



Recovery Plan

2022 - 2023

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Judicial Institute
for Scotland



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

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Lord President's foreword

The Lord President is responsible for making arrangements in respect of the training and education of Scotland's judiciary.¹ In 2013, in order to discharge this responsibility, the Judicial Institute was created with the purpose of supporting justice in Scotland through the provision of the highest standard of judicial training and education. The Judicial Institute's remit can be found within its Governance Framework.

Four members of the judiciary are appointed to the JI Board which ensures that the Institute's strategic direction, and the education, training and knowledge that it provides, is judge-led. The current Board members are:

- Lord Armstrong, Chair;
- Lord Beckett, Vice Chair;
- Sheriff Pino Di Emidio, Director; and
- Sheriff Susan Craig, Deputy Director.

I am pleased to endorse the Recovery Plan. It has been carefully prepared by the JI Head of Education and managers with the approval of the Institute's Board along with its Advisory Council. It will address the learning needs of all judicial office holders as the Scottish justice system continues to respond and adapt to significant and ongoing social and technological changes whilst upholding our philosophy that judicial education in Scotland must be judge-led.

Lord Carloway

The Lord President

Lord Carloway
The Lord President

¹ Section 69 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, section 2 of the Judiciary and Courts (Scotland) Act 2008, and section 34 of the Tribunals (Scotland) Act 2014.



Chair's foreword

I was delighted to be appointed Vice-Chair of the Institute in 2018 and Chair in 2020. The Board sets the Judicial Institute's ("JI" or "Institute") strategic direction on behalf of the Lord President and so overall responsibility for the delivery of this Recovery Plan rests with the Board. A team of civil servants executes its requirements under the leadership of a Head of Education. During my time as Chair, the Board has successfully navigated a protracted period of disruption and change. The global pandemic impacted on all facets of modern life in some way, not least the Scottish justice system. The Institute and its staff have shown immense resilience and leadership in charting a course that continued to ensure the education and training of judicial office holders remained topical, engaging and effective.

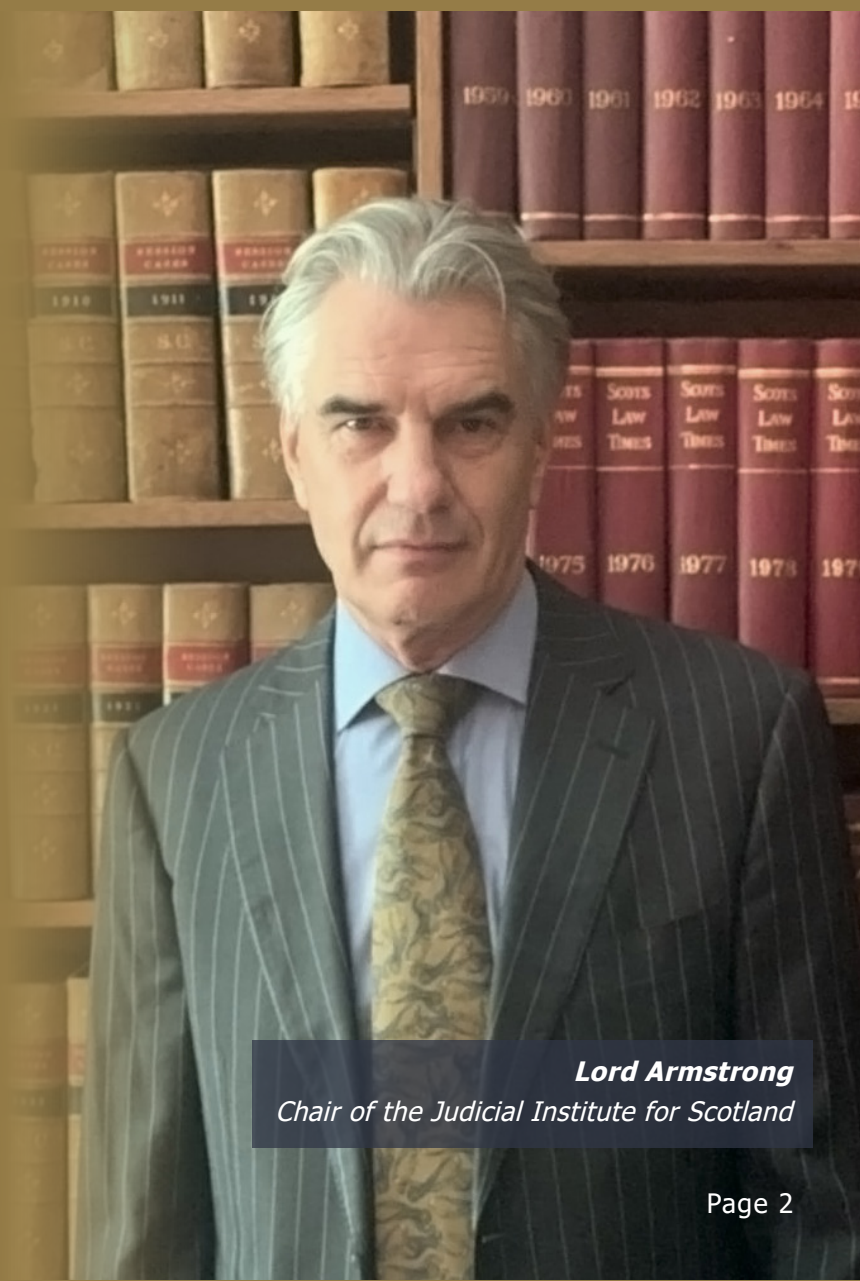
Since the publication of the last strategic plan, there has been a change in leadership of the Institute with Sheriff Susan Craig's appointment as Interim Director. Under her watch, the Judicial Institute continued to offer education of exceptional quality to judicial office holders, in spite of the challenges that presented. Sheriff Craig has continued the development of the curriculum to maintain and enhance core judicial training alongside emerging topics such as trauma-informed judging. All at the JI have hugely benefited from her expertise during the last five years and will be sorry to say goodbye to her when she returns to her full time role later this year.

