



# Annual Report

## 2021 - 2022

Published: 30 September 2022

Judicial Institute  
for Scotland



*‘Supporting justice in Scotland through the  
provision of the highest standard of judicial  
training and education.’*

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# Welcome from the Chair

I am honoured to present our Annual Report for the year 1 April 2021 to 31 March 2022: the final year covered by our Strategic Plan 2019-2022. It is therefore right that this report also looks back at the full three years covered by that strategy.

The Judicial Institute supports justice through the provision of the highest standard of judicial education. Not only has the Institute continued to navigate a steady course during the turbulence of recent years, but it has seized upon opportunities to adapt and enhance learning methods and ways of working in order to remain at the forefront of the legislative, technological and social changes that drive and shape judicial practice in Scotland. As in-person working and learning resume, further routes to educational innovation and enhancement are emerging, for example in the way that courses are delivered. The Institute's [Recovery Plan](#) and our Business Plan for the year ahead articulate how this will occur in the coming months. In May 2022, the Judicial Institute Board approved one such project to explore and evaluate a small scale pilot in hybrid delivery, and I look forward to seeing this come to fruition.

In November 2021, Sheriff Susan Craig was appointed Interim Director of the JI and took over the leadership of the team, successfully steering it through a period of transition and development. Sheriff Craig had served as Deputy Director since 2017 and combined that role with the role of Interim Director. Having helped lead and manage the JI for five years, she returned to her court duties on a full-time basis at the conclusion of her term at the end of August. Sheriff Craig ably contributed to the management of the Institute through the pandemic, working collaboratively with staff to respond creatively and effectively to the litany of challenges faced during the reporting period. The Vice Chair and I are very grateful to Sheriff

Craig for all she has achieved during her time at the Institute and we wish her all the best in her future career.

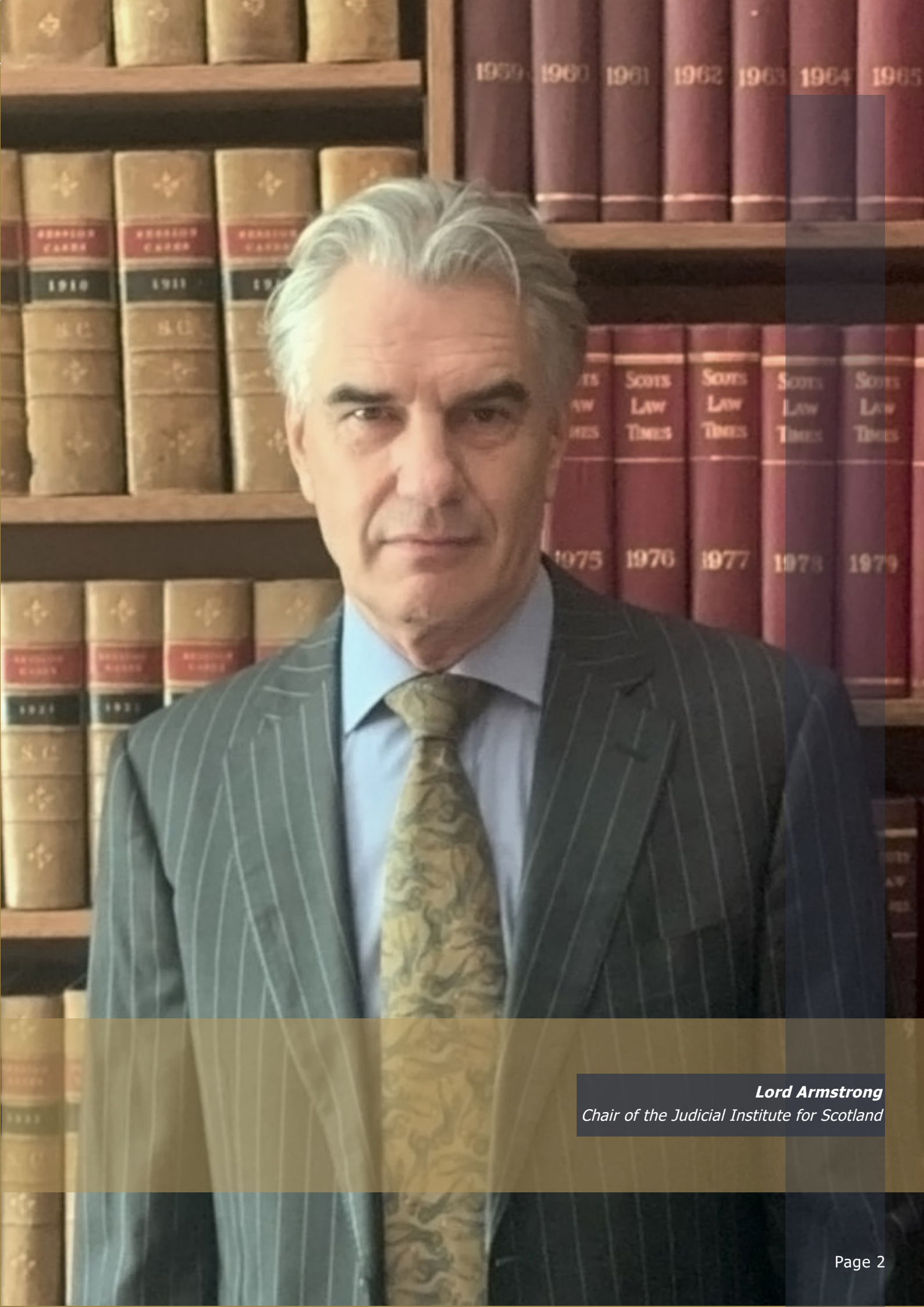
I am delighted to welcome Sheriff Pino Di Emidio, who brings to his new role as Director significant expertise in legal education and training along with valuable experience from both tribunals and the courts. I anticipate that his breadth and depth of insight will prove highly advantageous to the Institute as the integration and expansion of tribunals continues in Scotland. I am also pleased to report that Sheriff Adrian Cottam has been appointed as Deputy Director with effect from 1 September 2022. He brings a wealth of experience and will help the continuing development of the Institute.

A key highlight of the latter months of the reporting period has been the gradual return of in-person activity, which had been significantly curtailed by government restrictions on travel and events for many months. Only now, as life begins to return to 'normal', does it really become clear that we must seek out and repair our connections, whilst taking advantage of the flexibility and convenience offered by collaborating with others online. The experiences of the pandemic have highlighted the vital role that the Institute has played – and can expand upon in future – as the locus for a range of online and in-person activities that promote judicial welfare, including judicial learning and development, networking, discussion, knowledge sharing, mentoring and peer support.

## Lord Armstrong

Chair of the Judicial Institute for Scotland





**Lord Armstrong**  
*Chair of the Judicial Institute for Scotland*

# Welcome from the Director

I came into post on 1 April 2022 after the reporting period for 2021/22 had ended. Sheriff Craig had been Interim Director for much of the period covered by this report. She resumed to the post of Deputy for a transitional period so as to allow time for a new Deputy to be recruited. Therefore, I felt it appropriate to ask Sheriff Craig, who was much better placed, to provide this report.

## **Sheriff Pino Di Emidio**

Director of the Judicial Institute for Scotland

As I come to the end of my five years at the Judicial Institute, both as Deputy and Interim Director, I am delighted that the Institute continues to go from strength to strength, delivering the highest quality education and learning to an ever-growing cohort of judicial office holders. In those five years there have been changes and challenges, not least the pandemic, all of which have been met with professionalism, enthusiasm and creativity by the whole team. The team's support for me throughout has been exceptional and it has been a privilege to work with them.

