



Justices Training Committee of the Judicial Institute (JTCJI)

Annual Report to the Lord President

Covering the period January to December 2024

Contents

1. Introduction.....	2
2. National Training Programme and JTCJI directions.....	2
3. JTAC (Sheriffdom) Training.....	3
4. Judicial Institute Training.....	9
5. Judicial Institute E-Resources for JPs	12

Appendix A – JTAC Training Reports

Appendix B – Sample of Judicial Institute Training Evaluation Feedback

JTCJI Annual Report

1. Introduction

In terms of the [Justices of the Peace \(Training and Appraisal\) \(Scotland\) Order 2016](#), (*the 2016 Order*) the content, scrutiny and reporting on training of Justices of the Peace (JPs) is delegated to the Justices Training Committee of the Judicial Institute (JTCJI).

This annual report provides the quality assurance required by the Lord President under articles 7(4) and 11(3) of the 2016 Order. The JTCJI has no recommendations to make to the Lord President in terms of the 2016 Order.

1.1 Purpose of the Report

This Report is required in terms of articles 7 and 11 of the 2016 Order and contains:

- (a) The collated Sherifffdom JTAC (Justices' Training and Appraisal Committee) Reports as required by article 7(4) of the 2016 Order (Appendix A); and
- (b) An analysis of the training delivered by the Judicial Institute (JI) and the JTACs during the 2024 training period.

1.2 Number of JPs

According to Judicial Office figures, at the end of 2024 there were approximately **230** JPs in Scotland. There were 78 prospective JPs, who attended a programme of local training and a two day Judicial Institute induction course.

2. National Training Programme and JTCJI directions

In terms of article 6(1) of the 2016 Order, by no later than 30 September each year the JTCJI is required to set out the National Training Programme for the following year. This includes the up to date National Curriculum, details of JI training courses,

and any topics prescribed for delivery by each Justices' Training and Appraisal Committee (JTAC) located in each sheriffdom in the following year.

No topics were prescribed in 2023 for delivery by JTACs in 2024. The JTCJI made a policy decision in 2017 that training topics would be prescribed in exceptional circumstances only.

3. JTAC (Sheriffdom) Training

3.1 Background

Justices have a statutory obligation to complete 12 hours training a year, with a minimum of 6 hours JTAC training every year, and minimum 6 hours of JI training over three years (Article 3(1) of the Order). The year 2024 was the second year in the current cycle which is 2023/24/25.

The majority of JP training takes place locally, determined by Sheriffdom JTACS within the parameters set by the National Curriculum, the National Training Programme, and any JTCJI directions. As a result, the focus of the JTCJI is not to influence the topics to be prioritised locally, but rather to set educational standards and establish processes for the quality assurance and enhancement of local training. The National Curriculum, the National Training Programme, and the JTAC annual training reports have been successfully used as a method of providing direction and reporting.

The design and delivery of training is usefully structured by the training cycle: identify the learning needs, design the training, deliver the training, and evaluate what was delivered. The JTCJI's overall analysis of the JTAC training reports, which are submitted each year to a deadline of 28 February, is based on the following two headings:

1. analysis of the overall training plan; and
2. evaluation of feedback received over the 12 month period.

3.2 Analysis of the overall training plan

The JTACs are asked to provide an overall analysis of the impact of its local training plan and the courses delivered in the sheriffdom. This includes how learning needs were identified, what the training priorities were, and how training was delivered.

3.2.1 Training Needs Analysis

Training needs analysis is determining the specific training that learners require to expand their knowledge, improve their abilities, and develop the skills necessary for their role. The JTACs all evidenced a practice of this analysis, mapping their training delivery to the National Curriculum. They also reported on the need to produce a flexible training programme, which remains relevant to address the needs of Justices. Training needs analysis for current JPs was underpinned by gathering information from a number of appropriate sources – see table 1.

Table 1 - Information sources for training needs analysis

- feedback from Justices in post-course evaluation questionnaires
- development needs identified through appraisal
- assessment of legislative changes, case law and appeals
- reflections on local court issues
- procedural changes
- post-court meetings
- direct consultation with JPs, Legal Advisers, justice partners, and the Judicial Institute.

3.2.2 Priorities for Training

Core content

Local training plans for existing JPs incorporated the core content normally delivered: road traffic offences, sentencing, court craft and case management. JTACs recognised that these key areas are the focus of local and national training. For example, during this the reporting period, the Sheriffdom of Grampian Highlands and Islands (GH&I) provided training on common road traffic offences encountered with emphasis on mobile phone, construction, as well as speeding offences. Particular emphasis was

made with regard to dealing with multiple road traffic charges on the same complaint, which can give rise to challenges for some Justices.