This Recovery Plan covers the period April 2022 - March 2023, in preparation for the development of a three-year Strategic Plan to be published in April 2023. This comes at a time of transi-

tion for the Judicial Institute, as leadership is transferred to new Directors and the new Head of Education, and modes of educational delivery are responsively adjusted and enhanced to reflect changing patterns of in-person and online attendance. In 2023, the Judicial Institute will mark a decade since it evolved from the Judicial Studies Committee; this plan will enable a timely period of reflection and planning in advance of the JI's tenth anniversary.

Lord Armstrong

Chair of the Judicial Institute for Scotland



Lord Armstrong
Chair of the Judicial Institute for Scotland

Directors' foreword

Since the onset of the pandemic, the Institute has diversified its approach to providing high quality judicial education, responding rapidly and effectively to the need to deliver all courses via live online learning and redoubling its efforts to produce high quality and timely legal resources for judges.

I thank my JI colleagues for rising to this challenge, and for judicial office holders' patience whilst the team adapted and built confidence in designing and delivering live online learning for the judiciary. It is right that we focus on recovery for this financial year before turning to our 2023-2026 strategy.

Sheriff Susan Craig

Deputy Director of the Judicial Institute for Scotland



Sheriff Susan Craig

Deputy Director of the Judicial Institute for Scotland

I have joined the Judicial Institute at a time when the Scottish justice system has seen a myriad of changes to practice, procedure and

use of technology. Likewise, the Institute has continued to innovate and adapt through the challenges of the pandemic. Having successfully delivered a busy and topical curriculum of live online learning for almost two years, we reach a juncture. In light of the ongoing reduction in physical distancing measures in our buildings and the expiry of our previous strategic plan, as well as the appointment of a new Head of Education, we can take a critical and evaluative eye to our delivery methods before taking time to consider its strategy for 2023-2026. Armed with the knowledge and skill developed during the period of fully remote delivery, the team is keen to chart a new course that allows them to continue to draw on the advantages of live online learning whilst embracing learning delivery in the physical, face-to-face environment.

Sheriff Pino Di Emidio

Director of the Judicial Institute for Scotland



Sheriff Pino Di Emidio

Director of the Judicial Institute for Scotland

Executive summary

This recovery plan begins with a reminder of the Institute's purpose and then sets out four strategic priorities and associated objectives for the period April 2022 - March 2023. These four priorities are carried over from the Strategic Plan for 2019-2022 with the aim of maintaining the status quo during a period of reflection and recovery. The Judicial Institute has performed exceptionally well and will continue to do so by following this existing and trusted trajectory for at least a further year. Any subsequent deviation from these priorities proposed in our subsequent Strategic Plan 2023-2026 will be as a result of a period of careful evaluation of our current approach and detailed analysis of key external drivers from the wider legal, societal and technological context in the coming year. As such, transitioning to a post-pandemic world, without protecting sufficient time for reflection

and change, would be an enormous missed opportunity. The Institute is committed to reflecting on collective experiences and embracing change where it has the potential to enhance educational quality and the learning experience of judicial office holders.