During the reporting period the Judicial Institute was operating in a time of continued flux where we remained faced with drivers to adapt and respond to change, sometimes with little notice. We delivered two separate induction courses, four months apart, for newly appointed sheriffs and summary sheriffs. Each course had the highest number of appointees we had ever trained – around 35 delegates per course – which created significant challenges, both in terms of content and delivery, as well as logistics and administration. The first course was delivered at a time of relaxed distancing restrictions so was delivered in person. By the time of the second, those restrictions had been tightened and the course had to be completely

redesigned, at pace, to allow for remote face-to-face delivery by Webex. The team were able to adapt and pivot, and both courses were successful, receiving very positive feedback.

Our robust and clearly articulated planning processes and strategy allowed us to respond to these challenges and remain firmly focused on our overarching purpose: to support justice in Scotland through the provision of the highest standard of judicial education; and to prioritise activities accordingly.

A particular highlight from the reporting period has been the design and development of the Judicial Institute's courses on trauma-informed judging. The Institute worked closely with psychologists Dr Caroline Bruce and Anne McKechnie, along with other experts in the field and trauma-informed practitioners, to develop the first version of the course for Senators and temporary High Court judges. These courses were developed in direct response to the 2021 Report of the Lord Justice Clerk's Review Group on Improving the Management of Sexual Offences. The delivery of the first two courses has taken place since the end of the reporting period. The design and development has foregrounded trauma-informed judging as essential to the wellbeing of victims of sexual offences as well as to judges themselves, who are exposed to the worst of human behaviour in the course of their daily work. The delivery of the first courses, which have been the product of this important initiative, will be reported on in next year's annual report. They are the first in what are ongoing initiatives to embed trauma-informed practice into every layer of the criminal justice system in Scotland. I am proud to have been involved in this work which has allowed the Judicial Institute to become a leading force in this process.

This report provides a review of the Institute's

achievements during the current reporting year 2021/22 but also looks at cumulative progress made over the full three years in relation to our strategic objectives. It examines some of the key changes that have taken place within the Judicial Institute since 2019, for example in the way we deliver courses. The pandemic brought with it a need to transform responsively many of our core processes and methods; course delivery was one of the central activities impacted. However, the report is not solely focused on the themes of disruption and challenge that colour most discussions of the global pandemic. It is important to acknowledge that for the majority of the three years reported here, the Judicial Institute team were able to go about business-as-usual as effectively and smoothly as

would be expected in normal times and periods of disruption were infrequent and managed carefully. Hopefully this report suitably reflects that, by unfalteringly following our Strategic Plan, the Judicial Institute has managed to deliver successfully on this to an exceptionally high standard, turning challenge into opportunity whenever possible.

It has been a privilege working with the Judicial Institute and I am delighted to leave it in the safe hands of Sheriff Di Emidio and Sheriff Cottam. I wish them all the very best as they lead the JI for the next three years.

**Sheriff Susan Craig,**  
Deputy and Interim Director,  
Judicial Institute for Scotland



**Sheriff Susan Craig**  
Deputy and Interim Director of the Judicial Institute for Scotland



# Governance and Management

## Judicial Office Holders in Scotland

The Judicial Institute's purpose is to support justice in Scotland through the provision of the highest standard of judicial training and education. The Institute supports 784 judicial office holders in Scotland: <sup>1</sup>

Senators	36
Sheriffs principal	6

Sheriffs	109
Summary sheriffs	43
Part-time sheriffs	37
Part-time summary sheriffs	19
Tribunal members	325
Justices of the Peace ("JPs")	209

## Board and Advisory Council

The Judicial Institute's remit can be found within its [Governance Framework](#). The Board of the JI comprises the Chair and Vice Chair, Lord Armstrong and Lord Beckett, along with the Director and Deputy Director. This ensures that the Institute's strategic direction, and the education, training and knowledge that it provides, is judge-led.

Sheriff Susan Craig was appointed Interim Director in November 2021 and continued as Deputy Director following Sheriff Pino Di Emidio's appointment as Director from 1 April 2022. Sheriff Craig's appointment comes to an end on 1 September 2022 and Sheriff Adrian Cottam takes up the post of Deputy Director with effect from that date.

The Board meets on a quarterly basis and sets the Judicial Institute's strategic direction on behalf of the Lord President. Overall responsibility for the delivery of the Judicial Institute's strategy rests with the Board.

The Advisory Council meets twice per year. The Council is comprised of representatives of

all judicial offices and members provide insight on matters relating to the Institute's work at the request of the Board. Neil Rennick, Director of Justice at the Scottish Government, was reappointed to the Council during the reporting period.

*Image:  
Figure of Justice,  
Parliament House*



<sup>1</sup> Correct as at 4 July 2022.



## Other committees and working groups

Several other committees and working groups lead on key aspects of the Judicial Institute's work as follows:

### Justices' Training Committee of the Judicial Institute (JTCJI)

Chaired by Sheriff Principal Anwar during the reporting period, the work of this committee is governed by [The Justices of the Peace \(Training and Appraisal\) \(Scotland\) Order 2016](#). The National Curriculum for JPs underpins all training for JPs in Scotland. On an annual basis the JTCJI reviews the curriculum and agrees the National Training Programme for JPs, which details the education the Judicial Institute will provide for JPs in the following training year. A further key function of the JTCJI is to report annually to the Lord President with an account and an evaluation of all Justices' Training and Appraisal Committee (JTAC) training. JTACs provide local sheriffdom training for JPs in line with nationally set standards, any other learning and development activities delivered by the JTACs and Judicial Institute training. In these reports the JTCJI provides assurance that those who deliver training to JPs across Scotland have the skills to do so, for example through the Institute's 'train the trainer' initiatives. The Committee meets twice per year and is made up of JPs from each sheriffdom and a sheriffdom legal adviser representing all six sheriffdom legal advisers.

### Justices Technical Training Committee (JTTC)

Chaired by the Judicial Institute Deputy Director and attended by all six sheriffdom legal advisers (SLA), the JTTC is a working group of the JTCJI. The remit of the JTTC is to identify legal or training issues of relevance to JPs and

provide advice on the development of training programmes and materials.

### Judicial Education for Tribunals (JET)

Chaired by Judge Anne Scott, President of the Tax Tribunal Chamber and Temporary President of the Social Security Chamber, the JET working group brings together representatives from each devolved tribunal. The JET working group was established in 2018 after the Lord President assumed responsibility for tribunal training under section 34(1) (a) of the Tribunals (Scotland) Act 2014.

The working group's remit is to identify and develop core training programmes; agree training guidelines and a quality assurance framework for specialist training undertaken by the tribunals themselves; and implement the agreed tribunal training model. JET provides oversight to the 'Tribunal Craft' course the Judicial Institute delivers for tribunal judicial office holders.

