PACIFIC
JUDICIAL STRENGTHENING INITIATIVE

Pacific Judicial & Court Reform Resource Collection

Volume 2: Localising Training and Activity Management

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Introduction

The Pacific Judicial Strengthening Initiative (PJSI) was launched in June 2016 in support of developing more accessible, just, efficient and responsive court services in Pacific Island Countries (PICs). These activities follow on from the Pacific Judicial Development Program (PJDP) and endeavour to build fairer societies across the Pacific.

The Partner Courts are: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Republic of Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu.

PJSI was delivered by the Federal Court of Australia on behalf of the New Zealand Ministry of Foreign Affairs and Trade.

Toolkits

Through their practical, step-by-step guidance these toolkits have supported partner courts to implement their reform and development objectives locally. As the PJSI reaches its conclusion, it is hoped that these resources will continue to be of value to law and justice sectors and development practitioners globally.

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Pacific Judicial Development Programme

TRAINER'S TOOLKIT

DESIGNING, DELIVERING AND EVALUATING TRAINING PROGRAMS

September 2014

PJDP TOOLKITS

Introduction

For over a decade, the Pacific Judicial Development Programme (PJDP) has supported a range of judicial and court development activities in partner courts across the Pacific. These activities have focused on regional judicial leadership meetings and networks, capacity-building and training, and pilot projects to address the local needs of courts in Pacific Island Countries (PICs).

Toolkits

Since mid-2013, PJDP has launched a collection of toolkits for the ongoing development of courts in the region. These toolkits aim to support partner courts to implement their development activities at the local level by providing information and practical guidance on what to do. These toolkits include:

- Judges' Orientation Toolkit
- Annual Court Reporting Toolkit
- Toolkit for Review of Guidance on Judicial Conduct
- National Judicial Development Committee Toolkit
- Family Violence and Youth Justice Project Workshop Toolkit
- Time Goals Toolkit
- Access to Justice Assessment Toolkit
- *Trainer's Toolkit: Designing, Delivering and Evaluating Training Programs*

These toolkits are designed to support change by promoting the local use, management, ownership and sustainability of judicial development in PICs across the region. By developing and making available these resources, PJDP aims to build local capacity to enable partner courts to address local needs and reduce reliance on external donor and adviser support.

PJDP is now adding to the collection this new toolkit: *Trainer's Toolkit: Designing, Delivering and Evaluating Training Programs.* Much of the content of this toolkit is sourced from a number of Trainer of Trainers Workshops which have been piloted and conducted around the Pacific between 2010-15. This toolkit provides practical guidance on managing key aspects of your training program, and contains many useful templates, checklists and advice for trainers.

Use and support

These toolkits are available on-line for the use of partner courts at http://www.fedcourt.gov.au/pjdp/pjdp-toolkits . We hope that partner courts will use these toolkits as / when required. Should you need any additional assistance, please contact us at: int.programs@fedcourt.gov.au

Your feedback

We also invite partner courts to provide feedback and suggestions for continual improvement.

Dr. Livingston Armytage
Team Leader,
Pacific Judicial Development Programme

September 2014

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ABBREVIATIONS

MFAT	-	New Zealand Ministry of Foreign Affairs and Trade
MSC	-	Managing Services Contractor - Federal Court of Australia
NJDC	-	National Judicial Development Committee
PIC	-	Pacific Island Country
PJDP	-	Pacific Judicial Development Programme ('Programme')
TNA	-	Training Needs Analysis

OBJECTIVE

This Toolkit is designed to assist you to design, deliver, assess and evaluate effective training programs in your country. The Toolkit is a collection of resources that have been compiled from a series of Train the Trainer workshops conducted by the Pacific Judicial Development Programme. You may have attended one of these workshops.

Use this Toolkit as a resource. It provides practical assistance on designing and delivering training programs. It explains presentation techniques and how to assess and evaluate your training.
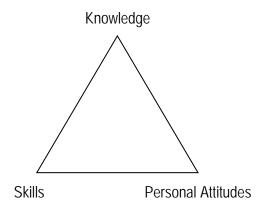
This Toolkit will allow you to build on your actual experience, and assist you to promote the process of learning. You may use all or some of the resources this Toolkit contains.

This Toolkit can be used as a stand-alone resource, or together with companion toolkits: the *National Judicial Development Committee Toolkit, Judges' Orientation Toolkit, and the Project Management Toolkit.*

1 LEARNING AND TRAINING THEORY

1.1 WHAT IS TRAINING?

Training is concerned with the acquisition of knowledge, skills and / or attitudes by a learner.

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                    Knowledge
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                    /        \
                   /          \
                  /            \
                 /              \
                /_____\
            Skills        Personal Attitudes
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If you have attended a PJDP Train the Trainer Workshop you, as the learner, will have acquired the knowledge, skills and attitudes needed to design, develop, assess and evaluate training programs.

In your country you may have used the knowledge, skills and attitudes acquired to design and deliver one or more training programs.

We need to acknowledge that different training methods may be required depending on whether you are teaching knowledge, a skill or an attitude. A teaching method suitable for teaching knowledge will not necessarily be as effective if you are teaching a skill or an attitude.

Knowledge
If you wanted to teach a judge the Rules of Evidence this is an example of teaching knowledge. When a learner (in this case the judge) is acquiring knowledge you can divide that process up into the following stages.

- **Perception:** presentation of concepts, ideas and information.
- **Comprehension:** explaining what was perceived.
- **Application:** using what was perceived.
- **Analysis:** detailing a single concept to a variety of ideas.
- **Synthesis:** combining different ideas into one concept.
- **Evaluation:** giving value to the achieved concepts.

Skills
If you wanted to train a court clerk on the process of creating a file for a newly filed civil claim, this is an example of teaching a skill.

There are four stages whereby the learner will acquire this new skill. These stages are:
- **Theory** (explanation of how a new file is created).
- **Demonstration** (showing the creation of a new file).
- **Experience** (allowing the participant to practice creating the new file).
- **Feedback** (allowing the participant to evaluate the process and seek feedback on performance).

Personal attitudes

If you wanted to train Lay Magistrates on how they should conduct themselves in a court room this concerns personal attitudes. Personal attitudes relate to personal behaviours and values linked to competence, control, leadership and ability to achieve independence, justice and impartiality.

The trainer or instructor will use different types of techniques to fulfil his / her task, then assess and evaluate the communication used, their relevance to topics and their effectiveness in conveying required messages to participants.

2   ADULT LEARNERS

All the people you will train have something in common. They are all adults. Children and adults learn very differently. The following is a list of the characteristics of adult learners. Adult learners:

- **Are self-reliant** (they come to training with both past experience and knowledge).
- **Are self-motivated** (they seek immediate results and want to know why this training is important).
- **May overestimate or underestimate their own learning ability.**
- **May have a weak memory** (short-term).
- **May have an increased memory** (long-term).
- **Will have individualised learning styles and abilities** (not each adult learns in the same way).

Conditions of adult learning

It is possible to identify situations in which adults learn more effectively. They include, when:

- **They can understand the purpose and content of the training** e.g. a Lay Magistrates undertaking Sentencing Training will improve their sentencing skills.
- **Training is directly linked to their practical lives** e.g. the Lay Magistrate will use these principles every time they sentence.
- **Training solves their immediate problems** e.g. sentencing is a difficult process and training provides a structure to work within.
- **They actively participate and interact** e.g. the training involves mock sentencing hearings.
- **They feel themselves in a participatory environment** e.g. all participants will actively participate in the training.

It is possible to say that adult learners are:

- Practitioners
- Observers
- Thinkers
- Experimenters.
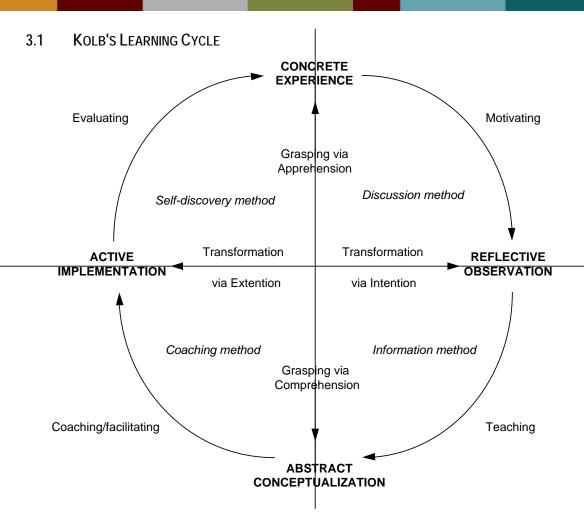
3   LEARNING STYLES

Learning is the process whereby knowledge is created through transformation of experience.
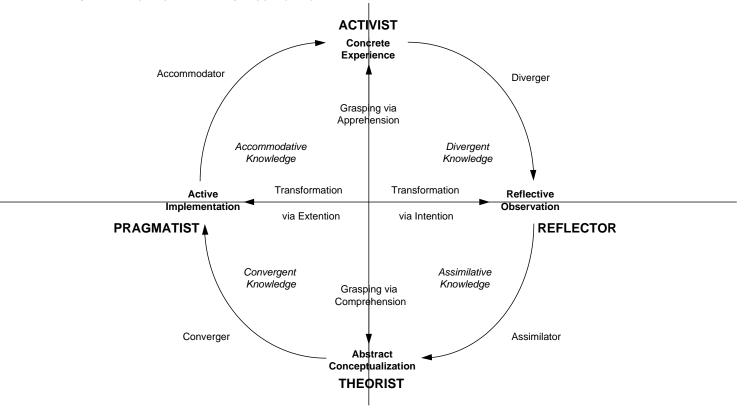
Learning occurs as a four step process: (a) concrete personal experience; (b) observations and reflection on that experience reworked into (c) abstract concepts and generalisation which are (d) tested in new situations.

Applying this to the classroom, this cycle can be described as involving the learner first in an immediate concrete experience (such as role plays, exercises, case studies) followed by reflection on the experience from different perspectives (small group discussions, processing of the experience). They then engage in abstract conceptualisation (lectures, research, additional reading) to help integrate observations into conceptual form; finally through active experimentation, learners apply what they have learned to a practical situation (action plans, proposed system changes, procedures). The cycle then begins again, but at a higher and more complex level.

The next page contains two diagrams that represent this cycle.

3.1   KOLB'S LEARNING CYCLE

CONCRETE EXPERIENCE

Evaluating

Motivating

Grasping via Apprehension

Self-discovery method

Discussion method

ACTIVE IMPLEMENTATION

Transformation via Extention

Transformation via Intention

REFLECTIVE OBSERVATION

Coaching method

Information method

Grasping via Comprehension

Coaching/facilitating

Teaching

ABSTRACT CONCEPTUALIZATION

3.2   KOLB'S LEARNER CLASSIFICATION

ACTIVIST

Concrete Experience

Accommodator

Diverger

Grasping via Apprehension

Accommodative Knowledge

Divergent Knowledge

Active Implementation

Transformation via Extention

Transformation via Intention

Reflective Observation

PRAGMATIST

REFLECTOR

Convergent Knowledge

Assimilative Knowledge

Grasping via Comprehension

Converger

Assimilator

Abstract Conceptualization

THEORIST

KOLB'S LEARNER CLASSIFICATION

Kolb argues that it is possible to divide learners into four categories based upon the way in which they learn. Let's look at the four categories.

Activist (Doer)
Prefers to learn by DOING it first; learns best from a concrete experience and specific examples. An example of an activist learner is the judge, magistrate or court officer who buys a computer and immediately has a go at word processing. An activist will generally give anything a try, and thrives on the challenge of new experiences.

Reflector (Watcher)
Prefers to learn by WATCHING it being done first; they rely heavily on careful observation in making judgments. An example of a reflective learner is the judge, magistrate or court officer who attends a Computer Skills Workshop before doing anything else. A reflector will generally collect extensive data and prefers an organised explanation, or lecture, before adopting a position.

Theorist (Thinker)
Prefers to learn by THINKING about it first; relies on an analytical approach which depends heavily on logic and rationality. An example of a theorist learner is the judge, magistrate or court officer who reads the manual through from cover to cover and then turns on the computer. Thinkers tend to prefer abstract conceptualisation, usually in a tightly structured process, and can become uncomfortable or frustrated by the apparent abstraction or informality of workshops or experiential learning.

Pragmatist (Tester)
Prefers to learn by ACTIVE EXPERIMENTATION, and "trying it out". An example of the pragmatic learner is the judge, magistrate or court officer who makes the best start he / she can by glancing at the instructions, turning it on and giving it a go, and then calling a colleague when he / she gets stuck. Pragmatists prefer to actively apply and test knowledge as part of the learning process, to see if they work in practice; they tend to like lectures and other passive learning.

There are infinite combinations of learning style preference: Kolb, for example, creates four sub-categories of learners (accommodators, divergers, convergers, and assimilators) who combine the above learning style characteristics.
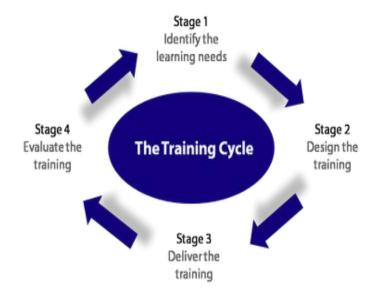
3.3   WHY ARE LEARNING STYLES IMPORTANT?

If a trainer knows the preferred learning style of their participants they will design and deliver training programs in a way that suit those preferred learning styles. The difficulty is in one training program you will have participants who have a range of learning styles. Some participants will learn better by doing, some by watching and some by thinking. In view of the divergence of preferred styles in any workshop gathering, this means that facilitators should ensure the process integrates each of the four learning styles. How can you do this in practise? The following approach is suggested:

- *Select which learning style you find most comfortable, and generally use most often.*
- *Identify different learning tasks or experiences when you have used each of the three other styles.*

3.4   THE TRAINING CYCLE

Training should be seen as a process that involves a number of stages. The follow diagram shows these stages:

STAGE 1: IDENTIFYING THE LEARNING NEEDS

Training should only be delivered if required. How do you work out what training is required by your court? Conducting a Training Needs Analysis (TNA) will tell you the areas where there are performance gaps and that training is required to close those performance gaps.

A TNA will identify training needs through an objective research and analysis process. Conducting a TNA will assist in solving work problems by conducting training to address these problems. For example, work problems might include:

- High level of complaints
- Slow work speeds
- People working overtime
- Delays in judgement writing
- Conflict or poor working relationships.

How do you conduct a TNA?
The first step is to identify the general problem area. You then need to undertake the following steps:
1. **Identify your target group** e.g. Lay Magistrates, Judges of Court Staff
2. **List all the job roles of your target group**
3. **Identify job descriptions** – use Duty Statements
4. **Identify the specific category (job role) of your specific target group**
5. **Complete a Job Analysis of your target group** – break jobs into duties / tasks. See *Annex 1, Template 1*: Example of Job Analysis for a Target Group
6. **Break the tasks down into knowledge / skills and attitudes.** See *Annex 1, Template 2*: Breaking Tasks into Skills, Knowledge and Attitudes
7. **Place the information into a survey for the target group.** See *Annex 2*: Example of a Survey of Target Group
8. **Conduct the survey or other research method** (meeting or interview)

9. **Analyse the survey information** (identifying gaps requiring training)
10. **Identify topics for your training program or your target group.**

At the Trainer of Trainers Workshop you will have examined in detail how to conduct a TNA. *Annex 1* is a Summary of the steps in Conducting a Training Needs Analysis.

STAGE 2: DESIGN THE TRAINING

Thought needs to go into designing a training program. You will need to answer the following questions:
- Who are the participants?
- Who will deliver the training?
- What is the nature of the training?
- How many days or hours will the training last?
- Where will the training be held?
- What resources will be needed to conduct the training?
- What training methods will be used in the training?
- How will you assess that participants have gained knowledge, skills and / or attitude from attending the training?
- How will you evaluate whether the training was a success?

STAGE 3: DELIVER THE TRAINING

The training date has arrived. You now need to deliver the training to your participants.

Plan, plan, plan. Effective training does not happen without detailed planning. Remember the **Four P's**: proper preparation prevents poor performance!

You should prepare a number of plans for every training that you deliver. Firstly a **daily plan** that will provide a summary of the whole of your training program. The plan will explain how the content will be divided up, the time spent on each topic, learning objectives and outcomes, teaching aids that will be used and teaching methods that will used during the training.

Secondly, you should prepare individual **session plans** for each session within your training program.
See page 8 of this guide for a more detailed discussion on designing your training program using Daily and Session Plans.

During training, after you have delivered the content of training, it is important to assess whether participants have achieved the set learning objectives and outcomes (see page 27 of this guide for a more detailed discussion on how to assess training).

STAGE 4: EVALUATE THE TRAINING

After the training has been delivered you need to review the training process. How successful was it?
A training evaluation will also tell you whether participants enjoyed the program. It will tell you what they liked and didn't like about the training. It may also provide you with some suggestions on how the training could be improved for future presentations.

The evaluation process will measure whether the participants have acquired knowledge, skills and / or attitudes as a result of the training.

4   DESIGNING YOUR TRAINING PROGRAM

Assume that you have conducted a Training Needs Analysis; you are now ready to design your training program. Your first step will be to work on the big picture by preparing a daily pan.

4.1   THE DAILY PLAN

Creating a Daily Plan will give you an overview of the whole of your training program. Such a plan can be used for a training program of any length even a program lasting less than a day.

You can create a Daily Plan in a Word Document by creating a Table with six headings across the top of the table. Identifying the time you have, the topic you will cover, learning outcomes, training methods and aids that will be used during training and the name of the facilitator.

Let's assume we are training judges on the Rules of Evidence. This is an example of part of your Daily Plan:

Training Program for Judges on an Introduction to the Rules of Evidence

Time	Topic	Learning outcomes	Training Methods	Training Aids	Facilitator
8.30 - 10.00 am 90 Minutes	Introduction to the Rules of Evidence	That participants will be reasonably able to: • Explain the types of evidence that may be presented to a court. • Describe the concept of relevance of evidence. • Explain the 'best evidence' rule. • List the reasons why evidence may not be admissible into court.	Presentation Group Discussion Case studies	PowerPoint Whiteboard Case Study questions	Margaret Barron

Your plan would continue and provide a summary of every training session you propose to deliver in relation to your training program on the Rules of Evidence.

Annex 3, pg. A-6, provides an example of a Daily Plan for a Trainer of Trainers Program that ran for two weeks. For each day of the two week program there is a summary of the training that occurred on each day.

4.2   THE SESSION PLAN

For each individual training session within your Training Program you should create a **session plan**. If you create a Daily Plan **first** it will be very easy to create session plans. You can just cut and paste the material in your Daily Plan into your session Plan.

You can use a template which makes it very simply. *Annex 4* contains a blank Session Plan Template.

The session plan is created **for your benefit**, not for the benefit of the participants. You will use the plan to guide your training. It will provide a summary of each and every session of your training program.

The following is an example of a Session Plan that has been completed for the session on an Introduction to the Rules of Evidence from the training program for judges on the Rules of Evidence:

Session Plan:	
Training Program	An Introduction to the Rules of Evidence
Topic	The Rules of Evidence
Outcomes	That participants will be reasonably able to: • Explain the types of evidence that may be presented to a court. • Describe the concept of relevance of evidence. • List the reasons why evidence may not be admissible into court. • Explain the purpose of the Rules of Evidence.
Trainer :	Margaret Barron

Time – 90 mins	Content: **An introduction to the rules of evidence**			
Start 10 mins	**INTRODUCTION** **G**et attention: Tell an interesting story **L**ink to learner's previous interest/experience: You are all Judges who hear evidence presented in cases before your court. It is important to understand the Rules of Evidence which determine whether particular evidence should be admitted for consideration by the court. **O**utcomes (learning outcomes): Discuss the learning outcomes listed above **S**tructure of the session: Session will be divided into four sessions (see sub-topics below) **S**afety and housekeeping: Morning tea will be held at end of session **S**timulate motivation - what is in it for the learner? Judges must know the Rules of Evidence in order to carry out their judicial functions effectively.			
20 mins	Sub-topics	Methodology	Summary / Assessment	Resources
	Types of evidence	Presentation	Questions	PowerPoint
20 mins	Sub-topics	Methodology	Summary / Assessment	Resources
	Concept of relevance of evidence	Case Study	Questions	Handouts
20 mins	Sub-topics	Methodology	Summary / Assessment	Resources
	Reasons for evidence not being admissible	Brainstorm	Game	Whiteboard and pen

	Sub-Topics	Methodology	Summary / Assessment	Resources
10 mins	Purpose of the Rules of Evidence	Presentation	Quiz	PowerPoint
10 mins Ends	i. **Conclusion: COFF** **O**utcomes and summary- review your learning outcomes. **F**eedback – obtain feedback from participants. **F**uture – what will be the content of the next training session? The Hearsay Rule.			
Special Requirements / Preparation / Comments:				

4.3   LEARNING OBJECTIVES AND LEARNING OUTCOMES

Each Training Program should have a **learning objective**. This is the broad purpose of the training? For example if you are delivering training to judges on the Rules of Evidence the learning objective may be:

For participants to gain knowledge of the Rules of Evidence that will assist them in determining what evidence is admissible in court hearings.

Learning Outcomes

Each session in a Training Program should have **Learning Outcomes**. They will be listed in the session plan. They explain what participants will be able to do at the end of the training session and how well they will be able to do it. For example, the learning outcomes for our session on an Introduction to the Rules of Evidence were:

Participants will be reasonably able to:
- *Explain the types of evidence that may be presented to a court.*
- *Describe the concept of relevance of evidence.*
- *List the reasons why evidence may not be admissible into court.*
- *Explain the purpose of the Rules of Evidence.*

You will notice that all the outcomes begin with a verb e.g. 'explain', 'list' and 'describe'. This makes it possible to measure if these outcomes have been achieved. This can be done by assessing participants during training. You could give participants a short quiz to assess understanding. We will talk more about assessment later in this handbook. See page 28 of the Toolkit.

Annex 5, pg. A-13, contains a list of helpful verbs that can be used to write your learning outcomes.

4.4   DETERMINING TOPICS AND CONTENT

How do you work out the content of a training program and the content of each session? There are a number of questions you can ask yourself to help you develop topics and content:
- What were the results of your Training Needs Analysis?
- Who are your participants?

- What are the participants' backgrounds and needs: are they newly appointed or more experienced? What are their roles and duties? What do they need to know and do? What existing experience do they possess on the subject?
- What is the time available for the session?
- How complex should the training be?

Planning the content using the sticky note method
One method of creating content is to use sticky notes. This is the process:
1. Identify possible content i.e. brainstorm all ideas related to the topic. Write each idea on separate sticky notes.
2. Analyse content: divide the sticky notes into 3 piles:
    i. **must know** (content that **must** be presented).
    ii. **should know** (content that is important but not essential).
    iii. **could know** (content that could be presented but is not important or essential).
3. Sort the content: put into themes or families. Create a name for each theme.
4. Sequence the content: deal with general material first and then more specific material. Deal with known to unknown.

Themes
Each theme or family will be the content for one session in your training program.

The great benefit of using the sticky note method is you can move sessions and content around very easily if you wish.

Possible delivery content for judicial and non-judicial officers
See *Annex 6*, pg. A-14, for a list of possible topics to teach judicial and non-judicial officers.
See **Annex 7**, pg. A-16, for an example training programme on Customer Service.

5   DELIVERING THE TRAINING

5.1   INTRODUCTION

The introduction to each training session is very important. One way of introducing a session is to use the acronym **GLOSSS**. When delivering your training make sure you have covered each part of the **GLOSSS**.

Each letter stands for:
G: Get Attention
L: Link to participant's previous experience of learning
O: Summarise the **learning outcomes** for the session
S: Explain the **structure** of the session
S: Safety / housekeeping: tell participants about housekeeping matters e.g. where facilities are, when lunch will be held etc…
S: Stimulate participants: tell participants why this training is important to them.
Let's look at each part of the introduction in detail.

- **G: Get Attention**
  You can gain the audience's attention in a number of ways*:*
    - Present an interesting case
    - Use quotation

- Use some statistics
- Tell an extraordinary story
- Talk about some current events
- Use humour.

- **L: Link to participant's previous experience of learning**
  Each participant brings to training previous knowledge and experience. Your introduction can remind them about this and tell them how this training will link to that knowledge and experience.

- **O: Summarise the learning outcomes for the session**
  State the session's learning outcomes. This will explain what the participants will be able to do at the end of the session and how well they will be able to do it.

- **S: Explain the structure of the session**
  Summarise the content you will cover in the session. This information is in your session plan. You will have your content divided up into sub-topics and the plan will tell you how long you will spend on each sub-topic.

- **S: Safety / housekeeping:**
  You need to tell participants about housekeeping matters e.g. where facilities are and when lunch will be held.

- **S: Stimulate participants:**
  Remind participants why this training is important to them. Explain how they will be able to use it in their day to day work.

5.2 DELIVERING THE BODY (CONTENT) OF THE SESSION

1. Beginning of session
- Make sure you have any handouts ready to be distributed.
- Make sure you have all training resources you will use during the session ready.
- State the session's key points.
- Explain each point in brief.
- Explain how the topic relates to and affects the participants.

2. Body
- Begin by restating each key point.
- Explain and present information.
- Present the essential content, then the important, and then the good to know information.
- Use examples and illustrations to help explain the points.
- Use verbal and visual materials.
- Present an example of each idea.
- Emphasise and repeat the point under discussion.
- Present problems, cases and questions.
- Wait to receive participants' responses.
- Assess whether responses indicate that the participants understand the key points.
- Present the responses, solutions and explanations.

- Provide a brief summary at the end of each key point.

3. Conclusion

Concluding each training session is important. Present a logical ending that illustrates the structure and result. Use **COFF** to conclude your session.

- **C**: Conclude
- **O**: **Revisit your learning** outcomes **to check they have been achieved**
- **F**: **Gain** feedback **from participants**
- **F**: **Talk about the future** e.g. what the next session will cover or what the next training program will cover.

6   PRESENTATIONS TECHNIQUES

There is no "best" way for presenting information to adult learners. Generally, *lectures* are more suitable for transferring information, and *workshops* are more suitable for developing skills. You will, over time, develop an appropriate personal communication technique, which will be somehow unique in nature. Presentation methods vary depending on the audience type, the purpose and the topics.

6.1 TRADITIONAL TECHNIQUES

I.   Lecture

The lecture is a primary technique for transferring knowledge and information and a traditional and common method that can be either formal or informal. Ideally, a lecture should not exceed 30-40 minutes, to sustain an adequate attention level. The lecture is considered a form of passive learning. Usually, the lecturing technique is slow.

The lecture as a presentation method has a number of advantages that include:

- Providing a condensed, efficient summary of large amounts of information.
- Providing an introductory framework for other participatory teaching activities.
- Being an authoritative mode of presentation for respected experts.

II.   Panel discussion

This is a useful model in discussion sessions and conferences, where the lecture or presentation is conducted in a panel session. The chairperson introduces the panellists and each of them in turn presents a short lecture or commentary on the subject. The remaining time is open for questioning moderated by the chairperson.

Disadvantages:

- Tends to scatter rather than focus the subject matter.
- Panellists' lectures may not be coordinated with each other.
- The panellists may exceed the limits of time allocated to them.
- Some questions may have no relevance to the topic, thus wasting time.
- Inability to maintain a high attention level.

Some solutions:

- The group of panellists should be viewed as a unified teaching team, who has to meet at least once in advance for coordination.
- The moderator or the team leader should manage the session in a coordinated and efficient manner.

- Different panellists can be assigned different roles, such as a lecturer, a critic, a discussion leader, etc.
- Written materials can be prepared to cover the topic, while the speaker can use oral communication for emphasising main issues.

A panel discussion can be run in a number of different ways.

1. *Position statement through role distribution:* A panellist presents the essential information (issues, philosophy, problems), another presents an analytical presentation of the topic and the moderator channels questions to panellists.

2. *Written questions from the audience:* Cards may be circulated to the audience in order for them to write their questions. Staff members collect the cards and give them to the moderator, who selects the most relevant questions and channels them to panellists.

3. *Case studies:* Written cases may be distributed to the audience as part of the handouts. Each individual answers one or more cases. Then the moderator calls for 3-4 answers to be presented. Then a panellist presents prepared answers to each case.

4. *Demonstrations:* The panel team presents a live demonstration through role-playing. A film or a tape may be presented. These demonstrations serve as a basis for lecturing or discussion.

5. *The spontaneous dialogue or interview:* The moderator asks direct questions of relevance to the topic, which the panellists are aware of. The audience may ask questions, followed by summary statements by each panellist, summarising the answers to each question.

Facilitator's role in a panel discussion
The facilitator plays an important role in a panel discussion by:
- **Encouraging participants to think**
- **Summarising ideas that have been presented**
- **Contributing ideas**
- **Providing written references and materials**
- **Taking a leading and modelling role**
- **Raising questions**
- **Directing discussion**
- **Deepening the ideas by restating them**
- **Providing approval or constructive criticism.**

6.2   WORKSHOP FACILITATION TECHNIQUES

The job of the facilitator (trainer) is to promote active learning and encourage participation and interaction among group members.

General rules for facilitating discussion:
- A brief recording of the groups' ideas will give them a sense of some progress. Use butcher's paper or a whiteboard to record ideas.
- Get the group talking.
- Open the floor for general discussion by using open-ended questions i.e. questions that don't have a yes or no answer.

- You have the duty of encouraging participation in the discussion by directing questions to certain people.
- Express approval words for everyone who participates in and contributes to the discussion.

Facilitation techniques:

- When someone is speaking, look at the entire group, not only to the speaker.
- Let a group member respond to comments by other members before trying yourself to respond.
- Encourage interaction by avoiding being in the central position after the topic is identified. A general question is raised, and then the trainer moves to the back of the room.
- When questions are asked directly to you as a trainer, refer them to the group members.
- Do not allow any inference or guess to be taken as a fact. Always look for hidden assumptions behind the statement and ask for clarification.
- Do not show approval or disapproval of someone's contribution. It is not your duty to reward or punish.
- Summarise discussion regularly or ask a participant to do so.
- Do not insist on having the last word.

6.3   LARGE GROUPS METHODS

Training techniques for large groups will differ from panel discussion because the trainer can use diverse techniques in order to ensure good participation. They do not involve direct lecturing by any presenter. While the optimal number of participants in adult education is between 12 and 20, large groups may include 50-60 persons, although participation will be limited.

I.   Brainstorming
Definition: A method that opens discussion and stimulates participation through discussion of a specific issue. It is an exercise in creative thinking. Group members identify a broad scope of lateral applicable ideas, which are recorded without commentary, discussion or critique. Then, the ideas are usually presented to the large group for analysis, comments and discussion.

Practically, you may do the following:
- **Ask the participants to write down their ideas.**
- **Invite them to share these ideas.**
- **List the ideas on a flip chart.**
- **Ask a participant to organise the ideas.**
- **Have the organised ideas prepared and circulated to the participants.**

II.   Case study and role play
Definition: An analytical method that employs a problem-solving technique. A real life case or problem is presented, then the participants are asked to perform a certain task in small groups either in written or orally. It requires cooperation and exchange of ideas among the participants in order to reach a solution.

Steps in creation of a case study
Some time needs to be spent in creating a case study / role play that you will use in training.
You need to think carefully about why you are using this as a training technique. What knowledge, skill and / or attitudes are you wanting the learner to acquire?

The following steps are involved in the process of creating a case study / role play:

1. **Define theory / skill / attitude you want covered.**
2. **Specify learning outcomes** i.e. what will the learner be able to do?
3. **Create the scenario.**
4. **Embed issues / problems in scenario.**
5. **Write the case study scenario.**
6. **Check the scenario covers the learning outcomes.**
7. **Develop questions relating to the scenario.**
8. **Use the scenario in training** leaving time to discuss and analyse participant's responses.

Example of a Case Study

Annex 8, pg. A-36, features a Case Study written by Judge Va'ai (Samoa) to support a training session he delivered during Advanced ToT Workshop - Auckland, June 2012. It is used with his permission.

6.4   SMALL GROUPS

While the size of small groups can vary from 4-20 participants, an ideal size for active participation is 5-8 persons. One member should be appointed discussion leader.

- **Define the task for each group clearly and the time to work on this task.**
- **Ask each group to report to the large group.**
- **Assist in mobilising and stimulating feedback.**

i.   **Working groups:** A group of people share their experience/s to accomplish a task or solve a problem.

ii.   **Group discussion:** Allows for combining knowledge, experiences and ideas in a joint process with the trainees in order to explore an issue or a problem. The group leader stimulates and facilitates discussion.

Group discussions require planning. The following is a list of five steps involved in creating a group discussion topic:

Step 1	Decide the purpose of the discussion
Step 2	Specify the exact subject of the discussion
Step 3	Research background information
Step 4	Prepare an opening question for the discussion
Step 5	Facilitate the discussion as part of your training session.

iii.   **Buzz groups:** Allows the small groups to participate intensively, followed by discussion in the large group.

iv.   **Nominal group:** A group method for problem solving. Consists of 5-9 persons. Each participant individually writes down some solutions to the raised problem without any discussion.
- **After 10-20 minutes, the group leader asks each person to present his / her solutions.**
- **Solutions are recorded on the board without discussion.**
- **Every solution is discussed after all solutions are recorded**
- **Participants may vote to rank the solutions by majority.**
- **The leader records the votes.**

Innovative techniques for managing groups:

- **Ice-breaking:** Short group exercises used to minimise barriers between the group members and to energise them. Often used at the beginning of training to 'break the ice'.
- **Brainstorming:** as defined earlier.
- **Role-play:** Improvisation of different roles and situations with or without a prepared script.
- **Simulation:** The simulation of 'real life' problems to be solved in case studies.

Group advantages:

There are a number of advantages of using groups in your training. They include:

- Professionals learn more effectively through active involvement.
- Groups possess more materials and potentials than individuals.
- Group techniques enable the participants to build on their own and their colleagues' diverse experiences.
- Group members are stimulated by the presence of other participants to contribute and make the group work succeed.

Through participation and interaction, the group can reach high quality decisions; demonstrate higher level of commitment and more personal and social awareness.

7   PAPERS, HANDOUTS AND MATERIALS

At times you will need to prepare papers, handouts and materials that can be copied and circulated to participants at your lecture or workshop. These materials provide valuable support for your presentation, and assist participants to learn more effectively. Participants will largely assess your professionalism by the quality of your materials. You should prepare your paper and other materials in copiable form, and supply them for copying at least 1 week before your session.

Papers and handouts
Your paper and handouts should:
- Provide the text of your presentation, or a summary guide of key points.
- Include additional information selected on the basis of its importance in understanding the topic and presented as a summary.
- Allow the participants to record any notes that they find important or useful.
- Include texts, graphs or charts that are time consuming to be copied.
- Be effectively coordinated with other presentation aids used in the program, such as overheads, slides or models.

As a rule, handouts should:
- **Support your presentation and paper** with practical summaries, guidelines and examples - should not be an alternative to a written text.
- **Be complete,** so participants won't need to write down their own information.
- **Be typed** - unless they are written in a very legible script.

8   TRAINING GAMES

Games can be used in training in a number of ways to:
- **Deliver content**
- **Assess whether students have met learning outcomes.**

i.   **PowerPoint Game Templates**
      The following site contains a number of templates for training games that can be run using Microsoft PowerPoint. You simply need to download the template that you wish to use. If the game involves asking a series of questions you will need to create the questions and answers.
      http://people.uncw.edu/ertzbergerj/ppt_games.html

ii.   **Word Games**
      The following site is very good for creating word games such as crosswords, bingo and word find. You need to input the data in order to create the crossword or other resource. Creating an account is free.
      http://edubakery.com/

iii. **Free Training Materials**
      There are a large number of Internet sites containing free training games, materials and activities. The following sites are recommended:

      https://www.trainerbubble.com/energisers.aspx

      http://www.businessballs.com/teambuilding.htm

http://www.skillsconverged.com/FreeTrainingMaterials/tabid/258/Default.aspx

http://the-trainers-lounge.co.uk/free_training_activities.html

https://www.trainerswarehouse.com/trainingtips.asp

http://www.thiagi.com/games.html

9   SOME GOLDEN RULES

Making your training interesting and effective requires a combination of technical expertise and effective communication skills. To improve your communication skills, keep in mind the following suggestions:

1. **Check the venue and arrangement:** You should **arrive early** to check the venue and room arrangements for yourself and the participants. This means **conducting a site visit** at least a day before the workshop to select suitable table and chair arrangements and positions for where the facilitators will present from and to communicate with people in charge of the venue. You may need to find someone who is familiar with the venue and inform him / her about the technical requirements. In other terms, the trainer should have control over venue and time, and carries the task of setting up the venue, the required physical elements and the available time to transfer knowledge and manage the group and the individuals forming this group.

    The trainer is responsible for arranging:
    - A comfortable working venue that provides for high attention.
    - The physical elements that should facilitate explaining his / her presentation effectively.
    - Control over the different equipment before starting his / her training.
    - The selection of sound equipment, audio-visual aids, lighting, etc.
    - Set-up of seats for the trainer and the participants.

    There is a very good discussion in the *National Judicial Development Committee Toolkit (NJDC)* on Conducting an Activity. The activity may be training. There is a discussion on pages 21-22 of the things you need to check the day before the activity, the day of the seminar and after the activity concludes. Under the additional documentation for the NJDC Toolkit see particularly, Tools 4.1 and 4.2 which are Checklists for matters that will need checking.

2. **Your position in the room:** Stand at the front when using presentation aids and sit at the front or with the group during discussions.

3. **Your conduct:** be friendly and quiet. Show willingness and enthusiasm while dealing with the participants. Use gestures and face expressions, e.g. to show approval.

4. **Voice:** Talk in a strong and balanced manner using the prepared Session Plan as a guide for your speech and session management. You should direct your voice to reach the farthest point in the room and talk slightly louder than what you think is appropriate.

5. **Eye contact:** Look directly to every participant when he / she is speaking and show interest in what they say.

6. **Opening remarks:** Give a simple and clear summary of issues and points to be presented in order to grasp the audience's attention.

7. **Do not start with an apology:** Apologies make you look weak and unprepared, particularly if they are about your level or experience, unjustified inadequacies, or lack of sufficient time.

8. **Don't keep the participants guessing:** From the start, present the materials and topics that you want to cover.
   - Stop and give a summary at the end of each point covered.
   - Give a final summary about what has been covered.

9. **Don't read from your papers.**

10. **Let nervousness work for you**, but keep it under control. Nervousness will help you remain mentally alert.

11. **Use little humour with caution:** Any humour should be linked with a point under discussion.

12. Encourage participation, debate and competition.

13. Vary and rephrase questions.

14. **Use presentation aids**, such as transparencies, graphs, whiteboard, video, PowerPoint slides, etc.

15. **Use realistic examples,** even if they are hypothetical.

16. **Use case studies:** Use practical cases. This is the way judicial officers actually experience court problems.

17. **Be flexible:** Keep the set program flexible and do not let any unexpected interference embarrass you.

18. **Keep some extra materials at hand**: This will help you adapt and answer questions you might be asked.

19. **Dress and appearance:** Appearance agrees with the trainer's manner and personality.
   - Do not look repeatedly at your watch.
   - Do not stammer while talking.
   - Move in a flexible, steady and balanced manner.
   - Do not talk beyond the designated time.
   - Use a microphone for sound amplification.
   - Practice reading text without the need to look at the paper frequently.

10   QUESTIONS

Questioning is one of the most useful tools for a trainer to generate active participation and learning.
During training, questions can be used for a number of purposes. They include to:
   - **manage** behaviour of participants
   - **gauge** participant's knowledge
   - **arouse** curiosity and stimulate interest
   - **clarify** and emphasise key concepts
   - **stimulate** discussion among participants

- **develop** or sharpen participant's problem-solving ability
- **motivate** participants to search for new information
- **stimulate and encourage** participants to think at higher levels.

To be effective you need to plan questions that will be asked during training. The process of questioning can be divided into a number of stages.

1. **Preparation stage - preparing the questions:**
   - What questions will you ask?
   - At what stage of the session will you ask them?
   - Why will you ask them at this particular time?
   - Will the group feel comfortable and ready to talk?
   - Is the question relatively simple or so difficult that it would create a mental block in the participants?
   - Varying the types of questions being asked.

2. **"Asking the questions" stage:**
The session starts with a question asked by the trainer and not the participants. Usually, the participants raise their questions when they are well into the topic and feel confident of their information relating to the session.

3. **"Waiting for the answer" stage**
It is important to give time to the participants to comprehend the question and think before answering. The participants need to formulate the answer and then consider its correctness. You may break the silence by repeating the question. If no one is answering, this may mean one of these two things:
   - You should rephrase the question.
   - Everyone is afraid of breaking the ice.

4. **The stage of "asking someone by name":**
It is difficult to identify the right person to ask. You can have some indications by noticing the participants' facial expressions, someone's enthusiasm or a slight indication such as raising the hand, finger or pen. You should be sure that participants do not feel threatened by calling their names before asking the question.

5. **Listening stage:**
   - Focus on listening, discussing and considering each answer.
   - By good listening, you can raise another question within the discussion.

6. **Review and reinforcement stage:**
Through the previous stages and to be sure that the topic's key points were presented, you can perform a review, use questions again and put the results on the board or flip chart.

7. **Notes to the facilitator:**
   - Invite responses from all participants.
   - Do not focus on asking specific people all the time.
   - Direct the question to a particular person if you feel he / she has not had a chance to answer.

8. **Types of questions:**
   - **Open questions:** can be used to allow the respondent a chance to expand the answer. *"What do you think about the concept of truth in sentencing?"*
   - **Closed questions:** are meant to get a brief, focused and short answer, such as yes / no.

- **Hypothetical questions:** are meant to let the respondent predict how he / she would behave under a set of imaginary circumstances, such as: *"If I ask you to present this session, how would you do this."*
- **Leading didactic questions:** the answer or part of it is put in the respondent's mouth, such as: *"Sure you don't discriminate against women, do you?"*
- **Alternative choices questions:** facilitate the answer for hesitating participants by providing a number of alternatives to choose from, such as: *"Do you think the most important aspect in sentencing is a or b or c?"*
- **Clarifying questions:** are used to ask for additional information to reach a certain point, such as: *"What do you mean by…?"*

11   HEARING AND LISTENING

Listening is one of the most important components of all training techniques. Some programs depend on listening more than others do (discussion sessions, small groups). Even in a lecture, the presenter needs listening skills not only to monitor the lecture's impact on the audience, but also to be able to respond to participants questions effectively and appropriately.

Listening is a skill that involves using the ears, eyes, mind and heart. Thus, it is different than hearing that involves using the ears only.
- We hear many things, but we listen to a little of what we hear.
- We can hear without listening unless we want to listen.

Characteristics of an effective listener:
- Wants to listen.
- Shows willingness and attention.
- Takes the responsibility of interaction.
- Reduces distraction.
- Uses positive gestures, and does not compete.
- Able to keep silent.
- Asks clarifying questions.
- Tries to understand the speaker's view.
- Reflects feelings and content.
- Rephrases things and ideas.
- Summarises.
- Uses the difference between the speech / thought rate.

Why people fail to listen effectively:
- Physical reasons in the environment, such as discomfort or distraction.
- Physiological reasons such as pre-occupation.
- Pre-existing perceptions about the speaker or subject.
- Tendency to judge.
- Tendency to impose solutions.
- Avoiding the others' concerns.
- Preoccupation with self.
- Fear of losing control.

Risks in listening:
- Pre-judging the person or the topic.
- Rashness and jumping ahead.
- Distractions.
- Trying to remember all that is said.
- Listening only to facts without reaching the main point.
- Allowing thoughts to wander (thought speed is 4 to 6 times faster than speech).
- Trying to write down all that is said.
- Ignoring the voice tone and body language.