Our recovery plan sets out our operating model before explaining how we will manage risk, monitor progress and measure performance in relation to our core business. For the year of recovery we shall detail the measures taken to prompt and track our recovery in the coming months, focus on our people, our learning environments and our educational policies and practices.

Our purpose

Our purpose is to support justice in Scotland through the provision of the highest standard of judicial training and education. Article 3 of our Governance Framework provides that the JI shall be committed to and governed by the following guiding principles regarding judicial training and education:

"Judicial training and education

Shall be directed to promoting and fostering the highest standard of judicial conduct, performance and public service;

Shall promote and engender the highest level of judicial awareness of cultural, sexual and ethnic diversity, ethical sensitivity and pride in judicial excellence;

"Shall be directed to promoting and improving the administration and delivery of justice."

*Image:
Figure of Justice,
Parliament House*



Background

The judicial landscape in Scotland

In the space of two years we have seen a remarkable and rapid digitisation of court business that could not have been predicted prior to 2020. The Scottish Courts and Tribunals Service has been compelled to adapt practices and processes at a time of unprecedented change and uncertainty. The extent to which the pandemic impacted (and continues to impact) upon courts and tribunals in Scotland – and the long term measures required to recover from this – are acknowledged in the Scottish Government's 2021 final report² on the Justice in Scotland initiative. Noted in the report, alongside the many challenges to court business and resultant backlog, is the positive impact of the investment made in court technologies to enable virtual proceedings, electronic transfer of documents and other digital solutions. Although 2022 will no doubt see a return of face-to-face business to some extent, continued uncertainty about global public health and the realisation that many procedures and processes can be delivered more efficiently and accessibly online means a growing need for the judiciary to build and expand their digital capabilities.

Beyond the growing role of digital technology in the courts, we are also seeing what might be considered a paradigm shift in the way individuals (victims, accused and witnesses) are viewed and treated by the courts. There is an increasing acknowledgment of, and response to, compelling scientific evidence that where courts and tribunals adopt a trauma-informed approach allows all those involved to give their best evidence. Such responses are already resulting in practical improvements to 'the experience of complainers and witnesses' recommended by the 2021 Report by the Lord Justice Clerk, 'Improving the Management of Sexual Offence Cases'³ and driving initiatives for leading and embedding trauma-informed practice for the judiciary and other court staff. The recently published Sentencing Young People guideline⁴ similarly recognises the scientific evidence in relation to the development of cognitive and emotional maturity in people under the age of 25 and how this is relevant to judicial contexts, as set out in its 2020 literature review.⁵

It is likely that scientific evidence of this nature will continue to inform and shape judicial

² Director-General Education and Justice, Safer Communities Directorate 'Justice – vision and priorities: report' (Publication, Research and Analysis, 2021) <https://www.gov.scot/publications/justice-vision-priorities-closing-down-report/pages/5/>, accessed 21 March 2022.

³ The Lord Justice Clerk's Review Group, 'Improving the Management of Sexual Offence Cases' (March 2021) <https://www.scotcourts.gov.uk/docs/default-source/default-document-library/reports-and-data/Improving-the-management-of-Sexual-Offence-Cases.pdf?sfvrsn=6>, accessed 21 March 2022.

⁴ Scottish Sentencing Council, 'Sentencing young people – sentencing guideline' (January 2022) <https://www.scottishsentencingcouncil.org.uk/media/2171/sentencing-young-people-guide-line-for-publication.pdf>, accessed 21 March 2022.

⁵ O'Rourke et al, 'The development of cognitive and emotional maturity in adolescents and its relevance in judicial contexts' (Literature Review submitted to the Scottish Sentencing Council, University of Edinburgh, February 2020) <https://www.scottishsentencingcouncil.org.uk/media/2044/20200219-ssc-cognitive-maturity-literature-review.pdf>

practice in significant ways: the education and learning provided for judicial office holders must be designed to incorporate opportunities to nav-

igate and interpret information that originates in the sciences and social sciences, translating it effectively into the judicial context.

Judicial education in Scotland

Judicial education in Scotland is judge-led and in everything we design and deliver we protect the fundamental principle of judicial independence. The JI delivers judicial education to Justices of the Peace ("JPs"), summary sheriffs, sheriffs, sheriffs principal and senators, as well as providing cross-jurisdictional tribunal craft training. The JI engages with wider civic society to ensure that an understanding of social context is woven into judicial training.⁶ We have fostered strong relationships with third party experts from many disciplines, including law and psychology, as well as contacts from a range of external bodies. We are grateful that we benefit from third party knowledge while ensuring that all such content is approved by our Directors so that judicial education remains judge-led.