### Jury Manual Committee

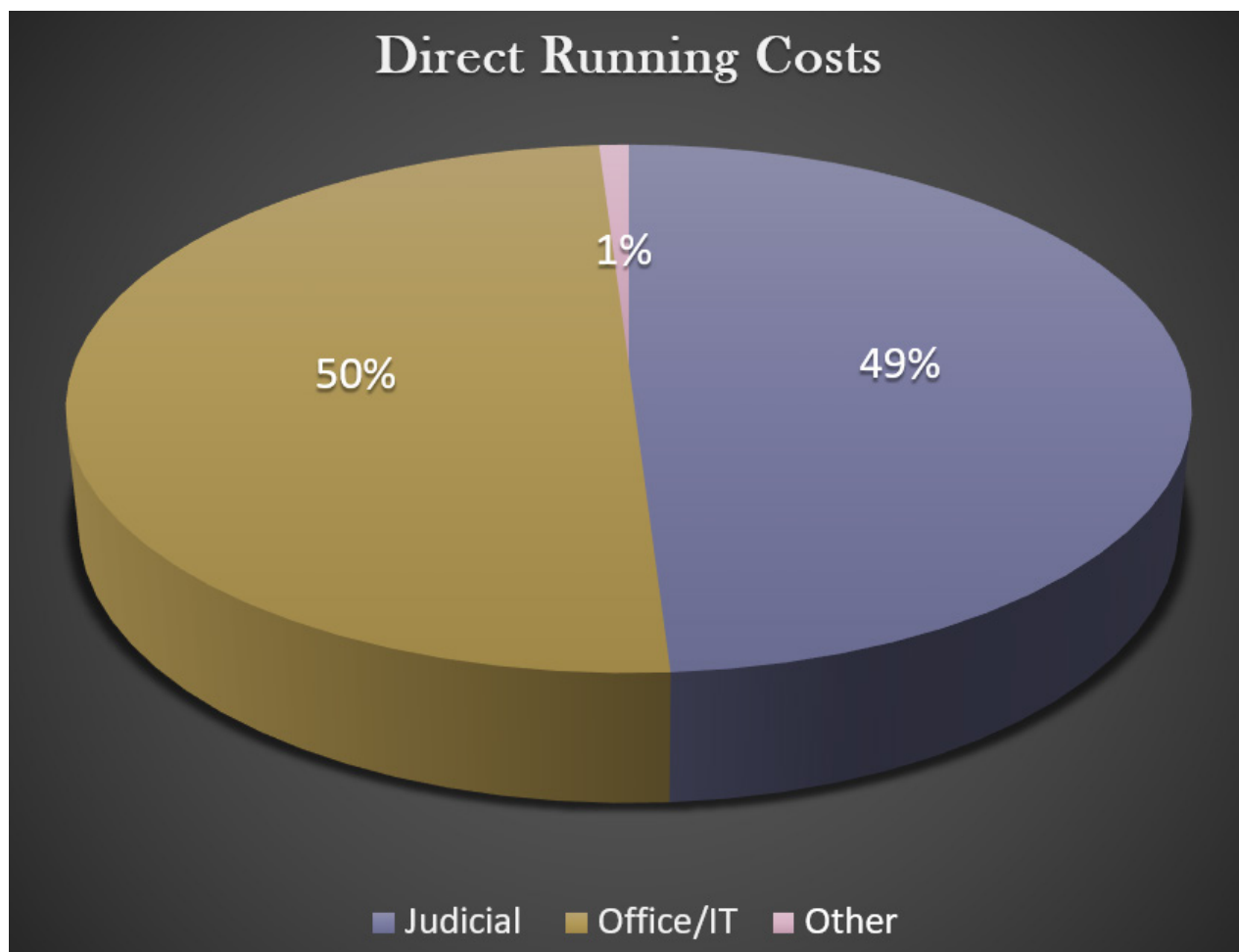
The Jury Manual is one of the most frequently accessed resources on the Judicial Hub. It offers a collection of suggested directions which judges may refer to when composing their charge to the jury, complemented by guidance on the applicable law. It is updated regularly by a committee comprising sheriffs and High Court judges, chaired by Lord Beckett. The committee meets on a quarterly basis and also engages regularly by email to discuss possible revisions. During 2021-22, the committee made adjustments to the written directions; started work on a project to adapt suggested directions to juries into plain language;<sup>2</sup> and prepared amendments to take account of significant Appeal Court decisions.

<sup>2</sup> See recommendation 4(d) from the Lord Justice Clerk's Review Group report, "[Improving the Management of Sexual Offence Cases](#)" (March 2021).

## 2021/22 expenditure

Expenditure this year continued to be impacted by the pandemic with the majority of the curriculum being delivered remotely. There were no overseas visits nor did we host any delegations.

Total expenditure in respect of direct running costs was £71,937.



*Image: Direct Running Costs*

# Operational structure 2021 - 2022



**Kay McCorquodale**  
Executive Director  
Judicial Office



**Sheriff Susan Craig**  
Interim Director  
Judicial Institute for Scotland



Vacant  
Deputy Director  
Judicial Institute for Scotland

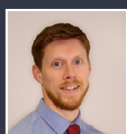


**Dr. Suzy Houston**  
Head of Education

## Digital Team



**Brian-Damien Morgan**  
Digital Lead



**Andrew Wallace**  
Digital Specialist



**Attila Toth**  
Digital Specialist

## Legal and Secretariat Team



**Laura Bremner**  
Legal and Secretariat  
Manager



**Ross Gunn**  
Legal Assistant

## Project Support Team

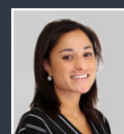


**Lucy Visocchi**  
Project Support Officer

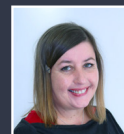
## Education and Learning Team



**Jenny Kindberg**  
Senior Education and  
Learning Manager



**Sabine Pajak**  
Education and Learning  
Manager



**Julie Hannah**  
Education and Learning  
Manager

## Operations Team



**Sarah Webster**  
Operations Manager



**Tracy Miller**  
Course Officer



**Sean Groat**  
Course Officer

\*Judicial Institute Board not represented

# Success Criteria and Key Performance Indicators

Overall responsibility for the delivery of the Strategic Plan rests with the Judicial Institute Board. It has identified the success criteria and key performance indicators in the graphic below. Together with the specific actions set out in the annual business plan, these form the basis of what is reported on in the Judicial Institute

Annual Report. As this is the third and last year of the current strategy, this report reviews the entire three years governed by the strategy using these success criteria and key performance indicators.

Success Criteria	Key Performance Indicators	Data Source
New judicial office holders are considered by sheriffs principal and the Lord President to have been supported for judicial office by induction.	We design and deliver an induction tailored to the needs of a new judge from day one on the bench.	Feedback from sheriffs principal;  Feedback from Summary Sheriffs' Association, Sheriffs' Association & Scottish Justices' Association;  Judicial Attitude Survey;  Communications from judicial office holders.
Learning needs for judicial office holders are timeously identified.	We deliver training sufficiently in advance of any statutory deadlines or implementation dates.	Commencement or implementation dates.
Learners value the Judicial Hub overall and consider that online and blended learning products are used proportionately to meet their needs.	Judicial Attitude Survey supports the proposition;  We receive positive/do not receive negative feedback on newly introduced online and blended learning products;  Hub Helpdesk calls are low whilst Hub engagement levels are high.	Our project debrief meetings (team expertise);  Judicial Attitude Survey;  Hub engagement statistics/Google analytics/learner journeys;  Hub helpdesk queries;  Communications from judicial office holders.