12   NON-VERBAL COMMUNICATION

Non-verbal communication is communication where spoken or written words are not used, and includes all forms of communication that do not involve vocalisation, words or sentences. People always convey non-verbal messages whether intentionally or unintentionally and whether they were speaking or not. This communication is sometimes called 'body language'.

Research indicates that when expressing attitudes and feelings:
- **7%** is conveyed through **words and sentences.**
- **38%** is conveyed through **voice tone.**
- **55%** is conveyed through **non-verbal messages.**

Comparison: Non-verbal communication can complement, enhance, replace or even contradict verbal communication.
- **Complement** - When non-verbal messages correspond to verbal messages but without affecting the strength of the communication.
- **Enhance** - When non-verbal symbols actually strengthen the communication. For example, facial expressions and gestures reinforce and highlight the strength of the message expressed verbally.
- **Replace** - Non-verbal communication can make words unnecessary. For example, a warm handshake or friendly hug can have a strong communication expression.
- **Contradict** - Non-verbal communication may contradict the verbal message. For example, you may say *"I am very interested in what you are saying"* while you constantly look at your watch!

Rules for non-verbal communication:
- Body movements in any of its parts create a certain feeling in the person who listens or watches.
- The way you sit, walk or stand creates a certain feeling in the person who listens or watches.
- Body movements in any of its parts are dependent on each other.
- Good non-verbal communication promotes the leadership character in the facilitator.
- Good non-verbal communication promotes a successful communication between the leader (facilitator) and the audience.

13   PRESENTATION AIDS

As a leader of a discussion session or a group or as a presenter, you should not limit your attention only to teaching materials. You also should consider the most effective way to promote learning by participants. Regardless of the communication technique employed, the most critical element is the clarity of your message. Consider this first, and then think about the appropriate communication technique.

You can tell the audience everything you know about the topic, but you will be more effective when you focus on the audience memory by using presentation aids. Using these aids will enable the participants to remember 50% of the information instead of 20% only.

> **Peak of creativity!**
>
> Memory storage:
> - 10% of information heard.
> - 20% of what is seen.
> - 65% of what is heard and seen at the same time.
> - 50% or more when the presentation is bright, pleasing and characteristic.

General Rules:
- Learning results from stimulating senses.
- Comprehension increases with using aids.
- Retention improves with greater use of senses (seeing + hearing + practice = experience).
- Planning for teaching sessions should include a variety of presentation aids.

i.   PowerPoint and overhead projector
Presenters who use PowerPoint and overhead projectors are considered as:
- Better prepared.
- More persuasive and credible.
- More exciting and attracting.
- Better able to communicate.

This technique is helpful in reducing the speech time (lecturing), as the theoretical content is covered with a high level of retention.

However note that PowerPoint presentations are **not** effective when:
- Each slide contains masses of written information.
- Each slide contains overly complicated charts or diagrams.
- The presenter simple reads off the slides.

They can be very effective when:
- The PowerPoint is used as an **adjunct to other training resources.**
- Each slide contains a **small amount of information.**
- Slides contain **simple charts, photos or graphics to illustrate a point.**
- **Video is embedded** into a PowerPoint slide.

Using an overhead projector:
- Check the projector and set its focus before the session.
- Keep lights on, as the projector works well with the lights on.
- Face the audience. Maintain eye contact, do not turn to look at the screen (instead, look at the transparency or your notes if necessary).
- Sit down. This would enable the audience to see the screen. Walking or standing distracts the audience.
- Place the transparency on the projector before turning it on. Showing a blank screen can be distracting.

Suggestions for preparing effective transparencies:
- **Letters height should be at least 0.6 - 1.0 cm.**
- Use **colours to provide emphasis** on certain points.
- **Do not crowd the transparency.** Use a limited number of points (about 5 lines) per one transparency.
- **Do not use copies of printed pages to make transparencies**. This is a common error in using visual aids.
- **Avoid unnecessary words and use symbols when possible**. You should provide the verbal commentary and the visual aids to reinforce it.
- Note: **get advice from an experienced trainer** or ask them to assist you in preparing the transparencies with you.

ii.   Whiteboard
- The whiteboard should be **visible to all participants**.
- Ensure that there is **no light reflection** from the board.
- **Write in large clear letters and use large diagrams.**
- **Simplify the message** by listing it in bullets and sections.
- **Write as quickly as possible**.
- After writing on the board, **stand aside to ensure the information is visible**.
- **Do not talk to the board**; rather face the participants when talking to them.
- **Write neatly** from the right to the left.
- Always **replace the cap on the marker** to avoid the pen drying-out.
- An electronic board can be used as the manual board, but it also can provide copies of the information on the screen.

iii.   Flip chart
A flip chart is a set of white papers fixed on a mobile stand, enabling turning back each paper after recording the information on it in order to retain the information. This method is often used to summarise the outputs of small groups in order to reach common results.

Advantages:
- **Easy to move** within the room according to the position of the participants, the presenter and other equipment.
- **Recorded information can be kept** for subsequent copying.
- Rules of using the ordinary board apply to flip chart as well.

iv.   Slide projector

It is used to demonstrate real life cases and models to assist the trainer in focusing on the key points. For example, it can be used to demonstrate models in forensic anatomy or illustrations of the crime scene.

14   COMMON PROBLEMS FOR PRESENTERS

"Problem members" of a group or discussion may affect your session's productivity. As presenter, you will be responsible for handling them effectively.
- **The monopoliser** (one person dominating the discussion).
- **The silent member.**
- **The chronic interrupter** (the one who interrupts others constantly).
- **The complainer/critic.**
- **The joke-teller** (impolite).
- **Side conversations.**
- **The story-teller** *"…the way we do it in our court…."*.
- **The arguer** (interpersonal conflicts).

15   ASSESSMENT OF TRAINING

Before training concludes you need to assess whether participants have achieved the learning outcomes that you have established for the training. Assessment can take place on a session by session basis or at the end of training.

Assessment comprises four main principles. Each assessment tool should be:
- **Valid** i.e. it should assess what it aims to assess.
- **Reliable** i.e. uses methods and processes that will produce reliable results.
- **Flexible** i.e. can be modified to cope with individual differences of participants.
- **Fair** i.e. it does not discriminate or disadvantage any participants.

There are a number of assessment tools that you could use to determine if learning outcomes have been met by participants. The type of tool used will depend on whether knowledge, skills or attitudes are being taught.
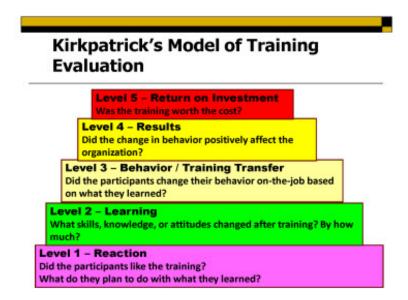
The following are some examples of assessment tools you could use to assess if learning outcomes have been achieved by participants:
- **Short written test**
- **Quiz**
- **Demonstration**
- **Presentation**
- **Mock sentencing hearing.**

16   EVALUATION OF TRAINING

Evaluation of training is different from assessment of training. It is a process in which you find out if the objectives of training have been met, whether participants enjoyed the training and consider suggestions for how the training could be improved for the future.

The following model developed by Kirkpatrick shows the levels at which training can be evaluated:

Kirkpatrick's Model of Training Evaluation

Level 5 – Return on Investment
Was the training worth the cost?

Level 4 – Results
Did the change in behavior positively affect the organization?

Level 3 – Behavior / Training Transfer
Did the participants change their behavior on-the-job based on what they learned?

Level 2 – Learning
What skills, knowledge, or attitudes changed after training? By how much?

Level 1 – Reaction
Did the participants like the training?
What do they plan to do with what they learned?

17   METHODS OF EVALUATING TRAINING

A number of methods can be used to evaluate training. Asking participants to complete a **Pre-Training Questionnaire and then a Post-Training Questionnaire** can provide information at Level 1 and 2 of the model. See *Annex 9*, pg. A-37, and *Annex 10*, pg. A-40, for examples of Pre-Training and Post-Training Questionnaires.

It is difficult to evaluate at Level 3, 4 and 5 until sometime after training has concluded. **Participants would need to be followed up post training** to see if there has been a change in their behaviour as a result of training and whether the training resulted in positive change for the organisation and a return on investment.

Note that **evaluating training is a quite specific process**. The **emphasis is on assessing what learning has taken place, what change in behaviour has occurred as a result of the training.** Evaluation of other professional development activities is a much broader process. See pages 25 – 27 of the *National Judicial Development Committee Toolkit* for a more general discussion of evaluation of an activity.

18   MONITORING TRAINING

Another term that is often used in relation to training is 'monitoring'. How does monitoring training differ from assessing and evaluating training? Monitoring always comes before evaluation. It is concerned with keeping an eye on how a project is performing. Has training occurred when and where it was supposed to?

Monitoring and evaluation go together and provide a sound method of determining whether funds and resources have been used well.

19 FINANCIAL PLANNING FOR TRAINING

This Toolkit does not cover the area of planning financially for your training nor does it discuss specific project management skills. Please consult the *Project Management Toolkit* (http://www.fedcourt.gov.au/pjdp/pjdp-toolkits) that will assist you with resources and tools to assist with project managing your training and financial planning.

20 STEP BY STEP GUIDE TO CREATING A TRAINING PROGRAM

This Toolkit has provided resources for you to use when developing and delivering training programs.
You may find the following Step by Step Guide helpful.

It is a Step by Step Guide to creating a Training Program. Use this guide when you wish to create a training program. You can tick the steps off as you complete them.

1. **Conduct a TNA (training needs analysis).** STAGE 1 of training cycle – Identifying training needs.
   - **Choose a target group**
   - **Break down the job roles for the target group into roles, duties and obligations**
   - **Identify performance gaps – this will be the focus of your training**
   - **Develop survey or questionnaires that will identify the performance gaps**
   - **Break down the job roles into trainable elements. For each role identify knowledge, skills and attitudes necessary to carry out that role.**

2. **Plan a training program of learning content dealing with the training needs identified in the TNA.** STAGE 2 – Designing Learning
3. **Identify the content for the training program by using the sticky note method. Brainstorm content:**
   - **Identify** (write all ideas on individual sticky notes).
   - **Analyse** (look at all notes and discard any that are not relevant).
   - **Sort** (put all the notes into families or themes – all notes dealing with the same subject matter). You will have a number of groups of notes. Put a heading on each group. Each group will be subtopic for your content.
   - **Sequence.** For each group of notes sequence the content in a logical order. From general to specific content. From known to unknown concepts.

4. **Each theme (group of sticky notes) will be the content for one session of training.**

5. **Fill out the daily plan template** – insert your topics into the second column. Estimate how long the content will take to deliver – insert time in first column.
   - **Divide into sessions.**
   - **Write your learning outcomes for your topics** – use the verb list to help you. You will work this out from your content.
   - **Insert teaching methods and teaching aids into half day program template.**

6. **Prepare a session plan** for each of the training sessions in your training program. This should be easy as you can cut and paste it from your half day program.

- Cut and paste your learning outcomes from your half daily program into your session plan template.
- Cut and paste your teaching methods and teaching aids from half day program into sub topics columns of your session plan template.
- List your content in the boxes called sub topics.

7. **Prepare training materials you will use in your training sessions.** For example, PowerPoint presentations, handouts, other resources.

8. **Deliver your training session using your session plan to help you.** STAGE 3 – Deliver Training.

9. **Assess and evaluate training.** STAGE 4 – Evaluate training.

10. **Celebrate!**

21 YOUR NOTES

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Your Notes

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Your Notes

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TRAINER'S TOOLKIT:

DESIGNING, DELIVERING AND EVALUATING TRAINING PROGRAMS

ADDITIONAL DOCUMENTATION

Available at: http://www.fedcourt.gov.au/pjdp/pjdp-toolkits

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ANNEX 1: CONDUCTING A TRAINING NEEDS ANALYSIS: JOB ANALYSIS FOR A TARGET GROUP

Template 1 is a blank template for conducting a Job Analysis of a Target Group.

Template 2 is a completed template for a job that includes Safety Inductions. This is an example of how to divide the tasks involved in a safety induction into knowledge, skills and attitudes.

It is possible to add a scoring system to identifying training gaps and prioritising training topics. **Template 3** shows you how to do this.

Template 1: Job Analysis for Target Group: (Sample only)

TARGET GROUP: _____

TASKS						
1.	Skills					
	Knowledge					
	Attitude / Values (Employability Skills)					
2.	Skills					
	Knowledge					
	Attitude / Values (Employability Skills)					
3.	Skills					
	Knowledge					
	Attitude / Values (Employability Skills)					

Template 2: Job Analysis for Target Group: (Sample only)
Breaking tasks into: skills, knowledge, attitude

TARGET GROUP: _____

TASKS						
1. Safety Inductions	**Skills**					
	Demonstrate Evacuation methods					
	Demonstrate OXY mask use					
	Demonstrate seat belt operation					
	Demonstrate life jacket wear					
	Knowledge					
	Evacuation paths					
	Mask operation - **One person** - **Two person (child)**					
	Seat belt fastening and adjustment					
	Life jacket parts, fitting method, where stored					
	Attitude / Values (Employability Skills)					
	Communication - sharing information					
	Teamwork - work as a team member at the same time					
	Planning and Organising - Have safety kit in place before time					

Template 3: Job Analysis (Sample only)
Adding a scoring system for: Identifying Training Gap and Prioritising topics

	TASKS	Can do well, Confident	Can do but needs more experience or training	Cannot do and should be trained	Office Use Priority *Office use rating: Cannot do = 1 (first priority) Can do but needs training = 2 (second priority)*
1. Safety Inductions	**Skills**				
	Demonstrate Evacuation methods				
	Demonstrate OXY mask use				
	Demo seat belt operation				
	Demonstrate life jacket wear				
	Knowledge				
	Evacuation paths				
	Mask operation - **One person** - **Two person**				

	(child)				A-3
	Seat belt fastening and adjustment				
	Life jacket parts, fitting method, where stored				
	Attitude / Values (Employability Skills)				
	Communication - sharing information				
	Teamwork - working on time with others				
	Planning and organizing - having safety kit ready for demonstration before time				

Add any comments that you as a court officer wants to have training in or provide feedback on:

_____

_____

Now forward to: _____ by posting to: _____

Thank you for completing this survey.

ANNEX 2: CONDUCTING A TRAINING NEEDS ANALYSIS: EXAMPLE OF SURVEY FOR TARGET GROUP

Survey - *(Complete and ready to hand out to court staff)*

Job of your Specific Target Group: _____

Instructions:
For each of the points down this page, place a tick, to indicate your honest response to one of the following:
  - "Can do well"
  - "Can do but need more training" or
  - "Cannot do and should be trained".

For example:

	TASKS	Can do well, Confident	Can do but need more experience or training	Cannot do and should be trained	Office Use Priority *Office use rating: Cannot do = 1 (first priority) Can do but needs training = 2 (second priority)*
1. Safety Inductions	**Skills**				
	Demonstrate Evacuation methods				
	Demonstrate OXY mask use				
	Demo seat belt operation				
	Demonstrate life jacket wear				
	Knowledge				
	Evacuation paths				
	Mask operation - **One person** - **Two person (child)**				
	Seat belt fastening and adjustment				
	Life jacket parts, fitting method, where stored				
	Attitude / Values (Employability Skills)				
	Communication - sharing information				
	Teamwork - working on time with others				
	Planning and organizing - having safety kit ready for demonstration before time				

Add any comments that you as a court officer wants to have training in or provide feedback on:

_____

_____

Now forward to: _____ by posting to: _____
If you have any questions contact _____ on phone number _____

Thank you for completing this survey.

Signed_____ Date_____

ANNEX 3: EXAMPLE OF DAILY PLAN FOR A TRAINING OF TRAINERS WORKSHOP

Pacific Judicial Development Programme (PJDP)
Advanced Trainer of Trainers Workshop
5 - 9 December, 2011: Auckland, New Zealand

Workshop Aim: for participants to learn more advanced training techniques including how to assess participants.

Workshop Objective: that participants will significantly improve their knowledge and skills as a trainer.

* * *

Day One: Monday, 5th December, 2011

Time	Topic	Learning Outcomes
8.00-8.30am	*Arrival*	
8.30-9.30	**Workshop Opening and Orientation** ♦ Introduction *Overview of Workshop* ♦ Facilitators ♦ Aim and Objectives ♦ Learning resources *Certification* ♦ Assessment ♦ Accreditation *PJDP Phase 2*	♦ Feel welcomed to the workshop and be introduced to the facilitators and other participants ♦ Complete a pre-training questionnaire ♦ Understand the aims and objectives of the workshop ♦ Understand the learning resources that you will be supplied with ♦ Understand the structure of the program, assessment and certification requirements. ♦ To understand the aims of PJDP Phase 2.
9.30-10.30	**Presentation by participants**	♦ Participants are to confidently deliver a report regarding training conducted in country outlining challenges in organising and delivering: conducting TNA; developing and designing the training program; preparing and delivering training and evaluation of same.
10.30-11.00	*Morning tea*	
11.00-11.30	**Presentation by participants continued**	♦ Same as above
11.30-12.30	**Action Plans** ♦ What is an action plan? Why use them? How to	♦ Define an action plan and explain why they are used ♦ Create an action plan to improve training and to ensure training aims are achieved.

Time	Topic	Learning Outcomes
	design action plans?	
12.30-1.30pm	*Lunch*	
1.30-3.00	**Training Needs Analysis (TNA) Revisited** ♦ Definition ♦ Methods and documentation ♦ Selection of subjects ♦ Action plan for improvements	♦ Improve significantly their knowledge and skills in formulating training needs by conducting a TNA ♦ Significantly improve their methodologies in gathering TNA data and improve the creation of TNA documents including selection of subjects ♦ Formulate an action plan for improvements in planning, developing TNA documents, acquiring and interpreting data ♦ Review the TNA data collected prior to the workshop.
3.00-3.15	*Afternoon tea*	
3.15-4.15	**Designing a Learning Program Revisited** ♦ Six steps in developing a learning programs ♦ Daily plans ♦ Session plans	♦ Reinforce their knowledge and understanding of the six steps in developing a learning program ♦ Significantly improve their knowledge and skills in developing Daily Programs and session plans ♦ Design a learning program of two days duration for delivery in your country.
4.15-4.30	**3-2-1** ♦ 3 important things I learned today? ♦ 2 questions I still have? ♦ 1 thing that really supported my learning today?	♦ To review and evaluate Day 1 of the workshop.
4.30-4.45	*Daily wrap-up, feedback and close*	

Day Two: Tuesday, 6th December, 2011

Time	*Topic*	*Learning Outcomes*
8.00-8.30am	*Arrival*	
8.30-10.30	**Learning aims and outcomes revisited** ♦ Types, difference of aims and objectives, how to formulate, action plan for improvement	♦ Significantly improve their knowledge and skills in formulating learning aims and outcomes for training programs.
10.30-11.00	**Morning tea**	
11.00-12.30	**Session plans** ♦ Purpose of session plan ♦ Pro-forma session plan ♦ Timing	♦ Significantly improve your knowledge and skills in developing training proposals ♦ Significantly improve their knowledge and skills in creating session plans ♦ Create a thirty minute session plan on a topic selected from the TNA conducted before the workshop.

12.30-1.30pm	Lunch	
1.30-3.00	**Principles of adult learning revisited** ♦ Explanation of adult learning principles ♦ Why these principles are important?	♦ Describe and explain the importance of the principles of adult learning including meaningful material, active participation, multi-sensory learning, practice, reinforcement, feedback and reward ♦ Plan a 30 minute training session that takes into consideration the principles of adult learning.
3.00-3.15	Afternoon tea	
3.15-4.15	**Advanced teaching methods 1: Group Discussions** ♦ Types of group discussions ♦ Purpose of group discussions ♦ 8 step guide to creating group discussion	♦ Describe the different types of group discussions ♦ Explain the purpose of conducting a group discussion ♦ Identify the skills needed to facilitate a group discussion ♦ Using the 8 step guide create a group discussion topic for the 30 minute training session.
4.15-4.30	**3-2-1** ♦ 3 important things I learned today? ♦ 2 questions I still have? ♦ 1 thing that really supported my learning today?	♦ To review and evaluate Day 2 of the workshop.
4.30-4.45	Daily wrap-up, feedback and close	

Day Three: Wednesday, 7th December, 2011

Time	Topic	Learning Outcomes
8.00-8.30am	Arrival	
8.30-10.30	**Assessment and evaluation of training** ♦ Four key principles of assessment- validity, reliability, flexibility and fairness ♦ Types of assessment methods for assessing knowledge, skills and attitudes ♦ Creating and assessment	♦ Explain the four principles of assessment ♦ Identify the most appropriate methods of assessing knowledge, skills and attitudes ♦ Create an assessment tool to assess achievement of learning outcomes for 30 minute training session ♦ Explain different type of evaluation methods and the purpose of conducting evaluations.
10.30-11.00	Morning tea	
11.00-12.30	**Assessment continued**	♦ As above
12.30-1.30pm	Lunch	
1.30-3.00	**Teaching aids** ♦ Where to find training resources?	♦ Significantly improve their knowledge and skills in locating teaching resources ♦ Significantly improve their knowledge of using games as a teaching methodology

	♦ Powerpoints ♦ Games	♦ Increase their awareness of overuse of Powerpoint.
3.00-3.15	*Afternoon tea*	
3.15-4.15	**Advanced teaching methods 2: Case studies and role plays** ♦ Difference between a case study and a role play ♦ 10 steps in writing a case/study or role play	♦ Explain the differences between a case study and a role play ♦ Identify the situations in which it would be appropriate to use a case study or role play in training ♦ Write a case study or role play or a cross cutting issue.
4.15-4.30	**3-2-1** ♦ 3 important things I learned today? ♦ 2 questions I still have? ♦ 1 thing that really supported my learning today?	♦ To review and evaluate Day 3 of the workshop.
4.30-4.45	*Daily wrap-up, feedback and close*	

Day Four: Thursday, 8th December, 2011

Time	Topic	Learning Outcomes
8.00-8.30am	*Arrival*	
8.30-10.30	**Advanced Teaching Methods 3** ♦ Teaching a skill ♦ Definition of coaching ♦ Coaching model	♦ Improve significantly their knowledge of coaching as a teaching methodology ♦ To conduct a short coaching session teaching.
10.30-11.00	Morning tea	
11.00-12.30	**Planning for 30 minute teaching session** ♦ Explanation of task	
12.30-1.30pm	*Lunch*	
1.30-3.00	**Final preparation for 30 minute training session**	
3.00-3.15	*Afternoon tea*	
3.15-4.15	**Final preparation for 30 minute training session**	
4.15-4.30	**3-2-1**	♦ To review and evaluate Day 4 of the workshop.

	♦ 3 important things I learned today? ♦ 2 questions I still have? ♦ 1 thing that really supported my learning today?	
4.30-4.45	*Daily wrap-up, feedback and close*	

Day Five: Friday, 9th December, 2011

Time	*Topic*	*Learning Outcomes*
8.00-8.30am	*Arrival*	
8.30-10.30	**Presentation by participants of a 30 minute training session**	♦ Professionally deliver a 30 minute training session following a session plan including a group discussion and an assessment to determine if learning outcomes have been met.
10.30-11.00	Morning tea	
11.00-12.30	**Presentations continued**	
12.30-1.30pm	*Lunch*	
1.30-3.00	**Presentations continued**	
3.00-3.15	*Afternoon tea*	
3.15-4.15	**Wrap up of training:** ♦ Review learning outcomes ♦ Completion of post-training questionnaire ♦ What did I learn? ♦ What did I like?	♦ To thoroughly review and evaluate the learning objectives of the workshop ♦ To complete the post training questionnaire ♦ To participant in a group discussion of what you learned and liked about the workshop.
4.15-4.30	*Daily wrap-up, feedback and close*	

ANNEX 4: SESSION PLAN TEMPLATE

Session Plan:	
Training Program	JUDICIAL ORIENTATION PROGRAM
Topic	
Objective(s)	The purpose of this session is to: [Q: *Knowledge, skills, attitudes*?] • • •
Outcomes	As a result of attending, will be reasonably able to: [Q: **Do** what and **how** well?] • • •
Trainer	

Time – 60 mins	Content:

Start >5 mins	**INTRODUCTION** **G**et attention: Introduce yourself. Tell an interesting story. Use an ice-breaker. Joke? **L**ink to learner's previous interest/experience: **O**utcomes (learning outcomes): Discuss the learning outcomes listed above **S**tructure of the session: Session will be divided into four sessions (see sub-topics below) **S**afety and housekeeping: Morning tea will be held at end of session **S**timulate motivation: What is in it for the learner? Judges must know the Rules of Evidence in order to carry out their judicial functions effectively.

	Sub-topics	Methodology	Summary / Assessment	Resources
20 mins		Presentation	Questions	PowerPoint
15 mins	Sub-topics	Methodology	Summary / Assessment	Resources
		Case Study	Questions	Handouts
15 mins	Sub-topics	Methodology	Summary / Assessment	Resources
		Brainstorm	Game	Whiteboard and pen

>5 mins Ends	Conclusion: **COFF** • **C: Conclude; O: Revisit learning outcomes to check they have been achieved; F: Gain feedback from participants; F: Talk about the future e.g. what the next session will cover or what the next training program will cover.** Summary: review your learning outcomes – check participants' grasp by asking them to summarise.

Special Requirements / Preparation / Comments:

A-12

CHECKLIST (x10)

1. Needs
2. Topic
3. Objectives
4. Outcomes
5. Content
6. Structure
7. Timing
8. Techniques
9. Papers / materials
10. Aids

PRESENTATION CRITERIA

1. Clear
2. Orderly
3. Concise
4. Complete
5. Compelling
6. Useful

ANNEX 5: LIST OF HELPFUL VERBS FOR CREATING LEARNING OUTCOMES

Performance Verbs for the Domains of Learning

Cognitive Domain ('the head')

Knowledge level - define, list, indicate, identify, state, recall, name, record, recognise

Comprehension level - distinguishes, compare, describe, classify, interpret, contrast

Application level - demonstrate, calculate, examine, apply, illustrate, use, solve

Analysis level - analyses, explain, summarise, relate, construct, investigate, infer

Synthesis level - creates, integrate, develop, plan, construct, design, generate, propose

Evaluation level - evaluates, appraise, critique, measure, estimate, assess, determine.

Psychomotor Domain ('the hand-eye' / 'skills')

Assembles, builds, calibrates, changes, cleans, composes, connects, constructs, corrects, creates, demonstrates, designs, dismantles, drills, fastens, fixes, follows, grinds, hammers, heats, hooks, locates, makes, manipulates, mends, mixes, nails, paints, practices, sands, saws, sharpens, sets, sews, sketches, uses.

Affective Domain ('the heart' / values, attitudes)

Asks, assists, alters, acts, chooses, complies, compares, creates, demonstrates, describes, discusses, differentiates, discriminates, displays, explains, follows, gives, generalises, helps, identifies, initiates, invites, integrates, influences, justifies, listens, modifies, names, organises, participates, performs, practices, prepares, proposes, presents, questions, receives, replies, reports, relates, resolves, revises, selects, serves, shares, shows, solves, synthesises, tells, uses, values, verifies, writes.

ANNEX 6: LIST OF POSSIBLE TRAINING TOPICS FOR JUDICIAL AND NON-JUDICIAL OFFICERS

Substantive law and court procedure

To be assessed depending on the prior training, experience and duties of judges
- Criminal law and procedure
- Civil law and procedure

Judicial skills
- how to conduct a hearing trial
- control of courtroom
- note-taking
- legal research
- admitting evidence
- statutory interpretation
- judgment writing and giving reasons
- principled and uniform sentencing
- administering natural justice, due process and fair trial
- protecting human rights and civil liberties
- resolving disputes and alternative dispute resolution (ADR)

Generic skills
- Communication skills - written and oral
- Time management
- Computer skills
- Coaching and mentoring
- Customer Service (see example training topic Annex 7)

Judicial management
- case management
- administering courts: filings, fixtures, hearing lists
- record management
- registry management and practice
- team leadership between judicial and court officers
- judicial information technology and computer skills
- managing complex litigation and commercial disputes

Judicial disposition - social context - outlook, attitude and values
- judicial role, powers and responsibilities
- judicial independence, impartiality, integrity and outlook
- judicial review
- judicial conduct and ethics
- gender / race equality

Inter-disciplinary

To be assessed depending on the prior training, experience and duties of judges

- Forensic scientific evidence: psychiatry and pathology - in criminal prosecutions
- Financial accounting - in complex commercial disputes
- Medico-legal fundamentals - in injury cases.

ANNEX 7: EXAMPLE TRAINING PROGRAM: CUSTOMER SERVICE

CUSTOMER SERVICE TRAINING FOR COURT STAFF

Introduction

Having run many Trainer of Trainers Workshops a topic that is often presented by participants is 'Customer Service for Court Staff'. A resource has been created that may be useful for your court; a one day training program on 'Customer Service for Court Staff'.

The accompanying files/resources have been developed to enable you to deliver this one-day training program:

A – Read First – Instructions and Daily Plan
- An Introduction to Resources
- Daily Plan 'Customer Service for Court Staff'

B – Pre and Post Training Questionnaires
- Pre-training Questionnaire
- Post-training Questionnaire

C – Session Plans
- Session 1: Who is a customer and how do we deal with them?
- Session 2: Communicating with customers.
- Session 3: Delivering a service
- Session 4: When things go wrong

D – PowerPoint Presentations
- Session 1: Who is a customer and how do we deal with them?
- Session 2: Communicating with customers.
- Session 3: Delivering a service
- Session 4: When things go wrong

E – Jeopardy Style Quiz
- Customer Service 'Jeopardy' Questions and Answers

A – Read First – Instructions and Daily Plan

How to use this resource

The training program has been designed for you. Before you deliver this program you would need to ascertain that Customer Service Training was required by your court. You would do this by conducting a Training Needs Analysis (TNA). *See **page 6** of the Trainers Toolkit and **Annex 1 and 2**.*

It is important that you look closely at the resource that has been provided to you and that you customise the resource for your court. You are able to change any of the resources provided to suit the needs of your court and you are encouraged to do so.

Daily Plan

A one day training program has been prepared for you. This includes times, learning objective, learning outcomes, teaching methodologies and resources. You just need to insert where the training will be held, the date and the details of the facilitator(s) for each training session.

You will remember that the Daily Plan is for the benefit of the participants. You will hand this out to participants at the beginning of the training. This will provide them with an outline of the day.

See template below.

Daily Plan Example:

Customer Service Training for Court Staff   Date: Location:

Learning Objective of training program: to increase the knowledge and skills of court staff with respect to customer service.

Time	Topic	Learning Outcomes: Participants will be able to:	Training Method	Training Aids	Facilitator
8:00 – 8:30am		*Arrival Time*			
8:30 – 10:30am 120 mins	Opening of Training Overview of Training: • Facilitators • House keeping • Learning Objective • Learning Resources Who is a customer and how do we deal with them?	• Welcome participants to the training and introduce facilitators and participants • Clearly explain the objective of the training • Ask participants complete a pre-training questionnaire Participants will be reasonably able to: • Explain the difference between a client and a customer • Define customer service • Describe a service delivery charter • Create a service deliver charter • Explain the procedural and personal dimensions of customer service	Presentation Presentation Brainstorm	PowerPoint Pre-Training Questionnaire PowerPoint Whiteboard	

		• Describe and explain the RATER model of customer service • Distinguish internal and external customers • Define customer expectations	Group Activities	Butcher's paper and pens	
10:30 – 11:00am		*Morning Tea*			
11:00 – 12:30pm 90 mins	**Communicating with Customers**	Participants will be reasonably able to: • Explain the importance of listening and question skills in communicating effectively • Describe how false impressions may be created • List effective communications skills • Describe negative communication practices • Explain the concept of 'message impact' • Explain the importance of non-verbal communication i.e. body language • Identify non-assertive, assertive and aggressive body language	Presentation Group Discussion Role Play Group Activity	PowerPoint Video Whiteboard	
12:30 – 1:30 pm		*Lunch*			
1:30 – 3:00pm 90 mins	**Delivering a Service**	Participants will be reasonably able to: • Explain what is meant by 'delivering a service' • Describe the three C's of customer service • List the characteristics of quality customer service • Explain the concepts of customer satisfaction and loyalty • Identify characteristics of customers who are satisfied and those that are not	Presentation Brainstorm Video Group activity	PowerPoint Whiteboard Butcher's paper and pens	
3:00 – 3:15pm		*Afternoon Tea*			

| 3:15 – 4:15 pm
60 mins | **When Things go Wrong** | Participants will be reasonably able to:
• **Define a difficult customer**
• **Identify techniques for handling difficult customers**
• **Identify inappropriate responses to difficult customers**
• **Explain the concept of 'service recovery' and how this can be achieved**
• | Presentation

Group activity

Video

Group Discussion | PowerPoint

Butcher's paper and pens | |
| 4:15 – 4:45pm
30 mins | **Closing of training** | • **Run the 'Jeopardy' game**
• **Review Training objective**
• **Participants to complete post-training questionnaire**
• **What I liked and what I learned today..**
• **Wrap up and close** | | PowerPoint

Post-Training Questionnaires | |

B – Pre and Post Training Questionnaires

Pre Training and Post Training Questionnaires

It is important that you assess participant's knowledge of the topic before they undertake the training. If you also assess their knowledge at the completion of training you will be able to measure an increase in their knowledge and skills as a result of the training.

You have been provided with both Pre and Post Training Questionnaires. You should administer the pre-training questionnaire at the first session of the training. The Daily Plan indicates when this should be done. You should number each questionnaire and ask each participant to remember their number. You will need to collate the results of these questions. How many correct answers were there to each question? How did participants rate their knowledge of the principles of customer service?

In the last session of the training you will administer the Post-training questionnaire. Again, each questionnaire will be numbered. Give the correct number to each participant. They will remember their number from earlier in the day! The benefit of this approach is you can measure an increase in knowledge of individual participants.

See templates below.

CUSTOMER SERVICE FOR COURT STAFF

{Insert date and location of training}

Pre-training Questionnaire

Reference No:

Please answer the following questions. This questionnaire will help in working out what areas we need to focus on in this workshop and will also help us to understand your particular training needs. It will also be used at the conclusion of the training to assess what you have learned from the training.

Question 1: Define a 'customer'.

_____

_____

Question 2: What is a Service Delivery Charter?

_____

_____

Question 3: What is the RATER model for measuring the effectiveness of service?

_____

_____

Question 4: What is meant by the term 'service recovery'?

_____

_____

Question 5: Why are communication skills important in customer service?

_____

_____

Question 6: Describe the 3 C's of customer service?

_____

_____

Question 7: List two characteristics of quality customer service?

_____

_____

Please rate your level of knowledge and skills before this *Customer Service for Court Staff* **Training Program regarding the following matters by ticking / checking ONE square per question only:**

Question 1: The difference between a client and a customer?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 2: The purpose of a service delivery charter?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 3: The dimensions of customer service both procedurally and personally?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 4: The RATER model for measuring the effectiveness of customer service?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 5: The importance of customer expectations in customer service?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 6: The importance of listening and questioning skills in communicating effectively with customers?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 7: The negative communication practices that will not result in quality customer service.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 8: The concept of the three C's of customer service?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 9: The characteristics of quality customer service.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 10: The concept of 'service recovery'?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Thank you for your time and assistance with completing this form!

CUSTOMER SERVICE FOR COURT STAFF

{Insert date and location of training}

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Post-training Questionnaire

Reference No:

Question 1: Define a 'customer'.

_____

_____

Question 2: What is a Service Delivery Charter?

_____

_____

Question 3: What is the RATER model for measuring the effectiveness of service?

_____

_____

Question 4: What is meant by the term 'service recovery'?

_____

_____

Question 5: Why are communication skills important in customer service?

_____

_____

Question 6: Describe the 3 C's of customer service?

_____

_____

Question 7: List two characteristics of quality customer service?

_____

_____

Please rate your satisfaction regarding the quality and value to you of the *Customer Service for Court Staff* training program by ticking / checking ONE square per question only:

Question 1: Having completed the *Customer Service for Court Staff* **training program**, how confident do you feel as customer service provider of your court?

☐	☐	☐	☐
Not Confident	*Quite Confident*	*Confident*	*Very Confident*

Question 2: Was the learning objective of the *Customer Service for Court Staff* training program clear, and was it achieved?

☐	☐	☐	☐
Not Achieved	*Reasonably Achieved*	*Substantially Achieved*	*Fully Achieved*

Question 3: Was the information presented practical and useful to you and your court?

☐	☐	☐	☐
Not Useful	*Limited Usefulness*	*Quite Useful*	*Extremely Useful*

Question 4: Were the materials provided by the trainer(s) relevant to the training and useful?

☐	☐	☐	☐
Not Relevant	*Limited Relevance*	*Quite Relevant*	*Extremely Relevant*

Question 5: Did you find that the trainer(s) were effective and allowed for adequate participation, discussion, practical presentations, and interaction?

☐	☐	☐	☐
Not Effective	*Limited Effectiveness*	*Quite Effective*	*Extremely Effective*

Question 6: Overall, were you satisfied with the *Customer Service for Court Staff* training program?

☐	☐	☐	☐
Not Satisfied	*Reasonably Satisfied*	*Quite Satisfied*	*Extremely Satisfied*

Please rate your level of knowledge and skills after undertaking the *Customer Service for Court Staff training program* regarding the following matters by ticking / checking ONE square per question only:

Question 7: The difference between a client and a customer?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 8: The purpose of a service delivery charter?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 9: The dimensions of customer service both procedurally and personally?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 10: The RATER model for measuring the effectiveness of customer service?

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 11: The importance of customer expectations in customer service.

☐ | ☐ | ☐ | ☐
No Understanding | Good Understanding | Strong Understanding | Excellent Understanding

Question 12: The importance of listening and questioning skills in communicating with customers?

☐ | ☐ | ☐ | ☐
No Understanding | Good Understanding | Strong Understanding | Excellent Understanding

Question 13: The negative communication practices that will not result in quality customer service?

☐ | ☐ | ☐ | ☐
No Understanding | Good Understanding | Strong Understanding | Excellent Understanding

Question 14: The concept of the three C's of customer service?

☐ | ☐ | ☐ | ☐
No Understanding | Good Understanding | Strong Understanding | Excellent Understanding

Question 15:   The characteristics of quality customer service?

☐ | ☐ | ☐ | ☐
No Understanding | Good Understanding | Strong Understanding | Excellent Understanding

Question 16: The concept of 'service recovery'?

☐ | ☐ | ☐ | ☐
No Understanding | Good Understanding | Strong Understanding | Excellent Understanding

Question 17: Briefly describe the *most* useful experience(s) of this training program.

_____

_____

Question 18: Briefly describe the *least* useful experience(s) of this training program.

_____

_____

Question 19: Do you wish to offer any other comments or suggestions for improvements for this training program?

_____

_____

Thank you for your time and assistance with completing this form!

C – Session Plans

Session Plans

A-27

The day of training has been divided into four sessions. There is a session plan for each session:

1. Who is a customer and how do we deal with them?
2. Communicating with customers.
3. Delivering a service.
4. When things go wrong.

Remember that Session Plans are for the benefit of the facilitator and not the participants. Don't hand these out to participants. Use them to plan and deliver each of the training sessions.

The session plans detail:

- The topic
- Learning outcomes
- Structure and content of the session
- Timing
- Teaching methods
- How you will assess participants understanding for the topic
- Teaching resources you will require

See templates below.

Session 1: Who is a Customer and How do we Deal with Them?	
Title of Training Program	**Customer Service Training for Court Staff**
Topic	Who is a customer and how do we deal with them?
Learning outcomes	Participants will be reasonably able to: • **Explain the difference between a client and a customer** • **Define customer service** • **Describe a service delivery charter** • **Create a service deliver charter** • **Explain the procedural and personal dimensions of customer service** • **Describe and explain the RATER customer service model** • **Distinguish internal and external customers** • **Define customer expectations**
Trainer :	

TIME – 90 MINUTES 9 - 10.30 am	CONTENT
Start 10 mins	i. INTRODUCTION (GLOSSS) **G**et attention: **L**ink to learner's previous interest/experience: • We all work in a customer service role in our court • It is important that we carry out our role as efficiently as possible. This will give us job satisfaction but will mean the public will have more confident in our court system and its capacity to assist them to protect their legal rights **Outcomes**: Review the Learning Outcomes that are stated above. **Structure** of the session: This session will be divided into four topics: • Explanation of the difference between a client and a customer, including a definition of 'customer service'. • Service Delivery Charters and the difference between the procedural and personal dimensions of customer service. • The RATER Model of customer service. • Difference between internal and external customers and the concept of customer expectations. **Safety** and housekeeping: Describe any particular housekeeping and safety issues for your location. **Stimulate** motivation – Doing our job better will mean that we provide a better service to court users

	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	**Difference between a client and a customer** **Defining 'customer service'**	Presentation Brainstorm Group Discussion	Question participants	PowerPoint Whiteboard
	Sub-topics	**Methodology**	**Summary /Assessment**	**Resources**
20 mins	**Service delivery charter** **Procedural and personal dimensions of customer service**	Presentation Group Activity Presentation	Group activity participants complete Court Service Delivery Charter	PowerPoint Butcher's paper and pens
	Sub-topics	**Methodology**	**Summary /Assessment**	**Resources**
20 mins	**The RATER model of customer service**	Presentation	Quiz	PowerPoint
	Sub-topics	**Methodology**	**Summary /Assessment**	**Resources**
10 mins	Difference between internal and external customers Customer Expectations	Brainstorm Presentation	Question participants	Whiteboard
10 mins **End 10.30 am**	ii. **Conclusion (COFF)** **O**utcomes & summary: review learning outcomes above. **F**eedback: get feedback from participants on this session. **F**uture: next session we will cover communicating with customers. How do we effectively communicate with our clients? What works and what does not.			

Session 2: Communicating with Customers	
Title of Training Program	**Customer Service Training for Court Staff**
Topic	**Communicating with Customers**
Learning outcomes	Participants will be reasonably able to: • **Explain the importance of listening and question skills in communicating effectively** • **Describe how false impressions may be created** • **List effective communications skills** • **Describe negative communication practices** • **Explain the concept of 'message impact'** • **Explain the importance of non-verbal communication i.e. body language** • **Identify non-assertive, assertive and aggressive body language**
Trainer :	

Time – 90 Minutes 11 - 12.30 pm	Content
Start 10 mins	**INTRODUCTION (GLOSSS)** **G**et attention: **L**ink to learner's previous interest/experience: • In the previous session we identified who a customer is. • Communicating with customers is very important. This is a major part of our role. Acquiring skills regarding how to communicate with customers will result in a better service to customers. **O**utcomes: Review the Learning Outcomes that are stated above. **S**tructure of the session: This session is divided into the following topics: **S**afety and housekeeping: Describe any particular housekeeping and safety issues for your location. **S**timulate motivation – Doing our job better will mean that we provide a better service to court users

	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	**Effective Communication Techniques** Questioning Skills	Presentation Brainstorm Group Discussion Video	Question participants	PowerPoint Whiteboard PowerPoint

	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	**Communication negatives**	Presentation Group Activity Presentation	Group activity participants complete	PowerPoint Butcher's paper and pens
	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	**Body language**	Presentation	Quiz	PowerPoint
	Sub-topics	Methodology	Summary /Assessment	Resources
10 mins	**Message Impact**	Brainstorm Video	Question participants	Whiteboard PowerPoint

10 mins End 12.30 pm	**Conclusion (COFF)** **O**utcomes & summary: review learning outcomes above. **F**eedback: get feedback from participants on this session. **F**uture: next session we will cover delivering a service to customers and the three C's of customer service. Enjoy your lunch.