Educational philosophy

The Judicial Institute's core guiding philosophy was established in 2013 and is explicit, judicial education will be judge-led, judge-devised and judge-delivered. That philosophy is grounded in social constructivism, a theory of learning first propounded by Vygotsky (1968), which remains the foundation of current approaches to adult learning. Social constructivism is fundamental to our educational goals and two specific principles inform our practice.

First, learners:

*"interpret new information using knowledge that they have already acquired [and] activate prior knowledge and try to relate new information to knowledge they already possess."*⁷

This embeds deeper learning by ensuring learners are actively creating and reshaping knowledge rather than passively acquiring information.

Second, learners share knowledge, experience and understanding to construct a broader, shared understanding. We recognise that our learners bring their own experiences to the table and it is our duty as the educational provider to harness these.

Further, Mezirow's '*rational approach*' to transformative learning plays a key role in our course and programme design. In brief, the theory of transformative learning can be explained thus:

"Transformative learning is defined as the process by which we transform problematic frames of reference (mindsets, habits of mind, meaning perspectives) – sets of assumption and expectation – to make them more inclusive, discriminating, open, reflective and emotionally able to change. Such frames are better because they are more likely to generate beliefs and opinions that will prove more true or justified to guide action".⁸

⁶ Recent contributors include NHS Education for Scotland, Scottish Prison Service, COPFS, the Law Society of Scotland, the Faculty of Advocates, Police Scotland, Scottish Women's Aid, People First Scotland, ARC Scotland, Children 1st, the Caledonian System, Relationships Scotland, Mental Welfare Commission for Scotland, and Children and Young People's Commissioner Scotland.

⁷ S M M Loyens and D Gijbels, 'Understanding the effects of constructivist learning environments: introducing a multi-directional approach' (2008) *Instructional Science* 36(5/6), p. 352.

⁸ K Illeris, 'An overview on transformative learning' in *Contemporary Theories of Learning: Learning theorists...in their own words* (first published 2009, Routledge 2009) p. 92.

When combined with the principles of social constructivism learners take the lead in the transformation. It is neither intended nor practised that the 'teacher' generates changes in beliefs or opinions; their role is to facilitate the reflective processes that may or may not transform the learners' understanding of a concept. This is a critical distinction to make in upholding judicial independence. Transformative learning combines instrumental (*task-orientated*) and communicative (*dialogical*) learning which means the education can use practical and theoretical frameworks at once. This is particularly appropriate for our learners who demand both real-world application and intellectual rigour in their curriculum.

Finally, two key aspects of Kolb's theory of experiential learning⁹ are particularly pertinent to the JI's approach. First, that learning is a process not an outcome and second, that learning is a continuous process grounded in experience. The two concepts are interlinked and propose that knowledge and learning do not occur at a single point in time or in isolation. Instead knowledge develops over time, with experience and through continuous associations and reflections made by the learner. The learner interacts with their surroundings and their ideas are formed and reformed through experience. Learning occurs when experiences or perceived knowledge is tested and challenged by new experiences.

What we will deliver

In keeping with our previous Strategic Plan a key theme of our recovery is to place the learner at the centre of everything we do, with educational quality as our main goal. Figure 1 lists

the core elements of what the Institute delivers for the judiciary annually, either on an ongoing basis or at specified times. These remain the same as for the 2019-22 Strategic Plan.

Figure 1 – Judicial Institute core training and education programme

Output	Details
Hub resources	<p>The JI offers a large range of resources for judges, from legal to digital support and engages judicial office holders and external experts to assist us in hosting up to date and informative resources. We are working hard to ensure new publications meet accessibility standards and will continue to focus on this during the recovery period with digital accessibility training being prioritised for all relevant staff. We have also developed a style guide for use across all of our publications which will help to ensure uniformity.</p> <p>Our E-Library for senators and sheriffs provides a myriad of legal</p>

⁹ D Kolb, *Experiential Learning: Experience as The Source of Learning and Development* Prentice Hall: New Jersey.