Additional training topics

In addition to this core content, a broad range of complementary training topics were also offered locally – see table 2. For instance, after having delivered training on Community Payback Orders (CPO) in 2023, the Sheriffdom of North Strathclyde (NS) organised visits to workshops where CPO unpaid work was being undertaken. This was a response to feedback received, and in order to help Justices better understand how CPOs worked in practice. A few CPO unpaid work sites were included in the visits, including a children’s hospice where a garden and play park programme was taking place. Trauma informed practice and hate crime legislation were training topics that reoccurred in the JTAC reports.

Table 2 A list of some additional training topics delivered during the reporting period

- | | |
|---|----------------------------|
| • Fines Enforcement Court | • Community Payback Orders |
| • Hate Crime and Public Order (Scotland) Act 2021 | • Signing duties |
| • Trauma Informed Practice Contempt of court | • Judicial ethics |
| | • Breach of the peace |
| | • Drink driving |

3.2.3 Training delivery

The majority of training was delivered in person, rather than remotely. There is consensus that there is considerable benefit from in-person contact between Justices, which facilitates the free exchange of views and ideas, and provides the opportunity to socialise. Some JTACs continued to provide a mixture of in-person and remote training. For example, the Sheriffdom of Tayside, Central and Fife (TC&F) delivered some sessions remotely, particularly when adverse weather was expected, and noted the convenience, and minimal resources required. The JTACs recognised the benefits of both modes of delivery and endeavoured to continue to improve and adapt the way that remote training was delivered to enhance the learning experience for Justices. Some also made recordings of remote sessions available more broadly.

The need to utilise varied training methods, tools and techniques, whether delivered remotely or in person was evident – see table 3. A tailored blend of methodologies was chosen to enable JPs to learn in a way that best suited their learning preferences and acknowledge their diverse experience and backgrounds. These methods were widely recognised as options available to supplement the traditional presentation and lectures, and were implemented as appropriate.

Table 3 A list of some of the training methods used

- | | |
|--------------------------------------|-------------------|
| • Interactive workshops | • External visits |
| • Scenario based training | • Q&A sessions |
| • Pre-course workbooks and exercises | • mock courts |
| • Court observation | |

Annual training conference

Several JTACs were able to host an annual training conference in 2024 for established JPs. For example, the Sheriffdom of South Strathclyde, Dumfries and Galloway (SSD&G) provided a comprehensive training day for JPs. Sheriff Principal Dowdall started the programme with an update on issues and the future of the court service. Sheriff Murphy then shared his experience of the Case Management Pilot in the sheriff court regarding part-heard trials. Sheriff Kicinski then led a mock court that derived from real cases from within the sheriffdom, relating to churn and adjournments. Following this, a presentation and workshop on the new 'Hate Crime' legislation, highlighted potential examples of cases that may be seen in the courts in future. A speaker from Criminal Justice Social Work then provided significant insight into the uses and benefits of the Community Payback Orders, promoting significant discussion. The final part of the day, and said to be one of the highlights, was the interactive opt-in workshops. These allowed for small groups, with a mixture of experience from longstanding Justices to those that were in training, to take part in discussions on significant areas within the court system. The most popular workshops were drink driving; failing to stop and report; and exceptional hardship and special reasons. All of the workshops were created from recent examples and experiences from the legal advisers.

Court observation

A small number of JTACs were able to facilitate visits to courts. For example, NS organised a visit to the Sheriff Appeal Court in Edinburgh for current and prospective Justices of the Peace. Sheriff Principal Murphy met with Justices after court to discuss the cases and procedure in the court that they had observed. This type of observation was very popular.

Prison Visits

Visits to the Scottish Prison Service were included by some JTACs in 2024 due to the requirement to provide this for prospective JPs. For example, GH&I organised a visit to both HMP Grampian and HMP Porterfield. The visits aimed to enhance knowledge of the prison service and gain an appreciation of the effect of imprisonment and detention on individuals.

Expert Contributors

Training was developed and led by experienced Sheriffdom Legal Advisers and Legal Advisers. JTACs invited Judicial Office Holders and a range of external contributors to contribute their expertise and experience – see table 4. For example, Glasgow and Strathkelvin (G&S) delivered an informative training session, tailored to Justices, to introduce them to the key concepts of trauma informed practice. This training was delivered by the Scottish Violence and Reduction Unit.