Session 3: Delivering a Service	
Title of Training Program	**Customer Service Training for Court Staff**
Topic	Delivering a service
Learning outcomes	Participants will be reasonably able to: • **Explain what is meant by 'delivering a service'** • **Describe the three C's of customer service** • **List the characteristics of quality customer service** • **Explain the concepts of customer satisfaction and loyalty** • **Identify characteristics of customers who are satisfied and those that are not**
Trainer :	
Time – 90 Minutes 1.30 – 3 pm	**Content**
Start 10 mins	**INTRODUCTION (GLOSSS)** **G**et attention: **L**ink to learner's previous interest/experience: • We have spent the last two sessions considering who are customers are and how we should deal with them. We need to focus in this session on delivering a 'service'. What are the characteristics of quality customer service. • Quality customer service will ensure the public have confidence in our court. **O**utcomes: Review the Learning Outcomes that are stated above.

Structure of the session: This session is divided into the following topics:
- Delivering the Service and the 3 C's of customer service
- Characteristics of quality customer service
- Concepts of customer satisfaction and loyalty
- Characteristics of satisfied and dissatisfied customers

Safety and housekeeping: Describe any particular housekeeping and safety issues for your location.

Stimulate motivation – Delivering quality customer service is important. Court customers will have confidence in the court system and will be satisfied with the service they receive.

	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	Delivering the service. The 3 C's: • **Convenience** • **Consistency** • **Consideration**	Presentation Group Discussion	Question participants	PowerPoint Whiteboard
	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	Characteristics of quality customer service	Presentation Group Activity	Group activity participants complete	PowerPoint Butcher's paper and pens
	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	Concepts of customer satisfaction and loyalty	Presentation	Questions	PowerPoint
	Sub-topics	Methodology	Summary /Assessment	Resources
10 mins	Characteristics of satisfied and dissatisfied customers	Presentation Brainstorm Video	Question participants	Whiteboard PowerPoint
10 mins End 3 pm	**Conclusion (COFF)** **O**utcomes & summary: review learning outcomes above. **F**eedback: get feedback from participants on this session. **F**uture: next session we will consider what to do when things go wrong and the concept of service recovery.			

Session 4: When Things go Wrong	
Title of Training Program	**Customer Service Training for Court Staff**
Topic	When Things go Wrong
Learning outcomes	Participants will be reasonably able to: • **Define a difficult customer** • **Identify techniques for handling difficult customers** • **Identify inappropriate responses to difficult customers** • **Explain the concept of 'service recovery' and how this can be achieved**
Trainer :	

Time – 60 Minutes 3.15 – 4.15 pm	Content
Start **3.15pm** 10 mins	**INTRODUCTION (GLOSSS)** **G**et attention: **L**ink to learner's previous interest/experience: Things don't always go smoothly. Customers often don't get what they want or expect. In this session we will focus on when things go wrong. What should you do? **O**utcomes: Review the Learning Outcomes that are stated above. **S**tructure of the session: This session is divided into the following sections: • **Defining a difficult customer** • **Techniques for handling difficult customers** • **Inappropriate responses to difficult customers** • **The concept of 'service recovery' and how this can be achieved** **S**afety and housekeeping: Describe any particular housekeeping and safety issues for your location. **S**timulate motivation – The reality is we will all have to deal with difficult customers. The reality is that often things go wrong. We need what to do if this occurs.

	Sub-topics	Methodology	Summary /Assessment	Resources
20 mins	Defining a difficult customer Techniques for handling difficult customers	Presentation Brainstorm Group Discussion	Question participants	PowerPoint Whiteboard

	Sub-topics	Methodology	Summary /Assessment	Resources
10 mins	Inappropriate responses to difficult customers	Presentation Group Activity	Group activity participants complete	PowerPoint Butcher's paper and pens
	Sub-topics	Methodology	Summary /Assessment	Resources
10 mins	The concept of 'service recovery' and how this can be achieved	Presentation	Questions	PowerPoint

10 mins End 4.15 pm	**Conclusion (COFF)** **O**utcomes & summary: review learning outcomes above. **F**eedback: get feedback from participants on this session. **F**uture: This is the last session in the workshop. Going to ask you to complete a post training questionnaire to measure what you learned and how you felt about the training.

D – PowerPoint Presentations

PowerPoint presentations

To accompany each training session there is an accompanying PowerPoint presentation. This provides a summary of the content of the session. It should be used to guide discussions and activities. You will need to look at each PowerPoint closely and decide if you want to use all the resources including Learning activities. These are just suggestions so please be creative and design your own activities and change the slides as required.

In the PowerPoints a number of videos have been embedded. To view the videos before running the training program (and during training) you need to run the PowerPoint as a Slideshow. You will also need speakers when you are delivering training in order for your participants to hear the video! Preparation is important!

Please contact the International Programs Team for copies of the PowerPoints
at: Int.programs@fedcourt.gov.au

E – Jeopardy Style Quiz

Jeopardy Style Quiz

A fun way to end the training day and also to assess participant's knowledge of the material covered is to run a quiz. I have used a PowerPoint 'Jeopardy' style template. It is ready to use. To preview how it works please run it in Slideshow.

During the training you will also need to run the template in Slideshow. This will bring up the scoreboard. Divide your participants into teams. After each question has been asked and answered you need to select the 'home' icon on the right bottom of each answer slide. This will take you back to the scoreboard. Keep a running total of the score for each team based on the points value of the questions answered. If one team provides an answer that is incorrect give the next team an opportunity to correctly answer the question.

Purchase some small prizes for the participant(s) who wins the quiz.

Please contact the International Programs Team for a copy of the Jeopardy style quiz
at: Int.programs@fedcourt.gov.au

Conclusion

Enjoy using this resource but please remember the Five P's – Proper, preparation, prevents, poor, performance! You cannot use this resource without carefully planning how you will deliver your one day training program on 'Customer Service for Court Staff'.

Please add activities as you see fit. The topic of customer service is an appropriate one for using role plays and case studies. Be creative and write a role play or case study for your training program.

This program is very much an introduction to customer service. You can expand the program if you wish. Best wishes for successful delivery of this training program.

Should you wish to obtain the PowerPoint presentations or if you have any queries, please contact us: Int.programs@fedcourt.gov.au

ANNEX 7: CASE STUDY EXAMPLE

Case Study written by Judge Vaemoa Va'ai (Samoa) to support a training session delivered during the Advanced Training of Trainers Workshop held in Auckland, New Zealand, June 2012.

Facts / Scenario:

On Saturday evening 20th of March 2012, 45 year old Bill (a brick layer) and his 30 year old wife Helen had an argument. It was over Helens frustration with Bill for not giving her enough money to do her weekly shopping. A week later and after a night out with his friends, Bill returned home drunk. As he entered his home, he could not see nor smell any traces of an evening meal. He asked Helen where his meal was. She responded that all the money she had left was used on their children's meal that evening. Out of anger he told her to leave his house. She refused, so he decided to leave and cool off. As he was storming out of the house Helen yelled at him 'to grow up and act like a responsible Husband'. Bill felt offended by this so he turned back and started a fight with his wife. She pleaded with him to stop which he eventually did. She suffered with bruises on her face, back, hands and a cut on her left eye which required 3 stitches at the hospital. Two hours later as Bill was sound asleep on the floor in the sitting room, Helen quietly left to go to the hospital for treatment taking their children with her.

Later at her parent's home (where she denied Bill having beaten her), two police officers who received a call from the hospital about Helen's injuries and treatment went to interview her. She then admitted to Bill beating her the night before.

According to Helen in her statement to the police this was not the first time Bill had done this to her especially when drunk. On previous occasions however, they had always made up afterwards and often she was fearful of telling anyone else. This time however, she was tired of his promises that he won't do it again. That is why she decided to leave.

The Police after investigating this matter decided to charge Bill with having caused actual bodily harm without lawful justification to his wife: a charge which carries a maximum penalty of 2 years imprisonment.
A week after Bill was charged by the Police, the council of chiefs in his village by way of a fine ordered him to provide 10 pigs or 10 cartons of canned tuna. He paid the fine.

When the charge was first called in Court 6 weeks later, Helen asked the police she wanted to withdraw her complaint because she and her husband had reconciled. She claims Bill has apologised to her and also to her parents. In terms of their 'no drop' policy however the police decided it inappropriate to drop or withdraw the charge.

- **Bill is a first offender**
- **He pleaded guilty the first time it was called for his plea.**
- **Bill was convicted in Sept 2011 for drunkenness in a public place and was warned from committing further offences while intoxicated.**
- **In his plea for leniency, Bill apologises to the Court, says he is very remorseful, and promises the Court he will not do this again.**

Your role as judge in this session is to sentence Bill on the charge as stated above. Please assume in the sentencing exercise that Bill confirms the facts of his offending as outlined above. He also confirms his previous conviction for drunkenness in 2011.

ANNEX 8: PRE-TRAINING QUESTIONNAIRE

PJDP ADVANCED CURRICULUM DEVELOPMENT & PROJECT MANAGEMENT WORKSHOP

25th - 29th November, 2013: Koror, Palau

Pre-training Questionnaire

Reference No.:

Please answer the following questions. This questionnaire will help the faculty to understand your particular training needs and focus training during this Curriculum development and Program Management workshop. It will also help us to assess what you have learned from the training at the end of the course.

Question 1: What is the purpose of conducting a training needs assessment?

_____

_____

_____

Question 2: List two stages of the 'training cycle'.

_____

_____

Question 3: What is a curriculum?

_____

_____

_____

Question 4: What is the purpose of a session plan and state two matters that should be included in a session plan.

_____

_____

_____

Question 5: What is the difference between monitoring and evaluation of training?

_____

_____

_____

Question 6: What is the role of National Judicial Development Committees NJDC's?

_____

_____

_____

_____

Question 7: List three stages in the Project Cycle?

_____

_____

_____

Question 8: List three tools that can assist when managing a project?

_____

_____

_____

Please rate your level of knowledge and skills before this Curriculum development and Program Management regarding the following matters by ticking / checking ONE square per question only:

Question 9: How confident do you feel as a trainer?

☐	☐	☐	☐
Not Confident	*Quite Confident*	*Confident*	*Very Confident*

Question 10: The stages in the 'training cycle'.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 11: The process of conducting a training needs assessment.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 12: The process of identifying, analysing, selecting and sequencing the content of a learning program.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 13: Delivering a training session to a group of learners.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 14: Knowledge of a range of teaching methodologies you could use in a training session.

☐   ☐   ☐   ☐

No Understanding   *Good Understanding*   *Strong Understanding*   *Excellent Understanding*

Question 15: Methods of monitoring, assessing and evaluating training.

☐   ☐   ☐   ☐

No Understanding   *Good Understanding*   *Strong Understanding*   *Excellent Understanding*

Question 16: How to design a curriculum for a judicial orientation program for judicial officers (law trained and lay) of your court.

☐   ☐   ☐   ☐

No Understanding   *Good Understanding*   *Strong Understanding*   *Excellent Understanding*

Question 17: How confident do you feel to manage projects within your court?

☐   ☐   ☐   ☐

Not Confident   *Limited Confidence*   *Confident*   *Very Confident*

Question 18: Stages in the Project Cycle.

☐   ☐   ☐   ☐

No Understanding   *Good Understanding*   *Strong Understanding*   *Excellent Understanding*

Question 19: Selected project management tools.

☐   ☐   ☐   ☐

No Understanding   *Good Understanding*   *Strong Understanding*   *Excellent Understanding*

Thank you for your time and assistance with completing this form!

ANNEX 9: POST-TRAINING QUESTIONNAIRE

PJDP ADVANCED CURRICULUM DEVELOPMENT & PROJECT MANAGEMENT WORKSHOP

25th - 29th November, 2013: Koror, Palau

Post-training Questionnaire

Reference No.:

Question 1:   What is the purpose of conducting a training needs assessment?

_____

_____

_____

Question 2:   List two stages of the 'training cycle'.

_____

_____

Question 3:   What is a curriculum?

_____

_____

_____

_____

Question 4:   What is the purpose of a session plan and state two matters that should be included in a session plan.

_____

_____

_____

_____

Question 5:   What is the difference between monitoring and evaluation of training?

_____

_____

_____

Question 6: What is the role of National Judicial Development Committees NJDC's?

_____

_____

_____

_____

Question 7: List three stages in the Project Cycle?

_____

_____

_____

Question 8: List three tools that can assist when managing a project?

_____

_____

_____

Please rate your level of knowledge and skills after this Curriculum development and Program Management Workshop regarding the following matters by ticking / checking ONE square per question only:

Question 9: The stages in the 'training cycle'.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 10: The process of conducting a training needs assessment.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 11: The process of identifying, analysing, selecting and sequencing the content of a learning program.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 12: Delivering a training session to a group of learners.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 13: Knowledge of a range of teaching methodologies you could use in a training session.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 14: Methods of monitoring, assessing and evaluating training.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 15: How to design a curriculum for a judicial orientation program for judicial officers (law trained and lay) of your court.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 16: After the training, how confident do you feel to manage projects within your court?

☐	☐	☐	☐
Not Confident	*Limited Confidence*	*Confident*	*Very Confident*

Question 17: Stages in the Project Cycle.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Question 18: Selected project management tools.

☐	☐	☐	☐
No Understanding	*Good Understanding*	*Strong Understanding*	*Excellent Understanding*

Please rate your satisfaction regarding the quality and value to you of the Workshop by ticking / checking ONE square per question only:

Question 19: How having completed the course, how confident do you feel as a trainer?

☐	☐	☐	☐
Less Confident	*Same Confidence*	*More Confident*	*Much More Confident*

Question 20: Were the aims of the orientation RTT Curriculum Development & Project Management Workshop clear, and were they achieved?

☐	☐	☐	☐
Not Achieved	*Reasonably Achieved*	*Substantially Achieved*	*Fully Achieved*

Question 21: Was the information presented practical and useful to you as a trainer in your court?

☐	☐	☐	☐
Not Useful	*Limited Usefulness*	*Quite Useful*	*Extremely Useful*

Question 22: Were the materials provided by the trainers relevant to the training and useful?

☐	☐	☐	☐
Not Relevant	*Limited Relevance*	*Quite Relevant*	*Extremely Relevant*

Question 23: Did you find that the trainers and the presentation were effective and allowed for adequate participation, discussion, practical presentations, and interaction?

☐	☐	☐	☐
Not Effective	*Limited Effectiveness*	*Quite Effective*	*Extremely Effective*

Question 24: Overall, were you satisfied with the Capacity Building ToT Workshop?

☐	☐	☐	☐
Not Satisfied	*Reasonably Satisfied*	*Quite Satisfied*	*Extremely Satisfied*

Question 25: Briefly describe the *most* useful experience(s) of the Workshop.

_____

_____

_____

Question 26: Briefly describe the *least* useful experience(s) of the Workshop.

_____

_____

_____

Question 27: Do you wish to offer any other comments or suggestions for improvements for this Workshop?

_____

_____

_____

Thank you for your time and assistance with completing this form!

Pacific Judicial Development Programme

TRAINER'S TOOLKIT:

DESIGNING, DELIVERING AND EVALUATING TRAINING PROGRAMS

Pacific Judicial Development Programme

PROJECT MANAGEMENT TOOLKIT

PJDP TOOLKITS

Introduction

For over a decade, the Pacific Judicial Development Programme (PJDP) has supported a range of judicial and court development activities in partner courts across the Pacific. These activities have focused on regional judicial leadership meetings and networks, capacity-building and training, and pilot projects to address the local needs of courts in Pacific Island Countries (PICs).

Toolkits

Since mid-2013, PJDP has launched a collection of toolkits for the ongoing development of courts in the region. These toolkits aim to support partner courts to implement their development activities at the local level by providing information and practical guidance on what to do. These toolkits include:

- Judges' Orientation Toolkit
- National Judicial Development Committee Toolkit
- Family Violence and Youth Justice Project Workshop Toolkit
- Time Goals Toolkit
- Annual Court Reporting Toolkit
- Toolkit for Review of Guidance on Judicial Conduct
- Judicial Decision-making Toolkit
- Toolkit for Public Information Projects
- Enabling Rights & Unrepresented Litigants Toolkit
- Access to Justice Assessment Toolkit
- Reducing Backlog and Delay Toolkit
- Toolkit for Building Procedures to Handle Complaints about Judicial Conduct
- Trainer's Toolkit: Designing, Delivering and Evaluating Training Programs

These toolkits are designed to support change by promoting the local use, management, ownership and sustainability of judicial development in PICs across the region. By developing and making available these resources, PJDP aims to build local capacity to enable partner courts to address local needs and reduce reliance on external donor and adviser support.

PJDP is now adding to the collection with this new: *Project Management Toolkit*. The content of this toolkit has been developed to be a practical resource for PJDP partner courts to become more self-reliant in leading, developing, conducting, monitoring, and reporting on projects for which they are responsible. The toolkit explains key processes involved in managing projects and provides a range of adaptable tools so that those managing and administering ongoing judicial and court development within the PJDP's partner courts can have greater confidence in undertaking their responsibilities.

Use and support

These toolkits are available on-line for the use of partner courts. We hope that partner courts will use these toolkits as/when required. Should you need any additional assistance, please contact us at:
pjsi@fedcourt.gov.au

Your feedback

We also invite partner courts to provide feedback and suggestions for continual improvement.

Dr Livingston Armytage
Technical Director,
Pacific Judicial Strengthening Initiative
March 2017

TABLE OF CONTENTS

ADDITIONAL DOCUMENTATION

TABLE OF FIGURES

LIST OF TOOLS

Abbreviations

DAC	-	Development Assistance Committee (of the OECD)
M&E	-	Monitoring and Evaluation
NZ MFAT	-	New Zealand Ministry of Foreign Affairs and Trade
NJDC	-	National Judicial Development Committee
OECD	-	Organisation for Economic Co-operation and Development
PEC	-	Programme Executive Committee
PJC	-	Pacific Judicial Conference
PJDP	-	Pacific Judicial Development Programme
SMART	-	**S**pecific; **M**easurable; **A**ttainable; **R**elevant; **T**ime-bound Indicators
ToR	-	Terms of Reference

CONTEXT FOR THIS TOOLKIT

a.   Aim of this Toolkit

> **Project Management** ▸ *The process of planning, organising, motivating, and controlling resources to achieve a specific (project) goal.*

This toolkit aims to enable Pacific Judicial Development Programme (PJDP) partner courts to become more self-reliant in leading, developing, conducting, monitoring, and reporting on projects they are responsible for.

b.   Who is this Toolkit for?

This toolkit is designed to be used by all those with responsibilities for managing and implementing their court's development activities - namely *project managers*. The toolkit can help project managers by providing adaptable tools, and explaining key steps and processes involved in managing projects so that they can have *greater confidence* in undertaking their responsibilities.

Throughout the toolkit, the term project manager is used to include:

- Members of the *National Judicial Development Committees* (where these committees exist) - who have responsibility to develop and supervise ongoing judicial / court development activities;

- *National Coordinators* - in their coordination and liaison role with the PJDP, as well as in their role managing activities under the Responsive Fund and other donor-funded activities; and

- *Court staff / administrators* - providing administrative support to their court's ongoing development activities.

c.   How this Toolkit can be used:

The toolkit has been designed as a manual, or guide, to be used by:

1.   reading the brief overview of each topic;

2.   taking the tools, steps, or processes summarised as a guide for undertaking project management activities in a logical and ordered manner; and

> *This toolkit is* not *a 'blue print' simply to be followed when implementing a project.*
>
> *You should* adapt *the tools and templates to so that they meet your needs.*

3.   adapting and using the practical examples, templates, and 'tips' found in the toolkit or its annexes. All of these are available electronically.

In the toolkit some underlined words or phrases have been underlined - some of these may be unfamiliar to you. We have retained these terms in the toolkit so you can become more familiar with them as they are often used in project management and by donors. For any terms that are not familiar, an explanation or description has been provided in the **Definitions section** at the end of the toolkit (see page G-1).

Some text is underlined and in bright blue font - this is a link (called a *hyperlink*) to an email address or external document or website. If you press the 'control' button and click on a link at the same time, it will take you to the relevant document *if you are connected to the internet*.

If you have any questions after reading this toolkit, please email PJSI on pjsi@fedcourt.gov.au for additional assistance.

d. Introducing this Toolkit in your court:

A training workshop on using this toolkit and on general project management has been developed (example presentation slides are found in *Annex 1*). This presentation can be used by the National Coordinator or a member of the Regional Training Team to assist other project managers in their court to better understand the toolkit and project management more generally. Alternatively, the PJSI *may* be able to provide assistance with more detailed project management training.

e. How this Toolkit works with other PJDP Toolkits:

When using this toolkit, also look at the other PJDP resources available - particularly other toolkits found at: http://www.fedcourt.gov.au/pjdp/pjdp-toolkits. Some of the toolkits focus on specific judicial and court development activities or 'projects'. This type of toolkit is a valuable technical resource when implementing a specific project.

As a project manager, you may also be interested in the content of the:

- *National Judicial Development Committee Professional Development Toolkit* - looking at the process of structuring and planning court's professional development activities; and

- *Trainer's Toolkit: Designing, Delivering, and Evaluating Training Programs* - looking at developing and holding training activities.

While the focus of each of these toolkits is different, there are a number of areas where there is some overlap. Wherever possible, all three toolkits are cross-referenced to minimise duplication of information.

1.0   INTRODUCTION TO PROJECT MANAGEMENT AND THIS TOOLKIT

1.1   WHAT IS A 'PROJECT'?

A project is an activity designed to achieve a specific and clearly defined, objective or outcome within a defined period of time - for example:

- implementing one of the PJDP Toolkits;

- improving customer service processes and staff understanding within the court; or

- reducing the time it takes to resolve a dispute (from case registration to finalisation).

In this way a project differs from the *operations* of the court, which are ongoing. Projects are often managed by a team established specifically to implement it. Team members need to ensure that their *project* roles, responsibilities, and accountabilities are clearly defined and understood.

1.2   WHAT IS A *SUCCESSFUL* PROJECT?

The ability to know *and demonstrate* whether a project has been successful begins in the earliest stages of its development.

During the implementation of PJDP, a number of consultations took place which identified project 'success criteria'. These criteria are that a project must:

- Address a real problem.

- Result in positive changes in the way a court operates, or people act, so that the problem(s) no longer occur.

- Produce results that live on after the end of the project.

- Be properly implemented; on time and within budget.

While these criteria are general, they do provide a guide to project managers about what to keep in mind when developing and implementing projects so they can achieve positive results.

2.0   THE PROJECT CYCLE

Every project progresses through a number of chronological stages or steps called the *project cycle*. While the terminology for each stage may vary, the main stages of this cycle are:

Stage 1.   *Identification* and *Design*.

Stage 2.   *Appraisal* and funding.

Stage 3.   *Implementation*.

Stage 4.   *Post-project* or project completion.

Understanding and using the project cycle helps project managers to keep a high-level overview of their project. The project cycle provides a clear framework to guide project managers from before a project starts (inception) to after it ends (completion).
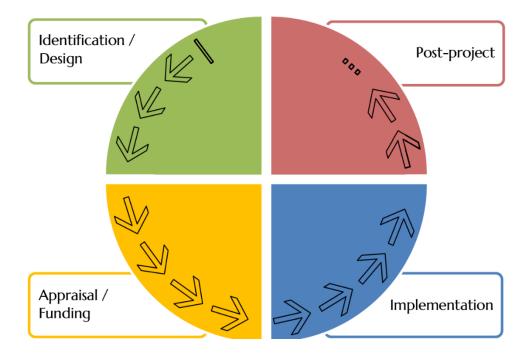

Figure 1: *Stages in the Project Cycle*

2.1   IDENTIFICATION AND DESIGN

2.1.1   Identification

Identification ▶ *This stage begins the project cycle by identifying and prioritising the need/s or problem/s, and how they can be addressed.*

This stage begins before a project or activity concept even exists. The starting point for a project is the recognition that there is a need to be addressed, a change that is desired, or a problem to correct. This starting point can be identified in: consultation with the court's leadership; and / or the court's strategic and development plans (if these exist).[1]

In addition, initial consultations and reviews will also help clarify your court's development priorities and help to determine what areas of need exist:

- Organisational or _institutional needs_; and / or

- Individuals or _capacity development needs_.

When the necessary approvals have been received to begin, key steps in identifying needs are:

Stage 1.   Choose a target area; the whole court, one or more processes, or a group of people.

Stage 2.   Break down the target area into its parts (steps in the process, responsibilities, etc.).

Stage 3.   Refer to, or determine performance / _competence_ standards or _benchmarking_ that are to be achieved.

Stage 4.   Develop, distribute, and collect surveys. Example needs assessment questions are found in **Annex 2**. See also **Figure 5** for groups that may be included in survey / consultation activities.

Stage 5.   Collate results from the surveys, consultations, and any research undertaken to gather information about the problem/desired change.

> *The quality of consultations, information gathering, and analysis at this first stage will directly impact on the success of the project.*

Stage 6.   Analyse the results of the previous step to   determine the *gap* between current performance and your benchmark: These gaps = the needs to be addressed.

Useful Resources:

- **Annex 2***:* Example Assessment Questions.

- **Annex 3***:* Example Needs Assessment Reporting Template.

- **Figure 5***:* Communications & Relationships in Court Development Projects[page 11]

- **Tool 7***:* Gap Analysis [page 24] and **Annex 4***:* Gap Analysis Framework

- **Tool 9***:* Checklists [page 26]

- PJDP Trainer's Toolkit: see *Tool 1: Conducting a Training Needs Analysis*.

---

[1]   *Note:* if your court does not have a strategic/development plan, developing one may be a good project.

2.1.2   Design

> *Design* ▶ *Is the process of outlining your goal, what will be done, how to address the identified need and how you will know you have achieved your goal.*

Once priority needs have been identified and the necessary approvals to proceed have been received, the project design process can begin. The design process needs to:

1. Develop the *Elements of a Project*, namely the: goal; outcomes; outputs; and activities.

2. Show a clear link between the *Elements of a Project* (listed to the right) and the priority needs assessed in the identification stage. This is sometimes called the <u>Theory of Change</u>.

3. Define the approach to project implementation. This may include details on: how communication and consultations will take place and be used; if external expertise will be needed / used; and what you will do or produce to achieve the project's outcomes and outputs (e.g. publications, process development, training, mentoring, etc.).

4. Address <u>cross-cutting issues</u> - namely how gender, human rights, and sustainability considerations are supported by the project and / or have been included in the proposed activities.

5. Set out project management and monitoring arrangements, including: who will provide leadership, strategic and policy direction, and approvals; how project progress will be tracked and reported on; how it will be shown that the proposed changes / outcomes have been achieved; and who is performing what roles.

6. Assess possible project risks and develop ways in which the impact of these risks can be avoided or minimised (using a risk matrix).

7. Develop realistic project resourcing, including: budgets that maximise the potential benefit of the available funds; details about when and where activities will be held; and identifying resource requirements - for example: personnel inputs / scheduling, materials, equipment, etc.

> **Elements of a Project**
>
> *Goal -* *the overall change that a project will contribute to.*
>
> *The project will only be one element in a range of actions that all work towards achieving the goal. The goal, therefore, often starts with: 'To …'; or 'For …'.*
>
> *Outcomes -* *what is to be achieved by the project: the intended change(s) resulting from its implementation - What will be different by the end of the project?*
>
> *Outputs -* *a tangible product or deliverable produced by the project - for example a new: process; skill, policy, toolkit, etc.*
>
> *Activities -* *the tasks or actions required to achieve the outputs / deliverables.*
>
> Note: *this is the level where a training workshop's Learning Objective fits (see the discussion in the* PJDP Trainer's Toolkit *[Section 4.3]).*
>
> *Inputs -* *the resources required to implement an activity (funds, personnel, equipment, etc.).*

Useful Resources:

- Monitoring and Evaluation (M&E) [*Section 3.4*]
- Cross-cutting Issues [*Section 3.9*]
- *Annex 5:* Example Annotated Table of Contents for a Project Design
- *Annex 6:* Leadership Incentive Fund - Guidelines and Grant Application Template
- *Tool 11:* Risk Matrix (or Table) [page 28]

2.2   APPRAISAL OF A DESIGN AND FUNDING

> *Appraisal* ▶ *Is a process of independent review prior to approval of a design. The project design is assessed against defined criteria. An appraisal also provides constructive feedback if the design needs to be strengthened so that the project can better achieve its goal and outcomes.*

Following the completion and submission of a design, the donor or its representative will assess it. The appraisal is generally based on a set of pre-defined assessment criteria developed by the donor. In undertaking an appraisal to assess the quality of the design, the following types of questions are asked (and need to have been answered in the design):

- Are the goal and outcomes clearly defined?
- Is there a direct link between the goal and outcomes and identified priority needs?
- Are the defined activities well structured - are they clear and appropriate to address the identified need(s) / gap(s)?
- Is the link between proposed activities and the defined change / outcomes clear and logical?
- Have relevant cross-cutting issues been identified and incorporated into the project?
- Are contextual issues, lessons and risks well defined, relevant, and appropriately addressed?
- Are management structures, responsibilities, and accountabilities sufficiently defined?
- Have suitable monitoring and evaluation activities been defined and adequate resources allocated to these?
- Has a budget been developed that is: appropriate to the proposed level of activities; and provides sufficient detail?
- Are the activities realistic in light of available time, personnel, and other resources?

Where a design is combined with an application for funding (for example under the PJDP Responsive Fund) defined appraisal criteria are also used. This process, however, not only assesses the design, but is also the basis for approval of funding.

Useful Resources:

- *Annex 7:* Leadership Incentive Fund: Application Appraisal / Assessment Criteria

2.3   PROJECT IMPLEMENTATION

Implementation ▶ *Is the process where project design is put into action - where delivery of the project's activities starts.*

When implementing a project, managing or 'controlling' the implementation process is the role of the project manager. Each project is different and so what is managed, and how it is managed, will vary.

Management control of implementation is achieved by project managers monitoring - or asking questions - to collect information on the project's progress and performance. This process is repeated throughout implementation in what is sometimes called a feedback loop, see ***Figure 2***.

Questioning allows project managers to assess if the project is achieving what it was designed to achieve. It also allows managers to make decisions on whether refinements are needed, so that the project has the best chance of being successful (see also the project-related decision making process discussed in ***Section 3.2***).
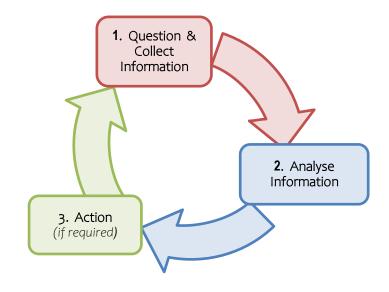
Figure 2: Simple Feedback Loop

Key areas of project management activity are:

- ***Planning*** - coordination and scheduling.
- ***Decision Making*** - on all aspects of the project.
- ***Relationships*** / ***Communications***.
- ***Monitoring and Evaluation*** - tracking progress and demonstrating achievements.
- ***Change Control*** - delivering the design.
- ***Quality Control*** - meeting quality standards.
- ***Finances*** - managing budgets and expenditure.
- ***Logistics*** / ***procurement*** - the practical side of organising and running activities.

Useful Resources:

- Each of the above key areas, and relevant tools to help manage these, are discussed in detail in ***Sections 3.0*** and ***4.0***.

2.4   POST-PROJECT

Post-project ▶ *The final stage in the project cycle, it focuses on wrapping-up the implementation of all project activities. It also is the first step in preparing for what will happen after the end of the project.*

As shown in *Figure 1: Stages in the Project Cycle,* the project cycle is not a linear process - each stage is informed by what has occurred in the earlier stages.

This final stage in the cycle has a two-fold focus:

1.   Wrapping-up the project - including; completion of all activities, inputs, reports, and financial acquittals; and

2.   Next steps: preparing for what will happen after the end of the project, by:

   • Handing-over responsibility for ongoing change so that sustainability is promoted.

   • Identifying lessons learned from implementing the project. These experiences are valuable in helping ongoing or future projects within the court to be successful.

The post-project stage can also restart the project cycle by informing the identification / design of a proposed new project within the court, as illustrated in *Figure 3*, below:

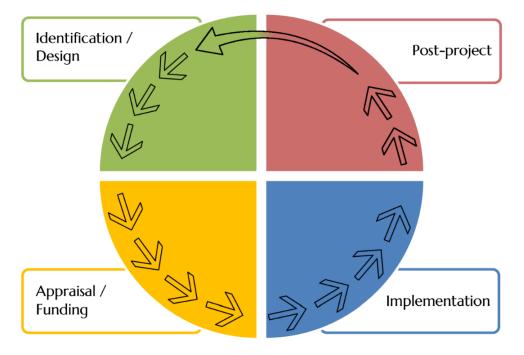
Figure 3: The Project Cycle as an Ongoing Process

Useful Resources:

   • Monitoring and Evaluation (M&E) [*Section 3.4*]

   • Financial Management [*Section 3.7*]

   • *Tool 10:* Effective Project Reporting [page 27]

3.0   KEY AREAS OF PROJECT MANAGEMENT ACTIVITY

3.1   PLANNING

Plan ▶ *To organise, arrange, work out, design, outline, map out, prepare, schedule, formulate, frame, develop, etc.*

The above definition captures the essence of project planning. Planning is one of the key areas of project management - without it, efficient implementation is not possible.

Planning is also critical for the project control or monitoring process, so project managers know: what is to happen; when it is to occur; who will undertake specific activities/tasks; and what is to be achieved. Only when this information is available, is it possible to track progress, ensure quality, manage budgets, and achieve outcomes.

Matters that require detailed planning by the project manager include:

Planning Task	Stage of Project Cycle
• **Timing / scheduling of activities -** allowing for sufficient time for: initial discussion, identification, and preparation of resources (venues, facilitators, participants, publishers, etc.)	• *Stage 1: Identification / design - develop initial timing, sequencing, links between activities, and budgets.*
• **Sequencing of inputs -** in a logical and chronological manner.	• *Stage 2: Implementation - refine initial planning from Step 1, and develop more detailed planning documentation for each approved activity.*
• **Location of activities -** if the project involves different locations (countries / islands / organisations) these will need to identified and resource allocations approved.	
• **Allocation of responsibilities -** clearly define and document who has responsibility for undertaking each activity / task, including: court leadership, donor, advisers/experts, and project manager / management and support team.	Ongoing review and update of planning documentation will also be necessary throughout the life of the project.
• **Allocation of Resources -** defining all costs, expected expenditure, how expected expenditure relates to approved budgets, and when the donor will be invoiced.	
• **Logistics arrangements -** for all activities, and might include organising: flights, venue, per diem. Logistics are further discussed in **Section 3.8.1**.	• *Stage 3:* Implementation - following the above steps, logistics will need to be arranged progressively on an activity-by-activity basis.

Useful Resources:
  • **Tool 9:** Checklists [page 26]

3.2 PROJECT-RELATED DECISION MAKING

A project, and therefore project management, is not a simple linear process. A range of factors unique to each project and its context influence success. Some of these factors are within our control; others are beyond our influence.

Simply adding '*Activity 1*' + '*Activity 2*' + '*Activity 3*', therefore, will not automatically lead to successful project outcomes. So when managing a project, project managers must make a series of decisions based on the information available to them. These decisions include matters such as: what is to be done; how activities are implemented; when activities are implemented; and whether any change in the project approach is needed.

A process for making effective project decisions is illustrated in **Figure 4**, below. This process forms part of a 'feedback loop' that informs planning and implementation in an *iterative way* - that is a process that evolves or can change over time based on available information.

> **Factors within our control:**
> - Court policy and priorities
> - Quality of needs identification /assessment
> - Link between activities and desired change
> - Relationships and communication
> - Strong planning and responsive scheduling
> - Accurate budget /expenditure monitoring
>
> **Factors outside our direct control:**
> - Government / donor priorities and policies
> - Availability of funding for projects
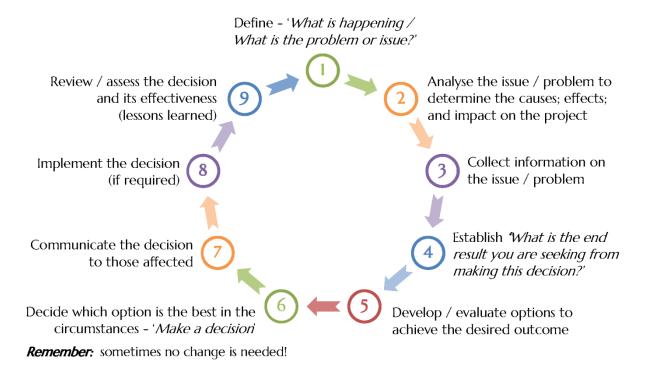> - Transportation delays
> - Natural disasters

Figure 4: *Project Decision Making Process*

3.3   RELATIONSHIPS AND COMMUNICATIONS

"The problem with communication is the illusion that it has occurred."

George Bernard Shaw[2]

Effective communication and relationships with internal colleagues and external *stakeholders* enables proactive project management. As the above quotation highlights, however, we do not always communicate well or clearly.

Communication, and by extension the relationships that we build, is a core responsibility and activity of project managers throughout the project cycle. Regular communication is critical but its form (that is face-to-face, remote, oral, written, informal and formal) will differ depending on where you and others involved in the project are located, and what needs to be communicated.

Communication is important as it promotes:

- Trust, partnership, and accountability.

- Coordination - internally (within the court); and externally (with donors and stakeholders).

- Clarity as to what can be achieved by the project, so expectations are realistic.

- Participation in identifying needs, concerns, and problems (*risks*) - as well as ways to address these.

- Information sharing.

> *Effective communication is critical throughout a project. Without this, project managers cannot do their job.*

Key project relationships:

Who to communicate with, when and how, depends to some extent on the nature of the activity. *Figure 5* on the next page, identifies many of the internal and external people and groups project managers may need to communicate and foster relationships with.

Three key relationships in court-related projects are:

1. *Governance relationships -* project ⟷ steering committee (or similar group):

   The *steering committee* (in the case of the PJDP called the *Programme Executive Committee*) is the highest-level forum providing: strategic direction; accountability; and high-level monitoring. Membership should comprise those who have authority to make decisions about the focus, scope and funding for the project.

2. *Project relationships -* project ⟷ leadership, beneficiaries and external stakeholders:
   - *'Leadership'* in the context of judicial / court projects, usually refers to the Chief Justice, or her / his nominees such as the National Judicial Development Committee.
   - *'Beneficiaries'* refers to an individual or group who directly benefit from a project or activity. For example, judicial officers, court staff, and / or court users.
   - *'Stakeholders'* refers to an individual or group who indirectly work with, benefit from, or are interested in / concerned with a project or activity.

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2   Irish playwright, Nobel Prize for Literature, and Oscar winner.

3. **Team relationships -** to inform and guide the management team and <u>counterpart</u> focal points (under the PJDP these are the National Coordinators); National Judicial Development Committee, technical experts; project coordinators; logistics administrators; and finance officers.

Possible members of each these groups are illustrated in the following communications and relationships chart:
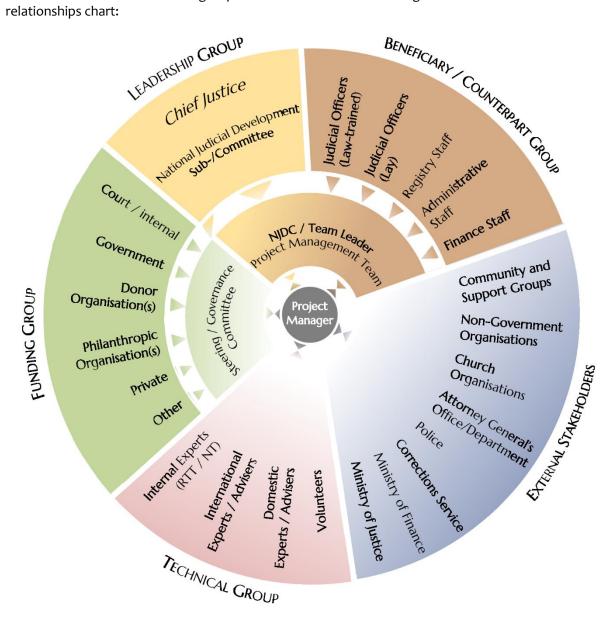

Figure 5: *Communications & Relationships in Judicial / Court Development Projects*

Useful Resources:

- **Tool 10:** Effective Project Reporting [page 27]

3.4   MONITORING AND EVALUATION (M&E)

> **Monitoring:** *throughout project implementation allows you to check whether a project is doing what it set out to achieve.*
>
> **Evaluation:** *is undertaken at defined intervals, or at the completion of a project, to assess the extent to which the project has achieved - or has progressed towards - its goal.*

3.4.1   Monitoring

Monitoring a project enables project managers to check that their project is doing what it set out to achieve. It enables informed periodic reporting on the status of the project to be undertaken.

Unless a project involves a number of activities which build on each other, only monitoring (not evaluation) of the project will be needed during implementation. Monitoring involves checking and reporting on whether:

- *Inputs:* have been allocated as planned; were the correct inputs for the activity; and were sufficient to deliver the activities.

- *Activities*: were the correct / appropriate activities to achieve the desired outputs.

3.4.2   Evaluation

Evaluating a project enables project managers and others to assess the extent to which the project has achieved, or has progressed towards, its goal. It enables reporting on a project's results at completion, and provides information to future projects you may need/wish to design and the lessons you learnt along the way.

You will evaluate your project at the end, or after a number of activities have been delivered. Evaluation involves assessing and reporting on the extent to which the:

- *outputs* contributed to achieving the outcomes;

- *outcomes* contributed to achieving your goal; and

- *goal* has been achieved.[3]

Tool 1.   Monitoring and Evaluation

Causality:

When designing a project the goal, outcomes, outputs, activities, and inputs are developed (see **Section 2.1.2**). All of these elements of a project need to be clearly and logically linked so that: if the *inputs* are provided to deliver the activities → the *activities* will achieve the defined outputs → the *outputs* will contribute to the outcomes → and the *outcomes* will contribute to the project achieving its *goal*. This logical link between the elements of a project is sometimes called '*causality*'.

Without this logical link, you will not likely achieve your goal or be able to measure the extent to which you are progressing towards it during, or at the end of the project. An example of logical links through a project is shown in **Figure 6**, below:

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3   Many donors use the '*OECD DAC Evaluation Criteria*' to evaluate projects. These criteria focus on five key areas of project performance, namely: Relevance; Effectiveness; Efficiency; Impact; and Sustainability. A summary description of these terms is found in **Annex 9**.
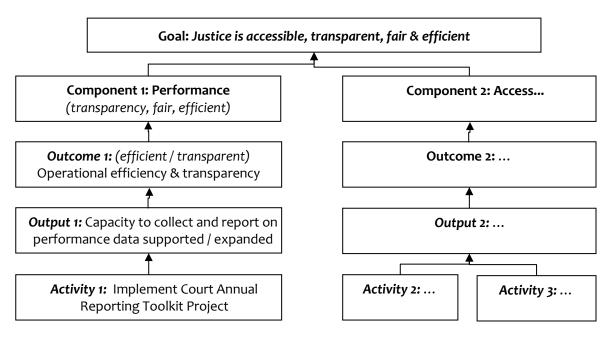
```
┌─────────────────────────────────────────────────────────────┐
│        Goal: Justice is accessible, transparent, fair & efficient │
└─────────────────────────────────────────────────────────────┘
```

Component 1: Performance *(transparency, fair, efficient)*	Component 2: Access...
Outcome 1: *(efficient / transparent)* Operational efficiency & transparency	Outcome 2: ...
Output 1: Capacity to collect and report on performance data supported / expanded	Output 2: ...
Activity 1: Implement Court Annual Reporting Toolkit Project	Activity 2: ... / Activity 3: ...