Success Criteria	Key Performance Indicators	Data Source
Learners consider that the Institute's content, choice and methods of face to face training delivery ( <i>traditional or technology-enhanced</i> ) meet their needs.	<p>Quality is consistent across our portfolio;</p> <p>Judicial Attitude Survey responses support the proposition;</p> <p>We have evidence of a portfolio of ambitious sessions, including technology-enhanced sessions through which we routinely use learning technologies in the Learning Suite;</p> <p>Learners consider the course learning objectives are met after course;</p> <p>Learners consider that their personal aspirations for learning are met after course;</p> <p>Learners reflect later that learning has had an impact on their practice;</p> <p>Learners refer to particular sessions based on particular educational/digital training methods as having had an impact;</p> <p>Learners consider the entire JI experience to contribute to their learning;</p> <p>Attendance levels.</p>	<p>Consistent use of key operational tools;</p> <p>Our course debrief meetings (team expertise);</p> <p>Our evaluation of our overall data set (team expertise);</p> <p>Stage 1 and Stage 2 evaluation data for courses;</p> <p>Targeted one to one interviews/samples;</p> <p>Discussion and verbal feedback at courses;</p> <p>Judicial Attitudes Survey;</p> <p>Communication from judicial office holders.</p> <p>Booking system attendance statistics for types of course and overall.</p>
Sheriffs principal and the Lord President consider that the Institute's provision supports their requirements.	Our business model is aligned with court programming and we take pressures of court business into account in our planning.	<p>Feedback from sheriffs principal;</p> <p>Feedback from Lord President.</p>

Success Criteria	Key Performance Indicators	Data Source
The Institute is working collaboratively with its key stakeholders.	We have a portfolio of products which evidence sharing of good practice in education;  Our performance, proportionately, at least matches other judicial institutes in the UK and internationally.	SCTS change project outcomes for judiciary;  Memorandum of understanding with the Education and Learning Unit of SCTS (ELU);  Number of third party contributors to courses and other learning interventions;  Learning from engagement in the work of the European Judicial Training Network (EJTN) and the United Kingdom and Ireland Judicial Studies Council (UKIJSC), benchmarking & study visits.

Image: Ceiling of Courtroom 3 in Parliament House



# Strategic Progress

In 2019, the Directors of the Judicial Institute identified four key strategic priorities that would enable the Institute to achieve its purpose over a three year period. Each priority was further broken down into a number of strategic objectives. We have now reached reporting year 2021/22, the third and final year of the current strategy. Below is a summary review of the entire three years that, for the sake of relative brevity, provides key highlights for each priority. A greater level of detail can be sought via the annual reports for each year of the strategy available via <https://judiciary.scot/home/media-information/publications/judicial-institute-publications>.

In 2019 the Judicial Institute embarked on a journey that was to be diverted before the financial year was complete. That is not to say that, three years later, we have not managed to achieve everything we set out to do and more: we are proud to have reached and surpassed

our original targets, albeit via a different route than originally anticipated. To deliver this plan we learned to work in ways that fostered agility, creativity, resilience and collaboration. We were compelled to harness digital technologies and adapt our practices in order to circumvent the sudden barriers to in-person participation that emerged during the pandemic. The move to online course delivery allowed us to continue to provide high quality, relevant judicial education. We also supported the judiciary by providing detailed guidance which assisted the adoption of online court hearings.

As the old adage goes: 'make a plan and stick to it': that is largely what we did, and it worked. Despite unfolding challenges and persistent periods of uncertainty over the last three years, we continued to focus closely on our strategic priorities, which revealed themselves as a steadying force during the difficult days of the pandemic.

## 1. The delivery of justice

*'To support justice in Scotland through the provision of the highest standard of judicial education'*

**Strategic priority 1 - we will promote developments in the efficient and effective delivery of justice through appropriate learning interventions.**

*1.1 Engage with relevant change projects and programmes*

*1.2 Embed opportunities for learning around court reform into our portfolio*

*1.3 Collaborate where there are synergies between staff and judicial training*

There can be no bigger change project than the

organisational response to Covid-19 which has been extensive and ongoing. Much of our activity post-March 2020 was necessarily influenced by the wider SCTS response to government restrictions. However, our local response was very much guided by the Institute's clearly defined remit: 'to support justice in Scotland through the provision of the highest standard of judicial education'. Suddenly prevented from providing judicial education in person, we had to find an alternative, equivalent method to allow us to continue the education and training of judicial office holders whilst maintaining high standards. To enable this, our response occurred in phases: firstly prioritising; then reorganising and remodelling; and then expanding from there.

We delivered courses online for the first time in 2020 using Cisco Webex software. It was necessary for us to redesign various aspects of in-person courses so that they worked effectively in an online environment. We had to consider both the constraints and the benefits of video conferencing software and ensure that judicial office holders felt comfortable and engaged in the digital learning environment. The Institute staff and directors had to learn the skills required for new ways of delivering engaging and effective judicial training. We paid attention to judicial wellbeing and engagement whilst online, for example by building in sufficiently long breaks. We also developed robust processes for minimising and resolving technical issues in order to provide courses free from interruption and errors. We explored the breakout room feature of Webex to allow us to provide an active, participatory learning experience. We attempted to provide, in an online format, the opportunity to collaborate and discuss candidly with peers, as this is a highly valued and beneficial feature of judicial training.

We are now proud to be in a position of some expertise in online learning. We have developed robust policies and procedures to assure quality. We have gathered consistently excellent feedback from judicial office holders on their online learning experiences. As such, the next strategy will see us continue to incorporate online learning into our expanded repertoire.

In addition to live courses, the past three years has seen us grow significantly the provision of 'just in time' resources on the Judicial Hub which come in varying forms and degrees of complexity, from short text-based brief notes to substantial Resource Kits that incorporate various resources and guidance including multimedia content. During the period of this strategy Briefing Papers were developed to prepare

sheriffs on the introduction of new legislation likely to impact significantly on the daily work of the courts. These included the Vulnerable Witnesses (Criminal Evidence) Scotland Act 2019 and the Children (Scotland) Act 2020. In the initial stages of the pandemic there was significant focus on Coronavirus legislation and court management but this grew into a range of areas responsive to developments; for example, a Briefing Paper which supported the restart of solemn trials using remote jury centres. Resource Kits were developed to support judicial practice on a range of topics (see pages [19-20](#) for further details).

During the span of this Strategic Plan, we have found huge value in working with others, including those within SCTS and from the wider justice sector. There are obvious synergies between the work of the Judicial Institute and SCTS's Education and Learning Unit (ELU) and we have been keen to continue to foster and build connections at any opportunity. Managing business continuity during the pandemic was hugely dependent on us being able to collaborate with SCTS's Change and Digital Innovation division (CDi) and ELU to use emerging online platforms. This enabled delivery of courses online and to develop courses and resources that are responsive to the ongoing digitisation of the court system. We worked closely with ELU in creating guidance for judicial office holders and staff in setting up and managing Webex events. We partnered with CDi to develop the Digital Innovation Support and Help (DISH) resource that supports judicial office holders to engage with new digital tools and platforms such as the Case Management System and Windows 10. We look forward to strengthening these connections and pursuing more opportunities for collaboration in our [Recovery Year 2022/23](#) and in the next Strategic Plan.