Table 4 A list of some of the external contributors

- | | |
|---|--------------------------|
| • COPFS National Initial Case Processing Unit | • Fife Council (CPOs) |
| • Scottish Violence Reduction Unit | • Police Scotland |
| • Criminal Justice Social Work | • SCTS Fines Enforcement |
| • People First Scotland | |

3.3 Evaluation of courses delivered

Across the reports, there was evidence that an in-depth evaluation of courses was informing the ongoing learning needs analysis, and the continuous improvement of all aspects of course design and delivery. The method of evaluation often included a member of the JTAC being present at the training in order to review the training and report back to the committee. Feedback surveys were completed by participants for

the majority of courses, many of which were used to collect both quantitative and qualitative data for analysis. Participant feedback was thoroughly analysed to facilitate continuous improvement throughout the year. For instance, the Sheriffdom of Lothian and Borders (L&B) reported a common theme regarding the participant preference for pre-course and post-course written materials as a point of reference and to aid reflection, particularly for training that is delivered over the course of time. This will be addressed in respect of future courses to maximise the value of training. Samples of anonymous feedback is provided in as an appendix to the JTACs reports (Appendix A).

3.4 Self-study

In 2024 Justices were permitted to claim up to four hours self-study credit, towards the 12 hour annual training requirement. Sufficient learning opportunities were made available to enable JPs to comply with their statutory requirement. The JTACs monitor the self-study element of training. For example, NS requested the completion of a reflective training log which was submitted at the end of the year. Some JTACs strongly recommended the Hub as a useful source of up to date information and case law, and an excellent source of self-study materials. It was noted that not all learning although of interest may be included, and the JTACs reserve the ability to ensure that self-study is linked to the National Curriculum.

3.5 Induction for Prospective Justices of the Peace

The assessment of the needs of prospective JPs was a national exercise, resulting in the Course of Training developed by the JTCJI, and approved by the Lord President. The Course of Training ensured a clear distinction between induction training to be delivered nationally by the Judicial Institute and training to be delivered locally. This covered a range of subjects and core areas which were delivered alongside the existing programme for existing justices. Table 5 shows the split of training topics between the Sheriffdom training and the Judicial Institute.

Table 5 The following broad topics were delivered as part of the Induction training

Sheriffdom based	<ol style="list-style-type: none"> 1. An introduction to the local court 2. The Scottish Legal System 3. The Justice and the Legal Advisor 4. The investigation and reporting of crime 5. Summary Criminal Procedure 6. Trials – Practice and Procedure 7. Evidence 8. Sentencing – procedure, selection, reducing reoffending 9. Road Traffic Offence 10. Commonly encountered offences 11. Out of court duties – warrants and administrative function 12. Appeals
Judicial Institute based	<ol style="list-style-type: none"> 1. Judicial Independence, impartiality and ethics 2. Equality and diversity 3. The art of decision making 4. Court room craft, the judicial voice and communication 5. Domestic abuse 6. Community justice and rehabilitation 7. The Judicial Hub and further learning

4. Judicial Institute Training

4.1 Overview

As well as setting national standards and quality assuring local delivery the JI maintains its important remit to deliver the core national training programme. Under the guidance of the Deputy Director, core courses delivered by the JI are intended to enhance and reinforce local learning.

4.2 Sheriffdom Legal Adviser Facilitation

The national training courses benefited from a co-facilitation approach between the Chair, Sheriff Cottam, and Sheriffdom Legal Advisers / Legal Advisers. Direct Legal

Adviser involvement provides the JI with the opportunity to keep course materials relevant and bespoke to Justices. It also provides SLAs with good insight and knowledge into JI training practices which are fed back to the Sherifffdom JP trainers.

4.3 The National Training Programme

In 2024, the JI was required to deliver two two-day induction courses for 80 new Justices. Due to resource limitations, the JI sought and obtained permission from the Lord President to deliver three core courses in 2024, rather than the usual four. The agreed approach was to combine the Communications course and the Unrepresented Accused course, into one new course which would deal with both topics, titled Communication – Common Challenges in Court.

Core Courses delivered in 2024:

- Modern Road Traffic Challenges for Justices;
- Communicating – Common Challenges in Court; and
- Leading with Confidence: Decision Making for Justices.

Throughout the core courses the JI commits to teaching certain topics pervasively. These include domestic abuse issues, unrepresented accused, vulnerable witnesses, equal treatment, ethics and social context. Each course was delivered twice in 2024, and they were a mix of in-person delivery and remote delivery.

4.4 Communicating – Common Challenges in Court, 17 January and 2 October

Sheriff Adrian Cottam, and Sherifffdom Legal Advisors James McPherson and Eileen Grant, worked together to tailor the content of this new combined course to meet the Justices' learning needs. 17 participants attended this course in 2024. The programme included a contribution by Professor Jan Green, a speech and language therapist, who focused on core communication skills, with some interactive activities to get Justices thinking about their own communication styles. In the afternoon, Justices explored communicating with people with learning disabilities. Franck David from People First Scotland, was accompanied by two service users who shared their lived experiences and delivered a mock court scene to raise issues and discussion.