Output	Details
Hub resources (continued)	<p>resources for judges, from short just-in-time learning through our Brief Notes series, longer Briefing Papers on more substantive changes to the law, to Resource Kits on new legislation which will completely change the way in which judges are expected to handle particular types of cases. We are enormously grateful to the judicial editors of our Civil, Criminal and Preliminary Bench Books and our Jury Manual Committee who meet quarterly to revise that publication.</p> <p>We also host a dedicated suite of e-resources for JPs and their Legal Advisors, including guidance on facilitation methods and a space for those involved in training Justices of the Peace at local level to share training materials.</p> <p>We are developing a new Tribunals' Hub which will be designed to be accessed by First-Tier Tribunal for Scotland with chamber-specific materials and work is underway to review existing resources.</p> <p>The Digital Innovation, Support and Help Portal (DISH) was launched entirely remotely during the pandemic to offer judicial office holders support in getting to grips with digital change, through the provision of guides, instructive material and news. The Portal is a collaborative effort between the JI, SCTS Change and Digital Innovation and the Judicial Communications team; materials are updated on a regular basis.</p>
Induction for new judicial office holders	<p>Since 2016, senatorial, shrieval and JP inductions have been designed as blended learning programmes. In September 2020 we delivered a bespoke induction for sheriffs using live online learning, a first for the JI. In January 2022 32 new part-time and summary sheriffs, along with 3 full-time sheriffs, were inducted via live online learning. In May 2022 we will deliver a refresher course for sheriffs and summary sheriffs appointed in 2021 and 2022. We will continue to respond to the increase in judicial recruitment prompted by the courts recovery programme post-COVID, in particular, to deliver shrieval inductions. We will also deliver induction programmes for newly appointed senators and sheriffs principal.</p>
Training for new mentors	<p>A new course tailored to the training of new judicial mentors is being planned in 2022.</p>
Core curriculum for lay and professional court judiciary January-December	<p>The core curriculum comprises one day courses tailored to sheriffs and JPs delivered either as live online learning or in our purpose-built learning suite. Live online learning will be in place to deliver the core curriculum until the point where the JI's Learning Suite can be used to deliver face-to-face courses. This will be assessed throughout 2022 with a view to a phased return to face-to-face delivery. Each course we deliver is designed by a dedicated 'course team' which includes a blend of legal/subject matter, education, digital and events expertise, and administra-</p>

Output	Details
Core curriculum for lay and professional court judiciary January-December (continued)	<p>tive support. A judicial Course Director is responsible for the course overall. Participants are often asked to complete pre-course reading or exercises hosted on the Judicial Hub. In 2018 we launched the first core curriculum blended programme, in the area of domestic abuse. Since then we have delivered a blended programme on taking evidence by commissioner (2021) and we will be providing a blended programme on the topic of trauma-informed practice, with the first course delivered in May 2022.</p> <p>Our current policy is to respond to senator training needs as they arise, in discussion with the Lord President or the Lord Justice Clerk, or upon request from senators.</p> <p>Our core curriculum is launched in two stages to support flexibility in the curriculum planning process and court scheduling. We launch our prospectus in August for the following January - June and in March for the following September - December.</p>
Quality assurance	<p>The Institute quality assures JP and tribunal training, most of which is de-centralised for delivery by local JP training committees and chambers respectively. A refreshed Tribunal Training Framework implemented in 2022 will mean increased quality assurance of specialist tribunal training delivered by chambers. The JI is working with Strategy and Governance to develop the tribunal pages on the Judicial Hub.</p>
Judicial Institute lecture	<p>This lecture, previously delivered bi-annually before the onset of the pandemic, has been rescheduled from September 2020 to March 2023. Following this, the Institute plans to deliver its next lecture in 2025.</p>
Governance and secretariat	<p>The JI provides secretariat support to its six committees and working groups, with meetings and forward planning taking place throughout the year. In 2021 we developed internal minute-taking guidance and refreshed our Governance Framework for gender neutrality. In 2022/23 we will strengthen our committee appointment processes to ensure fairness and best practice. The Jury Manual Committee, which meets quarterly, facilitates changes to our headline resource – the Jury Manual.</p>

Strategic priorities and objectives

The areas of focus for each of our four strategic priorities (see Figure 2) have been slightly reconfigured to reflect a changed social, legal and educational landscape, but remain largely unchanged to reinforce our existing and trusted path in the provision of judicial education. We report on these strategic priorities in our annual reports.¹⁰ We are confident that these remain the correct strategic priorities at this time and represent an appropriate and proportionate use of the funds provided to us by the Judicial Office for Scotland. There are areas of focus within each strategic priority and supporting strategic

objectives (see [pages 11 to 13](#)). Areas of focus are divided into 'business as usual' and those which enable a process of reflection, recovery and redesign.

