court.

Faculty: Sheriff A Cubie (Chair); The Hon Lord Woolman; Arlene Stuart, Head of Community Justice Operations, Alastair Bowden, Frances Jamieson, Cheryl Paris, and Bruce Milne, all Scottish Government; Dr Katherine Edward, Chartered and Clinical Psychologist; Dr Roy Robertson, University of Edinburgh; Sheriff Principal Mhairi Stephen QC; Kevin Walsh, Legal Adviser; Collette Paterson, Head of JP Programmes, Judicial Institute; Jennifer Paterson and Clare Hughes, National Autistic Society

Justice of the Peace Curriculum: One Day Courses

Managing Your Court

12 June 2015

Court management is a key priority for all judicial office holders and this course aimed to assist justices in dealing with issues that can arise in their court, including dealing with unrepresented accused, and to stress the importance of fairness and visible justice. Prosecutorial discretion was discussed by Pete McLelland and Paul Beaton. The course finished with a sentencing exercise which focussed on the delivery of a sentence. Assisting with the exercise were Devils from the Faculty of Advocates.

Those attending commented that they found the course helped increase their awareness and their confidence in dealing with issues which arise.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Pete McLelland and Paul Beaton, Crown Office and Procurator Fiscal Service

The Challenges, Obstacles and Opportunities of Being a Justice of the Peace in 2015

16 September 2015

This course addressed some of the new challenges faced by Justices of the Peace when dealing with vulnerable witnesses particularly with regards to the application of special measures in their court.

There was an opportunity in the afternoon during mock trials for attendees to familiarise themselves with courtroom technology including video links.

The course also looked at issues surrounding sentencing as well as the unique needs and challenges presented by unrepresented accused in the court. Pete White, National Coordinator of Positive Prisons? Positive Futures provided social context for justices, sharing the perspective of someone who has previously been subject to punishment.

Delegates found the insights provided by Pete White hugely inspiring and appreciated the opportunity to use the vulnerable witness technology during the mock trial sessions.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Collette Paterson, Head of JP Programmes, Judicial Institute (Joint Course Director); Martha Leishman & company (actors); Pete White, Positive Prisons? Positive Futures

Decision Making and Sentencing

13 November 2015

Sheriff Principal Lewis opened with a presentation on Managing your Court. This was followed by presentations from the Director and Deputy Director which provided a focus on courtroom skills and decision making, as well as looking at some of the elements which inform sentencing. Pete White from Positive Prison? Positive Futures returned to the Institute for an extended session on the perspective of someone who has previously been subject to punishment as well as the effects of prison. During the afternoon participants discussed sentencing scenarios, some of which focussed on road traffic sentencing, given the number of road traffic cases in the Justice of the Peace Court.

Feedback from delegates included *“Fantastic course – beyond expectations”, and “a good combination of presentations and interactions made for an interesting and worthwhile course”*.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Collette Paterson, Head of JP Programmes, Judicial Institute (Joint Course Director); Sheriff Principal Marysia Lewis; Pete White, Positive Prisons? Positive Futures

Road Traffic – Recurring Themes

5 February 2016

Road traffic cases feature largely in the Justice of the Peace court and this course provided an overview of key areas of road traffic law. The day opened with a session from Police Scotland on road safety priorities. Sessions included the application of the Drink Drive Rehabilitation Scheme by Justices as well as its objectives; Sentencing Choices; process and tests in Exceptional Hardship and Special Reasons; and finally a session from DVSA on Improving Driving Skills and Safety together with the impact of non payment of DVSA fines on the JP court. Feedback from participants indicated that the course provided a useful and relevant blend of connected topics.

Faculty: Sheriff A Duff and Sheriff A Cubie (Joint Chair); Collette Paterson (Course Director); Inspector Brian Poole and PS Ross Drummond, Police Scotland; Vernon Manfield, Robert Manfield, and Richard Knight, VMCL Ltd; Alexander Davidson and Beverley Stoner, DVSA

Courtroom Communication

14 March 2016

The Institute once again worked with VOX Coaching to design this interactive workshop, specifically for Justices of the Peace. The course challenges participants to develop and improve key courtroom communication and management skills and helps them adapt the way they communicate and express ideas in an understandable way without sacrificing authenticity or authority. In the afternoon, simulations focused on common occurrences in the JP court. As part of the transition towards new arrangements, this was a pilot programme.