Finally, Alasdair Fay, Principal Procurator Fiscal Depute, gave a presentation covering the process of Disclosure with unrepresented accused people in court.

"I will reflect on my general court management practice and consider where I can improve. I was reminded during the day of a number of cases I have dealt with in the last year. Some I probably handled better than I thought others I might do differently"
Anonymous participant

4.5 Modern Road Traffic Challenges for Justices - 20 February and 12 December

In total, 26 JPs attended this popular course on the substantive law and procedure in relation to road traffic cases. As well as presentations from Sheriff Cottam and the police, participants engaged in an interactive session, judging mock submissions made based on exceptional hardship and special reasons. Rose McLeary, and Eileen Grant, Sherifffdom Legal Advisers, supported the delivery of these sessions. Other topics covered included mobile phones, e-scooters and e-bikes, drink driving and the unrepresented accused.

"Road traffic offences make up most of our cases and a reminder of the issues and recent decisions is great." **Anonymous participant**

4.6 Leading with Confidence: Decision Making for Justices – 18 April and 26 November

33 participants attended this highly interactive course, which was again chaired by Sheriff Cottam, with support from Eileen Grant and Rose McLeay. This course was revised and updated to provide justices the opportunity to enhance and reinforce their skills by looking at different aspects of decision making and sentencing in a safe, simulated environment. The programme included a contribution by Sheriff Principal Murphy, who delivered a presentation on the Sheriff Appeal Court process, as well as an a mock court scenario designed to encourage the justices to make real life decisions.

"I would recommend attendance as it helps confirm you are using the correct processes to make decision on cases." **Anonymous participant**

4.7 Prospective Justice of the Peace Induction, 23/24 May and 9/10 September

Approximately 80 Prospective Justices of the Peace attended this induction course, at the Radisson Blu hotel. The induction training was split into two parts: the first part was delivered in May and the second part in September. This split ensured that the appropriate skills were taught as new Justices develop their education, and to complement Sherifffdom-based training. Due to the large number of Justices to be trained, each part was delivered twice. Sheriff Cottam chaired the induction course, and Sherifffdom Legal Advisers collaborated with the JI to ensure that the content and programme met Justices' needs. The comprehensive training programme, approved by the Lord President, covered a range of useful topics related to judging in the social context, decision making, and judgecraft.

"I have taken notes and will reflect on what I have learnt as I move forward. I will also combine this with my excellent local training." **Anonymous participant**

4.8 Evaluation of JI courses

Evaluation surveys are distributed electronically for all national training courses, and the feedback is collated and analysed by the JI Directors, Education and Learning Manager, and often the facilitating Sherifffdom Legal Adviser. This approach fosters continual improvement to individual courses and the programme overall. A sample of evaluation feedback for the JI courses can be found in Appendix B.

5. Judicial Institute Digital Resources for JPs

The Justices section of the Judicial Hub houses the digital resources for JPs. A range of relevant topics are covered, and the Justices Technical Training Committee (JTTC) assume responsibility by supporting an annual review by Legal Advisers. Updates are often made to existing resources new resources are identified for development, as appropriate. The JTACs recognise the importance of the Judicial Hub and actively

encourage Justices to access it, acknowledging that JP development is not confined to formal sessions.

Table 6 A list of some of the e-resources on the Judicial Hub

- | | |
|--|------------------------|
| • Aggravations | • Road Traffic |
| • Annoying Creatures | • Sentencing |
| • Benefit Fraud | • Out of Court Signing |
| • Judicial Independence, Impartiality and Ethics | • Vulnerable Witnesses |
| | • Appeals |

6. Conclusion

The JTACs and JI work together to continuously evaluate JP learning needs, course design, and methods of delivering training. Both the JTACs and JI remain committed to the ongoing development of education for Justices, and aim to demonstrate the provision of ongoing good quality learning for Justices across Scotland.

Article 7(3) of 2016 Order provides that this report may include recommendations. The JTCJI has no recommendations to make.

Article 11(1) (i) of the 2016 Order provides that a JTAC must implement any direction and have regard to any guidance issued by the Lord President (in carrying out the Lord President's responsibilities under section 2(2)(d) of the 2008 Act) on judicial training or appraisal that applies to JPs.

We would be pleased to discuss matters arising from any matters relating to this annual report with the Lord President.

Sheriff Principal N Ross

JTCJI Chair

Mrs J A Kindberg

Senior Education and Learning Manager

JTCJI Secretary

04 March 2025