Our business plans produced each year commit us to specific actions and key deliverables in that year. Given the nature of our work, our strategy is to execute these plans while remaining agile. New learning needs and priority projects can emerge over the course of a financial year, which may require us to revisit plans and review priorities.

Future strategy

As part of our recovery, the Head of Education, supported by team managers, will co-ordinate a strategy development day in 2022 for the JI team, where we will collaborate on the devel-

opment of the future priorities for the Strategic Plan for 2023-2026. We will reflect on our strengths and weaknesses, and identify future opportunities and risks to our operating model.

**Figure 2 – Strategy map showing strategic priorities
April 2022 – March 2023**

Support the delivery of justice	Judicial education model	Excellence in course provision	Excellence in online provision
Strategic priorities:			
1. We will promote developments in the effective delivery of justice through appropriate learning interventions.	2. We will assure the viability of our model for judicial training and education.	3. We will offer stimulating, modern and relevant remote and face to face courses.	4. We will offer stimulating and relevant information, knowledge and learning on the Judicial Hub.

¹⁰ All JI Annual Reports can be found on the JI publications page of the Judiciary of Scotland website: <https://judiciary.scot/home/media-information/publications/judicial-institute-publications>

Strategic priority 1 (Support the delivery of justice)

Strategic objectives

- 1.1 Engage with relevant change projects and programmes;
- 1.2 Embed opportunities for learning around court and digital reform into our portfolio;
- 1.3 Collaborate where there are synergies between staff and judicial training.

Business as usual

- Ensure JI participates in relevant SCTS project teams to raise judicial awareness of court reforms generally, including those prompted by the ongoing impact of COVID-19;
- engage with wider tribunals reform programme to ensure our understanding of future changes to the business of the JI;
- embed learning around court reform into existing programmes or design one-off learning interventions or resources as required;
- partner with SCTS Education and Learning Unit ("ELU") to design and deliver leadership

training on trauma informed practice;

- engage with wider justice sector projects and host supporting events virtually or in-person as appropriate, as may be directed by the Lord President; and
- continue to build the digital competencies of the judiciary in relation to court practice, working with partners to keep abreast of innovative practices and digital developments in the physical and virtual court environments.

Areas of focus for recovery

- Work with partners to redesign and redeploy the Learning Suite as a flexible and digitally enabled learning environment; and
- seek out opportunities for collaboration and close communication with the Judicial Office Strategy and Governance team to ensure processes and systems are aligned, with the aim of enhancing efficacy in the execution of judicial recruitment and induction, and reducing duplication of effort where possible.

Strategic priority 2 (Judicial education model)

Strategic objectives

- 2.1 Ensure our judicial education policies remain world class and based on rigorous evidence;
- 2.2 Maintain the JI's profile and reputation.

Business as usual

- Maintain our national and international networks;
- contribute to judicial education conferences and undertake study visits and benchmarking

activities;

- engage with the wider education sector including legal education bodies;
- report on our progress and performance in our publicly available Annual Report;
- ensure effective governance, including strengthening of committee appointments process; and
- building on the work done following the introduction of the 2021/22 Programme for Government, continue to liaise with Scottish Government Bill leads. This work will be undertaken both on the publication of the

Programme for Government and during the financial year to ensure we are sighted on the likely introduction, impact and commencement of Bills and Acts of the Scottish Parliament as well as national guidance or procedures of relevance to the judiciary.

Areas of focus for recovery

- Review and (where appropriate) refresh the JI judicial education philosophy, guided by current educational research;
- review and refresh our judicial education policies to fit with a post-pandemic world;
- conduct a systematic analysis of judicial feedback on courses collected during the pandemic to identify enhancement themes for 2023-2026; and
- in lieu of a third academic audit, pursue and agree arrangements and terms of reference for a reciprocal peer review of the Institute to be undertaken by another jurisdiction, to be commenced in 2022/2023 for delivery in 2023/2024 (originally included in business plan for 2020/2021 and delayed by one year as a result of the initial response to the pandemic in 2020 and requirement to stabilise operations during 2021).

Strategic priority 3 (Excellence in course provision)

Strategic objectives

- 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.

Business as usual

- Prioritise the quality and continuing relevance of our courses, including course material;
- undertake formal needs analysis and survey learners on their experiences and our provision through the 2022 Judicial Attitude Survey;
- evaluate individual courses;
- keep levels of provision under review and maintain flexibility in scheduling senator learning;
- meet regularly with the Scottish Sentencing Council to ensure the JI keeps abreast of the development of new sentencing guidelines and take account of these in course develop-

ment;

- maintain feedback loop with sheriffs principal, and Sheriffs' and Summary Sheriffs' Association; and
- continue to implement the JP and tribunals training quality assurance frameworks for training delivered by sheriffdoms and chambers respectively.