Faculty: Pete Bailie and Dominic Rickhards, VOX Coaching (Chairs); Collette Paterson (Course Director);

Technology Enhanced Learning and e-Resources

Technology Enhanced Learning

The Judicial Institute technology enhanced learning (TEL) programme was established in 2013 with the vision that judicial education in Scotland be enhanced through innovation and the use of existing and emergent technologies, tools and techniques.

There is clear evidence that educational technologies help learners and educators to acquire, develop and maintain essential knowledge, skills, and behaviours. In the reporting year the Institute's use of technology and TEL as part of the learning process continued to grow with the development of online and e-learning modules, single source publishing, digital media technologies and many more.

The TEL Programme has a wide remit and some ongoing projects developed during the last year are outlined below.



The screenshot displays the Judicial Institute's search interface. At the top is a navigation bar with links: Home, Guidance & Policy, Judicial Institute, My Learning, Courses, eLibrary, News, Contacts, and Search. Below this is a 'General Search' section with a text input for 'Search term', a 'Search' button, and dropdown menus for 'Collection' and 'Resource Type', both set to '-- Any --'. An 'Apply Filters' button is also present. Below the general search are two dedicated search sections: 'Course Search' and 'News Search'. Each has its own 'Search term' input and 'Search' button. The interface is clean with a white background and red accents for the navigation bar and section headers.

The TEL Judicial Hub Project

Through research including stakeholder discussions and evaluation surveys, the Judicial Hub Virtual Learning and Communications Environment (VLE) has been further endorsed by users and continues to feature as a valuable and valued resource.

The Hub provides access to courses via an online curriculum and integrated course booking system. It provides access to a full range of learning resources, guidance, and education innovations in a variety of online and digital formats which can also be exported and downloaded for personal use. Updated daily by a team of content editors the Hub and its eLibrary is the 'go to' place for contemporary and current legal resources and is the key vehicle for communications from the Lord President.

During 2015 a programme of enhancements resulted in the following developments:

- Improved navigation of the site, including a 'Hub search function'
- A searchable digital repository
- Customised and targeted news items
- Redesigned Justices of the Peace section containing new eResources
- Increased use of digital media including videos and screencasts

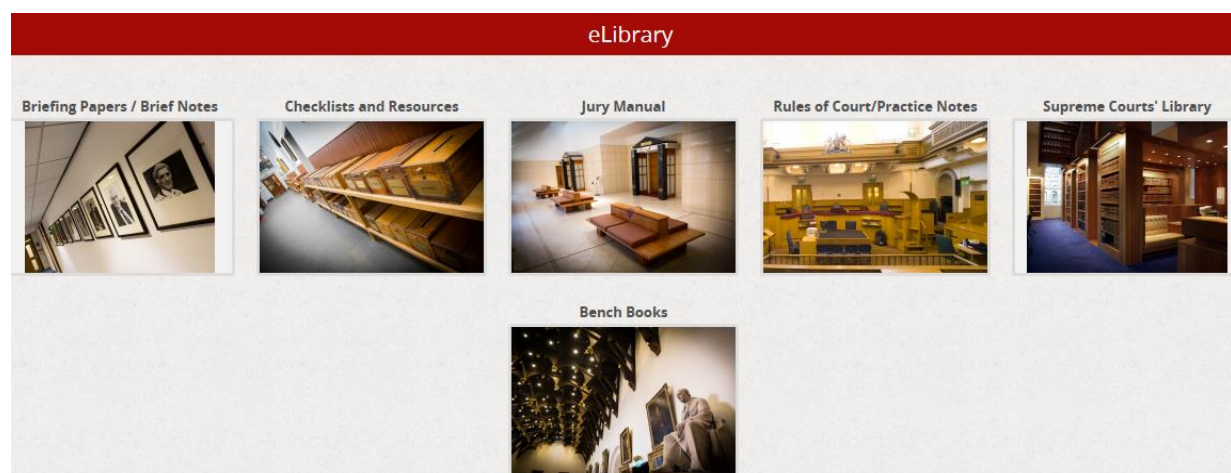
The Digital Media Project (DMP)

The DMP resulted in the creation of a Digital Media Production team, procurement of digital media production equipment and software, including video recording equipment, and in-house development of digital media production skills. The Institute is committed to further developing its digital media collection for use in blended learning.