## 2. Judicial education model

### **Strategic priority 2 – we assure the viability of our model for judicial training and education**

*2.1 Ensure our judicial education policies remain world class and based on rigorous evidence*

*2.2 Maintain the JI's profile and reputation*

Our educational philosophy and pedagogical principles were first developed and articulated in advance of this Strategic Plan and have proven effective in guiding our approach to learning design and delivery, even when we made changes to the delivery mode of our courses. Relevant underpinning learning theory was first applied in relation to pod-based learning in the Learning Suite, where judicial office holders were invited to discuss course content in small groups. When we shifted online we were able to transpose this approach using the features of the Webex tool and have found our pedagogical approach has been effectively sustained across different learning modes and environments. We have further enhanced the live courses via a 'flipped' learning model, providing participants with advance learning material and activities that contextualise and deepen the learning that takes place in the course itself. We will continue to review our philosophy and educational model in depth during our Year of Recovery.

The continued impact of digital technology on the learning experience is acknowledged by the educational specialists in the Judicial Institute, who work closely with our digital specialists to monitor current research and trends in education and ensure there is capacity to pilot

new tools and designs for learning. Staff are encouraged to attend educational and learning technology conferences and professional development events in order to grow team expertise and make valuable links with the wider educational community, including colleagues in other sectors. Members of the team have benefited from visiting other educational organisations to learn innovative ways of providing education. Our membership of important bodies and associated special interest groups such as the Association of Learning Technologists (ALT) and the Scottish Moodle Users Group is also key to ensuring our specialists remain current in their field.

In 2019/20, we hosted study visits from five countries and conducted three international visits to the justice systems of other countries. The restrictions on local, national and international travel radically curtailed our ability to continue with visits of this nature well into 2022. However, despite the protracted disruption to international travel, we are pleased to have maintained our engagement with established national and international networks of judicial educators over the full three years covered by this strategy. We continued to be active participants in UKJISC, EJTN and the International Organisation for Judicial Training (IOJT) before, during and after the pandemic, shifting participation to an online basis when travel was not permitted. Each organisation has continued its networking events on a remote basis and the Institute has been able to continue to benefit enormously as a result.

### 3. Excellence and relevance in course provision

**Strategic priority 3 - we will consolidate and innovate and offer meaningful, stimulating, modern and relevant blended and face to face courses**

*3.1 Deliver fit for purpose inductions*

*3.2 Be responsive and deliver the most valuable courses*

*3.3 Ensure we offer choice*

*3.4 Develop the quality of our course provision*

Our sheriff induction programme has evolved in response to the disruptions over the reporting period, both in terms of content and delivery mode. Our traditional face-to-face model was redesigned into a blended model incorporating a combination of pre-learning and live online learning which was well received for the induction held in 2020. In 2021 we were able to hold sheriff induction in person at an external venue.

Over the reporting period, we have continued to contribute to the Tripartite Group which is formed of the Judicial Appointments Board for Scotland (JABS), Scottish Government and Judicial Office for Scotland (including Judicial Institute). This group co-ordinates recruitment, appointment and training of new judicial office holders and ensures our inductions are timely, responsive and of strong benefit to new members of the judiciary.


A number of planned courses were postponed or cancelled in 2020 in the period immediately following the national lockdowns. Through careful disaster recovery measures we were able to provide a selection of prioritised courses including a continuing programme of senatorial and shrieval inductions. Despite the interruption to our planned curriculum in 2020, through our annual programme of judicial education we continued to identify and meet the professional development needs of judicial office holders, as well as addressing legislative and digital changes and court reform. Over a three

year period, we have delivered a rolling programme of high-quality inductions, JP courses, tribunal-craft courses, courses focused on core criminal and civil topics (including case management) and a number of topical courses. These included Taking Evidence on Commission, Family Matters, Domestic Abuse and Remote Judging. Our annual 'Judging in the Digital Age' course has evolved to support the adoption of new platforms (e.g. Westlaw, Integrated Case Management System (ICMS), Sheriff Court Library Service, Civil Online) and emergent digital themes (cyber security, social media, artificial intelligence, SCTS change projects).

Throughout the three year period, in addition to looking outwards and engaging with the national and international judicial education landscape, we have improved our internal quality assurance and enhancement processes, ensuring our approach to learning design and delivery is effective and facilitative of a high-quality learning experience. The Judicial Institute team impose a rigorous, cyclical approach to course development that takes the course teams and contributors through logical steps to delivery and is completed with a learner evaluation exercise after each course has run.

The team examine in detail the qualitative feedback data elicited from judicial office holders and consider it carefully. These data are used directly to improve subsequent versions of the same course, as well as being more generally incorporated into our overall approach, where appropriate. We are grateful to judicial participants that they trust us with their candid feedback as it is invaluable in allowing us to improve continually.

Justice of the Peace training provided by the Institute has seen continued internal scrutiny over the reporting period to assure and enhance the quality of provision. A decision was taken to pause all JP training for a period in 2020 as the JP courts were not sitting at that time due



*Image: Segment of  
the fireplace in Parliament Hall*

to the pandemic. Relunched in 2021, the newly designed online versions of the JP courses were supported by a dedicated page on the Judicial Hub for sheriffdom legal advisers and adjustments made to the mode and design of the courses themselves so that they were effectively deployed in the online environment.

A key strength of our approach to JP training is in our close and productive working relationship with the legal advisers and the sheriffdom legal advisers. This relationship is nurtured via the excellent Train the Trainer course, designed and delivered by the Institute's Education and Learning Managers. Additionally, we have been fortunate to have had access to the expertise of Anne Kinsella, sheriffdom legal adviser, who held a temporary but central role within the Institute as Interim Head of Education during the reporting period. Anne brought a level of specific insight into Justice of the Peace courts that greatly assisted the Institute Directors in designing and delivering JP courses and we hope that we can assure continued SLA involvement of this nature in the future.

The reporting period has seen provision of tribunals training grow and gather momentum. The cross-jurisdictional Tribunal Craft course, first delivered in 2019, is now successfully delivered twice annually and is highly valued by the Tribunal Chambers. It was successfully redesigned to be run online during the pandemic which has provided maximum flexibility of access for participants. 2019 also saw the Institute secure agreement on a quality assurance model to guide training provided by the Tribunal Chambers themselves. Two Tribunal Chambers have already gone through the process of review, a process which has confirmed the consistently high quality of their approach to training their members. The model has proven itself useful beyond quality assurance: it has enabled us to continue to build valuable channels of communication with Tribunal Chambers and to gain useful insight into robust methods for this form of training. It is important to note that within a peer-review activity of this nature, the reviewer (i.e. the Judicial Institute) benefits as much as the reviewees.



## 4. Excellence and relevance in our online provision

**Strategic priority 4 - we will consolidate and innovate and offer meaningful, stimulating, modern and relevant information, knowledge and learning on the Judicial Hub**

*4.1 Continuously improve the Judicial Hub platform and content*

*4.2 Develop our capacity to design quality technology enhanced learning products*

### **Areas of activity:**

This particular strategic priority has increased in its relative significance quite substantially as a result of the pandemic and the resultant shift to online learning. Prior to this, the Judicial Hub was already highly important and central to our educational approach, part of a blended offering supplementing the in-person learning in courses and also as the locus of all judicial bench resources and updates via the eLibrary. These functions have continued and expanded, and the incorporation of Webex has facilitated the wholesale shift to online course delivery that was necessary when the Learning Suite was unavailable due to government restrictions.

A substantial amount of work has gone in to managing and improving the online platforms and tools that are now fundamental to the

online learning we provide. A successful upgrade to the Judicial Hub was completed during the reporting period, a complex but vital piece of work by our Digital Team. Staff have also engaged with the legislative requirements to ensure all learning content is accessible and have extended this to our electronic documentation provided to committees and the Institute Board. One of the technical specialists in the Institute's Digital Team has recently completed a qualification in User-Centred (UX) Design which adds further richness to the team skillset and gives a valuable perspective focused on end user experience.