Areas of focus for recovery

- Evaluation policy to be reviewed and, if appropriate, new recommendations to be made to the Board;
- explore the viability of new delivery models which might offer greater flexibility and personalisation of training;
- build JI team expertise in educational quality and enhancement methodologies and frameworks; and
- review our digital team structure and remit to support a growing requirement for digitally-enabled education and provide continuous enhancement of judicial digital competencies.

Strategic priority 4 (Excellence in online provision)

Strategic objectives

- 4.1 Continuously improve the Judicial Hub platform and content;
- 4.2 Develop our capacity to design quality online learning products.

Business as usual

- Ensure the Hub provides the optimum learner experience in respect of aesthetics, accessibility, navigation and search functionality;
- scope a project to develop a revised Equal Treatment Bench Book;
- prioritise continuous improvement and quality assurance of Hub content;
- delivery of the yearly Hub content review project to ensure information is up to date on the whole of the website;
- continue to populate the Hub with relevant and timely legal content for judicial office holders; both in terms of the Institute's content and curating third party content as appropriate;
- work with the judicial editors of the Civil, Criminal and Preliminary Hearings Bench Books and Jury Manual Committee to ensure content remains up to date and relevant;
- meet regularly with the Scottish Sentencing Council to ensure the JI keeps abreast of the development of new sentencing guidelines and takes account of these in resource development;
- support the wider Judicial Office for Scotland with use of the Hub in their work supporting the judiciary (Sentencing Council, Library Services, Scottish Civil Justice Council);
- continue cooperating with the Change and Digital Innovation and ICMS teams in delivering technical guidance and support on the Judicial Hub under the Digital Innovation

Support and Help Portal;

- review the Judicial Hub learning environment and respond to judicial feedback and user analytics to identify areas for future enhancement or redesign; and
- robustly manage our external suppliers through service level agreements.

Areas of focus for recovery

- Review current digital tool portfolio and authoring capabilities;
- review and update guidance materials on JI organised courses and course activities in line with any updates to the educational philosophy of the JI and the delivery mode of courses;
- commence a long-term project to overhaul the accessibility and editing processes of our resources, through increased use of wikis and other appropriate technology;
- identify additional digital capabilities and tools needed to meet requirements for any new design or delivery approaches, for example in audio visual; multimedia; video conferencing;
- review relationship with third party providers and platforms including Synergy Learning and Totara; and
- conduct an internal digital accessibility audit of all JI digital content by the Judicial Institute Digital Team and put in place plans for ongoing enhancement to meet the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018.

Operating model

Operational excellence and collaborative working are crucial to our ability to produce high quality materials that meet the needs of the judiciary, often within short timeframes. The JI team, as represented in the organogram (Figure 3, [page 16](#)) contains specialists with expertise spanning four key inter-dependent areas of operation that are mutually supportive and whose activities frequently and necessarily coalesce. A recent review of team and role names has resulted in some adjustments to reflect more effectively the scope and nature of the work done. The new names now indicate more clearly the distinct but complementary (and often overlapping) knowledge and skills of our educational and digital specialists which drives the successful design and delivery of our blended learning approach.

The Education and Learning Managers (ELMs) work closely with the JI Directors to deliver on the educational strategy and educational philosophy of the Judicial Institute. There are two ELMs and one Senior ELM who operate and collaborate in multilateral working teams with other members of the JI team including Digital, Operations and Legal and Secretariat. They provide their learning expertise for the whole Judicial Institute programme of work; including all courses, Resource Kits and events. They liaise closely with external experts who contribute to the JI programme of work, as well collaborating with other parts of SCTS, such as the ELU.

The JI Legal and Secretariat team supports judicial office holders by providing secretariat support to the committees and working groups of the JI and by producing legal resources for the Judicial Hub. In 2021, the Legal and Secretariat team was strengthened by the creation of the new Legal and Secretariat Manager role and appointment of a new Legal Assistant, allowing closer focus on legal resource creation and collaboration with external organisations to stay

ahead of the curve on legal developments. The team's remit includes undertaking legal research, drafting legal resources, providing project support for Resource Kits and other internal projects; carrying out formatting, hyperlinking and accessibility checks; and liaising with Scottish Government, SCTS Legislation Implementation Team and external bodies on changes to law and procedure of relevance to judges.