Development of a blended learning model for judicial induction

Making the most effective use of new learning technologies the Institute has developed its existing induction course to include an online delivery component using a blend of face to face and online delivery mechanisms. The blended learning model, which will be adopted from April 2016, introduces a blend of online resources, pre-recorded lectures, presentations and case studies packaged as online resource toolkits and eLearning modules. Participants gain background knowledge and context to the course in advance in personal learning time thereby freeing up time in the judicial learning suite for deeper, learner-centred activities such as problem based learning and group discussions.

Online Resources and Guidance



The Jury Manual

In January 2016 the Judicial Institute was pleased to announce the launch of an updated, digitally transformed version of the Jury Manual. This online resource is available on the Judicial Hub eLibrary to judicial office holders and can be accessed from any device and in a format to suit the user. The new digitized version provides a current and contemporary guide which can be updated immediately. The manual can also be downloaded for offline use as a pdf or ePub, or printed.

The Jury Manual is an *aide-memoire* for judges and has no binding legal authority.

The jury manual is also publically available on the Scotland Judiciary website (<http://www.scotland-judiciary.org.uk>).

The Jury Manual Committee will continue to meet throughout the year to discuss revisions to ensure that it is continually kept under review.

The Jury Manual Committee comprises:

The Hon Lord Turnbull	Chairman
The Hon Lord Bannatyne	
The Hon Lord Burns	
Sir G Gordon QC	
Sheriff L. D. R. Foulis	
Sheriff J. K. Mitchell	
Sheriff A Duff	Director (<i>ex officio</i>)
Sheriff A Cubie	Deputy Director (<i>ex officio</i>)

Criminal e-Bench Book

The Criminal Bench Book on Criminal Jurisdiction was first published as an e-Book in 2013 and is available to members of the judiciary to view, download or print. It can be viewed as a live 'wiki' document online on a PC, laptop, or tablet, or printed in hardcopy. The Benchbook was written by Dr Charles Stoddart and is kept under review by Sheriff A N Brown.

Civil e-Bench Book

A new edition of the Civil Bench Book, authored by Sheriff A Anwar and Sheriff K Hogg, was completed and launched as an e-Bench Book in June 2014. This Benchbook is also available to judicial office holders as a 'wiki' on the Judicial Hub where it can be viewed, saved as a pdf or printed. The Civil Benchbook is kept under review by Sheriff T Welsh QC.

The Equal Treatment Bench Book

The equal treatment of all who appear in court continues to be of prime importance to the Judicial Institute and is a core judicial responsibility. Guidance and advice for judicial office holders is contained in the Equal Treatment Bench Book. The Bench Book is also publically available on the Scottish Judiciary website (<http://www.scotland-judiciary.org.uk>).

The Judicial Institute is grateful to the numerous external persons and organisations that have provided and continue to provide advice and input.

The Equality and Diversity Forum was set up to ensure the Bench Book is kept up to date. The Forum, under the Chairmanship of the Hon Lord Woolman, comprises:

Anela Anwar	Oxfam
Colin McKay	Mental Welfare Commission for Scotland
Tam Baillie	Scotland's Commissioner for Children
Judge Shona Simon	President of Employment Tribunals (Scotland)
Louise Johnson	Scottish Women's Aid
James Morton	Scottish Transgender Alliance
Jennifer Paterson	National Autistic Society
Lynn Walsh	Equality and Human Rights Commission
Sheriff A Duff	Director (<i>Ex officio</i>)
Sheriff A Cubie	Deputy Director (<i>Ex Officio</i>)