Figure 6: *Project Results Diagram*

To test the logical structure of our project to see if each element *directly contributes to* the elements above it we ask '*if / then*' questions. For example, based on the project structure in **Figure 6**, we can ask:

→   **If** we implement the Annual Court Reporting Toolkit Project (*Activity 1*)
  Then will capacity to collect and report on performance data be improved? (*Output 1*)

→   **If** we improve capacity to collect and report on performance data (*Output 1*)
  Then will operational efficiency & transparency improved? (*Outcome 1*)

Indicators:

To monitor and evaluate a project, a set of <u>indicators</u> must be developed. Indicators are tools to measure whether a project has achieved its outputs, outcomes, and goal. Indicators should be: specific; measurable; available/achievable; relevant; and time-bound - also known as SMART[4] indicators.

SMART indicators allow for comprehensive measurement as explained below:

- **S**pecific - while the outcome/result itself can be broad, the indicator should be narrow and focus on the: what, where, how, and who of the project's activities.

- **M**easurable - to measure progress and know the outcome/s and goal have been achieved, the indicator should have the capacity to be counted, observed, analysed, tested, or challenged.

- **A**ttainable - the indicator should be realistically achievable if it accurately specifies the amount or level of what is to be measured in order to meet the outcome/s and goal.

- **R**elevant - an indicator should be a valid measure clearly related to the outcome/s and goal. The indicator should be meaningful and important to the outcome to certify that the results are actually showing a related impact. Broad outcome/s and goals can and should have numerous indicators through which progress can be assessed.

- **T**ime-bound - the indicator should state when it will be measured so you know if and when the outcome(s) and goal have been achieved.

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4   This acronym was first used by: Doran, G. T. (1981). *There's a S.M.A.R.T. way to write management's goals and objectives.* Management Review, Volume 70, Issue 11 (AMA FORUM), pp. 35-36.

Project managers also need to decide:

- How to collect information to _verify_ each indicator - that is, how evidence will be collected to demonstrate whether the project is progressing or not?

- When this information / evidence will be available, and when it will be possible to report on it?

- Who will have responsibility to collect the information and develop a report on it?

The indicators once developed, along with the means of collecting and documenting information about them, should form part of a _results framework_ which is developed during the design phase. When you have conducted the needs assessment you can use the information collected as baseline data or the starting point from which any changes resulting from the project's implementation can be measured. An example of a results framework is found in **Annex 10.**

Useful resources:

- **Annex 10:** Monitoring and Evaluation Framework

- **Annex 11:** Cook Islands Indicators

- PJDP Trainer's Toolkit: _Monitoring and Evaluating Training_ [Sections 16-18]

3.5   QUALITY CONTROL[5]

Developing a process that ensures quality enables project managers to check that all aspects of a project are completed to a high standard. Quality control focuses on two areas:

- _Technical Quality:_ ensuring that inputs and outcomes are to an appropriate technical standard.

- _Managerial Quality:_ ensuring that the quality of outputs and submissions (deliverables) is to an appropriate professional standard.

Monitoring or ongoing quality review of: all activities; the work of experts; budgets; reports; and other documentation developed must be undertaken regularly by the project manager to ensure that the court's and/or the donor's quality standards have been met.

Broadly speaking, for activities and deliverables to be of a good quality, they need to be: comprehensive; based on _contemporary international best practice_; be informative; analytical; and concise.

Tool 2.   Key Steps for Monitoring Quality in a Project

Step 1:   _Decide what quality control needs to be undertaken -_ for example: will documents be edited and proofed by a member of the project management team before submission?; will advisers / others be able to submit reports directly to the leadership or donor?; or who will approve documents as final (that is, of sufficient quality for submission)?

Step 2:   _Establish quality criteria -_ that all activities, advisers, and project documentation must meet. Criteria may include that: all project activities / adviser inputs must address gender and human rights issues; all documentation must use gender inclusive language; and all submissions be in a particular style, format, and font.

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[5]   This process is also sometimes called 'quality assurance'.

Step 3:   *Establish a process* - that identifies individuals with responsibility for:
- undertaking the quality reviews; and
- final approval (also called *sign-off*) of all activities / outputs / outcomes.

Step 4:   *Define the timing reviews* - timing will depend on the project, and may include reviews: at the completion of an activity; periodically (for example every three or six months); or prior to submission of a document / output.

Step 5:   *Allocate sufficient time* - to undertake the scheduled quality reviews; and to enable feedback / comments to be provided and addressed.

Step 6:   *Record the outcomes of the quality review process* - this can be as simple as the person authorised to give final approvals emailing their approval of an output or document.

3.6   MANAGING CHANGES AFFECTING YOUR PROJECT

Change over the course of a project almost always happens, and often change is critical for success. Not all change, however, is positive, and in addition to challenges you might face along the way, there is also the tendency for '*scope creep*'.

Scope creep is where a project's activities change over the course of implementation without ensuring that the changes are logically linked with, and contribute to, achieving the project's outcomes and goal.

Difficulties occur when decisions about a project are made in a reactionary manner, rather than on the basis of ensuring that what is being delivered aligns with the goals and outcomes defined in the project's design. The following technique can assist in project change:

Tool 3.   Key Steps for Controlling Change

1 **Re-examine the project scope** (goal and outcomes) to establish a baseline →
"What are we supposed to be achieving by implementing this project?"

2 **Review implementation** to-date in light of this baseline →
"Are we doing what we said we would be doing?"

3 **Assess changes** identified in, or changes needed as a result of, the review
(Point 2) → *"What will occur if the implementaiton does not occur as planned?"*

4 **Determine the impact** of any change on the project's scope →
"Does this change help the project to better achieve its goal / outcomes or not?"

5 **Develop a recommendation** on how to respond to the change →
"No change..." | "Re-focus project scope..." | "Project activities should be modified..." | etc…

6 **Adjust planning** →
Update: contracts; inputs; budgets; schedules / timelines; etc., if a change is required / approved.

3.7   FINANCIAL MANAGEMENT

3.7.1   Financial Management Responsibilities

Financial management activities occur throughout the project cycle. Accurate, transparent, and efficient budgeting, expenditure tracking, and financial reporting directly impact on a project manager's ability to:

a.   ***Ensure Value for Money -*** This is an important consideration in all projects, particularly from the donor's perspective. It requires project managers to ensure that the greatest possible benefit is obtained from the available funds.

   Value for money relates to *balancing the cost* of goods or services with:

   - its quality;

   - its suitability to the activity for which it is intended (also called *fitness for purpose*);

   - the ability of the court to use / benefit from the goods or services;

   - its 'whole-of-life' costs - relating to *all* costs that will result from purchasing the goods or services during the time it is used by the court, including maintenance and replacement costs;

   - any risks relating to purchasing or using the goods or services;

   - its availability for delivery; and

   - the ability of the court to maintain the product.

   The mix of these factors, and the relevant importance of each, will depend on the individual project.

b.   ***Plan effectively -*** It is necessary to have a clear understanding of the available budget even before the project starts, as the amount of funds available often determines what activities, and how many, can be implemented. As a result, project managers must know what the likely costs of an activity will be *as early as the design stage* so that a realistic project can be developed.

c.   ***Manage expectations -*** Having clear and accurate budgets enables project managers to communicate what is, or is not, possible within the available funding constraints. In this way, all those involved in the project have the same understanding of what can be done.

d.   ***Report effectively -*** Financial reporting usually needs to be undertaken at the end of an activity   and / or on a periodic basis (that is reporting: every month; every three months; etc.). Financial management reports need to discuss: total project expenditure; individual activity costs; and any issues or areas where expenditure is likely to be more / less than anticipated.

e.   ***Provide quality project management support -*** Finance or budget-related criteria are often included in the <u>performance criteria</u> donors use to assess the quality of project management services.

   Finance-related performance criteria can include the: percentage of budget expended at the end of an activity/project; number of activities / beneficiaries supported by the approved funds; and quality and timeliness of financial acquittals / reporting.

3.7.2   Financial Management at Various Stages in the Project Cycle

Project managers have finance-related responsibilities throughout the project cycle. Broadly speaking, these responsibilities can be divided into three categories:

1. Budgeting → Identification / Design Stage:

Developing budgets for all activities fundamentally influences both the project design and activity implementation, as what can be undertaken is often limited by the available resources - in this case the available funds.

> *Many governments and donors have pre-defined or maximum rates for some items, for example per diem.*   ***Tip***

Tool 4.   Key Steps in Developing an Activity or Project Budget

Step 1:   *List* all possible expenditure items for your project, identify what each item costs, and the number of items you will need. See ***Annex 12:*** Potential Cost Items for Project Budgeting.

Step 2:   *Prioritise* the list of expenditure items to identify: which costs are *critical* to an activity; and those costs that are *not critical* to implementing the activity.

Step 3:   *Develop* a draft budget document including all relevant *critical* and *non-critical costs*. See ***Annex 13:*** Example Budget Template.

Step 4:   If the draft budget is more than the available funding - make ***realistic reductions*** to *quantities* or *non-critical costs*.

Step 5:   Allow for a ***contingency amount*** to enable unforeseen circumstances to be addressed. A contingency is often calculated as a percentage (between 2% and 5%) of the total budget.

Step 6:   *Review* / *finalise.* Before finalising, always ensure that someone else has proofed the budget for accuracy, and to check that all costs are captured.

2. Expenditure Management → Implementation Stage:

This relates to the need for project managers to track and account for all costs during implementation. Project managers - often with the support of a finance officer or administrator - must ensure that all expenditure is appropriate; approved; within budget; and supported by relevant documentation that justifies:

- the cost; and
- the exact amount expended.

Tool 5.   Key Steps in Managing and Tracking Expenditure

Step 1:   Obtain - where possible - three quotations for all significant expenditure and evaluate these to identify a _preferred supplier_. See **Annex 14:** Example Quotation Evaluation Sheet.

Step 2:   Negotiate rates with suppliers, if needed / possible, to reduce costs and to promote value for money.

Step 3:   Review all proposed expenditure against the approved budget. If expenditure exceeds the approved budget, revise or obtain special approval for the higher costs _before_ spending any of the funds.

Step 4:   Make payments using the court's expenditure and financial approval processes.

Step 5:   Ensure that **all** expenditure is supported by _original_ invoices / receipts and file for the acquittal. See **Annex 15:** Supporting Document Checklist.

Step 6:   Track payments as they are made and refer back to the approved budget. See **Annex 16:** Example Budget Tracking Sheet.

3. Financial Acquittal → Implementation or Post-project Stage:

Acquittal (in the financial not judicial sense!) requires project managers at the end of a project or individual activity to: account for; justify; and report on all expenditure against the approved budget.

Tool 6.   Key Steps in Acquitting and Reporting on Expenditure

Step 1:   Summarise all project / activity expenditure in one document. Much of this work should have already been done at _Steps 5_ and _6:_ in **5.0,** immediately above.

Step 2:   Develop a 'financial report' that includes: a full summary of expenditure; and collated supporting documents that clearly links or references each document to a particular expense item.

Step 3:   Explain any significant variations (either over- or under-expenditure) between what was spent and the approved budget in your financial report.

3.8   PROJECT COORDINATION

3.8.1   Project Logistics

Project _logistics_ refers to the process of organising and administering project activities so that they can be implemented in an efficient and effective manner. The approach to managing project logistics is to:

1. Identify all key tasks that must be completed for the activity to be undertaken, *before starting implementation*.

2. Order the tasks identified to:

    •   ensure that those which need to be completed first, or will take the longest, are started first; and

    •   balance workloads and resources.

3. Allocate responsibility for completing each task.

4. Set due dates for all tasks. Always allow for plenty of time to complete activities.

When managing project logistics, short logistics guidelines can help all those involved in an activity (both management and participants) to: have a clear   and common understanding of *what is needed* for the activity to be implemented efficiently; and by *when it is needed*. Example logistics guidelines covering: participant nominations; flights; per diem; and other travel arrangements, can be found in *Annex 17*.

Useful resources:

•   ***Annex 8:*** Example Workshop Checklist

•   ***Annex 17:*** PJDP Logistics Guidelines

•   ***Annex 18:*** LIF: Implementation, Reporting, and Expenditure Checklists

•   NJDC Toolkit: *Planning an activity* [Section 3]; and *Publications* [Section 5]

> *A good technique for scheduling tasks is to* work backwards *from the activity deadline and allocate enough time to complete each task.* **Tip**
>
> *Also, allow for* 'slippage' *(extra time) to complete   tasks as activities   often don't go exactly to plan!*

3.8.2   Project Procurement

> **Procurement** ▶ *The purchasing of goods or services from an external source often based on a defined process or set of rules.*

Every aspect of project-related <u>procurement</u> must promote value for money. As discussed in **Section 3.7.1,** above, this does not mean that: the cheapest purchase price = best value for money. Value for money is achieved when the most appropriate goods or services are selected for a specific activity.

Many organisations have either internal or government prescribed 'procurement guidelines' or policies. The project manager *must in all cases act in line with such guidelines or policies*. A summary of 'The Five Principles of Government Procurement' from the Government of New Zealand's *Government Rules of Sourcing* is found in ***Annex 20.***

Useful resources:

- **Annex 14:** Example Quotation Evaluation Sheet
- **Annex 19:** Example Rating Scale for Assessing Adviser Applications
- **Annex 20:** The Five Principles of Government Procurement

3.9   CROSS-CUTTING ISSUES

Cross-cutting issues affect all areas of a project. Different donors focus on different issues. This toolkit will briefly discuss three key cross-cutting issues that are relevant to the PJDP, namely:

- Gender Equality and Equity.
- Human Rights.
- Sustainability.

The promotion of gender and human rights, in particular, are fundamental to ensuring the well-being of citizens in each country. Given the justice-focussed role of the court, it is an institution that is centrally placed to protect, promote, and support these cross-cutting issues.

Additionally, when designing, managing, and reporting on projects, project managers need to be aware of cross-cutting issues so that all activities strengthen: policy; representation; systems, processes, or practices; and judicial and court officer capacity, with regards to these issues.

3.9.1   Gender Equality and Equity[6]

> **Gender *equality*** → **Recognition** *that everyone should have equal access to opportunities, but often doesn't.*
>
> **Gender *equity*** → **Actions** *to enable or promote equal access to opportunities.*

Gender as a cross-cutting issue requires consideration of the beliefs and practices (political, economic, social, cultural, etc.) that exist in our countries and courts that can often be barriers to equality and equity. This is particularly important as the work that courts do, and the projects that courts implement, can and should recognise that women often do not have the same rights, status, and opportunities as men.

When *designing, monitoring, and reporting* on a court's project, project managers need to examine the: different roles men and women play in relation to the work the court is doing; and context (political, cultural, social, and institutional) within which the court is operating. This can be done by:

- Ensuring that there is a common understanding of the definition and importance of gender issues within the court and stakeholders.

- Ensuring agreement within the court that both genders are to be treated equally and given equitable access to court services.

- Assessing gender inequality and inequity as they relate to your project, and then building into each activity ways to address these issues.

- Developing court development activities that promote fair and equitable benefits to all members of the community. Gender-sensitive strategies might include: promoting equal, or at least proportional, participation of women in all activities; supporting progressive thinking on cross-cutting issues within the court; developing leadership opportunities for women; identifying mentors for both men and women that can be role models of appropriate behaviour; to proactively maximise opportunities for women to participate and/or attain more senior positions; and developing processes that address the different needs of women and men (for example with respect to handling juvenile or family violence matters).

- Identify potential positive *or* negative outcomes from implementing the proposed project that may impact on gender issues. Where negative impacts are identified, strategies to address these need to be developed.

- Analyse who has control over resources and decision-making so that women's access to court services can be maximised.

- Establishing gender-related baseline data, and ensuring that this data is collected / reported on.

- Utilising gender neutral language in all projects, activities, reports and other project documentation, other than where gender equity and equality issues are being addressed.

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[6]   Based on the New Zealand Aid Programme's: *Sectoral, thematic, and cross-cutting issues tools:* http://www.aid.govt.nz/ about-aid-programme/how-we-work/tools-and-templates/sectoral-thematic-and-cross-cutting-issues-tools.

3.9.2 Human Rights[7]

> **Human rights** *are the inalienable, fundamental rights to which all people are entitled simply because she or he is a human being. They are conceived of as being applicable everywhere (universal) and same for everyone (egalitarian) and may exist in both national and international law.*

The key human rights concept is that all human beings are born equal in dignity and rights. Human rights are universally recognised as being embodied in the principal treaties of the United Nations, and these values are also found in many of the domestic laws in the region.

The role of courts is a key means of empowering all citizens so that they are able to seek remedies for injustice, protection of rights, and resolution of conflicts. When *designing, monitoring, and reporting* on a court's project, project managers need to consider the human rights within the project context and the overarching responsibility of the court to protect and enforce these rights.

This can be done in the project context by:

- Ensuring that there is a common understandings at all levels of the court of the importance of, and the court's responsibilities with regards to, human rights.

- Taking a justice-focussed approach to implementation where relevant human rights concepts are incorporated as an integral part of activities. Such activities and strategies might include: addressing actual or potential bias in dispute resolution; supporting access to justice and the right to a fair trial; supporting effective and timely decision making; exploring issues arising from the courts interaction with customary law and perspectives; developing appropriate systems and responses for gender / juvenile / minority-related violence; etc.

> *It is all about* **FAIRNESS!**

- Identify potential positive *or* negative outcomes from implementing the proposed project that may impact on human rights. Where negative impacts are identified, strategies to address these must be developed.

- Establishing human rights-related baseline data, and ensuring that this data is collected / reported on.

3.9.3 Sustainability[8]

> **Sustainability** *is the continuation of benefits (outcomes / change) flowing from a project or activity following the completion of assistance.*

This cross-cutting issue is more managerial in focus. Managing sustainability starts at the *design stage* and is an *ongoing process* throughout implementation.

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[7] Based on the New Zealand Aid Programme's: *Sectoral, thematic and cross-cutting issues tools.* http://www.aid.govt.nz/about-aid-programme/how-we-work/tools-and-templates/sectoral-thematic-and-cross-cutting-issues-tools.

[8] Based on: AusAID, *Promoting Practical Sustainability* (September 2000): http://aid.dfat.gov.au/Publications/Documents/sustainability.pdf.

When designing a project, options (or a strategy) for promoting sustainability of project benefits after completion need to be developed. Sustainability issues then need to be reviewed and updated throughout the life of a project to respond to changes or experience gained.

Project managers can maximise sustainability by:

- Aligning the project's goal, outcomes, outputs, and activities to the court's development priorities.

- Ensuring all those involved and affected by the project are committed to its outcomes.

- Maximising engagement and participation of beneficiaries / stakeholders throughout the project.

- Ensuring project management responsibilities can be efficiently undertaken using the court's systems and resources.

- Ensuring that the court is aware of any ongoing financial support / resources for which it will become responsible post-project.

- Assessing the proposed activities and how they will be delivered (training, capacity building, publication, remote support, etc.) to ensure they are appropriate to achieve identified outcomes.

- Ensuring that all necessary documentation is produced and disseminated for future reference.

- Reviewing activities in light of the social, gender, and cultural context so that they are locally appropriate.

- Consider relevant external factors (political, social, and economic) that may impact on implementation, and develop strategies to address these.

Useful Resource:

- **Annex 21:** Simplified Sustainability Plan Template

4.0   OTHER PROJECT MANAGEMENT TOOLS

Tool 7.   Gap Analysis

<u>Gap analysis</u> is a process used to work out the gap between *current* and *desired* performance or competence standards. Gap analysis makes project managers reflect on the *real needs* based on an objective process of analysis.

Key steps in undertaking a gap analysis:

1 Select a: process/area of the court's operations; or a role-group within the court.

2 Breakdown the steps in the process / or the responsibilities of the role - *sometimes called defining 'what is' (undertaken as part of needs identification, see* **Section 2.1.1***).*

3 Define what the *ideal* or *preferred* performance / competence standard should be - *This is called* **benchmarking** *(see* **Tool 8***, below).*

4 Identify and document the difference or 'gap' between the *current* performance / competence standards and the *benchmark*. (see **Annex 4**)

5 Identify a process / way to fill the gap and thereby achieving the benchmark standard.

Remember: training is only one option for filling gaps. Other options may include:

- Developing or revising systems or process.
- Identifying specialist technical support.
- Participatory or mentoring approaches.
- Developing policies, benchbooks or other written resources.

> *Identifying 'the gap' does not necessarily identify the* reason *for the gap.*
>
> *Project Managers must be careful to ensure that the solution(s) developed to address or fill a gap* addresses its cause.

Useful Resources:

- Identification [*Section 2.1.1*]
- **Annex 4:** Gap Analysis Framework
- **Annex 11:** Cook Islands Indicators
- Further Guidance on developing case disposition benchmarks is found in the: *Setting Time-standards for Case Management Toolkit*.

Tool 8.　　Developing Benchmarks

Benchmarking is a process of developing a set of *performance* or *competence standards* for any area of a court's activity. These standards are points of reference against which current performance or competence can be measured.

As with needs identification (see **Section 2.1.1**) benchmarks can focus on the:

- **Organisational** or **institutional level -** setting *performance standards* relating to: quality, relevance; productivity, timeframes, and cost.

- **Individual** or **capacity level -** setting *competence standards* relating to: quality, skills, knowledge, and attitudes (effectiveness).

Key steps in developing benchmarks:

Step 1.　Review relevant international standards relating to the: performance of the selected process; or competence of the selected job-group.

Step 2.　Assess local conditions which may make it difficult to achieve, or reduce the relevance of, the international standards reviewed;

Step 3.　Take into account the expectations of those affected by the performance of the process / group: *internally* (judges and court staff); and *externally* (court users, lawyers, government).

> *An Example -*
>
> *Your court has established a benchmark for disposing of　cases within 12 months.*
>
> *Collecting data about when　cases are filed and disposed of will inform you of the extent to which the benchmark has been achieved.*

Step 4.　Determine a reasonable but challenging standard to which the court / or group should perform.

Step 5.　Develop a way to collect relevant performance / competence data in the area to which the benchmark relates:

- Before the project/benchmark is implemented - this is called _baseline data_ collection; and

- After the benchmark has been implemented.

Tool 9.   Checklists

> *"Good checklists…are precise. They are efficient, to the point, and easy to use even in the most difficult situations. They do not try to spell out everything - a checklist cannot fly a plane. Instead, they provide reminders of only the most critical and important steps…"*
>
> Dr Atul Gawande[9]

What does a check-list do? A check-list is a tool that identifies and lists in order key tasks or steps in a procedure, process, or activity. It also sets out timing for tasks and identifies who has responsibility for completing each task or group of tasks.

Checklists, therefore, are a valuable tool as they reduce the need to 'micro-manage', enabling project managers to focus on more difficult / technical matters. Checklists also help to: ensure that decisions are made in a systematic and consistent manner; improve teamwork and communications; track progress; and manage deadlines.

Key steps in developing a checklist and to maximising its effectiveness, are to:

Step 1.   *Focus* on a single activity or process - *what process is the checklist dealing with?*

Step 2.   List only *key tasks* or important steps in the process - *keep the checklist clear and simple so that those working on the project can follow it.*

Step 3.   Ensure that all tasks are **_actionable_** - *each step must be practical, clear, and able to be completed by the person assigned responsibility for that task.*

Step 4.   Be *systematic* - *group similar tasks together.*

Step 5.   Ordered **logically** and **chronologically** - tasks that need to be undertaken first must be placed at the top of the checklist: Step 1 → Step 2 → Step 3 → etc. Ordering is determined by one or both of the following considerations:

- *Timing* - those tasks that need to be finished before secondary tasks can be started are listed first with earlier deadlines; and / or

- *Duration* - those tasks that will take the longest to finish are listed first.

Step 6.   Define *responsibilities* - *who is to do what task?*

Step 7.   Set *deadlines* - *by when does each task (or group of tasks) must be finished?*

Step 8.   *Communicate* what is in the checklist - *tell all those involved in the project.*

> **Remember:** *Implementation is* not a linear process. *Flexibility in implementation is critical.*
>
> *While checklists are a very useful tool,* do not *let them become a* blueprint *that stops you or your team from responding to changing needs / situations.*

Useful Resources:

- *Annex 8:* Example Workshop Checklist

- *Annex 22:* Blank Checklist Template

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[9]   Author of: '*The Checklist Manifesto: How to Get Things Right*', and other texts.
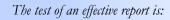
Tool 10.   Effective Project Reporting

Effective reporting is a key *communication* tool. It plays an important role in:

- Enabling effective project oversight (<u>*transparency*</u>), by providing clear information on plans, processes, actions, and future direction.

- Supporting the *management* process by recording progress against outcomes (<u>*accountability*</u>), distributing relevant information, and assisting with forward planning by capturing lessons that may inform future activities.

Key steps in developing a checklist and to maximising its effectiveness, are to:

Step 1.   Determine the **purpose of the report** - why is this report being drafted?; who is the target audience of your report?; and what type of information should be included and language used?

Step 2.   **Collect** and **collate** all relevant information and draft. Provide *useful information* remembering that your readers are not as actively involved in, and familiar with, the project.

Step 3.   **Review** and **refine** the draft - this will significantly improve the quality and clarity of your reporting, by asking:

- Does the report incorporate all (and only) useful / relevant information?

- Is the report logically structured and clearly written?

- Is the report brief and does it avoid repetition?

Step 4.   Have the report **proofed**/**edited** (by someone else) for consistency of formatting, writing style, spelling, and grammar.

Step 5.   **Finalise draft report** and obtain any necessary approvals from leadership / supervisors.

Step 6.   **Distribute** draft report for discussion / comment.

Step 7.   **Amend** report in line with the feedback received.

Step 8.   Undertake a **final proof**.

Step 9.   **Distribute**/**submit** the final report as appropriate.

Remember: allow enough time to complete these steps before submission deadlines!

> *The test of an effective report is:*
>
> **Will it be read?**
>
> *and provide necessary information to the reader*

Useful Resources:

- **Annex 23:** Training Completion Reporting Template

- **Annex 24:** Leadership Incentive Fund Reporting Template

Tool 11.   Risk Matrix (or Table)

A project risk is a problem or issue that *may* occur during implementation. Risks, if not addressed, negatively impact on the project and make it difficult or impossible to achieve the identified outcomes.

Project risks can be broken down into four general categories:

- *Natural Environment -* sometimes called *Force Majeure.* Risks in this category relate to natural disasters (cyclones, tsunami, earthquakes, etc.).

- *Institutional / Organisational / Social -* relating to the context within which the project will operate. Risks in this category may relate to: interference with the independence of the judiciary; changes in political priories; civil unrest; lack of commitment by the court's leadership to support project's outcomes; lack of resources (personnel, financial, etc.) being allocated to support the project; etc.

- *Individual -* relating to those active in implementing the project. Risks in this category may relate to: unwillingness of beneficiaries to accept the need for change / development; availability of personnel to participate in project activities; nomination of inappropriate personnel for training; frequent change in personnel involved in the project; language constraints; etc.

- *Project-specific -* relating to the project approach or a particular activity(-ies). Risks in this category relate to: ability of counterparts to absorb or benefit from the project activities being implemented; levels of resource allocation; etc.

The purpose of the risk matrix is to ensure that project managers consider all potential risks to their project, and then develop a strategy to address each risk should it occur. An extract of the risk matrix from the PJDP is found below:

Risk	Result	How Risk will be Addressed
PJDP attempts to address too many problems across too many thematic areas, spreading itself too thinly.	PJDPs ability to deliver meaningful change in any area is reduced.	The 24 Month Extension Plan adopts a tighter focus to address specific problems that will improve PJDP partner courts' capacity, systems and procedures to deliver services that contribute improvements to the wellbeing of citizens and communities they serve locally and across the region.
Etc.…		

Useful Resources:

- *Annex 25:* Simple Risk Matrix Template

Tool 12.   Charts and Diagrams

Charts and diagrams are useful tools to collate and present information in a clear and easily readable format. By showing a process, statistics, or other data in a graphic form often helps people to understand that information more clearly and easily.

Detailed instructions for developing charts using Microsoft Excel are found in the PJDP Annual Court Report Development Toolkit: *Annex 3*.
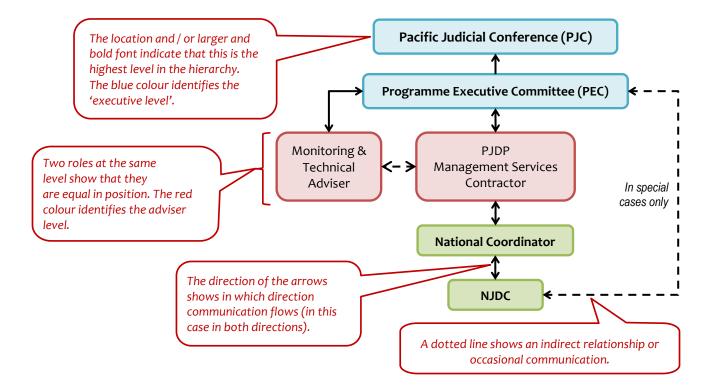
All of the charts and flow-diagrams found in this toolkit (Figures 1-6) were created using Microsoft Word. To develop a chart or diagram similar to these:

- Go to the 'Insert' menu / tab.
- Click the 'Shapes' button in that menu.
- Use the shapes or arrows that you think are most suitable to your chart.

> *Remember to explain abbreviations or technical terms (also called 'jargon') to help your reader to better understand your chart or diagram.* **Tip**

Charts and diagrams such as those found in this toolkit usually show the structure of relationships or communication flows. The lines or arrows that connect the items in the chart show the direction of communications, the steps in a process, or the sequence of actions. The position within the chart and the size and colour of the text, and the use of colour can all be used to group activities or prioritise information as illustrated in the example below:

The location and / or larger and bold font indicate that this is the highest level in the hierarchy. The blue colour identifies the 'executive level'.

Two roles at the same level show that they are equal in position. The red colour identifies the adviser level.

The direction of the arrows shows in which direction communication flows (in this case in both directions).

A dotted line shows an indirect relationship or occasional communication.

Pacific Judicial Conference (PJC)

Programme Executive Committee (PEC)

Monitoring & Technical Adviser

PJDP Management Services Contractor

In special cases only

National Coordinator

NJDC

DEFINITIONS - GLOSSARY OF TERMS USED IN THIS TOOLKIT

Accountability	-	Is the requirement that governments, companies, organisations, individuals - and in our case projects and project managers - are answerable for their actions.
Actionable	-	Able to be completed, implemented, or undertaken.
Activity	-	The tasks or actions required to achieve one of the project's outputs / deliverables. *Note:* this is the level where a training workshop's Learning Objective fits (see PJDP Trainer's Toolkit [Section 4.3).
Appraisal	-	This is a process of independent review prior to approval of a design. Second stage of the Project Cycle.
Baseline Data	-	The basis, or first set of data, against which future data collected can be compared to work out whether any changes have occurred.
Benchmarking	-	This is a process of developing a set of performance or competence standards for any area of a court's activity. These standards are points of reference against which performance or competence can then be measured
Beneficiaries	-	An individual or group who directly benefit from a project or activity.
Capacity Development Needs	-	Needs that relate to individuals or groups (as opposed to processes and systems) often broken down into: knowledge; skills; and attitudes.
Competence	-	Having the necessary ability to perform a role successfully; competence has three components relating to: knowledge, skills, and attitudes.
Contingency	-	An amount in a budget that is not allocated to a specific cost, but is included to enable unforeseen circumstances to be addressed.
Counterpart	-	An individual or group directly / actively working with or benefiting from a project or activity.
Contemporary International Best Practice	-	*Best practice* is a method or technique that has consistently shown results superior to those achieved with other means. Given the positive results, the method / technique is used as a benchmark against which to measure the performance of other methods / techniques. *Contemporary international* best practice, relates to best practices that are being used now and are producing positive results in other countries / jurisdictions which might be adaptable to meet your needs.
Cross-cutting Issues	-	Matters that affect all areas of a project. For the purpose of this toolkit, three key cross-cutting issues are discussed: Gender Equality and Equity; Human Rights; and Sustainability.
Design	-	The process of defining a project or outlining what will be done and how. The design identifies the project's goal; desired change or results at completion; what will be done and how this will be done; and how will it be shown that the desired change within your court has been achieved. Part of the first stage of the Project Cycle.

Donor	-	An organisation (often a government organisation) that provides funding for development projects.
Elements of a Project	-	A project's: goal; outcomes; outputs; activities; and inputs. These terms are separately defined in this glossary.
Evaluation	-	A process - undertaken at either; defined intervals, or at the completion of a project - to assess the extent to which the project has achieved, or has progressed towards, its goal.
Financial Acquittal	-	In the financial (not judicial) sense, relates to the need to:

- Account for all expenditure against the approved budget;
- Justify all expenditure by providing supporting documentation for each expense / payment made; and
- Report on any variations between actual expenditure and the approved budget.

Gap Analysis	-	This is a process used to work out what steps are needed in order for an organisation, process, group, or individual to move from current performance / competence-levels, to improved performance / competence-levels in the future.
Gender Equality	-	The concept that men and women should have the same rights, status, opportunities, and resources to realise their potential and contribute to political, economic, social, and cultural development - and to benefit equally from the results.
Gender Equity	-	The concept of ensuring fairness between men and women often through measures to compensate for political, social, economic, cultural, or historical disadvantages that often prevent equality.
Goal	-	The overall change or impact that a project will contribute to. The project will only be one element in a range of actions that all work towards achieving the goal. The goal, therefore, often starts with: 'To …'; or 'For …'.
		Example Goal: To build the capacity of courts to provide accessible, responsive, fair and efficient justice services.
Human Rights	-	Rights that are understood as inalienable and fundamental to which all people are inherently entitled simply because she or he is a human being. They are conceived as universal (applicable everywhere) and egalitarian (same for everyone) and may exist as natural rights or legal rights, in both national and international law.
Identification	-	This stage begins the project process by identifying what needs exist and how these needs can be addressed in light of your court's development priorities. Part of the first stage of the Project Cycle.
Implementation	-	The process whereby the project design is put into effect to achieve the identified goals, outcomes, and change successfully. The third stage of the Project Cycle.
Indicators	-	These are tools that enable project managers to measure progress towards the project's outputs, outcomes and goal, or whether these have been achieved.

Inputs	-	The resources required to implement an activity (efficiency focussed).
		For example: funds, personnel, equipment, etc.
Institutional Needs	-	Needs that relate to an organisation or institution (mainly systems / process focussed).
Logistics	-	The process of organising and administering activities so that they can be held in an efficient and effective manner.
Manage Expectations	-	Ensuring that all those involved in a project have a clear and accurate understanding of what will or will not be undertaken / achieved by a project.
Matrix	-	A grid or data-table in rows and columns that is used to structure or summarise information / data.
Monitoring	-	An ongoing process - undertaken throughout implementation - of checking whether a project is doing what it set out to achieve.
Monitoring & Evaluation	-	Also called M&E. Separate definitions for 'monitoring' and 'evaluation' are found for each term in this glossary.
Outcome	-	What is to be achieved by the project: the intended change(s) resulting from its implementation - What will be different after the end of the project? (effectiveness focussed).
		Example Outcome: Demonstrable improvement in professional competence of judicial and court officers to perform key functions.
Outputs	-	A specific tangible product or deliverables produced by the project (efficiency focussed).
		Example Outputs are: A toolkit of training resources and materials will be available to the region; or an analytical appraisal report on regional judicial development.
Performance Criteria	-	At the organisational or institutional level, these relate to performance standards on:

- Quality / relevance of systems or processes (effectiveness).
- Productivity / timeframes / cost of systems or processes (efficiency).

At the Individual or capacity level, these relate to competence standards relating to: quality, skills, knowledge, and attitudes (effectiveness).

Preferred Supplier	-	An individual or organisation / company that has been identified using an open and competitive procurement and selection process.
Project Cycle	-	The chronological stages or steps through which a project progresses from before it starts (inception) to after it ends (completion).

There are four stages in the project cycle, namely:
1. Identification and design;
2. Appraisal and funding;
3. Implementation; and
4. Post-project or project completion.

These terms are defined separately in this glossary.

Project Management	-	The process of planning, organising, motivating, and controlling resources to achieve a specific (project) goal.
Post-project	-	Wrapping-up the implementation of all project activities. The final stage of the Project Cycle.
Procurement	-	The purchasing of goods or services from an external source based on a clearly defined process or set of rules.
Results Framework	-	A graphic summary (usually in a table format - see **Annex 10**) of the strategy to achieve a specific project goal, based on the link between defined activities, outputs, outcomes and the goal.
Risk(s)	-	A problem or issue that may occur during implementation, which if not addressed, may negatively impact on the project and make it difficult or impossible to achieve the identified outcomes.

Risk Matrix - A table in which:

- project risks are identified;
- the result / impact of the risk on the project is summarised; and
- a strategy to minimise or avoid each risk is developed.

Scope Creep	-	Where a project's activities change in an unstructured manner over the course of implementation without ensuring that the changes are logically linked with, and contribute to, achieving the project's outcomes and goal.
Sequencing	-	Ordering of activities or adviser / staff inputs in a logical and chronological manner so that those inputs which need to be completed before other activities can be started, are undertaken and completed first.
Stakeholders	-	An individual or group indirectly working with, benefiting from, or interested / concerned in a project or activity.
Sustainability	-	The continuation of benefits (outcomes / change) flowing from a project or activity following the completion of assistance.
Terms of Reference	-	The defined purpose, structure, responsibilities (inputs or specifications), outputs, and outcomes, for a task / activity / project.
Theory of Change	-	All the building blocks required to bring about a given long-term goal. This includes the definition of the projects outcomes, outputs, activities, and inputs; how these _Elements of a Project_ interrelate to support the project's goal; and how the project approach will enable the project's goal to be achieved.
Transparency	-	Is a: "Characteristic of governments, companies, organisations and individuals of being open in the clear disclosure of information, rules, plans, processes and actions."[10]

This definition is equally appropriate to projects and project managers.

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[10] As per the Transparency International definition - *The Anti-Corruption Plain Language Guide* (July 2009): http://www.transparency.org/whatwedo/pub/the_anti_corruption_plain_language_guide.

Value for Money - Relates to the process of balancing the cost of purchasing a service or product with:

- its quality;
- its suitability for the task / activity for which it is intended (also called fitness for purpose);
- the ability of the organisation to use / benefit from the service or product;
- its 'whole-of-life' costs including maintenance and replacement;
- any risks relating to purchasing or using the service or product;
- its availability for delivery; and
- the ability of the organisation to maintain the service or product.

The mix of these and other factors, and the relevant importance of each, will vary from case to case.

Verify - The process by which information or evidence of project progress is collected to demonstrate progress towards the project's outputs, outcomes, and goal.

Project Management Toolkit -

Additional Documentation

Annex 1 Presentation Slides: Introduction to Project Management and the Toolkit (Tuvalu Pilot Project)

Slide 1

PACIFIC JUDICIAL
DEVELOPMENT PROGRAMME

Project Management Toolkit Pilot - Workshop
3-5 March, 2015: Funafuti, Tuvalu

Workshop Introduction &
the Project Cycle
Session 1

Slide 2

Session 1

Introduction to the
Project Management Workshop

• The PJDP - background to the Programme
• Aim, objectives, and approach
• Workshop agenda and the Toolkit
• Our expectations
• Pre-workshop survey

Slide 3

Session 1
Aim

The aim of this Project Management
workshop is to:

Support Tuvalu courts to
become more self-reliant in leading,
developing, conducting, monitoring,
and reporting on projects for which
they are responsible

Slide 4

Session 1
Objectives

• Familiarise basic principles and practice of
project management
• Develop understanding of selected tools or
techniques for managing projects
• Provide a forum to discuss, share, and
develop project management experience

Slide 5

Session 1
Approach

To give participants a better understanding
of project management concepts by:
• Introducing the *Project Management Toolkit*
• Providing opportunities for interaction and
discussions on project management
• Undertaking practical exercises that are
relevant to your work here in Tuvalu

Slide 6

Session 1
Agenda

Time	Day 1	Day 2	Day 3
8:45-9:00	Opening	Housekeeping / Announcements	Housekeeping / Announcements
9:00-10:30	Session 1: Introduction	Session 5: Cross-cutting issues/Appraisal	Session 9: M&E
10:30-10:45	Morning Refreshments		
10:45-12:15	Session 2: Identification Stage	Session 6: Planning & Implementation	Session 10: M&E (cont...)
12:15-1:15	Lunch		
1:15-2:45	Session 3: Design	Session 7: Check-lists	Session 11: Discussion & wrap-up
2:55-3:00	Afternoon Refreshments		
3:00-4:30	Session 4: Design (cont...)	Session 8: Reporting and Finances	Additional session (if needed)
4:30-5:00	Daily wrap-up	Daily wrap-up	

Slide 7

Session 1
PM Toolkit

The Toolkit is a resource:
• For those implementing your court's
development activities
• To manage others implementing activities
• Of project management tools

Slide 8

Introduction

Why project management?
• Implementing your court's internal activities
• Implementing donor-funded activities
• Managing others implementing activities
• Devolution of responsibility → the future?

Slide 9

Introduction

What is a 'Project'?

It is an activity with:
• A specific and defined objective / outcome
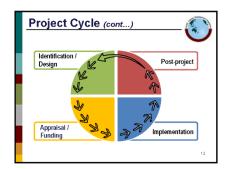• Defined time period
• Managed by a team

What is a *successful* project?

The project will be *successful* if it:
- Is *sustainable*
- Has real *results / impact / change*
- Is *effective* (delivers what was needed and what was promised)
- Delivers *quality services*
- Is completed on *time*
- Is completed within / under *budget*

10

Project Cycle
Key elements

What are the key stages / elements of the Project Cycle?
- Identification and design
- Appraisal of design and funding
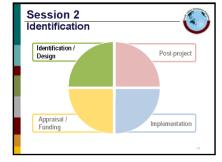- Project implementation
- Post-project activities

11

Project Cycle *(cont...)*

Identification / Design — Post-project — Appraisal / Funding — Implementation

12

PACIFIC JUDICIAL DEVELOPMENT PROGRAMME

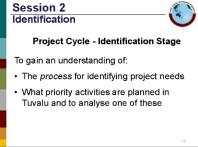**Project Management Toolkit Pilot - Workshop**

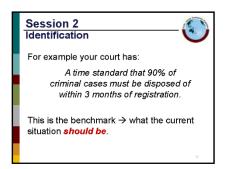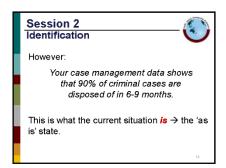3-5 March, 2015: Funafuti, Tuvalu

Identification Stage
Session 2

13

Session 2
Identification

Identification / Design — Post-project — Appraisal / Funding — Implementation

14

Session 2
Identification

Project Cycle - Identification Stage

To gain an understanding of:
- The *process* for identifying project needs
- What priority activities are planned in Tuvalu and to analyse one of these
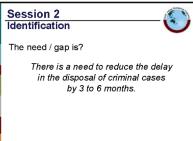
15
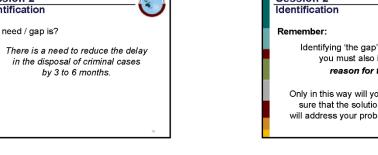
Session 2
Identification

What is a '*need*'?

A need is the difference between:
- What the current situation *is*; and
- What the current situation *should be*.

This is called the
performance or *competence gap*

16

Session 2
Identification

For example your court has:

A time standard that 90% of criminal cases must be disposed of within 3 months of registration.

This is the benchmark → what the current situation *should be*.

17

Session 2
Identification

However:

Your case management data shows that 90% of criminal cases are disposed of in 6-9 months.

This is what the current situation *is* → the 'as is' state.

18

Session 2
Identification

The need / gap is?

*There is a need to reduce the delay
in the disposal of criminal cases
by 3 to 6 months.*

Session 2
Identification

Remember:

Identifying 'the gap' is not enough -
you must also identify the
reason for the gap.