We have paid attention to Institute staff knowledge and skills in relation to online learning. We are very proud that all of our digital and educationally-focused staff can now be considered expert in the design and delivery of online learning. All team members follow their own relevant professional development pathways, as well as critically reflecting on their practice on an ongoing basis. We have seen our judicial contributors and learners embrace the online environment, despite it having been very unfamiliar at first. Ultimately, good quality online education is less about the technology itself, and very much about the people who design, deliver and consume the content.

*Image: Court of Session,  
Parliament House*





# The Judicial Hub and Resources

The Judicial Institute's dedicated online learning platform, the Judicial Hub, has undergone a number of cosmetic and functional changes, including an upgrade of the site in 2021/22 which was essential to ensure it continued to operate effectively and designed to meet a high standard of judicial office holder needs and expectations.

These changes are the result of judicial office holder feedback and the continued adaptation of face-to-face learning opportunities to remote

and digital resources.

Most developments involve subtle, incremental changes to improve the usability of the Judicial Hub and to make sure that digital governance and accessibility standards are observed. However, there have also been a number of substantive changes to the tools judicial office holders require to carry out their roles and so the content and function of the Judicial Hub reflects these more substantial updates.

## Digital Innovation Support and Help Portal (DISH) Portal

The DISH Portal is a collaborative project involving the Judicial Institute, SCTS CDi and other partners to offer judicial office holders practical support in getting to grips with change, through the provision of self-help guides, instructive material and news.

Throughout the reporting period the DISH Portal has continued to become more robust and fulsome. Sections have been added to support judicial office holders as they carry out their roles, both remotely and in-person. One section focuses on the increasingly important topic of cyber security; other sections offer support for

specific tools such as Jabber, Webex, Westlaw, LINETS, Windows 10 and the Case Management System.

The ethos of the DISH resource is to instruct and direct users to 'just-in-time' support on any technical issues they may encounter in the course of their judicial duties. The Judicial Institute continues to work with CDi and updates are communicated through the Judicial Hub Management Group. This is a forum of SCTS managers to discuss the impact of technical changes across their content areas on the Judicial Hub.

## Wiki project development

Wiki is a bespoke web document format developed for the Judicial Hub. It provides navigation and structure to documents that can be viewed as web content. Wikis are also downloadable as PDFs providing this format for users' convenience.

The purpose of this project is to bring more of

the Institute's key online legal resources into an accessible and user-friendly format, speeding up the editing process and providing greater choice in how judges view such resources. In comparison to other online formats, Wikis are generally viewed as an ideal way to develop and share dynamic content created by multiple authors. The project was initiated in this report-

ing period. It is certainly proving advantageous in our context and we are delighted with this enhancement to our approach.

The Judicial Institute Digital Team continue to work with judicial office holders and the Institute's Legal and Secretariat Team to add to the Wikis available to users. This process includes a review of each available Wiki or resources that

could be better represented in a new format, and a plan to incorporate new or improved functionality for these resources.

The Wiki Project will continue until 2025 and all substantial changes will be communicated via the Judicial Hub and reported in future annual reports.

## Judicial Hub toolkits and resources

The Judicial Institute continues to develop toolkits and resources that assist judicial office holders in the discharge of their judicial duties. During the reporting period, Resource Kits on a range of topics have been produced including on Remote Hearings, Taking Evidence by Commissioner, and Domestic Abuse. Towards the end of the reporting period work commenced on an important new resource kit in Trauma-Informed Practice which will accompany, supplement and support the flagship courses on this topic.

These important resources have been praised by the judiciary for their in-depth, carefully curated content which is often developed in a multimedia format to enhance the quality and user experience of the resources and activities contained within. As a result, the design and development process of the Resource Kits is substantial, requiring the input of the entire Judicial Institute team.

To provide further insight into the nature and content of these Resource Kits, and the responsive designs according to topic, three examples are summarised here:

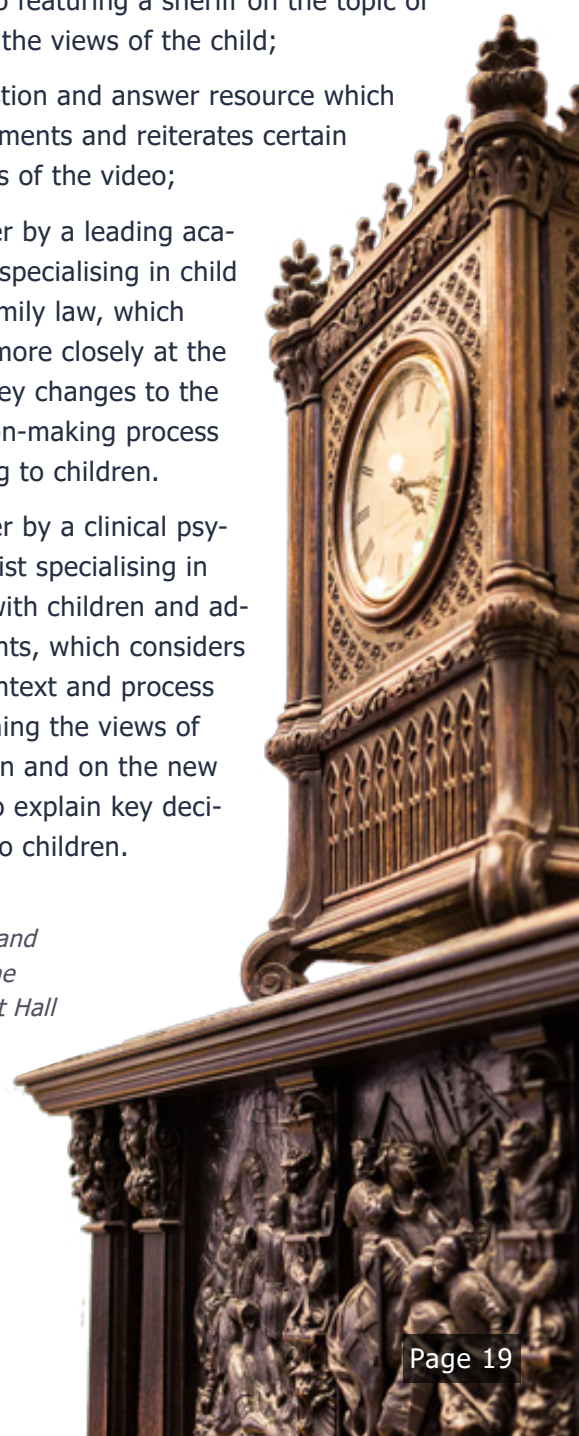
### Children (Scotland) Act 2020 Resource Kit

This Resource Kit hosts a Briefing Paper designed to raise judicial awareness of the provisions directly relevant to the work of the judiciary in Scotland. It is complemented by four

additional resources, namely:

- A video featuring a sheriff on the topic of taking the views of the child;
- A question and answer resource which supplements and reiterates certain aspects of the video;
- A paper by a leading academic specialising in child and family law, which looks more closely at the Act's key changes to the decision-making process relating to children.
- A paper by a clinical psychologist specialising in work with children and adolescents, which considers the context and process of gaining the views of children and on the new duty to explain key decisions to children.