The Judicial Institute Digital Team (JIDT) delivers technology-enhanced solutions to meet judicial training needs. These solutions include audio visual content, digital publications and bespoke training, and support designs delivered through the Judicial Hub platform. JIDT has impacted the wider judicial and legal community through collaborative projects with Police Scotland, Scottish Government and peer institutions. JIDT is also responsible for supporting and maintaining face-to-face learning opportunities and filming in the Judicial Institute Learning Suite, a technology-enhanced learning environment. At this time there is a full scale review of the Learning Suite to enhance the existing features of the space. It is anticipated that this review will be completed in Q3 of 2022.

The Operations team, comprising the Operations Manager and two Course Officers, supports the delivery of all live online learning and face to face courses, working closely with the ELMs and Digital Team. The team is also responsible for managing and reporting on the Institute's budget and supports JI colleagues with a wide range of administrative support. The Operations Manager coordinates curriculum planning and project manages the development of the course prospectus, annual report and Institute events, collaborating with the Institute Directors, Head of Education and all JI sub teams.

In terms of our model for operating with the SCTS we continue to:

- collaborate with SCTS Change and Digital Innovation (CDi) through the continuous improvement of the Digital Innovation and Learning Portal (DISH) to ensure judges are sighted on digital developments across SCTS; and
- work with the SCTS ELU where there are synergies between judicial and staff training.

We maintain a number of external networks to share best practice, benchmark against equivalent organisations, develop our reputation nationally and internationally and keep up to date with developments in judicial education:

- A formal partnership agreement with the National Judicial Institute (NJI) in Canada. When the Judicial Institute for Scotland was established in 2013, NJI was instrumental in

providing support, including staff exchanges, from NJI staff and Canadian judges which influenced the design and delivery of our training. We plan to reignite this relationship in the period covered by this plan.

- The Institute is a member of the International Organisation for Judicial Training (IOJT) and proposes to contribute to its conference in October 2022.
- Post-Brexit, the Institute retained observer status of European Judicial Training Network ('EJTN') as part of the wider UK observer status. This network offers judicial exchanges, although these are non-funded.
- We attend annual meetings with the judicial training bodies of England and Wales, the Republic of Ireland and Northern Ireland.

Image: Statue of sphinx on roof of Parliament House



Figure 3 – Operational structure (Judicial Institute Board not represented)



How will we measure success?

We will continue to measure progress against our strategic priorities using the success criteria and key performance indicators in Figure 4.

Figure 4 – Success criteria and key performance indicators

Success criteria	Key performance indicators	Data source
New judicial office holders are considered by the Lord President (and sheriffs principal, where appropriate) to have been supported for judicial office by induction.	We design and deliver an induction tailored to the needs of a new judge on day one on the bench.	Feedback from sheriffs principal; Sheriff and Summary Sheriffs' Association/Scottish Justices' Association; Judicial Attitude Survey; Feedback from course participants via post-course surveys, email or phone calls.
Learning needs for judicial office holders are timeously identified.	We deliver training and publish resources sufficiently in advance of any statutory deadlines or implementation dates.	Commencement or implementation dates; Feedback from Hub users via email.
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. Statistics underlining high usage of new feature of the Hub, for example the dashboard, bookmarking, new	Our project debrief meetings (team expertise); Judicial Attitude Survey; Hub engagement statistics; Learner analytics; Hub helpdesk queries; Feedback from course participants via post-course surveys, email or phone calls. (Continued on the next page)

Success criteria	Key performance indicators	Data source
(Continued)	engine for site wide search function, etc.	
Learners consider that the Institute's content, choice and methods of face to face training delivery (traditional or technology-enhanced) meet their needs.	<p>Quality is consistent across our portfolio; 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 and drop-outs.</p>	<p>Consistent use of key operational tools; Our course debrief meetings (team expertise); Our evaluation of our overall data set (team expertise);</p> <p>Stage 1 and Stage 2 evaluation data for courses; Targeted one to one interviews/samples;</p> <p>Discussion and verbal feedback at courses;</p> <p>Judicial Attitude Survey;</p> <p>Feedback from course participants via post-course surveys, email or phone calls;</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 loop with 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.	<p>We have evidence of a portfolio of products which evidence sharing of good practice in education;</p> <p>Our performance, proportionately, at least matches other judicial institutes in the UK and internationally.</p>	<p>SCTS change project outcomes for judiciary; Memorandum of understanding with ELU; Number of third party contributors to courses and other learning interventions;</p> <p>Learning from events like EJTN & UKIJSC, benchmarking & study visits.</p>



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for Scotland



*‘Supporting justice in Scotland through the
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