Developments in Law, Practice and Procedure, and other guidance

Examples of other guidance issued to members of the judiciary include:

- Statutory Penalty Guide
- Intervention Order Checklist
- Ministerial Jurisdiction of the Sheriff
- Recovery of Possession by Heritable Creditors
- Stated Cases and Reports to the Sheriff Appeal Court
- Guardianship Order Checklist
- Sexual Offences Checklist
- Mutual Recognition of Bail Orders
- Revised Football Banning Order Toolkit

Brief Notes

Online guidance in the form of “Brief Notes” provides alerts to judges via the Judicial Hub which highlight developments in law, procedure and practice relevant to their daily work. The aim of “Brief Notes” is to provide basic alerts to judges following which they may undertake their own further research in the areas which are particularly relevant to them. Feedback confirms that judges find this a very useful resource.

Justice of the Peace e-Resources

In November 2015 JP e-resources were launched on the Judicial Hub. These are intended to directly target the needs of justices in particular areas. They are interactive and intuitive, being based on interactive chapter and sub-chapter headings. This allows justices to read or print an entire resource on a core topic, or immediately find the answer to a particular question. These will continue to be developed in the months and years ahead.

The screenshot displays the 'Justices' Hub' website. At the top, a banner reads 'Welcome to the Justices' Hub'. Below this, a large video player shows a message from the 'Judicial Institute for Scotland' titled 'Introduction to the Justices' Hub'. The video player includes a play button and a progress bar showing 00:44. To the left of the video, a text box contains a welcome message from Collette Paterson, Head of Justice of the Peace Programmes, and provides contact information for support or feedback via email at judicialhub@scotcourts.gov.uk. Below the video and text, a grid of ten icons represents different sections of the hub: 'A Guide to the Justices' Hub' (Royal Coat of Arms), 'Training Courses' (books and a graduation cap), 'eResources' (a computer monitor with a folder), 'Changes to JP Training' (a megaphone with a 'New Activity' banner), 'Advisory Groups' (a stack of books), 'Contact Us' (a keyboard with a 'Contact Us' button), 'Justices' News' (a stack of newspapers), 'Sheriffdom Court Rotas' (a red and white rota sheet), 'SLA and LA Section' (a stack of books and a tablet), and 'Support and Guidance' (a statue of Lady Justice).

Crystal Scales of Justice Award

In October 2015 the Judicial Institute was delighted to receive the Crystal Scales of Justice Award at a ceremony in Banja Luka, Bosnia and Herzegovina for its Judicial Hub. A total of 18 proposals from throughout Europe were submitted. The president of the jury of the European Commission for the Efficiency of Justice's Crystal Prize said:

"The Judicial Institute has developed an innovative website designed to create a dynamic environment, meeting the information, learning, collaboration and communication needs of judicial office holders in Scotland. All European judicial systems should take the example of the Judicial Hub to improve the way their websites are designed and deployed".



Extra –Curricular Activities

Football Match Visits



Football match visits are a valuable way to provide judges with an opportunity to gain a greater understanding of the issues surrounding football-related offences. These visits to football grounds around Scotland, coordinated by the Judicial Institute, provide a very useful insight into issues surrounding football violence, sectarianism and public disorder. In October four sheriffs attended a match at Celtic Park between Celtic and Aberdeen. Feedback from the sheriffs afterwards included:

"...certainly gave me an insight into how such events are policed. I found the event incredibly instructive and will be recommending it to other sheriffs who have yet to attend".

The Judicial Institute continues to work in conjunction with Police Scotland to facilitate such visits.

International Engagement

National Judicial Institute of Canada



The Judicial Institute continues to enjoy a close working relationship with the National Judicial Institute of Canada.

In addition to the sharing of information and resources, a number of Scottish judges took part in an international online programme with judges from Canada, England, Wales and Australia which focused on the challenges in dealing with self-represented accused. The programme provided judges from these countries with a unique opportunity to share experiences, ideas and information, and to examine hypothetical situations through videos.