Only in this way will you be able to make
sure that the solution(s) you identify
will address your problem and its cause.

Session 2
Activities in Tuvalu

Practical Exercises in this Workshop
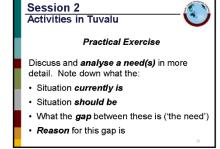
- The workshop will use a range of exercises.
- The aim of these exercises is to develop:
  - your practical experience and skills
  - a project that is relevant to Tuvalu and that you can possibly implement

---

Session 2
Activities in Tuvalu

In discussions with the Tuvaluan courts a
number of needs were identified:

1. Island/Lands Court Judges' Orientation
2. Island/Lands Court Clerks' Orientation
3. Communication and IT skills development
4. Performance monitoring in Courts
5. Court-wide case management system

Session 2
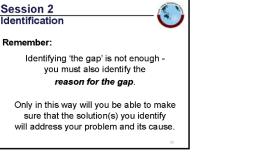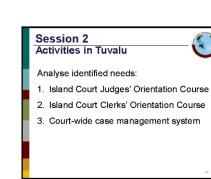**Activities in Tuvalu**

Practical Exercise

Your court aims to develop a new project.

We, therefore, need to
analyse these needs
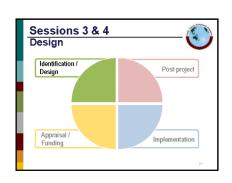in more detail.

Session 2
Activities in Tuvalu

Analyse identified needs:

1. Island Court Judges' Orientation Course
2. Island Court Clerks' Orientation Course
3. Court-wide case management system

Session 2
Activities in Tuvalu

Practical Exercise

Discuss and ***analyse a need(s)*** in more
detail. Note down what the:

- Situation **currently is**
- Situation **should be**
- What the **gap** between these is ('the need')
- **Reason** for this gap is

**PACIFIC JUDICIAL
DEVELOPMENT PROGRAMME**

Project Management Toolkit Pilot - Workshop
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Project Design Stage
Sessions 3 & 4

Sessions 3 & 4
Design

Identification / Design — Post-project — Appraisal / Funding — Implementation

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Sessions 3 & 4
Design

Project Cycle: Design Stage

To gain practical experience in:

- Developing activities based on identified needs
- Designing the '*Elements of a Project*' using a structured project framework

---

Sessions 3 & 4
Design

Project design is the process of defining:

- The *Elements of a Project*
- How identified needs will be addressed (what will be done)
- How you will show you have achieved what you set out to do (monitoring & evaluation)

Sessions 3 & 4
Design - *Elements of a Project*

1. **Goal -** the overall **change** that your project will **contribute** to.

   Your project will only be one element in a range of activities that all work towards achieving the goal.

   The goal, usually starts with:
   'To ...'; or 'For ...'.

Sessions 3 & 4
Design - *Elements of a Project*

An example:

The goal of the project is:

To provide accessible, fair and efficient services; delivering measurably improved justice outcomes for beneficiaries.

Sessions 3 & 4
Design - *Elements of a Project*

2. **Outcomes -** what will be **achieved** by the project.

   The intended change(s) **resulting from its implementation** → *What will be different by the end of the project?*

Sessions 3 & 4
Design - *Elements of a Project*

3. **Outputs -** a tangible **product** or 'deliverable' produced by the project.

   For example a new:
   - Process
   - Skill
   - Policy
   - Toolkit, etc.
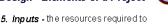

Sessions 3 & 4
Design - *Elements of a Project*

4. **Activities -** the tasks or actions required to achieve the outputs / deliverables.
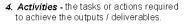
   Note: it is only at this level where the aims and learning objectives of a training workshop fit.

Sessions 3 & 4
Design - *Elements of a Project*

5. **Inputs -** the resources required to implement an activity.

   These can include:
   - Funds
   - Personnel
   - Equipment
   - Etc.

Sessions 3 & 4
Design - Causality

Goal (more efficient court service delivery...)
⬆
Outcomes (timely decision making...)
⬆
Output (improved decision making skills...)
⬆
Activity (decision making training...)
⬆
Inputs (funds, trainers, ...)

Sessions 3 & 4
Design - Causality

So we are trying to create a logical structure where the one Element of a Project *directly contributes to* the elements above it:

- *If* we hold decision making training ➔ *Then* we will improve decision making skills

- *If* we improve decision making skills ➔ *Then* decisions will more timely…

Sessions 3 & 4
Design - Exercise

Practical Exercise:

So - we now need to use the needs identified in the last session to *design a project* for Tuvalu

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Sessions 3 & 4
Design - Exercise

Identified needs:

1. Island Court Judges' Orientation Course
2. Island Court Clerks' Orientation Course
3. Court-wide case management system

Sessions 3 & 4
Design - Exercise

Practical Exercise:

Step 1. Group discussion (20 min)

- Discuss and agree a draft Project Goal
- Discuss and agree a draft Project Name

Sessions 3 & 4
Design - Exercise

Practical Exercise:

Draft Project Goal:

Ke fakamaina te mafai ke pagatasi o avanoaga kite fono I galuegu fai kite lei mote mafai saukatoa i Tuvalu

(To provide fair and efficient justice services that improve access to justice in Tuvalu)

Sessions 3 & 4
Design - Exercise

Practical Exercise:

Draft Project Name:

Atiakega mo Fono Tulafono o Tuvalu

(Tuvalu Courts Development Project)

Sessions 3 & 4
Design - Exercise

Practical Exercise:

Step 2. Define *Project Elements* (30 min)

Using the needs you have analysed define your project's:
- 1 Outcome
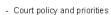- 1 or 2 Outputs
- 1 or 2 Activities

Sessions 3 & 4
Design

Exercise de-brief:

- Do all of your Elements of a Project fit together / support each other?
- What was the most difficult part to develop?

Sessions 3 & 4
Design

Matters that influence the quality of a design.

- *Within our control -*
  - Court policy and priorities
  - Quality of needs / information gathering
  - Quality of analysis
  - Relationships and communication
  - Quality of documentation

Sessions 3 & 4
Design

Matters that influence the quality of a design:

- *Outside of our control -*
  - Government / donor priorities and policies
  - Availability of funding for projects
  - Transportation / geography
  - Natural disasters

Sessions 3 & 4
Design

A project design develops:

- *Structure* → *Elements of a Project*
- *Approach* → 'How will we do it and show that we have succeeded?'
- *Resourcing* → 'What will we need to do it?'
- *Other considerations* → Cross-cutting issues; risks; lessons; …

PACIFIC JUDICIAL DEVELOPMENT PROGRAMME

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Cross-cutting Issues & the Appraisal Stage
Session 5

Session 5

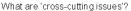**Cross-cutting Issues & Project Cycle: Appraisal Stage**

To gain an understanding of:

- What are cross-cutting issues and why they are important
- What an appraisal is

Session 5
Cross-cutting Issues

What are 'cross-cutting issues'?

- They are issues or considerations that *affect all areas of a project*
- Within the PJDP, we focus mainly on:
  - Gender Equality and Equity
  - Human Rights
  - Sustainability

Session 5
Cross-cutting Issues

Gender →

- *Equality:* that there should be equal access to opportunities for all
- *Equity:* actions to enable equal access to opportunities

Session 5
Cross-cutting Issues

Addressing gender equality / equity in our projects and activities:

Requires the recognition that the beliefs and practices that exist in our countries and courts can be barriers to equality and equity

---

Session 5
Cross-cutting Issues

Human rights → the concept that all human beings are born equal in *dignity and rights*.

These rights are said to be:

- Applicable in all countries (universal)
- The same for everyone (egalitarian)
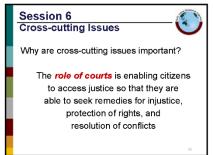- Cannot be removed / taken (inalienable)
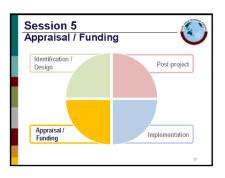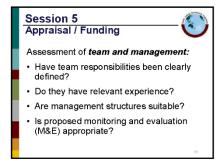

Session 5
Cross-cutting Issues

Sustainability → relates to need to promote:

The continuation of benefits flowing from a project or activity after its completion
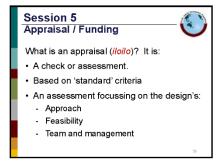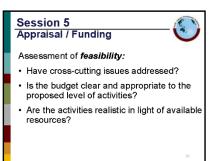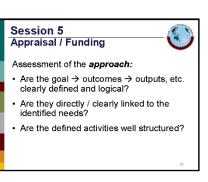
Session 6
Cross-cutting Issues

Why are cross-cutting issues important?

The *role of courts* is enabling citizens
to access justice so that they are
able to seek remedies for injustice,
protection of rights, and
resolution of conflicts

Session 5
Cross-cutting Issues

Why are cross-cutting issues important?

As project managers
we must ensure that the changes
we achieve have an
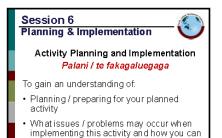ongoing benefit to our courts
and the citizens that they serve

Session 5
Cross-cutting Issues - Exercise

Practical Exercise:

Cross-cutting Issues **(30 min)**

Using the project activity you developed
yesterday, in *1 paragraph* show how:
- **Group 1:** *Gender* issues are addressed
- **Group 2:** *Human Rights* issues are addressed
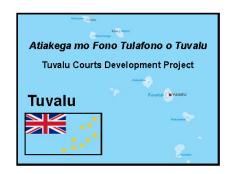- **Group 3:** *Sustainability* issues are addressed

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Session 5
Appraisal / Funding

Identification / Design — Post-project — Appraisal / Funding — Implementation

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Session 5
Appraisal / Funding

What is an appraisal (*iloilo*)? It is:
- A check or assessment.
- Based on 'standard' criteria
- An assessment focussing on the design's:
  - Approach
  - Feasibility
  - Team and management

Session 5
Appraisal / Funding

Assessment of the *approach:*
- Are the goal → outcomes → outputs, etc. clearly defined and logical?
- Are they directly / clearly linked to the identified needs?
- Are the defined activities well structured?

Session 5
Appraisal / Funding

Assessment of *team and management:*
- Have team responsibilities been clearly defined?
- Do they have relevant experience?
- Are management structures suitable?
- Is proposed monitoring and evaluation (M&E) appropriate?

Session 5
Appraisal / Funding

Assessment of *feasibility:*
- Have cross-cutting issues addressed?
- Is the budget clear and appropriate to the proposed level of activities?
- Are the activities realistic in light of available resources?

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Activity Implementation
Session 6

Session 6
Planning & Implementation

Activity Planning and Implementation
Palani / te fakagaluegaga

To gain an understanding of:
- Planning / preparing for your planned activity
- What issues / problems may occur when implementing this activity and how you can respond

---

Session 6
Planning & Implementation

What are we going to do?

For the planned activity we will:
- Work through each step in an implementation timeline
- Discuss key tasks / actions that need to be undertaken at each step
- Discuss possible issues and how to address them here in Tuvalu

---

Atiakega mo Fono Tulafono o Tuvalu

Tuvalu Courts Development Project

Tuvalu

Session 6
Planning & Implementation

You plan to implement the:

Island and Land Court Judges' Orientation Course

- Who is your team for this project?
- Will this change depending on the project?

Session 6
Planning & Implementation

Activity - Timeline:

Session 6
Planning & Implementation

Preparations:
- *What* needs to be organised?
- *Who* needs to be organised?
- *How long* will these preparations take?

Session 6
Planning & Implementation

Activity - Timeline:

Session 6
Planning & Implementation

The week before → what still needs to be:
- Organised?
- Checked?

Session 6
Planning & Implementation

What happens if:
- The funds have not been received in the court's bank account?
- Communications in the week before the activity have been disrupted?
- Delay in the boat schedule so that the trip cannot proceed as planned?

Session 7
Check-lists

Development and use of check-lists

To gain an understanding of:
• What check-lists are
• Why they are useful
• How to develop a check-list

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Session 7
Project Management Tools

Purpose of project management tools:
• Assist in managing complex activities
• Focus on results
• Document processes
• Project tracking
• Communication

83

Session 7
Check-lists

What is a check-list? It is a tool that:

Identifies in order
key tasks in a
procedure, process, or activity.

It also sets out: timing; and
who is responsible for doing each task

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Session 7
Check-lists

What is a check-list?

Curriculum Development	Responsibility	Timing	Done
1. Hold discussions and define scope with leadership			
2. Draft aims & objectives for the training programme as a whole			
3. Draft schedule/programme in light of scope/aims/objectives			
4. …			
5. …			

Session 7
Check-lists

Check-lists help to:
• Enable more systematic decisions
• Creating a culture of discipline our work
• Improve communication and teamwork
• Let us focus on difficult / technical matters

86

Session 7
Check-lists

Check-list development process:

Define clear objective
⬇
List key steps (actionable)
⬇
Group tasks logically / order chronologically
⬇
Define responsibilities
⬇
Set due dates

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Session 7
Check-lists - Exercise

Practical Exercise:

Based on our discussion in the previous
session, develop a detailed
Activity Check-list for one stage
in the '*Activity Timeline*'

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Session 7
Check-lists - Exercise

Developing a check-list:
• List *headings* / key activity areas
• *Order* these headings (1, 2, 3, …)
• Make a *detailed list of tasks* under each heading
• Identify who should be responsible
• Include a deadline (if possible)

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Session 7
Check-lists

Using check-lists:
• Set reminders
• Cross off the tasks as you progress
• Communication:
  - Complex circumstances
  - Meetings: management & tracking
• Get feedback / keep improving

90

Session 7
Check-lists - Assessment

Limitations:
- Can lead to reliance on a pre-defined management / communications processes
- Can lead to linear / 'blueprint' approach
- The list is as good as the drafter

91

Session 7
Check-lists - Assessment

Benefits:
- Clearly defines a processes
- Helps manage complex activities
- Systematic → chronological
- Excellent for delegation
- Generally simple to develop

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PACIFIC JUDICIAL DEVELOPMENT PROGRAMME

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Effective Project Reporting and Project Finances
Session 8

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Session 8
Reporting & Finances

Effective Project Reporting & Project Finances

To gain an understanding of:
- Key concepts for effective reporting
- Considerations when developing a report
- What financial management is
- Considerations when developing budgets

94

Session 8
Reporting & Finances

Aims of reporting / why do we report?
- Communication → share information
- Transparency → enable oversight
- Accountability → manage & monitor
- Planning → capture experience

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Session 8
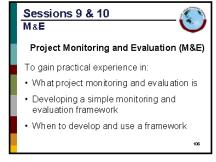**Project reporting**

Considerations for effective reporting:
- Always keep the report's purpose in mind
- Consider your audience
- Provide useful information
- Brevity and structure
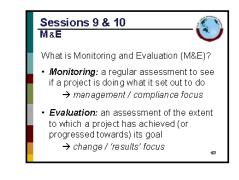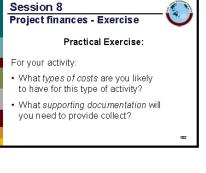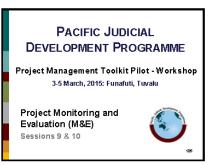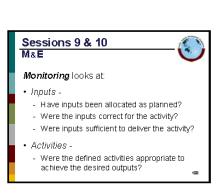- Add value
- Allow sufficient time from draft → final

96

Session 8
Project reporting - exercise

Exercise - Project Completion Report:

Island / Land Court Judges' Orientation:
- *Who* are you reporting to?
- *What topics / information* will you include?
- What *order* should these topics be in?
- How much *detail* should you include?
- How *long will it take to draft* the report?

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Session 8
Project reporting

Basic structure for most reports:
- Table of contents / abbreviations
- Executive Summary
- Introduction
- Body
- Conclusion
- Annexes
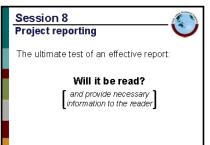
98

Session 8
Project reporting

Considerations for effective reporting:
- Always keep the report's purpose in mind
- Consider your audience
- Provide useful information
- Brevity and structure
- Add value
- Allow sufficient time from draft → final

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Session 8
Project reporting

The ultimate test of an effective report:

Will it be read?

[*and provide necessary*]
[*information to the reader.*]

100

Session 8
Project finances

What is 'financial management'?

It is accurate, transparent, and efficient management of project or activity finances.

That is:

- Budgets
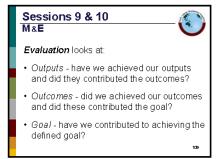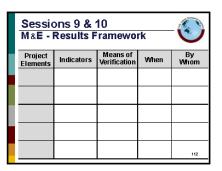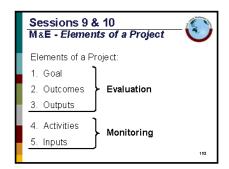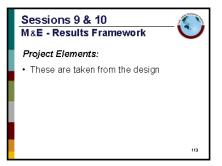- Expenditure management
- Acquittal and reporting

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Session 8
Project finances - Exercise

Practical Exercise:

For your activity:

- What *types of costs* are you likely to have for this type of activity?
- What *supporting documentation* will you need to provide collect?

102

Session 8
Project finances - Exercise

Practical Exercise:

For your activity - what happens if you are:

- Likely to go $1,000 over the budget you developed?
- Missing supporting documentation for $8.22 of this activity's expenses?
- Is it different if this is for $750?

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Session 8
Project finances

Importance of project finances and budgets:

- Value for money
- Planning effectively
- Managing expectations
- Enables effective reporting
- Performance measure and accountability

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PACIFIC JUDICIAL DEVELOPMENT PROGRAMME

Project Management Toolkit Pilot - Workshop
3-5 March, 2015: Funafuti, Tuvalu

Project Monitoring and Evaluation (M&E)
Sessions 9 & 10

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Sessions 9 & 10
M&E

Project Monitoring and Evaluation (M&E)

To gain practical experience in:

- What project monitoring and evaluation is
- Developing a simple monitoring and evaluation framework
- When to develop and use a framework

106

Sessions 9 & 10
M&E

What is Monitoring and Evaluation (M&E)?

- **Monitoring:** a regular assessment to see if a project is doing what it set out to do
  → *management / compliance focus*
- **Evaluation:** an assessment of the extent to which a project has achieved (or progressed towards) its goal
  → *change / 'results' focus*

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Sessions 9 & 10
M&E

Monitoring looks at:

- *Inputs* -
  - Have inputs been allocated as planned?
  - Were the inputs correct for the activity?
  - Were inputs sufficient to deliver the activity?
- *Activities* -
  - Were the defined activities appropriate to achieve the desired outputs?

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Sessions 9 & 10
M&E

Evaluation looks at:

- *Outputs* - have we achieved our outputs and did they contributed the outcomes?
- *Outcomes* - did we achieved our outcomes and did these contributed the goal?
- *Goal* - have we contributed to achieving the defined goal?

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Sessions 9 & 10
M&E - *Elements of a Project*

Elements of a Project:

1. Goal
2. Outcomes   } **Evaluation**
3. Outputs

4. Activities   } **Monitoring**
5. Inputs

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Sessions 9 & 10
M&E

How do we monitor and evaluate a project?

We use a tool called a
Results Framework

(sometimes called a *Monitoring & Evaluation Framework* or *MEF*)

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Sessions 9 & 10
M&E - Results Framework

Project Elements	Indicators	Means of Verification	When	By Whom

112

Sessions 9 & 10
M&E - Results Framework

Project Elements:

- These are taken from the design

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Sessions 9 & 10
M&E - Results Framework

Indicators:

- Are tools to measure whether a project has achieved its outputs, outcomes and contributed to its goal.

They enable us to show whether:

- *Project Elements* were correct
- Each *Project Element* contributed towards the elements above it

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Sessions 9 & 10
M&E - causality

Goal (more efficient court service delivery...)
⇑
Outcomes (timely decision making...)
⇑
Output (improved decision making skills...)
⇑
Activity (decision making training...)
⇑
Inputs (funds, trainers, ...)

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Sessions 9 & 10
M&E - Results Framework

Considerations when developing indicators:

- SMART Indicators
- Quantitative *or* Qualitative
- Subjective *or* Objective
- Triangulation

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Sessions 9 & 10
M&E - Results Framework

To enable comprehensive monitoring and evaluation, indicators need to be:

Specific
Measurable
Attainable
Relevant
Time-bound

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Sessions 9 & 10
M&E - Results Framework

SMART Indicators:

Specific - not too general. Focus on:
what, where, how, and *who*

Measurable - focus on information that can
be *counted, observed, analysed,* or *tested*

Attainable - *be realistic.* You must be able to
collect the information (at reasonable cost)

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Sessions 9 & 10
M&E - Results Framework

SMART Indicators:

Relevant - need to directly *measure project-
related change* to your outcomes and goal

Time-bound - *when measurement will
happen* so you know if / when the goal,
outcomes, etc. are achieved

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Sessions 9 & 10
M&E - Results Framework

PJDP Goal: Strengthened governance and
rule of law ... through enhanced access to
justice and professional judicial officers ...

PJDP Indicator: Perceptions of quality,
professionalism, accessibility, efficiency and
reliability of judicial services

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Sessions 9 & 10
M&E - Results Framework

Means of Verification:

• What data / evidence will you need to
collect to support the indicator:

  - Surveys / questionnaires
  - Reports
  - Assessments
  - Court performance/case management data
  - Research

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Sessions 9 & 10
M&E - Results Framework

PJDP Indicator: Perceptions of quality,
professionalism, accessibility, efficiency and
reliability of judicial services

PJDP Means of Verification: Pacific Island
Country courts and court users' surveys

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Sessions 9 & 10
M&E - Results Framework

When:

• Definition of timeframes - deadlines.

• This ensures that data is collected at the
time(s) *when it is required*

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Sessions 9 & 10
M&E - Results Framework

PJDP Means of Verification: Pacific Island
Country courts and court users' surveys

When: Mid-term and End-of-PJDP

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Sessions 9 & 10
M&E - Results Framework

By whom:

• Defines responsibility for collecting and
reporting → this might be:

  - Individual / organisation
  - Project management team
  - Adviser / expert
  - External evaluator

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Sessions 9 & 10
M&E - Results Framework
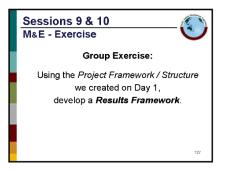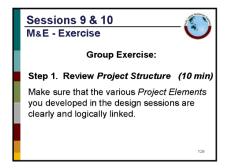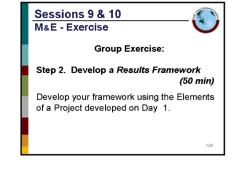
When: Mid-term and End-of-PJDP
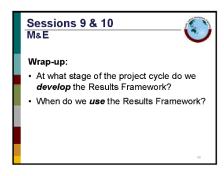
Who: Federal Court and Partner Courts

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Sessions 9 & 10
M&E - Exercise

Group Exercise:

Using the *Project Framework / Structure*
we created on Day 1,
develop a **Results Framework**.

127

Sessions 9 & 10
M&E - Exercise

Group Exercise:

Step 1. Review *Project Structure*   (10 min)

Make sure that the various *Project Elements*
you developed in the design sessions are
clearly and logically linked.

128

Sessions 9 & 10
M&E - Exercise

Group Exercise:

Step 2. Develop a *Results Framework*
(50 min)

Develop your framework using the Elements
of a Project developed on Day 1.

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Sessions 9 & 10
M&E

Wrap-up:

- At what stage of the project cycle do we
  develop the Results Framework?
- When do we **use** the Results Framework?

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Sessions 9 & 10
M&E - Results Framework

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Sessions 9 & 10
M&E

Results Framework is critical at all stages of
the Project Cycle:

- *Design* → project logic; focus on change
- *Appraisal* → donors require one
- *Implementation* → supports our M&E
- *Post-project* → enable change to be shown
- *Project Managers / Courts* → helps achieve
  our aims / outcomes

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Sessions 9 & 10
M&E

Results Frameworks do have *weaknesses*:

- Lead to a 'blueprint' approach
- Hide flaws in the analytical process by
  giving the appearance of logic
- Causality is sometimes hard to show

  If these limitations are recognised, it is a
  very valuable project management tool

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Annex 2   EXAMPLE ASSESSMENT QUESTIONS

This questionnaire - focussing on Judicial / Court Officers' needs - was developed and used for the Development Needs Assessment undertaken by the PJDP in September 2010.

Note: Not all of these questions will be relevant to wider stakeholders, or to all needs assessments that you may want to undertake. As a result, when developing a needs assessment survey for a specific area of need, the type and number of questions will need to be adapted.

PART A - YOUR BACKGROUND

1. **What level is your court?** (please ✓ or *X* one option only):

    ☐ Supreme/High/Appeal (superior)

    ☐ District/Magistrates (subordinate)

    ☐ Land/Island/Village/Community (customary)

2. **In which country is your court located?** ....

3. **Are you a** (please ✓ or *X* one option only):

    ☐ Judicial Officer

    ☐ Court Officer

    ☐ Lay Judicial Officer

4. **Are you a** (please ✓ or *X* one option only):

    ☐ Female

    ☐ Male

5. **How many years have you served in this role?** (please ✓ or *X* one option only):

    ☐ 0 - 2 years

    ☐ 3 - 5 years

    ☐ 6 -10 years

    ☐ 11+ years

PART B - YOUR TRAINING

6. **What is your top qualification?** (please ✓ or *X* one option only):

    ☐ School certificate

    ☐ Degree in law

    ☐ Degree in other discipline (specify) …

    ☐ Postgraduate degree in law

    ☐ Other qualification (specify) …
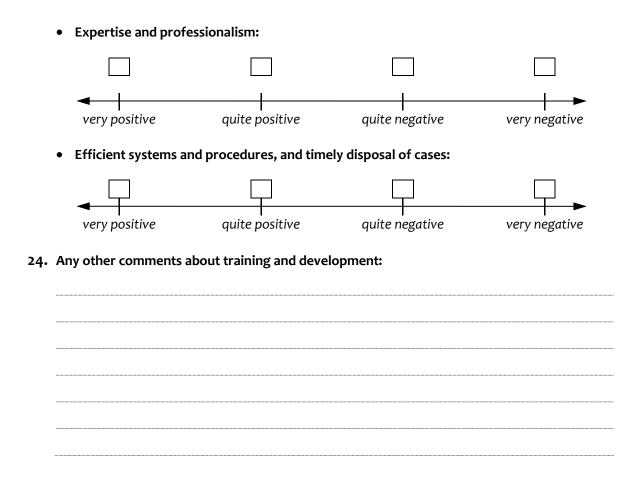
7. **Identify what professional training you received *before* becoming a judicial officer, court officer or lay magistrate** (please ✓or *X each* relevant option):

   ☐ None

   ☐ Criminal law and procedure

   ☐ Civil law and procedure

   ☐ Family law and procedure

   ☐ Business/commercial law and procedure

   ☐ Land and/or customary law and procedure

   ☐ Court administration and case management

   ☐ Professional skills (e.g. Decision making, dispute resolution, legal research, judgment writing, office administration, computer)

   ☐ Judicial role and ethics

   ☐ Human rights, gender equality and other cross-cutting themes

   ☐ Other (please specify): ....

8. **Describe the *average* duration of this training(s)** (please ✓or *X* one option only):

   ☐ .... ☐ .... ☐ .... ☐

   ½ *day*　　　　2-3 *days*　　　　1-2 *weeks*　　　1 *month+*

9. **Identify the *principal* training provider** (please ✓or *X* one option only):

   ☐ University / College

   ☐ Government

   ☐ PJDP / PJEP

   ☐ Other Donor-funded Activity

10. **Describe your satisfaction: was this training(s) useful?** (please ✓or *X* one option only)

    ☐ .... ☐ .... ☐ .... ☐

    extremely useful　　*quite useful*　　*slightly useful*　　*not useful*

11. **Identify what professional training you received *after* becoming a judicial officer, court officer or lay magistrate** (please ✓or *X each* relevant option):

    ☐ None

    ☐ Criminal law and procedure

    ☐ Civil law and procedure

    ☐ Family law and procedure

    ☐ Business/commercial law and procedure

    ☐ Land and/or customary law and procedure

    ☐ Court administration and case management

☐ Professional skills (e.g. Decision making, dispute resolution, legal research, judgment writing, office administration, computer)

☐ Judicial role and ethics

☐ Human rights, gender equality and other cross-cutting themes

☐ Other (please specify): ....

12. **Identify the *principal* training provider** (please ✓or **X** one option only):

☐ University / College

☐ Government

☐ PJDP / PJEP

☐ Other Donor-funded Activity

13. **Describe your satisfaction: was this training(s) useful?** (please ✓or **X** one option only)

☐   ☐   ☐   ☐
extremely useful   *quite useful*   *slightly useful*   *not useful*

14. **Describe the cases in your court** (please insert percentages to a total of 100):

- Criminal: _____ ☐ %
- Civil: _____ ☐ %
- Family: _____ ☐ %
- Business: _____ ☐ %
- Land/customary: _____ ☐ %
- Other (please specify): _____ ☐ %

Total:	100	%

PART C - YOUR ROLE AND TASKS

15. **How do you spend your working time on average during the past month** (please insert percentages to a total of 100):

- In court as judicial officer, court officer or lay magistrate: ☐ %
- Researching the law or preparing for hearings: ☐ %
- Consulting with professional colleagues: ☐ %
- Undertaking administrative tasks: ☐ %
- Undertaking professional development (please specify below): ☐ %
- Undertaking other professional activities (please specify below): ☐ %

Total Activities:	100	%

PART D - YOUR NEEDS

16. **Do you think you have adequate access to the following professional resources?**
(please ✓ or *X* in either column of every line):

	Yes	No
• Statutes and regulations	☐	☐
• Text books on law	☐	☐
• Written decisions of the Supreme/High Courts	☐	☐
• Materials on court practice and procedure	☐	☐
• Professional support/guidance	☐	☐

17. **Rank the *nature* of your needs for training and development by order of importance** (please insert one number in each box, from 1 "*most important*" to 7 "least important". *Note:* use each number only once):

☐ Acquire information on law and court procedures

☐ Acquire practical skills as a judge or court officer or lay magistrate

☐ Improve understanding of your professional role

☐ Solve day-to-day problems in specific cases

☐ Keep up to date with new laws and latest developments

☐ Improve professional responsibility and ethics

☐ Other (please describe): ....

18. **Rank the *content* for training and development by order of importance** (please insert one number in each box, from 1 "*most important*" to 12 "least important". *Note:* use each number only once):

☐ Criminal law and procedure

☐ Civil law and procedure

☐ Family law and procedure

☐ Business/commercial law and procedure

☐ Land and/or customary law and procedure

☐ Court administration and case management

☐ Professional skills (e.g. decision-making, legal research, judgment writing)

☐ Judicial role, ethics and conduct

☐ Human rights, gender equality and/or other cross-cutting themes,

☐ Other (please describe, if needed): ....

☐ Other (please describe, if needed): ....

☐ Other (please describe): ....

19. Rank the *level* of training and development by order of importance (please insert one number in each box, from 1 "*most important*" to 4 "least important". *Note:* use each number only once):

☐ Induction (pre-service)

☐ Update/recent developments (in-service)

☐ Networking/experience sharing (in-service)

☐ Specialist expertise (e.g. forensic pathology, complex accounting …)

20. Rank the usefulness of the following presenters/writers for training (please insert one number in each box, from 1 "*most useful*" to 3 "least useful". Use each number only once):

☐ Respected judges

☐ University teachers

☐ Other experts

21. Rank your preferred format for training and development (please insert one number in each box, from 1 "*most preferred*" to 4 "least *preferred*". Use each number only once):

☐ Formal lecture

☐ Participatory seminar/workshop

☐ On-the-job mentoring

☐ Self-directed research/reading

Part E - Your Court

22. Do you need any other support or resources to perform your duties (if so, describe):

....

23. Assess the quality of justice in your court(s) in terms of:
(please ✓ or *X* one option only per line)

- **Access to justice - lack of barriers** (geographic, financial, cultural etc):

☐ *very positive* ☐ *quite positive* ☐ *quite negative* ☐ *very negative*

- **Leadership and good governance:**

☐ *very positive* ☐ *quite positive* ☐ *quite negative* ☐ *very negative*

- **Expertise and professionalism:**

□	□	□	□

very positive *quite positive* *quite negative* *very negative*

- **Efficient systems and procedures, and timely disposal of cases:**

□	□	□	□

very positive *quite positive* *quite negative* *very negative*

24. **Any other comments about training and development:**

....

....

....

....

....

....

....

Thank you for your responses!

Annex 3   EXAMPLE NEEDS ASSESSMENT REPORTING TEMPLATE

Executive Summary (if required)

1.0   Background

2.0   Methodology for Assessment
Including:
- Reason for undertaking the assessment.
- Benchmarks developed.
- Identified Court / Leadership priorities.

3.0   Approach for Assessment
Including:
- Surveys.
- Observations.
- Process analysis.
- Interviews.
- Focus-groups.
- Research.

4.0   Summary of Findings
Summary Findings of the Capacity Needs Assessment - sub-sections can be based on:
- Collated responses to surveys
- Consultation questions.
- Observations undertaken.
- Research undertaken.
- Any other matters covered by the capacity assessment.

Summary findings of the Institutional Needs Assessment - sub-sections can be based on:
- Process assessments undertaken.
- Observations.
- Collated responses to surveys.
- Consultation questions.
- Research.
- Any other matters covered by the institutional assessment.

Annexes - Collating:
- All responses receive to surveys.
- Comparative data / research information.
- List of consultations.
- Copies of Survey assessment and other forms used in the needs assessment.

Annex 4   GAP ANALYSIS FRAMEWORK

NEEDS / GAP ASSESSMENT FRAMEWORK

1.   The Process

The following *Needs / Gap Assessment Framework* aims to provide a structure to assist partner courts to critically analyse needs and the cause(s) for them.

A court's development needs fall within two broad areas.

1.   Organisational needs relating to *performance* of: policy, systems, processes, etc.

2.   Capacity development needs relating to *competence*, particularly individuals': knowledge, skills, and attitudes.

Needs analysis identifies the difference between:

- What the current performance /competence level **is;** *and*

- What the current performance /competence level **should be** (the 'benchmark')*.*

The difference between these two - the 'gap' - is called the *performance* or *competence gap.*

Gap analysis is a process used to work out the gap between current and desired performance or competence standards. Gap analysis makes project managers reflect on the *real needs* and causes for these based on an objective process of analysis.

> *Identifying 'the gap' does not necessarily identify the* cause *for the gap.*
>
> *Ensure that the solution(s) developed to address or fill a gap* addresses its cause.

Key steps in undertaking a gap analysis:

1	Select a: process / area of the court's operations; or a role / group within the court.
2	Breakdown the steps in the process / or the responsibilities of the role - *sometimes called defining 'what is' (undertaken as part of needs identification, see* **Section 2.1.1**).
3	Define what the *ideal* or *preferred* performance / competence standard should be - *This is called* **benchmarking** *(see* **Tool 8** *in the Project Management Toolkit).*
4	Identify and document the difference or 'gap' between the *current* performance / competence standards and the *benchmark.*
5	Identify a process / way to fill the gap and thereby achieving the benchmark standard.

Identifying the **cause for the gap** must form part of the activities undertaken at *Step 4* of the above process.

Identifying these causes is undertaken based on a combination of:

a. Asking all those included in your needs assessment (both internally and external to the court) *why* they think there is a performance / competence gap.

b. Researching causes for the gap in other local/international jurisdictions which might be relevant to you.

c. Your objective assessment of the performance / competence gap.

As with any assessment, the more data or consensus you have that supports a particular cause, the more likely it is that you have identified a valid cause for the gap.

2.   Prioritising Identified Needs / Gaps

Remember - once you have identified your needs and the causes for these you will most likely not be able to respond to all of your court's needs immediately. As a result, you will need to prioritise the identified needs.

Criteria to Prioritise Identified Needs / Gaps:

A simple process for prioritising needs and the activities to address the identified performance / competence gaps, is to rank them in order of importance as follows:

1 = High priority:
- **Competence:** individuals in the group *must* have this knowledge/skill/etc.
- **Performance:** the system / policy is *critical* for your court to function.

2 = Medium priority:
- **Competence:** individuals in the group *should* have this knowledge/skill/etc.
- **Performance:** the system / policy is *valuable* for your court to function well.

3 = Low priority:
- **Competence:** it is *useful* for individuals/the group to have this knowledge/skill/etc.
- **Performance:** the system / policy is *useful* for your court's operations.

3.   Other Resources

Sections in the Project Management Toolkit that may be useful when identifying, analysing and prioritising needs / gaps include:

- **Section 2.1.1:** Project (Needs) Identification
- **Annex 10:** Cook Islands Indicators
- **Tool 8:** Developing Benchmarks

TOOL A: INDIVIDUAL / CAPACITY NEEDS → *Competence Gaps*[1]

When analysing individual or capacity-related needs, a range of areas can or will need to be investigated for you to accurately identify the priority or most critical needs in your court.

Below is a list of individual / capacity areas that you may wish to analyse. **Note:** the headings and sub-headings are *examples only*. Not all may be relevant in your court, and others may need to be added and/or adapted to be appropriate to your situation:

a. *Leadership & Relationship:*

- • Direction and Mentoring
- • Strategic leadership
- • Communication
- • Team work
- • Problem solving / results

b. *Professional Competence:*

- • *Knowledge:*
  - - *Professional:* basic rights, ethics, legislation, regulations, amendments, etc.
  - - *Procedural:* case management, administration statutory / registry requirements; etc.
- • *Skills:*
  - - *Professional* - decision making, sentencing, managerial, etc.
  - - *Management* - general, staff, financial, reporting, etc.
  - - *Technology* - IT systems use, computer literacy, etc.
- • *Attitudes:* the ability or desire to apply knowledge and skills

c. *Communications & Customer Service:*

- • Courtesy and professionalism
- • Service delivery

d. *Innovation & Attitudes:*

- • Response to change
- • Professional attitude
- • Focus on improvement

Example Gap Assessment Framework - Individual Needs / Competence

The **headings**, **sub-headings**, and *criteria* included in the Gap Assessment Framework below are *examples only*. Benchmark definition, needs identification, and gap analysis will need to be undertaken in light of your court's individual situation.

---

[1]   See also the: PJDP Trainer's Toolkit; and PJDP Judges' Orientation Toolkit, for discussions on training-related needs assessments.

EXAMPLE GAP ASSESSMENT FRAMEWORK - INDIVIDUAL NEEDS / COMPETENCE[2]

This table is filled in from left to right

Benchmark: *(What should this role / individual be doing?)*	Current situation: *(What is this role / individual currently doing?)*	What is the gap / need between benchmark and current situation?	→	What is the cause for this gap / need?	→	Actions to address this gap / need *(these points form the basis of the project design)*
a. **Leadership & Relationships:** **1.** **Direction & Mentoring:** **Example** *for Registrar:* *Provides meaningful work priorities and objectives to staff; motivates and supports staff; and leads by example.*	*Staff are not aware of their responsibilities; and no ongoing professional development / support is available.*	*Registry roles / work priorities and objectives are not defined; opportunities for the ongoing improvement of staff are limited.*	→	*Staff are not aware of position descriptions for their role; no ongoing staff training / interaction occurs to support them.* *(Note: this may also link to the Organisational Needs assessment - see Point 2)*	→	*Provide role-specific training to staff; establish semi-structured 'group interactions' for sharing, discussing, and addressing work-related issues.* *(Note: this again may link to the Organisational Needs assessment - see Point 2)*
b. *Knowledge Gaps:*						

---

[2]   You can copy this table into a new document, delete the current text, and use this as a template for a gap analysis in your court.

Benchmark: *(What should this role / individual be doing?)*	Current situation: *(What is this role / individual currently doing?)*	What is the gap / need between benchmark and current situation? →	What is the cause for this gap / need? →	Actions to address this gap / need *(these points form the basis of the project design)*
2. **Professional knowledge:** **Example *for Judicial Officers*:** *All judges are aware of new legislation relevant to their jurisdiction.*	*Judicial Officers are not always aware of new legislation / amendments relevant to their jurisdiction.*	*Judicial Officers are unaware of relevant legislation / amendments.* →	*Not all judicial officers are doing self-directed research on legislative updates relevant to their jurisdiction.* →	*Develop regular update seminars for judicial officers in each jurisdiction on relevant new legislation / amendments.*
3. **Procedural knowledge:** **Example *for Registry staff*:** *All staff know the filing requirements for all case-types within the court's jurisdiction.*	*A significant proportion of cases (____%) registered are missing one or more documents necessary for filing.*	*Registry staff do not know what: case registration requirements are; and* *The court's policy on registering cases is.* →	*The case registration process is unclear, and the court's policy on registering cases is not documented.* →	*Training to Registration Clerks / Officers on the: use of 'registration checklists'; and Court's Registration Policy so that incomplete cases are not accepted for registration.*
C. Innovation & Attitudes: 4. **...:**			→	→
Communications & Customer Service: 5. **...:**			→	→

TOOL B: ORGANISATIONAL NEEDS → *Performance Gaps*

When analysing organisational or institution-related needs, a range of areas can or will need to be investigated for you to accurately identify the priority or most critical needs in your court.

Below is a list of individual / capacity areas that you may wish to analyse. **Note:** the headings and sub-headings are *examples only*. Not all may be relevant in your court, and others may need to be adapted to be appropriate to your situation:

a. *Systems / Processes:*
- Case registration and tracking process
- Staff management
- File management

b. *Policy:*
- Data management
- Community Engagement Strategy
- Time standards
- Accountability, transparency and reporting

c. *Planning:*
- Organisational / Strategic Planning
- Ongoing Judicial / Court Development Planning

d. *Operations:*
- Corporate services - management of the court
- Human resources - personnel management, recruitment, development, etc.
- Finance systems - budgeting, expenditure tracking, reporting, etc.
- Technology - maintenance, servicing, replacement/upgrade, etc.
- Infrastructure development - buildings, facilities, renovations, etc.

Example Gap Assessment Framework - Organisational Needs / Performance

On the following page is a *Gap Assessment Framework* that may assist in undertaking your gap analysis. When undertaking the analysis of policy, system, or process needs in your court to identify potential gaps, it may help to look at:

1. **Fitness for purpose:** is the policy / system / process appropriate to achieve efficient and effective court operations within your court's ability to support / fund?

2. **Functionality:** can court staff use the system / process effectively to administer the functions of the court efficiently?

3. **Usability:** are court users able to use the system / process easily and effectively to access the court's services?

4. **Ongoing improvement:** do opportunities exist for feedback and improvement on an ongoing basis with regards to your court's policy / system / process?

Once again, the headings, **sub-headings,** and *criteria* included in the framework below are **examples only,** and benchmark definition, needs identification, and gap analysis will need to be undertaken in light of your court's individual situation.

EXAMPLE GAP ASSESSMENT FRAMEWORK - ORGANISATIONAL NEEDS / PERFORMANCE[3]

This table is filled in from left to right ➡

Benchmark: *(What should this process / policy /... be doing?)*	Current situation: *(What is this process / policy /... currently doing?)*	What is the gap / need between benchmark and current situation? →	What is the cause for this gap / need? →	Actions to address this gap / need *(these points form the basis of the project design)*
a. *Systems / Processes:*				
1. Example *for Case registration process:* A case can only be filed if all required documents are submitted at the time of registration.	A significant proportion of cases (_____%) registered are missing one or more documents necessary for filing.	The case registration process is unclear resulting in cases being filed that do not have all required documents. →	The case registration process is not clearly and simply documented for court users / registry staff. →	Develop a system of 'registration checklists' for each case-type that must be fully completed prior to registration of a case.
2. Example *for Staff Management:* Staff roles and responsibilities are clearly defined and performance monitored.	Staff roles are not clearly defined; performance is not monitored on a regular basis.	Accountability and performance is low as staff are unaware of their responsibilities; and no system for monitoring performance exists. →	No registry / personnel structure is defined for the court; position descriptions are not defined for all staff positions; performance reviews are not undertaken. →	Develop a registry / personnel structure document showing relationships within the registry; develop position descriptions and performance expectations for all roles; establish a system of staff annual performance review.