*Image:  
Fireplace and  
clock in the  
Parliament Hall*



## Digital Courts Toolkit

The Digital Courts Toolkit ensures there is one location from which all court judiciary can access just-in-time learning in respect of remote civil hearings, summary trials and solemn trials.

The Toolkit contains three sections: civil hearings, summary trials and solemn trials, which allows judges to access the resources most relevant to them. The summary trials section also includes a learning resource in the form of a filmed simulation of a remote summary trial.

## Taking Evidence By Commissioner Toolkit (Updated)

Building on the success of the Domestic Abuse Resource Kit, which provided a blended learning approach to the concept of coercive control, the Taking Evidence By Commissioner Toolkit continues the same careful approach to a sensitive subject matter. The Toolkit is designed to support judges in developing their approach and techniques to the examination of vulnerable witnesses

These Resource Kits are regularly revised and updated, with news items published on the Hub to alert judges to any changes.

*Image: Stained glass window  
Parliament Hall*









# Course and Event Calendar

## 2019 - 2020

Course	Date	Learners
Judging in the Digital Age	9 April 2019	15
Taking Evidence on Commission for Senators	29 April 2019 (morning)	19
Unrepresented Accused for Justices of the Peace	2 May 2019	16
EU Withdrawal – the Implications	7 May 2019	17
Domestic Abuse and Coercive Control	13 May 2019	23
Domestic Abuse and Coercive Control	14 May 2019	24
Arbitration for Senators	31 May 2019	10
Sexual Offences for Senators	10 June 2019	11
Modern Sentencing Challenges	11 June 2019	26
Decision Making for Justices of the Peace	18 June 2019	11
Judicial Writing	25 June 2019	16
Domestic Abuse and Coercive Control	3 September 2019	20
Domestic Abuse and Coercive Control	5 September 2019	20
Courtroom Communications for Justices of the Peace	12 September 2019	11
Adults with Incapacity	17 September 2019	8
Domestic Abuse and Coercive Control	1 October 2019	21
Domestic Abuse and Coercive Control	3 October 2019	25
Family Matters	8 October 2019	18
Road Traffic for Justices of the Peace	14 October 2019	10
Retirement Course	17 October 2019	12
Human Trafficking and Jury Charging Developments	30 October 2019	15
Sheriff and Summary Sheriff Induction	4-8 November 2019	15
Unrepresented Accused for Justices of the Peace	14 November 2019	16

Course	Date	Learners
Vulnerability in Court	20 November 2019	9
Leadership Event	24 November 2019	16
Tribunal Craft	26 November 2019	12
Modern Sentencing Challenges	5 December 2019	20
Decision Making for Justices of the Peace	11 December 2019	9
Senator Induction	13-17 January 2020	5
Taking Evidence on Commission	29 January 2020	14
Courtroom Communications for Justices of the Peace	4 February 2020	9
Evidential Developments	7 February 2020	22
Commercial Litigation	11 February 2020	10
Decision Making for Justices of the Peace	19 February 2020	14
Family Law	27 February 2020	13

## 2020 - 2021

Course	Date	Learners
Shrieval Induction (R)	15-18 September 2020	16
Taking Evidence by Commissioner (R)	5 & 7 October 2020	31
Temporary Judge Induction (R)	26 October 2020	5
Sheriff and Jury Training (R)	24 & 26 November, 9 & 10 December	61
Domestic Abuse and Coercive Control (R)	15 December 2020	15
EU Retained Law for Senators (R)	25 January 2021	14
Courtroom Communication for Justices (R)	27 January 2021	12
Remote Judging – Effective Justice? (R)	3 February 2021	16
Road Traffic for Justices (R)	17 February 2021	18
Senator Induction	1-4 March 2021	4
Remote Judging – Effective Justice? (R)	9 March 2021	17
Family Matters (R)	30 March 2021	15

## 2021 - 2022

Course	Date	Learners
Tribunal Craft (R)	1 April 2021	13
Sentencing (R)	21 April 2021	14
Shrieval Induction	26-29 April 2021	1
Unrepresented Accused for Justices (R)	5 May 2021	20
Civil Case Management (R)	11 May 2021	10
Criminal Case Management (R)	19 May 2021	12
Taking Evidence by Commissioner (R)	2 June 2021	14
Decision Making for Justices (R)	17 June 2021	16
Criminal Case Management (R)	24 June 2021	9
Temporary Judge Induction	25 August 2021	8
JP Courtroom Communication (R)	3 September 2021	8
Taking Evidence by Commissioner (R)	7 September 2021	10
Family Matters (R)	30 September 2021	6
Shrieval Induction	4-8 October 2021	32
Judicial Writing (Senators)	11 October 2021	6
Road Traffic for Justices (R)	26 October 2021	10
Adults With Incapacity (R)	29 October 2021	18
Tribunal Craft (R)	4 November 2021	14
Unrepresented Accused for Justices (R)	9 November 2021	10
Train the Trainer (R)	10 November 2021	15
Sentencing (R)	18 November 2021	11
Criminal Case Management (R)	24 November 2021	8
Children and Young People (R)	30 November 2021	6
Decision Making for Justices (R)	8 December 2021	12
Sheriff Appeal Court	10 December 2021	15
JP Courtroom Communication (R)	18 January 2022	13
Shrieval Induction (Part-time) (R)	24-28 January 2022	35

Course	Date	Learners
Family Law (R)	3 February 2022	13
Road Traffic for Justices (R)	10 February 2022	14
Sentencing (R)	9 March 2022	13
Tribunal Craft (R)	17 March 2022	15

(R) after the course title denotes that the course was held remotely using Cisco Webex. Courses were otherwise held in person.

Our course programme is at the core of our business. Through it we respond to new and developing areas of interest for the judiciary each year, as set out in the above table. We also provide refresher courses in core topics, taking

a three-year view. In this reporting year we delivered 40 days of programming, for a total of 401 learners. From 1 April 2019 to 31 March 2022 we delivered 101.5 days of programming to a total of 1144 learners.

## Additional activities delivered between 1 April 2021 and 31 March 2022

### Civil Justice Conference – 10 May 2021

The Judicial Institute organised an online conference held on 10 May 2021 at the request of the Lord President. This provided a forum for discussion amongst interested parties about how civil business in the Court of Session and the sheriff courts might be managed in future using virtual and in-person hearings. The event was attended by 240 people from the media, judiciary, legal profession, and public.

### Inner House Judges Meeting – 27 September 2021

The Institute facilitated an in person meeting of the Inner House judges of the Court of Session.

### Judicial Conference – 20 November 2021

On behalf of the Lord President the Judicial Institute organised an in person conference at the new Inverness Justice Centre. The event was attended by over 20 Senators of the College of Justice and several sheriffs principal and addressed key topics including digital transformation, access and outreach and judicial welfare.



# Courses

## How we ensured and maintained quality

Judicial education in Scotland is judge-led, judge-devised and judge-delivered. During the reporting period, we have endeavoured to safeguard the fundamental principle of judicial independence. The Directors, supported by our team of educational specialists, designed and delivered our programme of courses. The educational team worked closely with our digital team to use our virtual learning environment, the Judicial Hub, to enhance the educational

experience of Scotland's judiciary. Due to the majority of courses being delivered on a remote basis since 2020, with a few exceptions listed on pages [26-27](#), new procedures were implemented to ensure these courses remained accessible and interactive, while maintaining a high quality learning experience for over 400 learners trained in this reporting year. The following sections provide insight into some of the course highlights from 2021/22.