European Judicial Training Network



The Judicial Institute continues to be a member of the European Judicial Training Network. Member institutions are responsible for the training of the professional judiciary, and membership provides the Judicial Institute with the opportunity to share information about forthcoming training events with a network of European judicial bodies and to participate in the EJTN's Exchange Programme which enables attendance at events in member countries.

The EJTN also provides a forum where issues such as cross border criminal co-operation, commercial and family law matters may all be considered.

The Judicial Institute welcomes guest judges to its courses through the EJTN, which funds their attendance.

In September 2015 the Institute was pleased to welcome Spanish Judge Frieda San Jose Arango as part of the EJTN Exchange Programme. Visits were arranged for Judge Arango to the High Court of Justiciary, Edinburgh Sheriff Court and Scottish Parliament. Judge Arango also attended the Institute's course on European Law during her exchange visit. The Institute was also pleased to welcome Dr Harald Mueller from Hannover, Germany as a guest at this course.

International Organization of Judicial Training



The International Organization for Judicial Training (IOJT) is a volunteer, non-profit organization which was established in 2002 to promote the rule of law by supporting the work of judicial education institutions around the world. The IOJT has 113 member-institutes from 69 countries.

The mission of the IOJT is realised through international and regional conferences and other exchanges that provide opportunities for judges and judicial educators to discuss strategies for establishing and developing training centres, designing effective curricula, developing faculty capacity, and improving teaching methodology.

An article by Sheriff Alistair Duff, Jessica MacDonald and Jackie Carter of the Judicial Institute for Scotland was published in the IOJT's 2015 Journal. The article outlines the Institute's approach to technology enhanced learning and can be found on the IOJT website at <http://www.iojt.org/journal/iojtjournal003~20150427.pdf>

UK and Ireland Judicial Studies Council

UKIJSC

The UKIJSC consists of representatives of the judicial training institutions in Scotland, England and Wales, Northern Ireland and Ireland. The representatives meet annually to exchange ideas and information which is seen as relevant across the borders and where jurisdictional differences are not significant.

The Council is currently planning a course on judicial conduct and ethics which delegates from each area will be able to attend.

International Judicial Visits

The Judicial Institute receive many requests for overseas judicial delegations to visit and are always keen to accommodate these. During the past year the following visits took place:

Visit from Jiangxi, China



22 June 2015

The Judicial Institute was very pleased to welcome a delegation from the Province of Jiangxi, China for a one day visit. The group was interested in hearing about the history of the High Court of Justiciary and the Appeal Court and the workings of a jury trial, and a presentation on these aspects was delivered by The Rt Hon Lord Malcolm. They were also interested in the area of ethics and conflict of interest which Sheriff Duff addressed.

Visit from Seoul Central District Court, Republic of South Korea



2 July 2015

On 2 July 2015 Sheriff Duff welcomed Judge Dohyoung Kim of Seoul District Court, South Korea to the Judicial Institute. Judge Kim was interested to learn more about the work of the Scottish courts particularly in relation to the issuing of warrants. They were joined by Andrew Richardson, Summary Procurator Fiscal, East of Scotland, and Detective Constable Davis and Detective Inspector Clinkscales, Police Scotland.

EJTN Exchange Visit



1 – 3 September 2015

Judge Frieda San Jose Arango visited the Judicial Institute as part of the EJTN exchange programme. Judge San Jose Arango joined the Judicial Institute's European Law course, before carrying out visits to the Sheriff Court, High Court of Justiciary and Scottish Parliament.

Visit from Hubei High People's Court, China



4 September 2015

On 4 September 2015 a delegation of senior judges from Hubei Province, China visited the Judicial Institute. The key areas for discussion were the management and supervision of judges; financial management of the judiciary; alternative dispute resolution; and information technology.

Visit from Fredrikstad District Court, Norway



14 September 2015

The Judicial Institute was pleased to co-ordinate this visit by the judges and staff of Fredrikstad District Court. The delegation observed a criminal trial in both the Sheriff Court and in the High Court of Justiciary. They also took part in a panel discussion with Sheriff Duff, Sheriff Morrison QC, and other Edinburgh sheriffs on a wide range of subjects including sentencing; the jury system; professional/lay judges; witness support and paperless courts.