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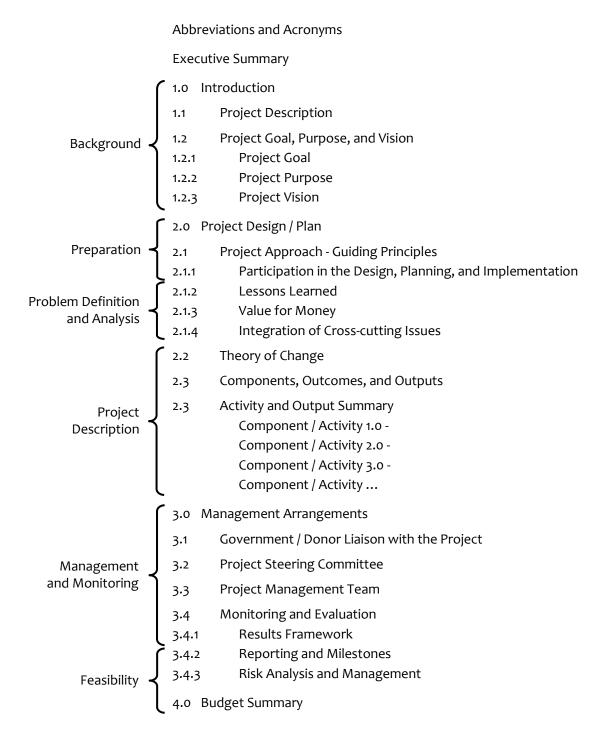
[3] Again, you can copy this table into a new document, delete the current text, and use this as a template for a gap analysis in your court.

Benchmark: *(What should this process / policy /... be doing?)*	Current situation: *(What is this process / policy /... currently doing?)*	What is the gap / need between benchmark and current situation? →	What is the cause for this gap / need? →	Actions to address this gap / need *(these points form the basis of the project design)*
b. Policy:				
3. Time standards example for Lower Courts: Time standards for all case types have been defined and are being met.	No time standards exist in lower courts.	Lack of a policy framework for case disposal in the lower courts. →	No resources have been allocated to develop time standards; lack of expertise in developing time standards in lower courts. →	Develop time standards for lower courts using PJDP Time Standards Toolkit and technical support from PJDP Adviser / judge and RTT familiar with developing time standards in the superior court.
4. Time standards example for Superior Courts: Time standards for all case types have been defined and are being met.	Defined time standards in superior courts are not met in a significant proportion (_____%) of criminal cases. Civil cases generally meet defined time standards.	Time standards are not being met at all stages of the criminal case management process. →	Lack of interest by superior court criminal judges / court officers to meet time standards as these are seen as being unrealistic; lack of motivation to meet time standards. →	Review of existing superior court time standards to ensure; awareness training on updated criminal time standards; development of incentives to keep to all time standards (court performance awards; etc.)
c. Planning:				
5. ...:			→	→

Benchmark: *(What should this process / policy /... be doing?)*	**Current situation:** *(What is this process / policy /... currently doing?)*	**What is the gap / need between benchmark and current situation?**	→	**What is the cause for this gap / need?**	→	**Actions to address this gap / need** *(these points form the basis of the project design)*
d. **Operations:**						
6. ...:			→		→	

Annex 5   EXAMPLE ANNOTATED TABLE OF CONTENTS FOR A PROJECT DESIGN

The following table of contents is an example only based on the PJDP extension designs. While many of the headings included are likely to be useful in most design documents, as with all examples, when developing a design document template for a specific project, the headings and level of details will need to be adapted.

Abbreviations and Acronyms

Executive Summary

Background

1.0   Introduction

1.1   Project Description

1.2   Project Goal, Purpose, and Vision

1.2.1   Project Goal

1.2.2   Project Purpose

1.2.3   Project Vision

Preparation

2.0   Project Design / Plan

2.1   Project Approach - Guiding Principles

2.1.1   Participation in the Design, Planning, and Implementation

Problem Definition and Analysis

2.1.2   Lessons Learned

2.1.3   Value for Money

2.1.4   Integration of Cross-cutting Issues

2.2   Theory of Change

2.3   Components, Outcomes, and Outputs

Project Description

2.3   Activity and Output Summary

Component / Activity 1.0 -

Component / Activity 2.0 -

Component / Activity 3.0 -

Component / Activity …

Management and Monitoring

3.0   Management Arrangements

3.1   Government / Donor Liaison with the Project

3.2   Project Steering Committee

3.3   Project Management Team

3.4   Monitoring and Evaluation

3.4.1   Results Framework

Feasibility

3.4.2   Reporting and Milestones

3.4.3   Risk Analysis and Management

4.0   Budget Summary

Annex 6   LEADERSHIP INCENTIVE FUND – GUIDELINES AND GRANT APPLICATION TEMPLATE

Overview

The Leadership Incentive Fund (LIF) aims to support the achievement of national judicial development objectives aligned with the Pacific Judicial Strengthening Initiative's (PJSI) objectives. In doing so, the LIF intends to strengthen local capacity to manage development activities locally. Five grants of up to AUD $10,000 and two large grants of between AUD $30,000 - $35,000 will be available per year over PJSIs life. Large grants will also receive two-weeks of project management and planning support (an indicative visit approach can be found below). At direction of the Chief Justice and with the support of the National Coordinator, any partner court participating in the PJSI may apply.

How to Submit a Grant Application: Grant Applications will be considered three times a year: The deadline for receipt of Grant Applications is 30 March, 30 June and 30 October each year.

All applications will be reviewed by a Panel comprising members of the PJSI Management Team. Applicants will be notified in writing of the Panel's decision. Conditional approval will be provided for applications that substantively meet most of the assessment criteria but which require some limited refinements. Approval will be final once email confirmation from the applicant partner court of the conditions is received by the PJSI Team.

Grant Applications are to be submitted electronically to: pjsi@fedcourt.gov.au. **In assessing applications, the following criteria will be considered:**
1. The proposed activity/ies and their objective/s.
2. The court's development need/s being addressed by the project.
3. How the project will contribute to fairer societies by supporting courts to develop more accessible, just, efficient and responsive court services.
4. How the project will contribute to improvements in human rights, gender equity, and equality.
5. The current situation and a process for monitoring and measuring changes in knowledge, attitudes, or practice at the completion of the project.
6. How the outcomes of the project will be sustained over time.

The PJSI team is happy to work with you in developing your application. Please send us a draft application prior to the deadline so that we can review this and provide feedback. This will enable the PJSI to give guidance prior to the submission of the final application.

Conditions

All successful grant applicants will be required to:
1. Ensure the project is overseen by a National Coordinator.
2. Finalise all project activities and expenditure within a maximum 6 months of funding being approved.
3. Report on all activities.
4. Successful large grant applications will be required to participate in a two-week targeted project management capacity development activity delivered locally by the PJSI team.

Scope of Leadership Incentive Fund Support

All activities need to align with the partner court's broader development goals, as well as with the goal of the PJSI.

Example areas of support include, *but are not limited to*:
- Implementation of one or more of the existing toolkits (including covering adviser fees).
- Development and facilitation of sub-regional workshops.
- Development of technical and capacity building resources for your court(s).
- Locally lead / facilitated training workshops.

In line with our MFAT obligations, under the Leadership Incentive Fund we *cannot* support:
- Infrastructure (including applications that only cover the cost of new computers for the judiciary).
- Activities where alternate funding sources may be available (for example conference participation).
- Staff salaries or general court operations costs.
- Gifts, koha, or alcohol.
- Cannot provide funds for an identical activity that was funded by the Pacific Judicial Development Programme Responsive Fund.

Grant Application

The terms highlighted in **red font** in the LIF Grant Application Form, below, are defined and discussed in the Project Management (PM) Toolkit, located here - http://www.fedcourt.gov.au/pjsi/benchbooks/toolkits/Project-Management-Toolkit-2016.pdf

PJSI Leadership Incentive Fund - Grant Application	
Country Name, Court Name and National Coordinator Details:	
LIF project title:	
Approach[4]	
What issue(s) / problem will this LIF project address?	
What is the goal ***of your LIF project?***	

Proposed Activity/ies: *(what are you planning to do and how will it address the aim?)*	Planned Outputs: *(what will happen / be produced by these activity / ies?)*

How will your LIF project address gender and human rights issues?[5]	

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[4]   Project Management Toolkit: *Design* (Section 2.1.2, page 4)
[5]   Project Management Toolkit: *Cross-cutting Issues* (Section 3.9, page 20)

What are the medium and long term outcomes your LIF project will achieve and how will these be monitored and evaluated? *(What **difference** will the activities make to those involved, the court, and community?).*	

Feasibility

How will the outcomes live on after the LIF project?[6]	
What risks will be present and how will these be managed?[7]	

Team and Management

What resources, experts will be used by this LIF Project? *(e.g. RTT / NT, advisers, PJDP toolkits, etc.)*	
Number of people affected: *(target group, plus beneficiaries)*	
Is the Activity Checklist attached? *(See Annex 4)*[8]	Yes / No

Budget

Is the full itemised budget is attached: *(See Annex 3)*[9]	Yes / No

Approval

Approval of the Chief Justice	Signed:_____ Name:_____ Date:_____
Approval of National	Signed:_____

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[6] Project Management Toolkit: *Sustainability* (Section 3.9.3, page 22).
[7] Project Management Toolkit: *Risk Matrix* or Table (Tool 11, page 28).
[8] Project Management Toolkit: *Checklists* (Tool 9, page 26).
[9] Project Management Toolkit: *Key Steps in Developing a Activity or Project Budget* (Section 3.7, page 17).

Coordinator and acknowledgement that you agree to oversee and be accountable / responsible for the project	Name:_____ Date:_____

Example Budget Template - Excel version of budget can be supplied

| Expense Items / Description[10] | Number[11] Unit[12] | Unit Cost[13] | Total AUD[14] | |
			Court contributions[15]	LIF Grant contributions
Accommodation - In-country	day(s)			
Accommodation - Transit	day(s)			
Bank Fees / Transaction Charges	quantity			
Catering / Refreshments	day(s)			
Communications (telephone, email, postage)	quantity			
Fees / Salary (non-government funded staff, advisers / experts)	day(s)/month(s)			
Per diem (meals and incidentals allowance) Note: these cannot exceed MFAT rates[16]	day(s)			
Stationery (general, photocopying, printing)	quantity			
Travel - International (flights, boats)	trip(s)			
Travel - Local (flights, boats, taxis)	trip(s)			
Travel - Incidentals (Medical / travel insurance, departure tax, visas)	trip(s)			
Venue (room hire, equipment rental)	day(s)			
Total:				
Exchange rate used: AUD$1.00 = **Source of exchange rate:**				

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10   Each heading can be broken down further if desired - example costs that can be included in the budget (if needed) are found in Annex 12 of the PM Toolkit.

11   Insert total number of each 'unit', for example the total number of: flights, accommodation nights, etc.

12   The type of 'unit' may vary from project to project.

13   Insert the cost for each flight, night's accommodation, etc.

14   The total is calculated by multiplying the 'number' of units by the 'unit cost'.

15   Court contributions are the elements which your court will contribute. Please give an actual/approximate value of what you are contributing. For example, if you have a workshop venue in your court, your court contribution will be equal to the cost to hire a venue outside the court. Another example of in-kind contribution is people's time that will be put into this project that the LIF will not directly fund, for example the number of hours the National Coordinator will spend overseeing the project.

16   MFAT per diem rates are found at: https://www.mfat.govt.nz/en/aid-and-development/working-with-us/getting-paid/per-diem-rates/.

Local Project Management and Planning Visits - Indicative Approach:

The visits will be structured around the *Project Management Toolkit* and the approved large LIF application. Visits will also align with the objectives of the regional Project Management and Evaluation Workshop to:

• strengthen national capacity enabling competent management of local judicial development activities to produce results through the delivery of projects; and

• promote self-reliance and confidence in leading, designing, delivering, monitoring, and evaluating projects using established steps, processes, methods and tools.

Support to be provided will include the following:

• *Pre-visit (remotely) -* to initiate discussions, clarify the nature and scope of the support to be provided, identify the counterparts (and their roles, responsibilities, and capacities [as far as possible]) that will be worked with during the visit.

• *10-day in-PIC Visit -* working with the identified counterparts tasked to implement the large LIF activity (both individually and as a group) to:
  - *Strategic Planning:* supporting counterparts in developing a *Judicial Development Annual Plan.*
  - *Plan all aspects of the LIF activity in detail:* supporting counterparts to develop a detailed schedule and timelines, identify what logistics / organisational aspects need to be undertaken, develop check/tasks-lists to document these tasks, and allocate responsibilities and deadlines.
  - *Implementation:* identify what needs to be tracked during implementation to ensure smooth delivery and a quality activity. Also identifying what M&E activities will need to be undertaken pre-/post-activity and supporting them to develop relevant M&E documentation.
  - *Report on the activity:* jointly develop an activity-specific reporting template and support them to understand what needs to be reported and how. Also develop financial tracking/reporting templates and capability (possibly including some basic excel training).
  - *General operational management support:* provide one-on-on / small group coaching to jointly develop solutions to address basic administration, managerial issues, and individual capacity constraints found in the local context.

• *Post-visit (remotely) -* providing support during implementation / reporting to address concerns, respond to queries, and provide feedback on draft documentation developed, as required.

Annex 7 LEADERSHIP INCENTIVE FUND: APPLICATION APPRAISAL / ASSESSMENT CRITERIA

1. The Project has both the CJ's and NC's **support?**

2. The Project's goal **aligns with the court's development needs** / priorities?

3. The Project **contributes to PJSI's goal**?

4. The application identifies the **development need(s)/problem**?

5. Activities address the identified **development needs** and support the defined project **goal** and **outcomes**?

6. The Project identifies how it will contribute to improvements in **human rights, gender equity, and equality,** where appropriate?

7. **Monitoring and evaluation:** The project clearly identifies achievable and measurable outcomes and a process for monitoring and measuring changes in knowledge, attitudes, or practice?

8. **Sustainability:** The project clearly identifies strategies for how the project's outcomes will be sustained over time.

9. **Budget**

Annex 8   EXAMPLE WORKSHOP CHECKLIST

General Matters:	Responsibility	✓
1. Confirm Workshop Date and Location		☐
2. Send out nominations letter and registration forms		☐
3. Follow up with nominees to send in registration forms		☐
4. Contact donor and/or relevant host country official to inform them of the activity & invite them to attend opening / closing		☐
5. Confirm with additional participants if they are invited to come or not		☐
6. Confirm and advise which trainers/facilitators are required to attend		☐
7. Develop and send out invitation emails to all confirmed participants - include workshop details; accommodation details and flight option		☐
8. Develop a budget tracking-sheet to help with forecasting and tracking of expenditure		☐
9. Develop a participants list and send final list of participant names/details to trainers/facilitators		☐
10. Receive registration forms and collate		☐
11. Finalise cultural briefing		☐
12. Once all logistical arrangements have been made send Travel briefing & cultural briefing to all participants		☐
13. **Double-check all arrangements:** flights; airport transfers; check-in/out dates & times taking into account any changes in arrangements		☐
14. **Develop the workshop completion report**		☐

Flights:	Responsibility	✓
1. Obtain 3 flight quotes from the travel agent and save these quotes in the activity folder		☐
2. Check flight paths/schedules and choose the best flight option that is within budget		☐
3. Send flight options to participants in an invitation email		☐
4. Seek participants' approval on flight option (follow up)		☐
5. Request itinerary from the travel agent for the approved flight option		☐
6. Save draft itineraries in the activity folder		☐
7. Seek final approval for flight itinerary from participant		☐
8. Request the travel agent to ticket the itinerary		☐
9. Send final itinerary & e-tickets to participants		☐
10. Save confirmed itinerary & e-tickets in the activity folder		☐
11. Combine all flight details into a spreadsheet to the needed information to book accommodation and airport transfer providers		☐

Flights:	Responsibility	✓
Accommodation:	**Responsibility**	**✓**
1. Collect three quotes for accommodation & workshop venue and determine the best option that is within budget for the activity		☐
2. Book Workshop venue & accommodation		☐
3. Make arrangements with accommodation supplier for airport transfers		☐
4. Finalise catering for workshop		☐
5. Develop a spread sheet with check in/outs of each participant		☐
6. Send spreadsheet with participants check in/out details to the hotel		☐
7. Book any transit accommodation based on confirmed flight itineraries		☐
8. Request the necessary authority & make accommodation payments		☐
9. Retain credit card authority for credit card to remind you to follow up on the invoice upon the guests check-out		☐
10. Include accommodation details in travel briefing		☐

Meal Allowance / Per Diem:	Responsibility	✓
1. Draft and finalise meal allowance document based on flight itinerary		☐
2. Arrange approval/check of meal allowance document		☐
3. Confirm if there will be a formal dinner during the activity		☐
4. Arrange to have the meal allowance payments ready to hand out at the workshop		☐
5. Provide details of the participants meal allowance in the travel briefings		☐
6. Make arrangements for formal dinner - venue, menu, and transport		☐

Visas:	Responsibility	✓
1. Confirm visa requirements (if relevant) and include details in the email sent to participants		☐
2. Draft Visa Support Letters for any transit visas (if required)		☐
3. Send email outlining visa details & Visa Support Letter to participants		☐
4. Follow up with participants to confirm all have their visas		☐
5. Update visa information into a logistics spread sheet		☐
6. Provide details in travel briefing		☐

Insurance:	Responsibility	✓
1. Book appropriate medical / travel insurance		☐
2. Print receipt & save receipts		☐
3. Save policy number		☐
4. Provide details of insurance in travel briefing		☐

Materials and Equipment:	Responsibility	✓
1. Liaise with participants / trainers / facilitators regarding the programme		☐
2. Develop and proof workshop materials - i.e.: agenda; pre-post workshop questionnaires; and presentations		☐
3. Send workshop agenda / materials to workshop participants		☐
4. Obtain 3 quotes from printers (if there is a large amount of workshop documentation / materials to print)		☐
5. Prepare materials and provide printer a sample hard copy & soft copy		☐
6. Print any workshop materials and presentations		☐
7. Gather any additional required workshop equipment		☐
8. Create package of documents needed by the workshop support team, including: meal allowance receipts; reimbursement receipts; participant arrival and departure information; insurance information; workshop agenda; participants list; etc.		☐

Finances - Pre-workshop:	Responsibility	✓
1. Prepare cash payments for participants. These might include: meal allowances; departure tax costs; local transport costs; etc.		☐
2. Organise and process meal allowance / other payments to facilitator / participant bank accounts (if appropriate)		☐
3. Develop individual meal allowance receipts and reimbursable expense receipts. Print and put into envelopes for each participant with their meal allowance.		☐
4. Confirm details of bank accounts for any payments/international transfers (e.g. hotel and venue payments)		☐
5. Update budget tracking sheet with real costs		☐
6. **Regularly make necessary changes / adjustments** to budget / expenditure projections to take into account changes in arrangements		☐

Finances - Post-Workshop:	Responsibility	✓
1. Receive / collect all boarding passes; signed per diem receipt/expense claim forms; and any other documentation (i.e. questionnaires).		☐
2. Keep copies of all adviser/facilitator presentations		☐
3. Review all invoices and check against budget		☐
4. Acquit all payments with corresponding invoices and charge to the appropriate budget lines.		☐
5. Follow up on any outstanding invoices for the workshop		☐
6. Finalise payment for accommodation/workshop venue		☐
7. Receive all Adviser/Support Staff reimbursable invoices & check against budget/contracts before making payments		☐
Finances - Post-Workshop:	**Responsibility**	✓

Finances - Post-Workshop:	Responsibility	✓
8. Approve reimbursement costs		☐
9. Process reimbursement payments		☐
10. Collate questionnaire responses & send to Workshop Facilitator		☐
11. Follow up with transit accommodation for invoice(s)		☐
12. Receive invoice from hotel/workshop venue & arrange deposit/final payment(note: it is always better to pay the final invoice after the event as changes to no. of participants etc. are sure to happen)		☐
13. Compare budget projections to actual costs and provide an explanation for significant over / underspends		☐
14. Develop the final workshop financial report		☐
15. Update contacts list, with all the new / updated participants details		☐

Annex 9   OECD DAC Evaluation Criteria[17]

When evaluating programmes and projects it is useful to consider the following Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) criteria, as set out in the *DAC Principles for Evaluation of Development Assistance*:

Relevance

The extent to which the aid activity is suited to the priorities and policies of the target group, recipient, and donor.

In evaluating the relevance of a programme or a project, it is useful to consider the following questions:

- To what extent are the objectives of the programme still valid?
- Are the activities and outputs of the programme consistent with the overall goal and the attainment of its objectives?
- Are the activities and outputs of the programme consistent with the intended impacts and effects?

Effectiveness

A measure of the extent to which an aid activity attains its objectives.

In evaluating the effectiveness of a programme or a project, it is useful to consider the following questions:

- To what extent were the objectives achieved / are likely to be achieved?
- What were the major factors influencing the achievement or non-achievement of the objectives?

Efficiency

Efficiency measures the outputs - qualitative and quantitative - in relation to the inputs. It is an economic term which signifies that the aid uses the least costly resources possible in order to achieve the desired results. This generally requires comparing alternative approaches to achieving the same outputs, to see whether the most efficient process has been adopted.

When evaluating the efficiency of a programme or a project, it is useful to consider the following questions:

- Were activities cost-efficient?
- Were objectives achieved on time?
- Was the programme or project implemented in the most efficient way compared to alternatives?

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[17]   Original Source: http://www.oecd.org/dac/evaluationofdevelopmentprogrammes/49756382.pdf.

Impact

The positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended. This involves the main impacts and effects resulting from the activity on the local social, economic, environmental and other development indicators. The examination should be concerned with both intended and unintended results and must also include the positive and negative impact of external factors, such as changes in terms of trade and financial conditions.

When evaluating the impact of a programme or a project, it is useful to consider the following questions:

- What has happened as a result of the programme or project?
- What real difference has the activity made to the beneficiaries?
- How many people have been affected?

Sustainability

Sustainability is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn. Projects need to be environmentally as well as financially sustainable.

When evaluating the sustainability of a programme or a project, it is useful to consider the following questions:

- To what extent did the benefits of a programme or project continue after donor funding ceased?
- What were the major factors which influenced the achievement or non-achievement of sustainability of the programme or project?

Sources:

- The DAC Principles for the Evaluation of Development Assistance, OECD (1991);
- Glossary of Terms Used in Evaluation, in '*Methods and Procedures in Aid Evaluation*', OECD (1986); and
- Glossary of Evaluation and Results Based Management (RBM) Terms, OECD (2000).

MONITORING AND EVALUATION FRAMEWORK

Developing a framework to monitor and evaluate (M&E) development projects enables you to clarify and articulate what you want to achieve and to identify the steps you need to take to progress towards your goal. This document aims to provide practical guidance enabling you to create an M&E framework for your development projects. While the two areas co-exist, their approach and methods are distinct. You will monitor the delivery of your project, *during* its life, and generally; evaluate it at the *end,* and/or *after* it has finished.[18] As with other areas of development, M&E is technical in nature and comes with a host of technical terms which have accepted definitions. Key terms and definitions are Annexed here and following the Project Management Toolkit.

How to Monitor a Project

To observe whether the preparation for and delivery of inputs are going according to the plan, or whether there are problems or delays you need to track progress periodically. This involves asking a series of questions including:

Planning:

• Have the necessary funds and resources (including expertise) been secured?

• Is planning, and are arrangements in place for the input to be delivered on time and within budget?

• Has the input been designed to meet the identified need?

• Have participants been identified and arrangements made for them?

Delivery:

• Was the input delivered as designed, on time and within budget?

• Was the input good quality?

• Did the input meet participants' expectations?

• Was the input well managed?

These questions will form part of a post-input survey all participants complete during, but at the end of each input.[19] All the information you collect from this process will contribute to the evaluation.

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[18]   If your project includes lots of activities and/or will run over a long period of time, it may also useful to evaluate it in the middle. This enables you to check that your activities are effectively achieving the outcomes you need in order to contribute to your goal. The process to conduct a mid-term evaluation is the same as that contained in this document.

[19]   Examples of post-input surveys from which you can draw these types of questions are located in the Judges' Orientation Toolkit (*Annex 6*), the National Judicial Development Committee Toolkit (Tool 5.1), and the Trainer's Toolkit: Designing, Delivering and Evaluating Training Programs (*Annex 9*).

How to Evaluate a Project

To objectively assess the difference your project has made, you need to evaluate what you did and the extent the results contributed to the goal.

To do this, you need to develop:

> *Evaluation identifies success and positive results while also identifying errors so they are not repeated in the future.*

1. A *results framework* that captures your objectives and the measures which indicate whether you have achieved your objectives;

2. The *tools* to assess your indicators; and

3. Means of *collating, assessing and reporting* information collected about the indicators.

Developing a Results Framework

For the purpose of developing a Results Framework, let us assume that you have assessed your court's needs. Following that process you concluded that judicial and court officers are not performing their roles competently and that the most useful way to address that need is to provide a series of training workshops.[20] For the purpose of this document, it is assumed that you correctly identified the need and planned appropriate activities that comprehensively address the need. As such, the following does *not* include evaluation of your project and activity design.

There are five steps to developing a Results Framework - a sample of which is provided at the end of Step 5. It is important to go through these steps and create a Results Framework at the *beginning* of the design and planning process, not at the end as it provides the key ingredients you will need to consider when planning and designing your activities.[21]

Step 1 - Create a Goal

A goal is a high-level direction to head towards, usually set at a sectoral level. A goal for our example project would be that human wellbeing is improved. It is unlikely that one project will achieve this or any goal, but that a project will measurably *contribute* to it.

Step 2 - Establish a logical link between what you will '*do*' and '*get*'

When you have clarified the goal, consider the steps you need to take to progress towards it. Like dominos falling on one another, these steps must be logically linked so it is clear to see how the objectives along the way will be achieved. This is also known as *causality* or the *theory of change/change logic*. When you have considered each step, they can be put together into a logical framework.

---

[20] There are a number of ways to build competence including assistance from external technical experts, mentoring, written resources and on-site/distance courses.

[21] For further information about designing and planning your project see section 2.1.2 of the *Project Management Toolkit*.
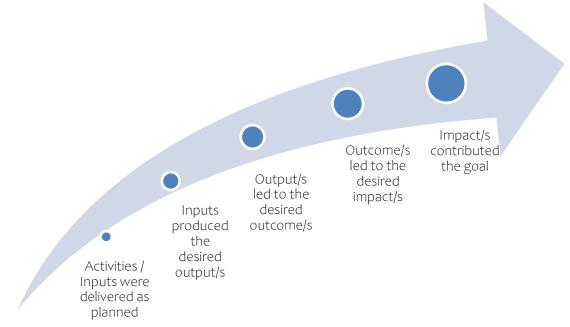
Figure 1: Causal/logical link between elements of a project

Within our example, the logical steps needed beneath the goal to build competence include:
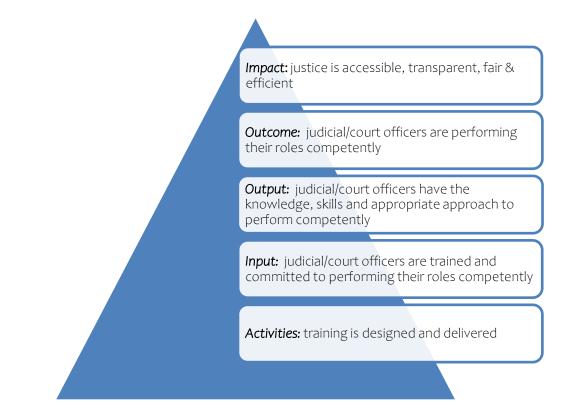
Figure 2: Hierarchy of steps progressing towards a goal

Step 3 - Develop a series of Indicators

Indicators are tangible markers informing you whether you have achieved each step towards the goal. You are looking for what there is *more* or *less* of what existed before; for example:

- *More* - speed in processing/disposing of cases, people being able, or having confidence in the court; and/or

- *Less* - complaints, successful appeals based on errors in law/process.

Indicators should be *specific, measurable, attainable, relevant* and *time-bound* - otherwise known as SMART indicators.[22]

> *Anonymous surveys enable people to be more candid than they might otherwise be.*

They may be numerical (quantitative) and perception-based narrative (qualitative).[23] A selection of the types of output and outcome indicators relevant to our example project is included in the Example Results Framework below.

The information you collect about each of the indicators will also tell you the extent to which your project was:

- *Relevant* to the need;

- The most *Efficient* (i.e. cost-effective) way of addressing the need;

- *Effective* in achieving its desired impact/s;

- Able to produce any positive or negative changes or *Impacts* (in/directly and un/intended); and

- *Sustainable* - that is; the learning, changes and results will continue into the future.[24]

Step 4 - Decide *how* and *who* you will collect data from

There are a number of ways to collect information, including focus group discussions, in/formal interviews or surveys. However you elect to collect data, ensure you ask the same questions and systematically record all the answers. To make an objective assessment, you need to collect information from several different sources. Not only will this give you varied and useful perspectives; triangulation as it is known, also increases the validity of the data and your assessment of the project's results.

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[22] For a definition of each type of indicator see the discussion about SMART indicators in the *Project Management Toolkit.*

[23] Qualitative data can be reduced to scales to present numbers & percentages.

[24] See Annex 8 of the *Project Management Toolkit for further explanation about each of these five criteria.*
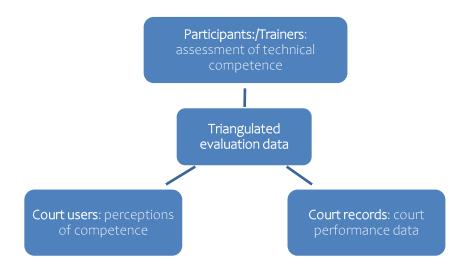
Figure 3: Varied data sources

Step 5 - Decide *when* you will collect data

It is useful to collect data before your project begins (called *baseline data*). By returning after your project finishes asking the same questions or seeking the same data (called *end-line data*), you can assess changes resulting from your project. The difference in the responses (both qualitative and quantitative become the difference the project has made.

It is important to note that in our example, we are looking for improvements in the provision of justice based on judicial and court officers being competent in their roles. The latter will take time to be felt within and outside the court because:

1. *You need to conduct several activities building on each other*: Capacity will not likely be built to a point where the behaviour will change without delivering a series of inputs.

2. *People must experience change*: Judicial/court officers need to return to work and put their new knowledge, skills and approach into practice. They need to hear several cases enabling current and potential court users to experience any improvements.

As such, change will first be felt by those participating in your project, then by others in the court, and finally by those using the court's services. While requiring commitment of time and resources beyond the conclusion of the project, an evaluation conducted six to 12 months after the project is completed, will therefore provide the most useful information about the project's results.

EXAMPLE ANNOTATED RESULTS FRAMEWORK

Project Elements		Indicators	Verification	When	By Whom
Goal	*What is the overall change that a project will contribute to?*	*How will you show that you have contributed to your goal and that there has been positive and sustainable change achieved by your project*	*What information / documentation will need to be collected to support the indicator?*	*When will the verification information / documentation be collected and reported on?*	*Who has responsibility to collect the verification information / documentation and report on this?*
Outcome	*What are the intended change(s) resulting from its implementation - What will be different by the end of the project?*	*How will you show that the outcomes were the correct ones, and were actually contributed towards achieving the desired goal?*			
Outputs	*What are the specific tangible products / deliverables produced by the project - a new: process; skill, policy, toolkit, etc.?*	*How will you show that the outputs were the correct ones, and were adequate to achieve the desired outcomes?*			
Activities	*What tasks or actions required to achieve the outputs / deliverables - workshops, a research and publication process; training; revision of a case management process, etc.?*	*How will you show that the activities were the correct ones, and were adequate to achieve the desired outputs?*			
Inputs	*What resources will be needed to implement the activity - for example: funds; personnel; equipment; etc.?*	*How will you show the inputs you allocated have in fact been allocated, were the correct inputs, and adequate to deliver the activities?*			

Sample Results Framework[25]

Project Targets	Indicators	Verification data source	When
Goal: Human wellbeing is improved			
Impact: Justice is accessible, transparent, fair & efficient	Court users report improvements in accessibility, transparency, fairness and efficiency	Court user survey	Before (baseline) & 6/12 months after the project
	Judicial/court officers report improvements in accessibility, transparency, fairness and efficiency	Judicial / court officer survey	
Outcome: XX% of participants are providing accessible, transparent, fair and efficient justice	XX% reduction in successful/appeals based on errors of law/process[26]	Case management system	Before (baseline) & 6/12 months later/after the project
	Reduction in number of successful appeals involving arbitrary or irrational decisions disaggregated by gender and income level	Court's records	
	Reduction in the number of complaints against judicial/court officers		
	XX% who consider themselves able to perform their functions competently	Participant survey	
	XX% who say they have access to court to resolve disputes, disaggregated by gender and income level	Court user survey	
	Perceptions about responsiveness and equitable access to justice for populations, including the poor and vulnerable		
	Perceptions of trust and confidence in the court		
	Perceptions about improvements in competence		
Outputs: XX% of participants have XX% of the knowledge, skills and appropriate approach to performing their role competently	XX% increase in participants competent to perform role effectively	Trainer/facilitator assessment	Before (baseline) & at the end of each input
	XX% increase in participants' confidence levels	Participants' feedback	
	Quality of reference materials available to participants	Participants' feedback	At the end of each input
	XX% reduction in undue delay in case processing / disposal	Case management system	
	Perceptions about improved competence	Survey of court users	1-3 months after each input & 6 months / later after the project
	Perceptions about the conduct of judicial / court officers	Participants' feedback	
	Perceptions about reductions in undue delay	Case management system	
	Perceptions about the impartiality of the court	Survey of court users	

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[25] For a framework to monitor activities and inputs, see Annex 9 of the *Project Management Toolkit.*

[26] This could be an indication of either public confidence in the appeals procedure, or incompetency of a decision.

Data Analysis & Reporting

When you have gathered the data, you need to analyse and report it. To do so, return to your questions and insert all the quantitative data and narrative feedback. To arrive at an average or increase/decrease figure for each quantitative question:

- *Average*: add each statistic and divide by the number of responses you received.

- *Increase / decrease*: total the score of the relevant question from the evaluation, taking away the total score from the baseline.

- To analyse and report on narrative feedback:

- *Highlight* the most important results so they can be easily seen, evidenced and understood.

- *Find and summarise* common themes – e.g. did most people report improvements in a particular area?

> *Verify all the results you claim the project has made by reference to court performance data and feedback from court users.*

When arriving at conclusions about the project, also report on:

- *What did not work and why (*also known as *lessons learned)*: It may be that you incorrectly identified the problem and its causes in the first place, leading you to design the incorrect solution. While the inputs may be valid and useful, they might not have resolved the problem you sought to address.

- *Unexpected results*: You may have identified the problem, causes and solution correctly, but not anticipated some of the positive/negative results that occurred. Every project offers lessons to be learned for the future.

Challenges

The complexities of evaluation increase with the complexity of your project. Some common difficulties include:

- Determining whether the observed results can be *attributed* [27]to the project or another project/intervention/circumstance.

- *Verifying* perception-based claims when there is no supporting quantitative data. As there is no particular solution to this challenge, it is important to note that the result/s is/are only based on perception.

- Different *interpretations and/or understandings* of the questions which can undermine the consistency of the responses.

- Being *overloaded with data* which becomes very difficult to analyse and report on.

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[27] Attribution refers to both isolating and estimating the contribution of a project and ensuring that causality runs from the inputs to the outcome. When other related projects run in parallel, it is important to note them and comment on the extent you consider each project contributed to the end result/s.

Conclusion

When applying the example above, it must be tailored to your specific project to ensure it meets your needs and is relevant to your circumstances. M&E can easily become complicated with a number of ways and indicators to measure results. An overly complex M&E framework not only makes it difficult and onerous to collect data to fulfil, it also makes it difficult to summarise your results. To prevent this, keep your frameworks as simple as possible. Choose the most important aspects of your project to measure and a small selection of the most meaningful indicators to measure them against. Taking yourself through the process above will enable you to refine the example and develop an easy-to-use, but robust and useful approach and methodology to M&E your project.

Key Terms and Definitions[28]

Effectiveness	-	The extent to which the development intervention's objectives were achieved, or are expected to be achieved, taking into account their relative importance.
Efficiency	-	A measure of how economically resources/inputs (funds, expertise, time, etc.) are converted to results.
Impacts	-	Positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended. In the example, this translates to the effect of the results on the beneficiaries (ie. court users) situation, quality of life or other aspect of the targeted environment.
Logical Framework (Logframe)	-	Management tool used to improve the design of interventions, most often at the project level. It involves identifying strategic elements (inputs, outputs, outcomes, impact) and their causal relationships, indicators, and the assumptions or risks that may influence success and failure. It thus facilitates planning, execution and evaluation of a development intervention.
Objective	-	The intended physical, financial, institutional, social, environmental, or other development results to which a project or program is expected to contribute.
Relevance	-	The extent to which the objectives of a development intervention are consistent with beneficiaries' requirements, country needs, global priorities and partners' and donors' policies. Note: Retrospectively, the question of relevance often becomes a question as to whether the objectives of an intervention or its design are still appropriate given changed circumstances.
Results	-	The output, outcome or impact (intended or unintended, positive and/or negative) of a development intervention.

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[28] Definitions from the OCED *Glossary of Key Terms in Evaluation and Results Based Management*, 2010.

Annex 11   COOK ISLANDS INDICATORS

At a PJDP leadership meeting held in the Cook Islands in June 2011, 15 key court performance areas were considered, and subsequently approved and adopted by Chief Justices in the PJDP's partner courts.

The 15 court performance indicators - called the *Cook Islands Indicators* - cover the following court performance areas:

1. **Case management issues:**

   - Case finalisation or clearance rate.
   - Average duration of a case from filing to finalisation.
   - The percentage of appeals.
   - Overturn rate on appeal.

2. **Affordability and Accessibility for court clients:**

   - Percentage of cases that are granted a court fee waiver.
   - Percentage of cases disposed through a circuit court.
   - Percentage of cases where a party receives legal aid

3. **Published procedures for the handling of feedback and complaints:**

   - Documented process for receiving and processing a complaint that is publicly available.
   - Percentage of complaints received concerning a judicial officer.
   - Percentage of complaints received concerning a court staff member.

4. **Human Resources:**

   - Average number of cases per judicial officer.
   - Average number of cases per member of court staff.

5. **Transparency:**

   - Court produces or contributes to an Annual Report that is publicly available.
   - Information on court services is publicly available.
   - Court publishes judgments on the Internet (own website or on PacLII).

Annex 12 POTENTIAL COST ITEMS FOR PROJECT BUDGETING

Expenditure Item	Potential cost areas / items
1. Accommodation *(non-local participants, facilitators / advisers, staff)*	• Transit accommodation (to / from an activity) • In-country accommodation (during an activity)
2. Bank Fees / Transaction Charges	• Bank international transfer fees • Bank withdrawal fees • Direct payment/credit card charges • Intermediary bank fees • Currency exchange fees
3. Catering / Refreshments	• Catering costs for morning or afternoon tea (tea, coffee, 1 or 2 food items / fruit) • Catering cost for lunch • Caterer staff costs • Sweets for workshop tables
4. Communications - 4a. General	• Internet charges • Official telephone calls • Skype calls • Teleconference calls • Local SIM card
4b. Postage	• Distribution of workshop materials • Submission / return of visa applications • Submission of original receipts / financial acquittal documentation to client • General activity letters / correspondence
5. Fees / Salary	• Staff salary / overtime / benefits • Adviser / Consultant fees • Trainer fees • Interpreter / translator fees
6. Per diem / Daily Subsistence Allowance	• Breakfast allowances (unless covered in accommodation) • Lunch allowances (unless covered by the workshop) • Dinner allowances (unless covered by the workshop) • Incidental allowances
7. Stationery - 7a. General Office	• Pens / whiteboard markers / highlighters • Note paper / notebooks • Photocopy / printer paper • Flip chart - paper / markers • Stapler / staples / Paperclips • Envelopes • Document holders / folders • Masking tape • Scissors • Glue / sticky tape / reusable adhesive (e.g. Blu-tack)

Expenditure Item	Potential cost areas / items

	• Folder dividers
	• Sticky notes / Post-it Notes
	• Workshop branding materials:
	  - Stickers / Logos / Labels
	  - USB flash drives or CDs / DVDs

7b. Photocopying	• Printing letterheads, minutes & reports
	• Printing file covers/title pages
	• Photocopying / Printing workshop materials:
	  - Agenda
	  - Participants list
	  - Power-point slides (6 to a page)
	  - Materials (Toolkits, reports, handouts, etc.)
	  - Evaluation forms / surveys
	  - Name tags & place cards
	  - Reimbursement receipt / signing forms
	  - Per diem receipt / signing forms

7c. Publication / Printing	• Publisher printing • Binding / folders • Shipping costs / distribution costs • Business cards
8. Travel - 8a. Flights	• Domestic Airfares • International Airfares
8b. Travel - Insurance / Medical	• Travel insurance • Medial (evacuation) insurance • Travel vaccinations • First aid supplies (for workshop only, if appropriate)
8c. Travel - Taxis / Transfers	• Transfers from home to airport and return • Transfers from hotel to airport and return • Return boat transfers • Transport to and from venue • Car hire costs • Petrol / Mileage / Parking costs
8d. Travel - Incidentals	• International departure tax • Domestic departure tax • Visa fees • Excess baggage fees
9. Venue - Hire / Rental	• Room • Chairs • Tables / Table cloths • Set up costs
10. Contingency	• Unallocated (for unforeseen circumstances) Note: *approval is required prior to incurring expenditure*

Annex 13 EXAMPLE BUDGET TEMPLATE

Expense Items / Description[1]	Number[2]	Unit[3]	Unit Cost[4]	Total[5] (Currency)[6]
Accommodation - In-country		day(s)		
Accommodation - Transit		day(s)		
Bank Fees / Transaction Charges		quantity		
Catering / Refreshments		day(s)		
Communications (telephone, email, postage)		quantity		
Fees / Salary (non-government funded staff, advisers / experts)		day(s)/month(s)		
Per diem (meals and incidentals allowance) *Note:* these cannot exceed MFAT rates[7]		day(s)		
Stationery (general, photocopying, printing)		quantity		
Travel - International (flights, boats)		trip(s)		
Travel - Local (flights, boats, taxis)		trip(s)		
Travel - Incidentals (Medical / travel insurance, departure tax, visas)		trip(s)		
Venue (room hire, equipment rental)		day(s)		
Total:				
Exchange rate used: AUD$1.00 = *Source of exchange rate[8]:*				

1. Each heading can be broken down further if desired.
2. Insert total number of each 'unit', for example the total number of: flights, accommodation nights, etc.
3. The type of 'unit' may vary from project to project.
4. Insert the cost for each flight, night's accommodation, etc.
5. The total is calculated by multiplying the 'number' of units by the 'unit cost'.
6. Always use the one currently for your calculations, and clearly show what this currency is.
7. MFAT per diem rates are found at: https://www.mfat.govt.nz/en/aid-and-development/working-with-us/getting-paid/per-diem-rates/
8. If there is a need to convert to/ from the local currency, clearly identify the exchange rate used, and from where this rate was.