## Shrieval Induction, 24-28 January 2022

Thirty two new part-time and three full-time shrieval appointments received their induction from 24-28 January 2022. Full-time appointees who had previously sat as summary sheriffs attended those parts of the course relevant to their new jurisdictions. The Judicial Institute developed this induction course, derived from the face to face version delivered in October 2021, to allow it to be delivered remotely through blended online learning, including a number of online resources that delegates can return to later in order to refresh their learning.

The face-to-face version of the induction course contained several workshops. When it was moved online, it was designed to include breakout sessions to ensure it remained interactive and to manage the large number of participants being inducted at this time. Online breakouts, when managed carefully, provide a safe, private space for small group peer discussion and collaboration activities which are fundamental to an active learning experience. This aspect of the new design ensured a continuation of these valuable interactions central to the Institute's social constructivist educational philosophy.

It is testament to the careful, robust design of the online version of the induction course put together by the team that the majority of delegates (89%) rated the overall user experience of accessing and using the Cisco Webex platform as either effective or very effective. The remaining participants rated the platform as neither effective nor ineffective, and were neutral to the use of the platform.

The shrieval induction content is continuously reviewed and updated to ensure it remains a highly relevant and engaging learning experience for newly appointed sheriffs that will support them in the early stages of their new role. In this iteration of induction Lord Mulholland delivered a new module on judicial welfare and Sheriff Wendy Sheehan redesigned and facilitated the modules on family matters. Participants were also given access to a new video tour produced by the Institute's Legal and Secretariat Manager to help them navigate the recently redeveloped Judicial Hub.

Evaluation findings were encouraging. In particular 95% of delegates who responded thought the approach to their role as a sheriff

had been influenced by something learned on the course and 100% of delegates who responded had a greater awareness of their role as a sheriff by the end of the course.

#### Quotes

*"An excellent week's induction with appropriate pre-course material and tasks. Having learned a great deal I have also revised my original thinking and understanding in the light of the*

*mentoring and shared-experiences of the course leaders, contributors and other participants. It genuinely felt a safe space of collective learning."*

*"The combination of previous reading and completion of exercises, combined with presentations and smaller and whole group discussions - it felt like a good and useful balance was reached."*

## Adults with Incapacity, 29 October 2021

Since the course was last delivered in 2019, there has been an increase in the practical challenges for judges as a consequence of the responsibilities placed upon them in the largely inquisitorial Adults with Incapacity jurisdiction. Covid-19 created its own demands, but also emphasised longer-term issues and weaknesses. This course aimed to re-focus the key principles and provisions of the [Adults with Incapacity \(Scotland\) Act 2000](#), taking account of recent experience and developments, including general experience of the pandemic, and related variations in practice among different courts. This course explored the differences and similarities

in judicial approach with a presentation from a retired judge, as well as contributions from the Mental Welfare Commission and an update from the Office of the Public Guardian. Participants discussed the complexities of various case studies during the workshop sessions, followed by conclusions on human rights aspects and deprivation of liberty from a subject expert.

#### Quote:

*"I really enjoyed this. It was fascinating to hear of the acute dilemmas faced by the court of protection judges, and to see the advantage in having a specialist court."*

## JP Decision-Making, 8 December 2021

This course provided participants with the opportunity to reinforce and refresh their learning by looking at different aspects of decision-making and sentencing in a safe, simulated environment. Delegates on this course were asked to complete a pre-course survey in advance of the training to ensure that the issues to be covered best met the needs of those attending. The course, which had been re-designed for remote delivery, started with a morning considering the main aspects of judicial decision making. This was followed by facilitated breakout sessions in the context of the pre-trial hearings. The results of the pre-course survey guided

the content and discussion of this group work to ensure maximum relevance for participants. The course concluded with sessions on decision making with authority, followed by a sentencing exploration looking at the factors that should influence a sentence. Other matters covered included adjournments, continuation without plea, evidence, defective complaints, the relationship with the legal adviser and aspects of special reasons.

#### Quote:

*"I think that the course was very useful in thinking more deeply about taking a more ana-*

lytical approach to decision making. The course highlighted the variety and types of information that are required to make a full and complete

decision based on all of the available information."

## Train the Trainer, 10 November 2021

Our Train the Trainer course is an important aspect of the Judicial Institute's quality assurance of sheriffdom Justice of the Peace training. The course is fully designed and delivered by our in-house learning professionals, making best use of the specialist skills in the Judicial Institute team. This was the first Train the Trainer course designed as a half-day module and delivered remotely. The programme intended to provide space, time and materials for sheriffdom legal advisers and legal advisers to reflect on the training they offer Justices of the Peace. The course began with a high level critique of learning styles, hints, tips and tools for designing objectives, and practical knowledge on how to document course design whilst remaining

flexible on the course day.

The post-course evaluation feedback was very positive but also contained some constructive comments that will feed into the next module, related to timings. The next module will contain different topics, so that the same participants can attend, and will be delivered in the second half of 2022.

Quote:

*"I really enjoyed the course and presentation style. I was not sure what to expect going in but felt each topic was covered just the right amount and I enjoyed the opportunity for breakout groups."*

## IOJT Trauma Workshop design

The Judicial Institute has been an active participant in the work of the [IOJT](#) for some years. The next conference of the IOJT is scheduled to take place in Ottawa, Canada between 30 October and 2 November 2022. The theme of the conference is 'Effective Judicial Education: Understanding Vulnerable Populations'. This provides a particularly appropriate platform to showcase the extensive work the Judicial Institute has undertaken in the area of trauma-informed judging in the management of sexual offences. The workshop will be presented in person by Sheriff Craig who has been the lead designer and driving force behind the trauma courses and resource kit. She will put the new courses in the context of the report of the Lord Justice Clerk's 2021 Review Group. As noted above the design and development for these courses and the associated resource kit commenced during the reporting period.

Sheriff Craig's presentation will give delegates a flavour of the course materials and educational design, the course development process and the profile and role of the various contributors. She will examine some of the evaluative data elicited from judicial office holders who attended the two courses held in May and June 2022. She will provide insight into the key challenges and learning points related to this complex issue in the context of judicial training. Sheriff Craig will also outline how we propose to build on the foundations which have been put in place.

This will be an excellent opportunity for the Judicial Institute to showcase its advanced work in this challenging and critical area, and build on our international profile as innovative judicial educators.

# Conclusion

We would like to thank you for taking the time to read this annual report, which is the result of significant collaboration and co-ordination by the Judicial Institute Directors and staff team.

We are very proud to report on meeting and exceeding our planned strategic priorities as well as a number of additional activities not anticipated at the time the Strategic Plan 2019-2022 was devised. The extensive and successful work described in this report is a tribute to the resilience and creativity demonstrated by the team in the face of disruption and change.

At the time of publication of this report, we will be nearly half way through our [Year of Recovery](#) and making progress in the planning of the next Judicial Institute Strategic Plan for the period 2023-2026. The numerous lessons learned and growth achieved in 2019-2022, followed by a period of reflection, puts us in a strong position to meet the inevitable challenges and opportunities that will emerge in the coming years. We look forward to sharing how we intend to do this in future reports.

*Image: Statue of sphinx on roof of Parliament House*







Judicial Institute  
for Scotland



*‘Supporting justice in Scotland through the  
provision of the highest standard of judicial  
training and education.’*

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