Visit from Beijing, China

北京市高级人民法院

16 October 2015

The Vice President of Beijing High People's Court together with five fellow judges from Beijing visited the Judicial Institute on 16 October. They were welcomed by The Hon Lord Woolman who discussed with them various areas of interest, including procedural orders in civil cases and cases involving intellectual property. The judges were also interested to learn about judicial training in Scotland from Sheriff Duff.

Visit from Pakistan Judicial Training Academies



8 – 14 December 2015

As part of a continuing programme of collaboration between the Judicial Institute and judicial academies in Pakistan, Judge Jazeela Aslam, senior instructor at the Punjab Judicial Academy in Lahore and Judge Nusrat Yasmeen, director of the Federal Judicial Academy in Islamabad, spent a week in Edinburgh in December 2015.

The visitors were able to attend meetings, courses and conferences and observe court hearings, giving them an insight into the work of the Judicial Institute and the judicial system in Scotland. The judges were “impressed” by the range of courses on offer to judicial office holders in Scotland and the fact that they are able to apply for training that they need and training that they want. They were also particularly interested to see how the Judicial Institute had developed their e-learning resources.

They commented, “We have learned that while there are differences between our two systems there are also a number of commonalities. There is always room for judicial systems to develop and it was a really beneficial visit for us and we will be taking our experiences home to utilise there.”

Sheriff Duff, Director of the Judicial Institute reciprocated, saying: *“It was a pleasure and a privilege to welcome Judge Jazeela and Judge Yasmeen to the Judicial Institute. I think they gained much from the experience but they also contributed to our work with their insights into the court process and judicial training.”*

Presentation to the Punjab Judicial Academy



30 January 2016

Following the very successful visit to the Institute by the two Pakistani judges above, the Director Sheriff Duff was invited by the PJA to make a presentation by Skype to a workshop on sentencing being held in Lahore. He gave a short talk on the history of the development of a Sentencing Council in Scotland and gave delegates an idea of the current direction of travel of the Council.

External Engagement

Scottish Lesbian, Gay, Bisexual, Transgender and Intersex Equality Network

10 September 2015

The Judicial Institute received recognition at the first Scottish LGBTI Awards held in Glasgow on 10 September 2015. The Institute was awarded the 'Public Body Initiative of the Year' accolade in recognition of its work on transgender training and the review of the Equal Treatment Bench Book.



Organised by the Equality Network, the Scottish LGBTI Awards is an event held to recognise and celebrate those who have made a positive contribution to lesbian, gay, bisexual, transgender and intersex equality and human rights in Scotland during the past year.

The JI was nominated after undertaking a major review and expansion of the Equal Treatment Bench Book to make it fully inclusive of transgender equality. It also arranged comprehensive transgender-specific training for Scotland's judiciary.

Scott Cuthberston, event organiser and member of the judging panel, said: *"The panel chose the Judicial Institute for Scotland for its work in producing and expanding the Equal Treatment Bench Book. We were delighted to recognise the work that the Judicial Institute has been doing to ensure fair treatment for the LGTBI community in the criminal justice system."*

Your Future in Law Event

15 October 2015

The Judicial Institute hosted this event which formed part of a 3 day event run for school pupils from S4 to S6 by the Government Legal Service for Scotland in conjunction with the Crown Office and the Scottish Parliament. The event involved a mock trial in one of the court rooms of the Court of Session for which the pupils prepared in the learning suite, making use of the benches there. The Director Sheriff Duff also gave a short presentation to the pupils about his career in law.

Visit from Scottish Government

Justice Expert Group

15 December 2015

The Domestic Abuse Group visited the Judicial Institute to hear from the Director Sheriff Duff about the training which the Institute has delivered to judges on the subject of domestic violence. During the presentation the group members were also able to view the bespoke DVD materials produced by the Institute which form part of the training provided in relation to domestic abuse.

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July 2016

<http://www.scotland-judiciary.org.uk>

Judicial Institute
for Scotland