Annex 14 EXAMPLE QUOTATION EVALUATION SHEET

Date:

Service / product to be Procured:

Supplier Name	Assessment against Criteria 1[1]	Assessment against Criteria 2	Assessment against Criteria ...	Cost Assessment	Overall Ranking / Score	Comment
Supplier 1						
Supplier 2						
Supplier 3						

Recommended supplier / product: **Certified within Budget:** ☐

Reasons for this recommendation:

Requested By: **Date:**

(Officer Undertaking the Quotation Evaluation)

Approved By: **Date:**

(Authorised Approval Officer)

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[1]   An example rating scale for technical adviser selection is provided in *Annex 18*, below.

Annex 15 SUPPORTING DOCUMENT CHECKLIST

Expenditure Item	Appropriate *Original* Supporting Documentation
1. Accommodation	Contract for services (if one exists); hotel invoice; hotel receipt of payment; and bank transfer documentation (if direct transfer is made)
2. Bank fees / transaction charges	Official bank statement
3. Catering / Refreshments	Supplier invoice; supplier receipt of payment; and bank transfer documentation
4. Communications	Supplier invoice; and supplier receipt of payment / bank transfer documentation
5. Fees / Salary	Expert or Adviser invoice; and expert or adviser receipt of payment / and bank transfer documentation
6. Per diem / Daily Subsistence Allowance	Per diem amount and daily breakdown; and participant *signed* receipt of payment / bank transfer documentation
7. Stationery -	
7a. General office and photocopying	Supplier invoice; and supplier receipt of payment / bank transfer documentation
7b. Publication / printing	Contract for printing services (if one exists); supplier invoice; and supplier receipt of payment / bank transfer documentation
8. Travel -	
8a. Flights	E-ticket or ticket stubs; boarding passes; travel agent invoice; and travel agent receipt of payment / bank transfer documentation
8b. Insurance / medical	Copy of insurance policy; supplier invoice; and supplier receipt of payment and bank transfer documentation (if direct transfer is made)
8c. Taxis	Official taxi receipt
8d. Local transport	Supplier invoice; and supplier receipt of payment / bank transfer documentation
8e. Visas	Photocopy of visa; and receipt of payment from relevant embassy / high commission / bank transfer documentation
8f. Incidental expenses *(departure tax, excess baggage, etc.)*	Official airport / airline receipt of payment. **Note:** for excess baggage - reimbursement would only be available for project-related training / workshop materials.
9. Venue and Equipment	Supplier invoice; and supplier receipt of payment / bank transfer documentation

Annex 16 EXAMPLE BUDGET TRACKING SHEET

ID No.	Date	Expense Item / Code	Description of Expenditure	Amount		Running Balance
				Paid	Received	
1		-	Available budget / transfer into project account			
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
etc.						

Annex 17 PJDP Logistics Guidelines

1. Participant Nominations:

- The Federal Court of Australia's Logistics Team will contact both the Chief Justice and National Coordinator to seek nominations of participants for upcoming PJDP activities. Key selection criteria will be provided at this time for training activities to assist the Chief Justice and National Coordinator in their selection of an appropriate participant.

- To allow for logistical arrangements to be made, nominations and completed registration forms will need to be received within 2 weeks of the initial request being made.

2. Flights:

- The Logistics Team *obtains initial quotations/itineraries* and assesses these against the following criteria: routing; value for money; and approved budget.

- As per MFAT's policy we are only able to purchase an economy class ticket for flights.

- The Logistics Team sends the *most appropriate itinerary* to the National Coordinator / participant for confirmation.

- The National Coordinator / participant needs to *confirm the itinerary within 2 working-days* of receiving the original itinerary.

- Where an individual court wishes to upgrade the participant's flight to business class, the court will need to book and purchase this flight directly. The Logistics Team will reimburse the court up to the value of the original economy class itinerary / quote sent through to the National Coordinator, once the ticket has been purchased and the final e-ticket has been emailed to the Logistics Team.

- If the National Coordinator / participant would like an *alternative itinerary*, please provide the full itinerary details to the Logistics Team within *3 working days* of receiving the original itinerary.

   Note: if no confirmation /alternative itinerary is received, the Logistics Team will proceed with booking the original itinerary.

- The Logistics Team will book the proposed alternate itinerary, if possible (this will be discussed with the National Coordinator / participant on a case-by-case basis).

- Where an alternatively itinerary is booked, the PJDP will only be able to pay / reimburse up to:
   - the value of the Logistics Team's original itinerary; and
   - a maximum of per diem-days, and the total number of accommodation nights' in-country / transit required under the original itinerary.

   Note: once an air ticket has been issued / booked no further changes will be possible unless there is an emergency (e.g. illness, natural disaster, etc.)

3. Per diem:

- A booked flight is needed before the per diem calculation process can commence.

- The per diem will be calculated based on your confirmed flight itinerary and a 'travel diary' will be sent to you in a final briefing email.

- Your per diem will be provided to you in-country, within the first day of your arrival.

4. Other Travel Arrangements (ie. accommodation; visa; insurance; cultural briefing):

- In line with the confirmed flight itinerary the Logistics Team will make a room reservation at the workshop venue for the participants stay in-country.

- If the itinerary requires transit accommodation we will contact the participant to confirm if they would like the Logistics Team to make the required reservation/s. If no response is received from the National Coordinator/participant within 2 days of the request, the Logistics Team will be unable to make the necessary reservations.

  Note: the Logistics Team will arrange payment directly with the hotel for any accommodation reservations that we make.

- It is the participant's responsibility (with the support of the National Coordinator) to ensure that they have the appropriate visa(s) for any country that they visit, including when in transit, prior to them departing their home country. While the Logistics Team note visa requirements to participants when organising travel, obtaining forms and visas is something that the Team is unable to provide direct support with as these depend on individual country requirements.

  Note: obtaining a visa is sometimes a time consuming process, so the Logistics Team recommends that this process is started immediately on receiving a travel itinerary. The Logistics Team can assist in providing a visa support letter if requested.

- If confirmed on the registration form, the Logistics Team will purchase the required travel insurance for the period that the participant is away from home.

- Workshop documentation, such as the agenda, cultural briefing, and any other material will be distributed in a final briefing email at least one week prior to the start of the activity.

Annex 18   LIF: IMPLEMENTATION, REPORTING, AND EXPENDITURE CHECKLISTS

The aims of the Responsive Fund are to enable your court to: address it's priority needs and strengthen the capacity to lead, design, implement, monitor, and report on local judicial development activities.

This checklist has been developed with feedback received from National Coordinators. The PJDP Team hopes that it will assist those implementing Responsive Fund activities to report on and acquit (account for) those activities.

Implementation Checklist:	Responsibility	✓
1. Approval of application received		☐
2. 6 weeks prior to activity - plan and book arrangements		☐
3. 4-6 weeks prior to activity - contact PJDP Project Officer for any additional assistance (if required)		☐
4. 2 weeks prior to activity - confirm/finalise arrangements and make payments (if required)		☐
5. Activity Implementation		☐
6. 1 week after activity - gather receipts and acquit funds		☐
7. 2 weeks after activity - submit report and acquittal of funds to PJDP		☐

Reporting Checklist:	Responsibility	✓
1. Check that you have and are familiar with the *Completion Report Template*.		☐
2. At the start of your activity, look through your application and see what information you will need to collect / keep track of to help you write your report and provide the acquittal.		☐
3. Once the activity has started, keep a note of any significant matters as they happen - this will help you when it comes to writing the report. These matters may include: - exact start and end dates;		☐
- dates of individual activities, workshops, trips/travel, etc.;		☐
- names, position, gender and total number of participants/people involved; and		☐
- responses to pre- and post-activity evaluations/assessments.		☐
4. The report is intended to be simple and quick to write. The suggested length is *3 pages* plus annexes.		☐
5. Use your application as the basis of your report (for example the aims and objectives of the activity can be taken directly from your application.)		☐

Reporting Checklist:	Responsibility	✔
6. Remember to include a section on how your activity addressed gender / human rights issues.		☐
7. Please also write a brief summary of the activity (no more than 250 words) and send it, plus two or three interesting photos of the activity (including the names of all the people shown in the photos) for the PJDP Newsletter. (*Note:* this may also be a good way of giving your Chief Justices a brief update!)		☐

Expenditure and Acquittal Checklist:	Responsibility	✔
1. Have you discussed and agreed with the PJDP Team the way funds will be reimbursed / transferred to your court for your RF activity? If not, *must* be organised with the PJDP Team before you start.		☐
2. Check that you have the *Expenditure Summary and Acquittal Template* and are familiar with it. This sheet is used to track all expenditure relating to the activity.		☐
3. Check that you have the *Meals and Incidentals Receipt Form* and are familiar with it. This form is used for any payments made to participants as part of the activity.		☐
4. Check that you are aware of the per diem rate (meals and incidental allowance) that can be paid to participants. Use the rate paid locally to people participating in activities. If such an allowance rate does not exist, ask the PJDP Team for the most up to date MFAT rate.		☐
5. There is a specific form to be used to calculate any meals and incidentals each participant needs to receive. If you need to pay this allowance, please work with the PJDP Team to request and complete this form. *Note:* To prevent 'double dipping', MFAT requires that if costs such as lunch or a dinner are covered by the activity, the participant's meals and incidentals allowance *must be reduced* by these amounts.		☐
6. At the start, look through your budget and see what costs you will have and what receipts, invoices, and other supporting documents you will need to collect to acquit the expenditure at the end.		☐
7. *Supporting Document* - this is any form of documentation that directly relates to an expense. It must include the: date; a description of the cost; and the total amount. *Note:* as per MFAT requirements, the PJDP *must be given all original* receipts, supporting documents and other forms for its records.		☐
8. *Please remember:* the PJDP can only make payments / reimburse funds to your court *based on receipts.* Without receipts and supporting documents, the PJDP will not be reimbursed by MFAT. As a result, *please keep all receipts,* invoices, finance-related emails, etc.		☐

Expenditure and Acquittal Checklist:	Responsibility	✓
9. Reminder of key supporting documents to collect: - All *receipts and invoices* - every amount you spend **must** have some document clearly supporting the expense.		☐
- *Supporting documents* for expenses (e.g. plane tickets and itineraries; boarding passes, boat tickets, taxi receipts, requisition and payment vouchers, etc.)		☐
- When including *bank fees / transfer costs*, please include the *bank statement* showing the amount as part of your supporting documentation.		☐
- If you are receiving an *advance of funds*, please include the *bank statement* with the amount you received in your local currency as a supporting document.		☐
- For *non-Australian Dollar expenses*, please attached a copy of the exchange-rate used that you used if converting local currency into Australian Dollars.		☐
10. Updating the *Expenditure Summary and Acquittal Template* as you are implementing the activity is a good way of keeping track of your expenditure and simplifying your acquittal at the end.		☐
11. When developing your expenditure summary please make sure that you **clearly reference / link** all receipts and supporting documentation to relevant expenses so the PJDP Team can easily see which line in your acquittal the expense relates to.		☐

Annex 19 EXAMPLE RATING SCALE FOR ASSESSING ADVISER APPLICATIONS

Scale	Description	Indicators of Performance
8-10	*Excellent -* Applicant possesses highly developed and relevant skills, abilities, and personal attributes in relation to the criteria in the <u>terms of reference</u> (ToR) for the position, and there is evidence of previous performance is outstanding. (NB: only to be used only in cases where exceptional skills have been demonstrated)	The Applicant is able to perform at high level without direct supervision for one or more of the following reasons: • excellent job knowledge; • exceptionally reliable; • highly appropriate skills/experience in functioning in the proposed working environment and to engage with counterparts effectively and appropriately; • considerable demonstrated ability in problem solving and the application of change; and/or • appears capable of effectively dealing with all matters relating to the position.
6-7	*Fully Competent -* Applicant possesses highly developed and relevant skills and abilities, and would perform consistently well against the criteria in the ToR for the position, and requirements of the position.	The Applicant would require little supervision to achieve good results, for one or more of the following reasons: • would be reliable and responsible; • would be able to suggest and initiate improvements; • skills/experience in functioning in the proposed working environment and to engage with counterparts well; • well developed job knowledge; and/or • would be well able to deal with all of the routine and most of the complex matters relating to the position.
4-5	*Competent -* Applicant possesses relevant skills, abilities and personal qualities and would be generally effective against the criteria in the ToR for the position, and requirements of the position.	The Applicant would require routine supervision to perform at an acceptable level for one or more of the following reasons: • reasonable/good job knowledge; • makes few errors, and is generally reliable; • some skills/experience in functioning in the proposed working environment and to engage with counterparts; • could carry responsibility but would not seek it; and/or • could deal with all routine matters involving the position, but would require guidance for more complex situations.
2-3	*Requires Development -* Applicant possesses some skills, abilities, and personal attributes in relation to the criteria in the ToR for the position, but	The Applicant would require close supervision to perform at an acceptable level for one or more of the following reasons: • only basic/general job knowledge;

Scale	Description	Indicators of Performance
	has limited capacity with regards to one or more of the criteria. The Applicant would be in a position to temporarily perform the duties with close supervision, but would require further training / development to meet the standard required for this role as per the ToR.	- could follow directions but would require frequent checking-follow-up; - able to engage with counterparts with only limited effectiveness; - could deal with most routine matters involving the position; and/or - inconsistency with work performance.
0-1	*Unsatisfactory (Below Standard) -* Applicant is did not or was unable to demonstrate that they possess skills, abilities, and personal attributes in relation to the criteria in the ToR for the position. They would not be suitable to perform the duties even on a temporary basis.	The Applicant would be unable to perform the duties and require constant supervision for one or more of the following reasons: - limited job knowledge; - makes frequent error; - poor work output; - unable to engage with counterparts at an appropriate level / in an appropriate manner; - would have difficulty carrying responsibility or solving problems; and/or - would have difficulty dealing with routine matters involving the position.

Annex 20 THE FIVE PRINCIPLES OF GOVERNMENT PROCUREMENT[38]

1. Plan and manage for great results

- Identify what you need and then plan how to get it.

- Set up a team with the right mix of skills and experience.

- Involve suppliers early - let them know what you want and keep talking.

- Take the time to understand the market and your effect on it. Be open to new ideas and solutions.

- Choose the right process - proportional to the size, complexity and any risks involved.

- Encourage e-business (for example, tenders sent by email).

2. Be fair to all suppliers

- Create competition and encourage capable suppliers to respond.

- Treat all suppliers equally - we don't discriminate (this is part of our international obligations).

- Give NZ suppliers a full and fair opportunity to compete.

- Make it easy for all suppliers (small to large) to do business with us.

- Be open to subcontracting opportunities in big projects.

- Clearly explain how you will assess suppliers' proposals - so they know what to focus on.

- Talk to unsuccessful suppliers so they can learn and know how to improve next time.

3. Get the right supplier

- Be clear about what you need and fair in how you assess suppliers - don't string suppliers along. Choose the right supplier who can deliver what you need, at a fair price and on time. Build demanding, but fair and productive relationships with suppliers. Make it worthwhile for suppliers -encourage and reward them to deliver great results.

- Identify relevant risks and get the right person to manage them.

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[38] Government of New Zealand *Government Rules of Sourcing* (April 2013):
http://www.business.govt.nz/procurement/pdf-library/agencies/rules-of-sourcing/government-rules-of-sourcing-April-2013.pdf

4. Get the best deal for everyone

Get best value for money - account for all costs and benefits over the lifetime of the goods or services.

- Make balanced decisions - consider the social, environmental, and economic effects.
- Encourage and be receptive to new ideas and ways of doing things - don't be too prescriptive.
- Take calculated risks and reward new ideas.
- Have clear performance measures -monitor and manage to make sure you get great results.
- Work together with suppliers to make ongoing savings and improvements.
- It's more than just agreeing the deal- be accountable for the results.

5. Play by the rules

- Be accountable, transparent and reasonable.
- Make sure everyone involved in the process acts responsibly, lawfully and with integrity.
- Stay impartial- identify and manage conflicts of interest.
- Protect suppliers' commercially sensitive information and intellectual property.

Annex 21 SIMPLIFIED SUSTAINABILITY PLAN TEMPLATE

Key Sustainability issues	Likely impact of issue(s) on sustainability	Probability of the issues occurring *(low, medium, or high)*	Strategy to address medium or high probability issues	Effect of strategy on sustainability when implemented
Court Policy: *Does the activity fit with in the leadership's vision; defined court policies; and / or strategic or development plans?*				
Donor Policy: *Does the activity align with the donor's priorities and identified areas of support?*				
Participation: *Have all those directly concerned with the project, especially the beneficiaries been consulted and involved in the design process?*				
Management and Organisation: *Can the project be efficiently managed and implemented using the court's management and administrative systems?*				
Financial: *Will the court be able to continue to support what has been developed by the project?*				
Capacity building: *Are the proposed project activities appropriate for identified beneficiaries and outcomes, and is the timing of the activities suitable to promote sustainability?*				
Technology: *Are the level / type of technology and systems to be implemented by the project appropriate to the court?*				
Social, gender, and culture: *Is the project appropriate in the local context?*				
External political, social, and economic factors: *Has the local implementation context been considered (is it politically / economically stable or not)?*				

Annex 22 BLANK CHECKLIST TEMPLATE

Checklist Objective: ....

Task	Responsibility	Timing / Deadline	Completed
1.			☐
2.			☐
3.			☐
4.			☐
5.			☐
6.			☐
7.			☐
8.			☐
9.			☐
10.			☐
11.			☐
12.			☐
13.			☐
14.			☐
15.			☐
16.			☐
17.			☐
18.			☐
19.			☐
20.			☐

Annex 23 TRAINING COMPLETION REPORT TEMPLATE

This Training Completion Report structure was developed in discussions with the participants of the *Advanced Curriculum Development and Programme Management Workshop* held in Koror, Palau, from 25-29 November, 2013. Participants developed this reporting structure to report on the activities that they agreed to hold following their return to their respective courts.

_____

REPORT TITLE

1.0   INTRODUCTION

(This section should not exceed one paragraph)

This Report provides an overview of the *insert Activity name* undertaken in *Insert Location* between *insert start and end dates* which was designed to *insert background information*.

2.0   FACILITATORS AND PARTICIPANTS *(This section should not exceed one paragraph)*

Please insert details about the participants and facilitators, e.g. number of participants, who the facilitation team is, background, gender disaggregation) and reference to detailed breakdown of participants and facilitators.

3.0   DELIVERING THE ACTIVITY *(This section should not exceed ½ - ¾ of a page)*

Insert a summary about the:
1. *Purpose of the activity (why was your training essential/developed?) one paragraph*
2. *Objectives of the activity (what did your training hope to achieve?) one paragraph*
3. *Outcomes of the activity (the extent to which you think the training achieved the objectives / what change has resulted from your training?) 2-3 paragraphs*

4.0   CROSS-CUTTING ISSUES

4.1   SUSTAINABILITY *(This section should not exceed one paragraph)*

How will the benefits of the activity live on now that your training is finished?

4.2   GENDER AND HUMAN RIGHTS *(This section should not exceed two paragraphs)*
1. *How many males and females were involved/participated in your training?*
2. *Were males and females given an equal chance to participate in your training?*
3. *What gender / human rights issues were relevant to your topic / training?*
4. *How was awareness and understanding of gender equity / equality / human rights issues incorporated in your training?*

5.0   ASSESSMENT *(This section should not exceed ½ a page)*

Insert a summary about what participants said about their skills and knowledge or what stakeholders said about the problem after the activity (include post-workshop evaluation form and responses.

6.0   LESSONS *(This section should not exceed two paragraphs)*

Was there anything that happened that you / your court / the PJDP should remember in future to make planning, design and implementation easier, better or more efficient?

7.0   FINANCE *(This section should not exceed one paragraph)*

Were the actual costs the same as the budgeted costs? Explain any difference. Provide a copy of the financial acquittal and scanned receipts (if applicable).

8.0   FUTURE PROGRAMMES *(This section should not exceed one paragraph)*

Provide details of any future programs planned (if relevant).

9.0   CONCLUSION *(This section should not exceed one paragraph)*

Provide a summary of the major achievements of the programme - no new information should be presented here.

ANNEXES

As required.

Annex 24   LEADERSHIP INCENTIVE FUND REPORTING TEMPLATE

*Note: Excluding annexes, the report is to be no more than **3 pages** in length.*

1.0   INTRODUCTION

This Report provides an overview of the Responsive Fund Activity undertaken in *Insert Location* between *Insert Start and End Dates* which was designed to *Insert Problem*.

2.0   DESIGNING THE ACTIVITY

Using the approved application, insert a summary of:

1. *The problem you wanted to address.*
2. *The activity you designed to address the problem/s.*
3. *How and which stakeholders participated in the design.*
4. *If relevant, attach the design and materials at **Annex A**).*

3.0   DELIVERING THE ACTIVITY

Insert a summary about:

1. *The aims and objectives of the activity*
2. *If it was a training activity, what participants said about their knowledge and skills before the activity (attach pre-workshop evaluations in **Annex B**)*
3. *If it was an activity to improve court governance or administration, what stakeholders thought about the situation before the activity*
4. *Who participated:*
   a. *the target group(s);*
   b. *total number of people involved; and*
   c. *how participants were selected (if a selection process was required).*

   *(please include full names, titles, gender and any other information of all individuals / participants you have **Annex C**)*
5. *Who facilitated/supported your activity (include names, titles and previous relevant experience and provided training/technical assistance)*
6. *How the activity went:*
   a. *The extent to which you think it achieved its aims?*
   b. *How you know it achieved, or did not achieve its aims (ie the assessment you made)?*
   c. *Were any changes were made to the approved activity & why these were made.*

4.0   ASSESSMENT

*Insert a summary about what participants said about their skills and knowledge or what stakeholders said about the problem after the activity (include pre-workshop and post-workshop evaluations in **Annex D**)*

5.0   CROSS-CUTTING ISSUES

5.1   SUSTAINABILITY

How will the benefits of the activity live on now that the activity is finished?

5.2   GENDER

1. *How many males and females were involved/ participated?*
2. *Were males and females given an equal chance and opportunity to participate?*
3. *What gender issues were relevant to the activity?*
4. *How was awareness and understanding of gender equity and equality issues incorporated in the activity?*

5.3   HUMAN RIGHTS

What concepts relating to the promotion of human rights were integrated into the activity and how?

6.0   LESSONS

Was there anything that happened that we should remember in future to make planning, design and implementation easier, better or more efficient?

7.0   FINANCE

*Were the actual costs the same as the approved costs? Explain any difference. Provide a copy of the financial acquittal in **Annex E.***

8.0   CONCLUSION

Describe the activity and its achievements in 100 words.

Annexes:

Annex A - Final Activity Design / Application

Annex B - Pre-workshop Evaluations and Brief Summary of Responses

Annex C - List of Activity Participants

Please list below the role of each person involved in the activity, for example, was the person involved as a participant; trainer; mentor; or support person.

No.	Title	Full Name	Gender (Female/Male)	Role of the individual
1.				
2.				
3.				
...				

Annex D - Post-workshop Evaluations and Brief Summary of Responses

Annex E - Financial Acquittal

Annex F - Responsive Fund Activity Photos & Short Activity Article

(Please insert one or two photos of the workshop (with the names of all those appearing in them) with a 250 word article for the PJDP newsletter to cover:

- *What the activity was?*
- *What the activities' aims were and how these aims were achieved (what was the activity's outcome?)*
- *Where the activity was held?*
- *When was the activity conducted?*
- *Who facilitated and participated in the activity?*

Annex 25 SIMPLE RISK MATRIX TEMPLATE

Risk	Result	How Risk will be Addressed
1. *Describe the risk*	*Describe what will happen to the project if the risk occurs?*	*Describe what the court / project manager will do to reduce the likelihood of the risk occurring, or limiting the negative impacts of the risk on the project if it occurs.*
2. *…*		

Pacific Judicial Development Programme

PROJECT MANAGEMENT TOOLKIT

Pacific Judicial Development Programme

TOOLKIT FOR PUBLIC INFORMATION PROJECTS

January 2015

PJDP TOOLKITS

Introduction

For over a decade, the Pacific Judicial Development Programme (PJDP) has supported a range of judicial and court development activities in partner courts across the Pacific. These activities have focused on regional judicial leadership meetings and networks, capacity-building and training, and pilot projects to address the local needs of courts in Pacific Island Countries (PICs).

Toolkits

Since mid-2013, PJDP has launched a collection of toolkits for the ongoing development of courts in the region. These toolkits aim to support partner courts to implement their development activities at the local level by providing information and practical guidance on what to do. These toolkits include:

- Judges' Orientation Toolkit
- Annual Court Reporting Toolkit
- Toolkit for Review of Guidance on Judicial Conduct
- National Judicial Development Committee Toolkit
- Family Violence and Youth Justice Project Workshop Toolkit
- Time Goals Toolkit
- Access to Justice Assessment Toolkit
- Trainer's Toolkit: Designing, Delivering and Evaluating Training Programs
- Judicial Decision-making Toolkit
- Reducing Backlog and Delay Toolkit
- Enabling Rights & Unrepresented Litigants
- Toolkit for Building Procedures to Handle Complaints about Judicial Conduct
- ***Toolkit for Public Information Projects***

These toolkits are designed to support change by promoting the local use, management, ownership and sustainability of judicial development in PICs across the region. By developing and making available these resources, PJDP aims to build local capacity to enable partner courts to address local needs and reduce reliance on external donor and adviser support.

PJDP is now adding to the collection with this new ***Toolkit for Public Information Projects***.

Use and support

These toolkits are available on-line for the use of partner courts at http://www.fedcourt.gov.au/pjdp/pjdp-toolkits. We hope that partner courts will use these toolkits as / when required. Should you need any additional assistance, please contact us at: pjdp@fedcourt.gov.au

Your feedback

We also invite partner courts to provide feedback and suggestions for continual improvement.

Dr. Livingston Armytage
Team Leader,
Pacific Judicial Development Programme

January 2015

PRELIMINARY NOTE

The administration of the court and the separation of powers:

The word 'court' is often used to refer to the courthouse or place where cases are heard but it also means a judge, or panel of judges, sitting in judgement.

In some countries the government is responsible for the administration of the courthouse and court staff, whilst in others the administration is put under the control of the judiciary in recognition of the fact that government control of court administration constitutes a potential threat to judicial independence and is therefore inconsistent with the separation of powers[1].

Whatever administrative arrangements exist in your country, the public is likely to believe that information displayed in and around the courthouse is sanctioned by the judiciary and for that reason the judiciary should determine the nature and content of that information.

As will be seen from what follows it is now widely accepted that the judiciary has a responsibility to provide information to the public. The administrative structure should not be allowed to affect that.

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[1] "The responsibility for court administration, including the appointment, supervision and disciplinary control of court personnel should vest in the judiciary or in a body subject to its direction and control." Measures for the Effective Implementation of the Bangalore Principles of Judicial Conduct - Judicial Integrity Group - Lusaka -2010

KEY MESSAGES

This toolkit aims to support your judiciary in the choice and production of information aimed at facilitating and enabling access to justice.

Your judiciary has a responsibility to enable access to justice. That responsibility includes a duty to ensure that the people understand what the court can and cannot do for them and of how they can use the court to protect themselves and their rights. Public Information must be provided in an easily accessible form which the public can readily understand.

In all its dealings with the public the judiciary must bear in mind the principles of judicial conduct and the need for judicial action to exemplify those principles. Public information provided by the judiciary should reinforce the core values and do nothing that might undermine them. In particular public information should never include anything which might put in doubt the independence or impartiality of the judiciary and care must be taken to avoid any risk of giving the impression that the judiciary might be either partisan or political.

The public is likely to believe that information displayed in and around the courthouse is sanctioned by the judiciary and for that reason the judiciary should determine the nature and content of that information. (See the Preliminary Note, above.)

The toolkit looks at:
- The range and type of information found in courts.
- How to choose the form in which to provide information
- The principles which govern what information the judiciary should produce
- How to formulate a Public Information Policy and Public Information Plan
- Practical hints regarding the production and communication of information

The toolkit includes an account of the piloting exercise in Tuvalu during 2014 and copies of the materials developed during the piloting exercise are provided as Additional Documentation. Those materials are specific to Tuvalu however you are free to adapt them for your own use.

TABLE OF CONTENTS

ABBREVIATIONS

BMZ	-	German federal Ministry for Economic Cooperation
COJC	-	Codes of Judicial Conduct
JIG	-	Judicial Integrity Group
PI	-	Public Information
PIC	-	Pacific Island Country
PIP	-	Public Information Project
PJDP	-	Pacific Judicial Development Programme ('Programme')
RRRT	-	Regional Rights Resource Team
UDHR	-	Universal Declaration of Human Rights
UK	-	United Kingdom
UKSC	-	United Kingdom's Supreme Court
UNICEF	-	United Nations International Children's Emergency Fund

1   INTRODUCTION

From its beginning at the start of the millennium the programme PJDP has evolved and grown into a well established regionally-owned judicial leadership network whose members support one another through sharing experience as each independent judiciary faces the challenges inherent in the administration of justice in the very particular context of the Pacific Islands[2].

One area upon which PJDP has focussed is **Access to Justice** an aspect of which is the public information through which the courts communicate with court users and other stakeholders. This toolkit is intended as an aid to any judiciary wishing to improve access to justice by improving or expanding the information it provides. The starting place might be to review critically the information your judiciary currently provides in the light of available evidence regarding the need for information. If you have conducted an access to justice assessment[3] it may have indicated where rights go unrecognised or where potential cases falter or fail for want of information or for lack of understanding.

If you have plenty of resources and a large budget to spend you may wish to formulate a strategic plan regarding the provision of public information but for many jurisdictions the reality is likely to be a more hand-to-mouth affair fulfilling the most pressing needs and stretching already scarce resources. In either case it will be useful to formulate a statement of your judiciary's policy regarding public information. In so doing the judiciary will have to consider where the balance lies between the desire to promote awareness and improve access to the courts on one hand, and, on the other, the importance of being, and being seen to be, impartial and independent.

Judges are experienced in the law and in explaining their decisions but they may not have experience in the design and production of information for the public. Therefore the toolkit will explain some of the basic principles regarding getting the attention of and communicating with your intended audience.   It will suggest how your judiciary might decide what information it will produce and which information it should prioritise highlighting the factors which may influence those decisions. You will find examples of what other judiciaries are doing which may help you.

WHO SHOULD READ THIS TOOLKIT?

This toolkit examines the responsibility of the judiciary to produce public information which facilitates access to justice and outlines the principle considerations relevant to the production of public information. Accordingly it is aimed at anyone in the court who has or is given that responsibility.

The size of judiciaries varies greatly across Pacific Island Countries; the resources available also vary considerably as do the administrative structures. In the circumstances it is difficult to know who will be tasked with the provision of Public Information. Whilst overall responsibility lies with the head of the Judiciary the task will most likely be delegated. In an ideal world it would be the responsibility of a small judicial committee but the task may be delegated to an administrative officer.

When using the toolkit please remember that we don't know who you are or what your experience is. You may well be familiar with some of the concepts explained here. You won't necessarily need everything in the kit and you certainly don't need to have read and absorbed everything before you

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[2] Those to whom this toolkit is primarily directed will be all too familiar with the particular issues that confront the Pacific Island Jurisdictions. These include practical difficulties associated with: the fact that people live in small geographically isolated communities, the fact that the cultural and customary approach to the resolution of disputes may not accord with the formal law and procedure, and not infrequently, very limited resources available for the administration of justice.

[3] To be found in the appendix to the Access to Justice Toolkit at www.fedcourt.gov.au/pjdp/pjdp-toolkits/Access-To-Justice-Toolkit-v2.pdf

begin. Start with the overview; you will then have an idea of which materials will be of use to you and where it will be helpful to read in more depth.

OTHER RELEVANT TOOLKITS
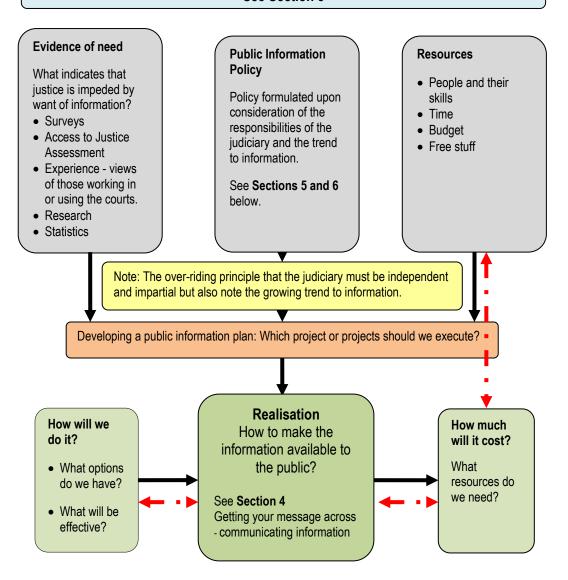
This toolkit is one of a number produced by PJDP which can be found at:
http://www.fedcourt.gov.au/pjdp/pjdp-toolkits

The Toolkit on '*Promoting Access to Justice'* is relevant in that it explains the process of conducting an access to justice assessment. www.fedcourt.gov.au/pjdp/pjdp-toolkits/Access-To-Justice-Toolkit-v2.pdf

The Toolkit on '*Producing a Court Annual Report'* is complimentary in that the annual report is an important piece of information designed to fulfil the requirement for transparency and accountability in relation to the administration of justice. www.fedcourt.gov.au/pjdp/pjdp-toolkits/PJDP-Court-Annual-Report-Toolkit.pdf

2   OVERVIEW

What do we mean by public information? What information do we find in courts?
See **Section 3**

Evidence of need

What indicates that justice is impeded by want of information?
- Surveys
- Access to Justice Assessment
- Experience - views of those working in or using the courts.
- Research
- Statistics

Public Information Policy

Policy formulated upon consideration of the responsibilities of the judiciary and the trend to information.

See **Sections 5 and 6** below.

Resources

- People and their skills
- Time
- Budget
- Free stuff

Note: The over-riding principle that the judiciary must be independent and impartial but also note the growing trend to information.

Developing a public information plan: Which project or projects should we execute?

How will we do it?

- What options do we have?
- What will be effective?

Realisation
How to make the information available to the public?

See **Section 4**
Getting your message across - communicating information

How much will it cost?

What resources do we need?

Note: The red broken arrows indicate iterative processes where a number of different factors must be balanced. For example: What you can do will depend on your budget, but how you do it will determine how much it costs.

In deciding what to do, you will have to consider evidence of need, policy and your resources. BUT cost is likely to be a limiting factor and you can't know the cost until you have decided on how you will present the information.

Planning will be easier if you have some idea of the different ways in which you might get your message across. Therefore, after a brief review of the kind of information that courts provide, this toolkit will move quickly to the practical process of realisation - how best to communicate information to the public.

3 WHAT INFORMATION IS PROVIDED BY THE COURTS?

Public information produced by courts and displayed in courthouses or published by the court, whether in print or on the internet, generally falls under one of the following heads:

1. User information - practical guidance for those using or visiting the court;
2. Education - improved understanding of the administration of justice and procedures - explanations as to what the court does and what to expect when coming to court;
3. Reporting - information regarding what the court has done and how the court has performed.

In addition a fourth category of information is often found in court houses and that is information produced by various organisations regarding services and help they can offer to people involved in court proceedings.

The following tables set out in more detail examples of the kind of information found in courts or published by them. These lists are not exhaustive; they are based on experience, feedback from national co-ordinators, an on-the-spot survey of courts in Australia and England and a study of websites of courts from across the world.

User Information
This includes all kinds of practical information for court users designed to help users find their way about, and to understand the way the court works and what is expected of them; thereby helping the court run smoothly.

- Signs giving directions to different offices and courts
- Listings giving the time and place when cases will be heard
- Rules relating to the use of the courthouse - no smoking, no mobile phones, no cameras, no recordings, etc…
- Guidance for court users as to procedures and procedural requirements.
- Description of help for those with special needs
- Information and guidance for parties, defendants to criminal prosecutions, witnesses and observers
- Information about available help and advice including:
    - Where to get legal advice and representation
    - Legal Aid
    - Fee waiver schemes
    - Referrals to related services: government, council, church, etc…
- Court fees
- How to pay fines etc…

Education
Information designed to develop understanding of the justice system - to tell people about the work of the court and what they can expect from it.

- A description of the court for newcomers - Who's who? - an explanation of the roles of different personnel
- Advice on how to behave in court
- Descriptions of a particular kind of hearing e.g. the family court
- Codes of conduct for judges and court staff
- A Court Charter
- Court open days
- Work with schools - participation in citizenship programmes - mock trials
- Liaise with media to facilitate accurate reporting of court business
- Reasoned decisions given in open court

Reporting
Information relating to court performance.

- Case reports - published decisions of the court
- Annual reports
- Statistics
- User surveys and their results

Information produced by others regarding the services and help they offer.
Many organisations exist to provide help to individuals in need. If the issues with which an organisation is concerned affect or are likely to affect people involved in court proceedings the organisations may want to place information relating to their services in the court. Examples include organisations offering:

- Advice and support to the victims of crime and/or the witnesses
- Help to those addicted to drugs or alcohol
- Help and advice to the families of offenders
- Advice or support to those accused of crime
- information describing various rights and how to defend or enforce them
- Help and support to achieve a resolution to a dispute through means other than litigation such as negotiation, mediation or customary practice

4   GETTING YOUR MESSAGE ACROSS - COMMUNICATING INFORMATION

Having decided what information is needed you will have to decide how best to communicate it. The simplest and cheapest method may be a notice either posted on the courthouse wall or printed in a leaflet, but that will not always be the most effective way of getting your message across. Before you start to think about 'how', you should check that you know the answers to the following questions.

1. What is your aim? What do you hope to achieve?

2. Why? Why is this information needed? What problem do you hope to address?

3. Exactly what information is needed?

4. Who is it that needs to know?

5. When do they need to know it? Is it possible to target the information by identifying a time (or stage in proceedings) when those for whom the information is intended are most likely to be receptive?

6. If you are successful what will be the response? Do you have the resources necessary to deal with the anticipated response?

7. Do members of your court staff need training, in how to deal with either the response you anticipate or questions which may arise in relation to the information?

8. How will you know that you have achieved your aim? Can the success or otherwise of your Public Information (PI) be measured?

4.1   SIMPLE DIRECTIONS

Simple directions which tell people where to go or how to do certain things are often posted on notices around the court. Such notices should be clear and simple and should be translated into the predominant local languages. It may be helpful to develop a consistent style. You may also consider colour coding messages for example you might allocate a particular colour to a particular language. Or you might use different colour borders for different kinds of notice; red is often used for notices prohibiting activities like "No Smoking".

Illustrations have the advantage of transcending language and can be very effective. You will find many standard notices in Clip Art within Microsoft Word; more information on how to find and use clip art can be found in section 5 - Practical hints.

4.2   MORE COMPLEX INFORMATION

You are likely to communicate more effectively if you keep your message simple and clear.

If you overload your audience with too much information you risk losing their interest and failing in your objective.

It takes some thought to work out exactly what the intended recipients need to know, and some care to simplify things without being misleading. Identify and emphasise the key points i.e. those matters or facts which are absolutely essential.

A good piece of information should state clearly who it is for and how those people will find it useful. It should answer the major questions the intended users are likely to have, identifying when and why they may need additional information, explaining where that information can be found.

In structuring your message you should take into account the way adults learn, because your aim is in effect to teach your target group something you believe they should know. If you have access to a member of PJDP's Regional Training Team, they should be able to help you.[4]

Adults need to be motivated to learn which means that if they do not think they need the information they are unlikely to pay attention to it. Conversely, if you offer the information at a point in time when people know they need it you will immediately have their attention. There may be an appropriate time, or stage in proceedings, to present information.

Break down the information you want to communicate into its key points. This will help you identify exactly what information you have to get across and you can think about how best to present it.

Key points can be given 'tags' or names which can be used to recall the more complex idea. When you first introduce people to the message they will need a full explanation of each point but with a little reinforcement they will recall the point at the mention of its 'tag'. Later you can reinforce your message simply by identifying the key points. If you think about some of the adverts you have seen on the television, an advertising campaign often begins with relatively long expensive adverts explaining the virtue of the product, but later the adverts are shorter and invoke the memory of the longer message with just a few key words or images.

Reinforcement is an important element of learning because our memories are laid down in the brain in much the same was as a path is worn through the bush; the more often the route is travelled the clearer the path becomes.

4.3   CHOOSING THE MEDIUM

Thinking about the particular individuals you want to reach may provide the answer to how you should reach them and when and where you should try to make contact.

You should be able to say:

- Who you want to reach
- How they habitually receive information. Are they primarily oral or do they prefer written information
- The approximate number of people in the group
- Where they are likely to be
- The kind of things they listen to, or look at.

If your aim is to give information to people who are actually in the courtroom, a notice on the wall may be an obvious choice for simple messages such as, 'No Smoking', 'Silence', 'No mobile phones' etc... If your message is for a particular sector within society there may be a place where they can be found, e.g. if you wish to inform women there may be women's groups that they attend.

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[4] The basic principles of adult learning are discussed in a little more detail in Section 7 below.

4.4 A SUMMARY OF THE DIFFERENT OPTIONS

Medium	Method of communication	Advantages	Watch points
Notice or poster, Bill board	Text Pictures Diagrams	Relatively cheap, can be sited strategically. Long lasting.	Needs to be taken down when outdated. If they are not changed people get used to posters and notices which lose their impact over time.
Leaflets or pamphlets	Text Pictures Diagrams	Relatively cheap. Can be kept by recipient for reference. Long lasting	Need to be kept up to date. Out of date leaflets must be removed from circulation.
Internet Website	Text Pictures Video Diagrams Spoken word Music	Costs can be high A website requires skill to design and create which means it can be expensive unless you have such a person on staff. Easy to update (if you have the knowhow) Allows users to take what they need.	Do the people in your target group have regular access to the internet and do they use it? Requires someone capable of ongoing management and updating.
Email - mailing list or news group	Text + attachments	Cheap and very closely targeted.	Do the people in your target group have regular access to e-mail and do they use it?
Public events e.g. Village meetings Women's Groups Church Schools - citizenship programs	Spoken word Music and song Action theatre and role play	Can address selected sections of society Direct and interactive Can be very high impact. Can respond to needs or questions expressed by the audience.	Can be resource intensive - sessions need careful planning (but may be repeated with different groups).
Advice and Information given by court staff	Spoken word	Direct and interactive - Information and advice can be tailored to the particular needs of the individual.	May create heavy demand on staff time. Information and advice must be correct and appropriate - Staff training may well be needed.
Radio	Spoken word Music and song	Potential to reach large proportions of society. Suitable for major announcements.	Transmission only - not interactive
TV	Spoken word + Visuals	May be very expensive.	Transmission only - not interactive - who will see it?

4.5 WATCH POINTS

Having decided how you will produce your information you should bear in mind the following general points:

- **Employing an 'expert' -** if you employ someone else to produce your information you must give very careful instructions and check, and double check, that they have interpreted your message correctly.

- **Language -** you will have to make sure that any information or advice is available in those languages used by the individuals who make up your target group. It is unwise to leave accurate translation to trust. Have whatever is written back-translated; find someone who speaks the language in question but has not seen your document before and ask that person to read the information back to you in your language.[5]

- **Time and Place -** if you are aiming at a larger group you may be able to identify a place where they gather or a time when they can be found. For example: if you want to tell people how to pay a court fine, a leaflet handed to them in court when the fine is imposed is the obvious solution. If you want to be heard by the victims of domestic violence you might chose to address the members of a women's group.

- The **language and form** of presentation you use should be appropriate for the age or other characteristics of the particular target group.

- You should put in place a mechanism for checking that all information is **up to date**. Old, out of date material is misleading and can be dangerous.

- **Anticipate the likely response.** Is the information you are producing likely to engender some particular response, e.g. an increased number of enquiries or applications? If so, does your court have the resources necessary to deal with them?

- **Information overload.** If there are too many notices posted or if you include too much information in a leaflet or presentation your audience may simply switch off. Review the notices posted in court regularly. Are they all really necessary? The fewer there are the more likely people will take note of them. When it comes to leaflets and more complex information, concentrate on the key points. If necessary you can tell people where they can find additional information if they want to know more.

4.6 KEEPING THE COST DOWN

If resources are tight you may need to be inventive and you should certainly think creatively and use every possible resource. Can you identify individuals with particular skills? You might consider whether any of the following could play a part:

- Volunteers

- A judge or court officer who would like the challenge of putting together a simple web-site

- Running a competition to produce a poster

- Children and/or schools - you may be able to involve children in producing and illustrating posters

- Information already in the public domain. Do not forget that helpful information and analysis may already exist and be available to you in existing reports

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[5] The saying, "The spirit is willing but the flesh is weak." was once translated into Russian as "The vodka is good but the meat is a bit off."

Examples of some very creative thinking can be found on the internet:

- http://www.youtube.com/watch?v=982gI8D2IeU creative village - an Amnesty Canada Urban Canvas project - Article 6 UDHR
- http://www.youtube.com/watch?v=XE1nku6fVrE Song on children's rights
- http://www.youtube.com/watch?v=LN_70HXxd5Y UNICEF UK song 'We've all got rights'
- http://www.youtube.com/watch?v=mJggYdw3I0k BMZ German federal Ministry for Economic Cooperation and Development Cartoon on children's rights
- http://www.youtube.com/watch?v=DzIyo69t9Jk&list=PL6E84D3C594844BD7 Save The Children Australia - cartoons on children's rights.

Depending on the message you are trying to get across it is worth looking to see what is already available on the internet. You do not have to reinvent the wheel if a principle or procedure is adequately explained on the website of another organisation you could refer people to it.

- The Pacific Regional Rights Resource Team website has some useful information http://www.rrrt.org
- The Magistrates' Association (England and Wales) has a website which includes information for the public regarding what magistrates do - it is well worth looking at their pages on education http://www.magistrates-association.org.uk
- You may also find interesting ideas and free materials at http://www.citizenshipfoundation.org.uk

If you decide to produce your public information in-house you will find some practical hints about the production and presentation of public information in Part 2 below.

5   WHAT INFORMATION SHOULD YOU PRODUCE?

Before producing any item of public information you must be satisfied that it is appropriate for the judiciary to provide such information; this is a question of principle. There should also, of course, be evidence that it is needed. Such evidence may come from the observations and experience of your judges, but analysis of court records, surveys and other data may also indicate where the need for information might increase access to justice.

Until recently the tendency has been for judiciaries to interpret what principle allows in a restrictive manner. However things are changing and it is worth taking a moment to consider how the judiciary's role in relation to public information is being developed before discussing why it may be helpful for you to formulate a statement of your judiciary's public information policy.

5.1   THE JUDICIARY'S ROLE

5.1.1   The trend to information

Across the world, judiciaries are beginning to recognise that their responsibilities include the provision of public information. Annual reports produced by courts are starting to report on the provision of public information. Additionally, strategic plans for court administration sometimes now include a statement of policy regarding public information together with a strategy for its implementation. Considerations responsible for this trend to information include:

1. As those who administer the courts have been required to reflect on the way they operate with a view to improvement, they have recognised that the provision of certain information can facilitate the efficient and effective administration of justice. This includes very practical information of immediate use to court users and extends to information which furthers the public understanding of the role of the judiciary.

2. Transparency and accountability are now expected in the operation of all public bodies and demand the release of information. The judiciary and their courts are no exception.

3. The reasons why individuals fail to access justice are innumerable, but ignorance is doubtless a significant factor; whether ignorance of the existence of rights or ignorance of how to go about enforcing them. It is now recognised that access to justice can be significantly improved by education and the provision of information. The responsibilities of the judiciary extend beyond the administration of justice to equality of access.

The responsibilities of the judiciary as regards to the provision of information to the public have been considered by The Judicial Integrity Group[6] (JIG). JIG is an international group comprised of Chief Justices and Superior Court Judges; it formulated The Bangalore Principles which were confirmed internationally before being published in 2002. JIG has since considered the application of those principles in an in-depth commentary and more recently the responsibilities of the judiciary regarding the implementation of the principles.

The Bangalore Principles
1. Judicial independence
2. Impartiality
3. Integrity
4. Propriety
5. Equality
6. Competence and Diligence

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[6] For the history of this group and an explanation of its work promoting judicial integrity see:
http://www.judicialintegritygroup.org/   All JIG publications can be found at this site.

In 2010 JIG produced recommendations entitled, "Measures for the Effective Implementation of the Bangalore Principles of Judicial Conduct" (The Measures). A section of that document sets out the responsibilities of the judiciary and these include a number which relate to the provision of public information either explicitly or implicitly.

5.1.2   Summary of the responsibilities of the judiciary relating to the provision of public information as identified by JIG in The Measures.

1. Making the community aware of the principles of judicial conduct as adopted by the judiciary.

2. Where appropriate using information and communication technologies to strengthen the transparency, integrity and efficiency of justice.

3. Publishing an annual report of its activities.

4. Facilitating and promoting access to justice.

5. Making information regarding the time and venue of hearings available to the public and ensuring the public can attend proceedings in all but exceptional cases.

6. Ensuring that the public, the media and court users have reliable access to all information pertaining to judicial proceedings both pending and concluded.

7. Ensuring that standard, user-friendly forms and instructions, and clear and accurate information on matters such as filing fees, court procedures and hearing schedules are made available to potential court users.

8. Ensuring that witnesses, other court users and interested members of the public have access to easily readable signs and publicly displayed courthouse orientation guides. Court personnel should be provided to respond to questions through public information services. They should be available close to court entrances. Provision should be made for special-need users, such as children, victims, and the disabled.

9. Giving consideration to the initiation of outreach programmes designed to educate the public on the role of the justice system in society and to address common uncertainties or misconceptions about the justice system.

10. Affording access and appropriate assistance to the media in the performance of its legitimate function of informing the public about judicial proceedings, including decisions in particular cases.

11. To consider, where appropriate and desirable, such initiatives as the encouragement of *pro bono* representation of selected litigants by the legal profession, the appointment of *amici curiae* (friend of the court), alternative dispute resolution, and community justice procedures, to protect interests that would otherwise be unrepresented in court proceedings; and the provision of permission to appropriate non-qualified persons (including paralegals) to represent parties before a court. (Potential litigants would have to be informed about these options in order to benefit from them).

This trend is reflected in the performance indicators chosen by PJDP members at workshops in Raratonga in June 2011. The jurisdictions which form PJDP considered how the performance of their courts might be measured and in so doing agreed 15 performance indicators, which they called 'The Cook Island Indicators'. Performance against these indicators in each jurisdiction was assessed and used to produce the 2011 Court Baseline Report[7] which establishes a baseline against which courts can measure their performance in future. Indicators 13, 14 and 15 relate to the publication of information regarding the working of the court.

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[7] http://www.fedcourt.gov.au/pjdp/materials-developed
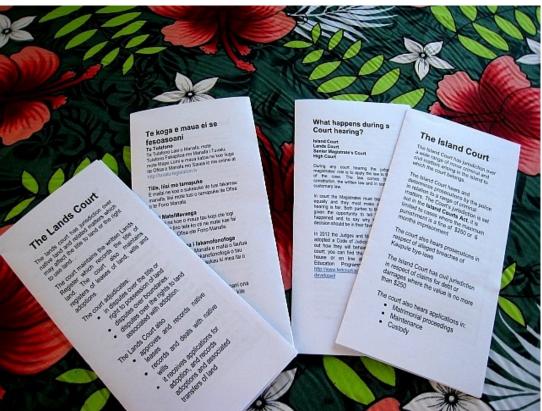
> ## The Cook Island Indicators
>
> 13. Court produces or contributes to an Annual Report that is publicly available during the following year.
> 14. Information on court services is publicly available.
> 15. Court Publishes Judgements on the internet (court website or Pacific Legal Information Institute.)*
>
> * http://www.paclii.org

If you are in a position to look at some of the information being published by courts on the internet you will get a flavour of how judiciaries are responding to this trend and developing their role in relation to the provision of information. This is particularly so as regards the responsibility to educate. From cautious beginnings judiciaries are now interpreting their educative role more broadly; so the UK Supreme Court sees it as its role to *"promote knowledge of the importance of the rule of law, not least as a guarantee of democratic freedom."* and undertakes to promote an understanding of *"the ways in which justice should be rightly administered."*

5.1.3   Some examples illustrating the trend to information

LEAFLETS PRODUCED IN TUVALU DURING FIRST PILOTING VISIT

POSTERS OF CODE OF JUDICIAL CONDUCT FOR TUVALU - NUKULAELAE

COURT LISTS POSTED FOR THE FIRST TIME IN TUVALU – JUNE 2014

This is the home page of Palau's Judicial Web-site. Its production was funded by foreign aid.

The rationale behind educational information:

Judges should also recognize that not everyone is familiar with these concepts and their impact on judicial responsibilities. Public education with respect to the judiciary and judicial independence thus becomes an important function, for misunderstanding can undermine public confidence in the judiciary. There is, for example, a danger of misperception about the nature of the relationship between the judiciary and the executive, particularly given the Attorney General's dual roles as the cabinet minister responsible for the administration of justice and as the government's lawyer. The public may not get a completely balanced view of the principle of judicial independence from the media which may portray it incorrectly as protecting judges from review of and public debate concerning their actions. Judges, therefore, should take advantage of appropriate opportunities to help the public understand the fundamental importance of judicial independence, in view of the public's own interest.

Ethical Principles for Judges - Canada

Strategic objectives for the administration of the Court

1. The UKSC will create an environment, which effectively maintains the independence of the justices, in which they can carry out their work protected from external pressures and which empowers them to develop the Rule of Law.

2. The UKSC will maintain and increase confidence in the administration of justice throughout the United Kingdom. It will promote transparency in, accessibility to and knowledge of the ways in which justice should be rightly administered. It will thereby promote knowledge of the importance of the rule of law, not least as a guarantee of democratic freedom.

United Kingdom Supreme Court
Annual report and accounts for 2012 - 2013
http://www.supremecourt.uk

NOTE: These are the first and second of 8 objectives, for the full list go to http://www.supremecourt.uk/news/the-supreme-court-annual-report-and-accounts.html

6 A STATEMENT OF PUBLIC INFORMATION POLICY

Your judiciary will find it a useful exercise to formulate a statement of your public information policy. Doing so will provide an opportunity for you to discuss the principles which should govern the provision of information, the extent of your responsibilities and the resources available to you. Once formulated, the statement will provide a basis for future development and distribution of information as well as being a useful reference for individual judges and administrative staff. Depending on the size of your judiciary it may be appropriate to set up a committee to lead in these matters.

The statement should address the following points:

1. The judiciary's policy and principles to be applied in fulfilling its PI responsibilities,
2. what information should be provided, and
3. a strategy for its provision.

6.1 GUIDING PRINCIPLES

In the introduction to this toolkit, reference was made to the need to determine where the balance lies between promoting awareness and access to justice and the fundamental principle that the judiciary must be, and be seen to be, impartial and independent. You may wish to include something along the following lines in your policy statement:

> *In all its dealings with the public the judiciary will bear in mind the principles of judicial conduct and the need for judicial action to exemplify those principles. Public information provided by the judiciary should reinforce the core values and do nothing that might undermine them.*

> *In particular neither the judiciary nor an individual judge should do anything that may put in doubt the independence or impartiality of either the individual judge or the judiciary as a whole. This must be reflected in judicial communications with the public; care should be taken to avoid giving the impression that the judiciary or individual judge might be either partisan or political.*

You may wish to address the issue of **information produced by others**. Will your courts provide a place for it to be displayed? Is there a need to vet such information or is it enough to make it clear that it does not come from the judiciary?

6.2 WHAT INFORMATION WILL YOU PROVIDE?

A useful starting place might be to consider the responsibilities enumerated in JIG's Measures. Your judiciary may be prepared simply to adopt those or it may prefer to formulate its own statement of responsibilities in relation to the provision of information to the public.

When it comes to producing information, what you can do will almost certainly be limited by resources, therefore you will need to explain how you will choose between potential projects and whether certain kinds of information should be prioritised.

When you choose between different projects you will find it useful to have the following information in relation to each proposed activity:

1. What is the information and how will it be published or disseminated?
2. Why? Is this necessary to fulfil the PI responsibilities you have identified? Is there evidence of a particular need?
3. What are the aims?
4. What resources are required?
5. What outcomes are anticipated?

Note: At the time of planning you will only be able to estimate the effect of providing information by reference to the outcomes you anticipate. In planning you should consider how evidence of the actual outcomes can be obtained so that you can evaluate the project.

In choosing between potential PI projects it may help to consider what evidence you have as to the need for information. This might be in the form of statistics collected for the purpose of your annual report, from surveys you have conducted, other feedback from court users, or from specific studies such as an access to justice assessment.

Choosing what you can undertake at any one time will not necessarily be an easy exercise, you will have to consider the question from a number of view points and draw a balance. Asking the following three questions may be helpful:

1. Are the aims appropriate?
2. Which projects will give maximum return for investment?
3. What is the value in terms of contribution to the administration of justice?

6.2.1   Appropriate aims

Whether or not a particular information project is appropriate information might be tested by reference to the aim behind its publication. Appropriate aims might include:
- Improving or facilitating the efficient administration of justice.
- Increasing public understanding of the justice system.
- Enabling access to justice both in practical terms and by removing those barriers created by lack of understanding or fear.
- Promoting confidence in the justice system by demonstrating transparency and accountability.

6.2.2   Which projects will give maximum return for investment? - A pragmatic approach

A sound and practical way forward might be to choose first those PI projects which offer the biggest return for the resources invested.

But you may be able to achieve a great deal by quickly implementing those measures which have minimal resource implications.

No significant time **+** **no significant financial resources**	**No significant time** **+** **significant financial resources**
Requires significant time **+** **no significant financial resources**	**Requires significant time** **+** **significant financial resources**

6.2.3   Value or worth. Value in terms of contribution to the administration of justice

The former approach alone may be too simplistic in that it takes no account of the worth or value of the anticipated outcome and could result in a failure to address some very important projects simply because they are more difficult and resource intensive. This is why your statement of policy should identify those aims which must be addressed and any information you consider to be essential.

6.2.4   Strategy

Finally your statement should address the question of how your judiciary will deal with the challenge of providing adequate public information. The answers to that question will doubtless reflect the resources you have to work with. These vary enormously across the Pacific jurisdictions. It may be that you have the resources to set up a committee which can devote significant time to this activity; alternatively this may be one more responsibility to be carried by a very small team. Whatever your resources an annual **Public Information Plan** will be useful.

At the most basic your plan might be a very concise report in which you identify the available budget, take a critical view of the information you currently provide and identify what you should do in the forthcoming year.

Annual Public Information Plan

- Budget
- Review of public information provision against identified PI responsibilities - explaining how evaluation was conducted.
- What is planned for the forthcoming year? What new information will be produced and/or what revision of existing information will be undertaken.

7 A CASE STUDY: PILOTING PUBLIC INFORMATION IN TUVALU, 2014

7.1 FIRST VISIT: JUNE 2014

The first of two visits to pilot the toolkit on public information took place from 10th to the 28th June, 2014. Tuvalu is a very small country with approximately 10,000 people spread across 8 island groups. There are 88 local Magistrates, one Senior Magistrate and one non-resident Chief Justice. The judiciary works with minimal staff and a very limited budget. At the time of this visit the Senior Magistrate, the only law qualified resident judge, was on leave pending his retirement on 10th July 2014. There was, at that time, no new appointment.

Therefore, during the initial visit I worked with the local magistrates[8] to decide what public information could realistically be produced that would improve people's understanding of the working of the courts and improve their access to justice. The local magistrates' are not law trained but do have very considerable experience and wisdom. English is not their first language, 1/3 are comfortable communicating in English. Sala Tapu, the President of the Funafuti Island Court provided invaluable support in the form of translating and in making sure everyone could follow proceedings.

In the opening workshop the magistrates identified the need for the court to professionalise its appearance in order to communicate that it is professional, organised and efficient. The magistrates felt there was a need for very basic information regarding the court and identified the need for a court notice board. They also voiced the wish to develop notices and leaflets giving basic information about the court.

The main entrance to the Senior Magistrates Court, High Court and Court of Appeal Tuvalu without any identification in June 2014.

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[8] The Chief Justice Sir Gordon Ward could not be in Tuvalu at the time of my visit but was kept informed of our activities via email.

The Materials Produced

Copies of the materials produced during the piloting exercise are set out in the annex to this toolkit.

Piloting

The toolkit must meet the needs of some very different jurisdictions. In order to test how the toolkit was received and whether it provided the necessary resources to develop capacity I tried to draw a line between providing support to the local magistrates and 'doing it for them'.

In working with the local magistrates it soon became clear that there are a number of factors which make it very difficult for them to produce and disseminate the kind of information they identified as being needed. Basic communication at a local level is time consuming and not always effective; for instance, not everybody has a phone. Financial resources are very limited, as is basic equipment. The need for the production of information to be sustainable meant these limitations had to be borne in mind, even though PJDP's input removed constraints to some extent during the currency of the project. The magistrates' access to and ability to use word processing facilities is extremely limited and printing facilities are scarce; anything to be printed often has to be downloaded to a memory stick and taken elsewhere for printing. By way of example, documents PJDP had asked to be printed before my arrival had to be taken to a commercial print-shop (at considerable cost) because the Senior Magistrate and his Registrar were on circuit in the outer islands and the Clerk to the Magistrates had no access to the printer in the Senior Magistrate's Office. In view of such limited resources it was necessary to be very realistic in setting our targets.

The principal participants were the local Funafuti magistrates. Whilst formally on leave, the Senior Magistrate Afele Kitiona came in on most mornings once he returned from the outer islands, and was ready with support and advice.

In 2011 Tuvalu developed a Code of Judicial Conduct (CoJC) with the support of PJDP. At our initial meeting I asked about the CoJC and was told they had all received a copy in Tuvaluan, but whilst one or two were aware of its content, the majority did not fully appreciate its relevance as a guide to their judicial practice.

Additionally, public awareness of the CoJC was wanting. The Peoples' Lawyer, the Attorney General and the Lands Director (who has administrative responsibilities in relation to the Lands Court) indicated that they did not know about it and had never seen a copy. (That has been rectified)

Since one of the subjects the magistrates' identified for the Public Information Project (PIP) was how parties and the public should behave in court, I encouraged the magistrates to include a statement of what could be expected in terms of their own behaviour and that of the clerk to the court in the guidance. The guidance produced refers to the CoJC. In order to encourage continued awareness of the code I suggested that the full code be displayed in each court room in both Tuvaluan and English. This should make the public aware of the code and encourage the magistrates to keep it in mind. PJDP organised the printing and lamination of the code in poster form. This was done in Australia since there are no facilities capable of laminating large posters in Tuvalu.

The initial piloting of the toolkit was successful, in that the magistrates read the toolkit and their responses in our final reflection session suggested that they had gained an awareness of the importance of providing information to the public. Additionally, the toolkit was successful in assisting magistrates to identify what public information was needed and why. The magistrates drew up an action plan which identified the following activities (now completed):

1. Improving the appearance of the court and its offices so as to communicate the message that the court is professional and organized; tidying up the court and the Clerks' offices and keeping them tidy clean and organized

2. User information for those attending court: signs and notices around the court house - the court house is the property of the Kaupule (Town Council) and the magistrates needed their permission to erect a notice board.

3. Information designed to educate the public as to what the court does and the different roles of the Island Magistrates and the Lands court. At first in the form of leaflets but might in future be extended through to the radio - and possibly by developing a role for the court in the school citizenship programmes.

4. Guidance on how to behave in court - to be related to what users can expect of the magistrates with reference to the CoJC

5. An information point with information about where to go for help and advice + a display of relevant literature.

Several of the magistrates became particularly enthusiastic about the importance of Public Information. They informed me that they planned to meet again to work through the toolkit, in particular to help those with less understanding of English. It was gratifying to see them come together as a group and to see them become aware that they could initiate change and take action to effect it.

Island Court signs newly painted on the entrance to the court

What happened?

The magistrates put some real effort into cleaning and tidying the court room, which was further improved with signs and notices. Statute gives the Kaupule the duty to provide a courthouse for the two local courts. In Funafuti the building is a separate structure behind the Kaupule building; it is raised and naturally ventilated. It has two small ante rooms which are used respectively by the Lands Court and the Island court to store their statutes, bench books and the flag with which they cover the bench when they are sitting. The court clerks' offices are in the adjoining Kaupule building.

The court name was painted on the door and with help on the computer; we produced some basic signage and a notice explaining how to behave in court.

The head of the Kaupule was approached and gave his permission for a court notice board to be placed next to the Kaupule boards at the front of the Kaupule building.

Sala worked with me to develop two leaflets. One describes the work of the Island Court; the other is entitled "What happens in Court" and describes court proceedings in generic terms, explaining the role of the court. I worked with a clerk from the Lands Department to create a leaflet describing the work of the Lands Court. She had started something similar during another workshop but progress had stalled because she was not sure of the relevant law; she was keen to get something in print and translated the leaflet overnight.

The leaflets were shown to the Senior Magistrate, the Peoples Lawyer and others for comment. The translation of the final two leaflets has since been translated as well. We printed approximately 60 copies of each leaflet before I left. Sustainability requires that the computer files for the leaflets be kept, updated and printed locally. However, PJDP organised for a supplementary print run in Australia to ensure a good initial supply.

One magistrate, Iosefa Elisala, was particularly keen to establish a link with the school, he had arranged for the director of the School to come and see me, but he was unable to contact me to let me know so the meeting did not take place. We left it for the magistrates to discuss with the school whether or not there is an appropriate time in the school syllabus for them to visit and make a contribution.

On reflection, we decided explanations on the radio were safer in the hands of the Senior Magistrate. It was agreed that it would be good if court sittings were notified but this was not progressed at the time of this toolkit being finalised.

Information point - when the court sits the leaflets we produced will be displayed in the court room together with any relevant literature from other organisations such as RRRT or the People's Lawyer.

The project officer in Sydney organised the production of two A2 posters one with the CoJC in English the other in Tuvaluan which will be encapsulated, at least 9 copies of each, enough for display in every court house on Funafuti and the outer islands.

With the help of the Registrar, Akoakoga Tiu Kalala, we endeavoured to mirror the changes at the local court at the court house where the Senior Magistrate and the High Court sit. There were simply no materials to make a notice board for this court house so we painted a frame on the wall. Before I left, the dates and listings for the Court of Appeal sittings in August were posted.

It has not been customary for sitting dates or lists to be posted at either court and yet all the clerks informed me that this information is what people enquired about most often.

We agreed that Sala and or other magistrates should visit the outer islands to tell them what we have done and to take them materials for their courts. We printed and laminated copies of our notices to be taken out with the CoJC posters.

The magistrates expressed the intention of running a court open day perhaps to coincide with another event at the Kaupule.

One of the principal achievements during the first visit was the recognition by some of the magistrates that they could take charge in their own courts to improve public information. I think they had long recognised the need for some of the things we put in place but had not thought they could take the initiative in providing them.

The text of these materials is effectively out of the magistrates' reach because it exists in computer files to which they have no direct access. If they are unable to keep the information under review the leaflets will become outdated, however I am assured that the new Senior Magistrate will ensure that the magistrates have the help necessary to access the files if and when amendments or updates are needed.

Semeli Manase President Funafuti Lands Court and Peniata Tui Magistrate Lands Court

7.2 THE SECOND PILOTING VISIT OCTOBER-NOVEMBER 2014

A second visit was conducted in October/November, 2014. The posters and leaflets had by then been printed and shipped to Tuvalu. The objective of this second visit was to consolidate our earlier work and to roll out the Public Information Project (PIP) to the outer islands which had not been included in the first visit activities. Originally we planned to visit the courts on four of the 7 outer islands. We succeeded in visiting one, Nukulaelae before boat schedule changes and other factors forced us to revise our plans. Instead a workshop was conducted in Funafuti which was attended by representatives (the President and Vice-President) from each Island Court. During the workshop we explained what we had done and distributed materials to be taken back for display and distribution. That workshop included representatives from the Kaupule (town council) of each island and thus allowed us to spread awareness of the materials which were now available to those outside the court.

Sala, Akoakoga and me at the workshop in Funafuti

The extra days recovered by virtue of not having to travel to the Northern Group allowed us to translate the two leaflets which we had not managed to translate during the first visit. Copies of the Tuvaluan language versions were printed shortly after the second visit by PJDP in Sydney and sent out to Tuvalu.

The new Senior Magistrate, Simon Kofe was appointed shortly before the start of the second visit, this was a very important development since as the only resident full-time judge the Senior Magistrate has *de facto* day-to-day responsibility for ensuring that the courts are effectively administering justice. He will go on circuit to the outer islands 2 or 3 times a year and is the only person who can check on what is happening and prompt continued action with respect to the provision of information to the public. The Senior Magistrate had already taken steps to clear a backlog of cases he inherited and to instigate procedures designed to improve the court's case management and recordkeeping. His attitude resonated with magistrates' desire to professionalize their courts, I left Tuvalu hopeful that this initiative will be both sustained and further developed.

Simon Kofe - Senior Magistrate Tuvalu

The Way Forward - Lessons & Recommendations:

Prior to this activity the magistrates had not thought about or recognised their responsibilities with regard to informing the public. The simple message that they can and should help the public understand what the courts can do is an important one.

Resources can be desperately limited in small Pacific countries, the budget provided for the administration of the courts is often small and it is difficult to do things without money. In some cases the provision is so clearly inadequate, especially when compared to government resources, that one is forced to question whether the government appreciates how this reflects on its priorities.
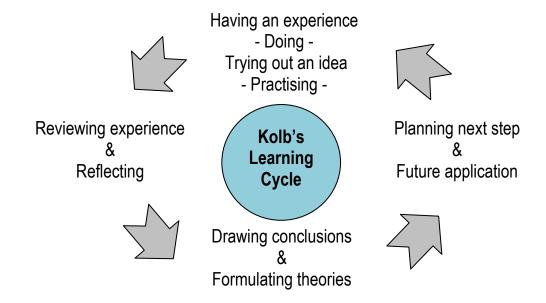
8   HELPING ADULTS LEARN

When you explain how to do something, or tell people how the court works, you are teaching them and you will find it useful to know a little about how adults learn. Adult learning is a big topic, what follows is a very simple outline of the key points about adult learning should you bear in mind.[9]

Motivation is a key point in relation to adult learning because adults generally learn only what they think they need to know. You do well to begin by telling adults why they need to know whatever you are about to tell them. (Just as we explained why you need to know about how adults learn in the paragraph above.)

Styles of Learning are also key to adult learning in that each adult will have his or her own preferred approach to learning, some are more active others more reflective and theoretical some like to read their information whilst others prefer to hear it or to see it illustrated. You cannot know the learning styles of each member of the public; therefore try to cater for as many as possible.

Cycle of Learning   (Learning Cycle) Learners learn through experience, reflection, theory and practice which gives further experience. It might all start with a new idea (theory) which an individual puts into practice. Once the individual has gained experience through practice, they think over what happened (reflect) and may develop the theory or think of ways to improve their practice. They can then plan further practice which constitutes a fresh experience upon which the individual can in turn reflect. Each time he or she practices his or her understanding is improved and strengthened and the memory of what has been learned from practice is **reinforced.** This was first described by Kolb and is known as Kolb's Cycle.

Having an experience
- Doing -
Trying out an idea
- Practising -

Reviewing experience
&
Reflecting

Kolb's Learning Cycle

Planning next step
&
Future application

Drawing conclusions
&
Formulating theories

Reinforcement
If you want people to remember what they have learned you may need to reinforce their learning. We build our knowledge and understanding by laying down pathways in the brain which become clearer each time we travel them, just as our feet wear a path through the bush.

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[9] For more about adult learning see PJDP's '*Trainers Toolkit*' at http://www.fedcourt.gov.au/pjdp/pjdp-toolkits/PJDP-trainers-toolkit.pdf

9 PRACTICAL HINTS

9.1 Posters and Notices

If you have access to a computer and a printer you can produce posters notices and leaflets for the cost of the paper and printing. Many office printers are capable of printing A3 sheets (i.e. twice the size of the standard A4 sheet we use most often for letters etc.

A1 594 x 841mm area=0.5m²	**A2** 420 x 594mm area=0.25m²

A3 297 x 420mm area=0.125m²

A4 210 x 297mm area=0.0625m²

A5 148 x 210

A6 105 x 148

A7

A8

9.1.1 How big is big enough?

If you are producing a poster the minimum size will depend on how much information you need to put on it. Keep text to the minimum and make sure it is large enough to be read with ease.
A4 (210mm x 297mm) or A3 (297mm x 440mm) can be big enough for smaller notices and posters but if you want people to see a notice from afar you may need to go for a larger sheet which may require printing professionally or painting by hand.

9.1.2 Lamination

Given the humidity in most Pacific island countries you should consider laminating any notice or poster to protect it from moisture. It is important to note that lamination merely encloses the printed paper in plastic therefore when you post laminated materials you must **take care not to puncture the plastic layer** with pins, if you do so moisture will penetrate and damage the paper inside.

9.2 LEAFLETS, BOOKLETS AND INFORMATION SHEETS
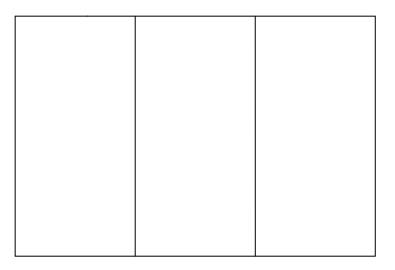
Leaflets are quite commonly produced in A5 (148mm x 210mm - this half an A4 sheet). To produce A5 leaflets you can print 2 leaflets per A4 sheet in landscape and cut the sheet in half after printing.

An A5 booklet may be useful.

Your word processing program almost certainly has the ability to organise the pages automatically for printing in booklet format.

To produce an A5 booklet using Microsoft Word open a new blank document and from the file menu click on…………… "page set up"
then click on……………………. "margins"
and from pages click on………… "book fold"
you must then enter the number of pages in your booklet.

Another common size for leaflets is an A4 sheet three fold (99mm x 210mm)

You will need to layout your leaflet out in landscape selecting three columns from the columns options which you will find under the format menu.

9.3   ILLUSTRATIONS

A good illustration can do away with the need for different language versions of the same notice; here are just a few examples of what is available in Clip Art. A web search may provide additional diagrams and pictures.

To find Clip Art go to the insert menu in Microsoft Word, select 'insert picture from Clip Art'
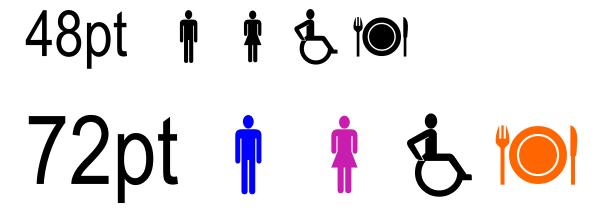
The Clip Art panel will appear and offer you the opportunity to search for Clip Art according to subject.

Note: *If you are using a different version of windows the procedure may vary a little but the facility will be there somewhere.*

9.4   SYMBOLS

Male and female symbols can be found on the drop down 'Insert' menu in Microsoft Word - look for 'insert symbol. You can adjust the size by altering the font size.

At twelve point 👤 👤 ♿ 🍽 they are a little small and rather hard to see but…..

48pt 👤 👤 ♿ 🍽

72pt 👤 👤 ♿ 🍽

You can alter the colour by changing the font colour if you wish!
72 point might be useful for a notice for example………..

Please be Silent in Court

This was composed using a picture from Microsoft Clip Art, where I searched for 'silence'

The dark blue border was added by highlighting the picture and going to 'format picture' before choosing 'lines' and then selecting a colour and line thickness.

The print in 72pt is put on top of the picture by going to 'format picture', choosing layout and selecting to put the text in front of the picture.

- You will find you can adjust the size of the picture by highlighting and dragging its borders.

Even Bigger!

It is always worth experimenting to find different effects, but always **save your document beforehand** in case everything goes wrong. You can for example use font sizes greater than 72pt although Microsoft

Word does not appear to offer anything bigger. Just type your chosen value into the font size dialogue box, press return and your chosen value is used. If you choose 240pt you will find that a single letter will fill an A4 page. Many printers can print A3 paper which is a good size for a small poster.

9.5   PUBLIC PRESENTATIONS

Pacific cultures often prefer the spoken word. It is therefore worth considering whether the information you wish to communicate can be transmitted orally.

By way of example in Tuvalu at one time the former Senior Magistrate gave a series of short talks on the radio explaining how the law works.

If you choose the radio as a medium you must plan very carefully what you will say. If possible have your presentation pre-recorded so that you can get it absolutely right before transmission.

9.5.1   Meeting groups face to face

Radio is by its nature a one-way communication, most face-to-face public gatherings will be two-way and you should take advantage of the opportunity to engage your audience in activities which allow them to explore the information you are presenting.

If you have the opportunity to spend time with a group to give them information, the overall structure would usually be as follows

1. Formalities - including welcoming and introducing people.
2. Explanation of the aims and what participants will learn.
3. A brief introduction to the information identifying key points.
4. An activity in which the participants apply the information to a problem or scenario.
5. A review of the activity and what was learned
6. Questions and answers
7. Summing up - repeating and reinforcing the main points.

That basic structure can be used to plan a session of almost any length but if you are to succeed in your aims you must think very carefully about how long each part will take. To be realistic it is helpful to set out a session plan with time allocated for each step. You will have to work hard to keep to your timetable. That can be difficult but will be more easily managed if you explain the time limits to all participants at the outset.

There are many opportunities to explain the working of the courts to the public.

9.5.2   Open days

You might consider staging a court open day when people are invited to visit the court. Information about the working of the court should be on display but the day might include a schedule of activities. The magistrates might choose to enact a simple trial, to run question and answer sessions or to organize talks on particular topics.

9.5.3   Schools

The school curriculum usually includes some kind of citizenship programme in which children look at the way their society is ordered and run. This would normally include a look at the legal system. It may be possible to liaise with schools and arrange for members of the judiciary to contribute to the relevant sessions. In many countries schools mount mock trials in which students act out the roles of various parties to a trial. If the subject matter is carefully chosen as something relevant to youth the exercise can be both educative in terms of understanding the legal process and thought provoking for growing young people facing new choices regarding their behaviour. Magistrates can play a role in helping children prepare for a mock trial or in judging and giving feedback on their performance.

10   IN CONCLUSION

Under the leadership of the new Senior Magistrate Tuvalu has resolved to produce its first annual report. The annual report process requires the judiciary and court officers to gather and record evidence regarding the way in which justice is administered, to analyse that evidence and reflect on their performance over the course of each year identifying both strengths and weaknesses. Annual reports are therefore an important source of public information from which the public can judge how well justice is being administered and the rule of law upheld.

The provision of public information facilitating access to the court and its services is one of the indicators used to assess performance and it is therefore likely that your court will, sooner or later, choose to review the information it provides. It is hoped that this toolkit will help and encourage you to embark on that process. The pilot exercise in Tuvalu provides an excellent example of how a significant change can be achieved through relatively simple low cost projects.

The registration of a marriage in the Island Court of Funafuti
-
President Sala Tapu and Vice President Tonuu Taani

Toolkit for Public Information Projects - Additional Documentation

Available at: http://www.fedcourt.gov.au/pjdp/pjdp-toolkits

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ANNEX 1: THE INFORMATION DEVELOPED DURING THE PILOTING EXERCISE IN TUVALU

The Materials produced during the pilot and contained as examples in this document include:

- Leaflets A4 folded into 3
  - Tool 1: Leaflet: What happens in court? (English Version)
  - Tool 2: Leaflet The Island Court (English Version)
  - Tool 3: Leaflet The Lands Court (English Version)

Each of the above leaflets has been translated into the local language.

- For all 8 Atolls
  - Tool 4: Behaviour in Court - Encapsulated notice (Tuvaluan Version)
  - Tool 5: Behaviour in Court – Encapsulated notice (English Version)
  - Tool 6: Encapsulated labels for notice boards - " [Island Name] Court Notices"
  - Tool 7: No smoking - Encapsulated notice
  - Tool 8: CoJC encapsulated A2 posters (English Version)

These are reproduced on the following pages. (N.B. not necessarily to size)

Additional materials developed that do not appear in the following examples include:
- Notice boards or designated places for notices to be displayed
- Tuvaluan Crest – Encapsulated
- Special needs - Encapsulated notice

TOOL 1: LEAFLET: WHAT HAPPENS DURING A COURT HEARING? (ENGLISH VERSION)

Becoming a party to Court proceedings

You may become a party because someone else starts proceedings against you. It may be an individual who claims you have wronged them or it may be a public authority. For example:

- The police may allege you have committed a criminal offence.
- Kaupule may allege that you owe taxes or rates.
- The public health officials may allege that you are in breach of public health regulations.
- Someone may allege that you have taken part of their land.

Starting proceedings against someone else

You may become a party by starting proceedings yourself. To start proceedings you will need to identify the exact law upon which your claim is made. If you need help to do that, the People's Lawyer can sometimes help. The law gives you rights; if you believe that someone has breached them you can ask the court to protect you from any further breaches and to punish the wrongdoer.

Your Rights

Your rights are set out in the Constitution of Tuvalu, the written law and in International Treaties which your government has joined on your behalf. You have many rights including:

- The right to life;
- Personal liberty;
- Personal security;
- Freedom of belief;
- Freedom of association;
- Freedom of assembly and expression;
- The protection of the law; and
- Protection for the privacy of your home and other property.

To find out more go to: http://www.rrrt.org

If you believe you need the court to protect your rights the People's Lawyer may be able to advise you.

If you are a party

If you are a party you must prepare for court by thinking about how you will tell your story to the Magistrate. The Magistrate's aim is to find the true facts of what happened so you must make sure that you can prove what you say with evidence.

Finding the facts - Evidence

The court may only consider evidence properly presented during the hearing of your case. The rules of evidence are complex but generally the court will take into account:

- The direct oral testimony of someone, **a witness**, who was there and saw what happened.
- Original documents
- In certain cases other evidence may be accepted.

Note: You can be a witness on your own behalf, but if there are other people who witnessed what happened you should ask them to come to court and say what they saw.

Do you need help to put your case?

You are entitled to have a representative in court, someone to help you put your case to the Magistrate. If your case is complicated or you think you will find it difficult to assemble your evidence and to speak in court you may pay a private lawyer to represent you or you may be entitled to help from the People's Lawyer. If you do not have a representative you may be permitted to have a friend to help you in court.

What will it be like in court?

The Clerk or Registrar will announce your case when the court is ready to begin the hearing. Make sure you are at court in plenty of time to be there when your case is called. You should also be ready to wait at court as sometimes the case before yours takes longer than was expected. The Judge or Magistrate must take time to hear the case properly. Please be patient as they will be prepared to take all the time they need when it comes to your case.
Listen carefully to everything that is said so that you understand the proceedings. You will be told when you may speak before the court so you should think carefully about everything that you want to say to the court when your turn comes. At the end of the hearing the court will give its decision together with the reasons for why it decided as it did.

Where to find out more

The law - you can find the written law of Tuvalu on line at: http://tuvalu-legislation.tv

Jurisdiction and powers - the jurisdiction and powers of the Island Court are set out in the Island Courts Act.

The Tuvalu Penal Code - sets out the law regarding what is a criminal offence.

The Laws of Tuvalu Act - sets out in detail the sources of Tuvaluan law.

Legal Advice - if you need help because you believe your rights have been disregarded you may get the advice of a private lawyer. The People's Lawyer may be able to advise you.

Produced by the Magistrates of Tuvalu with funding support from the Government of New Zealand and assistance from the Federal Court of Australia

What happens during a Court hearing?

Island Court
Lands Court
Senior Magistrate's Court
High Court

During any court hearing the Judge's or Magistrate's role is to apply the law to the facts of the case. The law comes from the Constitution, the written law and in some cases, customary law

In court the Magistrate must treat all people equally and they must make sure that the hearing is fair. Both parties to the case will be given the opportunity to tell the court what happened and to say why they believe the decision should be in their favour.

In 2012, the Judges and Magistrates of Tuvalu adopted a Code of Judicial Conduct which set out how they will behave both in and out of court. You can find the full code at the court house, or on line at The Pacific Judicial Development Programme's web page at:

http://www.fedcourt.gov.au/pjdp/materials-developed

TOOL 2: LEAFLET: THE LANDS COURT (ENGLISH VERSION)

The Lands Court

There are 6 Lands Court Magistrates.

The President of the Court presides over each hearing. The Court must determine the facts of the dispute by listening to evidence from the parties and witnesses, and by looking at any relevant register and the cadastral maps.

The Court may visit the land in dispute if it feels it needs to do so.

The sources of law

The law applied by the Lands Court is the written law in the Native Lands Act. In cases where that does not provide for the situation under consideration, the Court will have regard to the local customary law as set out in the Native Lands Code.

All hearings are open to the public. You are welcome to observe. If you choose to observe please be respectful of the Court and do nothing to disturb the conduct of business.

- You may not smoke in court.
- Mobile phones must be turned off.
- Please be quiet in the court.

Decisions and Appeals

The Magistrates record their decision and the reasons for it in the minute book. The decision is then read out in court.

If any party believes the decision is wrong in law or that the facts found were wrong they can appeal to the Lands Court Appeal Panel.
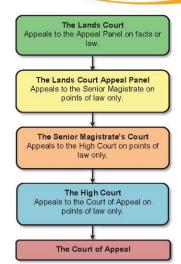
An appeal must be lodged within 3 weeks of the decision being given in court.

In some exceptional circumstances, late appeals may be permitted[1], but do not rely on this!

Further Appeals

Further appeals lie with the Senior Magistrate; and from the Senior Magistrate to the High Court; and then to the Court of Appeal.

These appeals can only be made when there is a dispute as to how the law applies to the facts of the case.

[1] See The Native Lands Act S25

The Lands Court
Appeals to the Appeal Panel on facts or law.

↓

The Lands Court Appeal Panel
Appeals to the Senior Magistrate on points of law only.

↓

The Senior Magistrate's Court
Appeals to the High Court on points of law only.

↓

The High Court
Appeals to the Court of Appeal on points of law only.

↓

The Court of Appeal

Court Fees

You will have to pay court fees if you commence an action or if you lodge an appeal.

You can find out more about fees from the Office of the Lands Director or from the Clerk to the Lands Court.

"I...do swear that while serving as a member of the Lands Court, I will do right to all manner of people after the laws and usage of Tuvalu without fear or favour, affection or ill-will.

So help me God."

Where to find out more

The law – the Native Lands Act and the Tuvaluan Lands Code, are available from the Office of the Lands Director or on line at: **http://tuvalu-legislation.tv**

Title, leases and adoption – you may inspect the registers of land, leases and adoption at the Lands Court Office.

The Cadastral Maps are all available at the Office of the Lands Director.

Wills – you can inspect a copy of the will of any deceased person at the Lands Court Office.

Advice on Procedure – the Clerk to the Lands Court can advise you on matters of procedure but **NOT** on the merits of your case.

Legal Advice – if you need help because you believe your rights to land has been disregarded, you may get the advice of a private lawyer. The People's Lawyer may be able to advise you.

Produced by the Magistrates of Tuvalu with funding support from the Government of New Zealand and assistance from the Federal Court of Australia

The Lands Court

The Lands Court has jurisdiction over native land and related matters which may affect the title to land or the right to use land.

The Court maintains the written Lands Register which records the title of land. The Court also maintains registers of leases of land, wills and adoptions.

The Land Court adjudicates:
- In disputes over the title or right to possession of land.
- Disputes over boundaries.
- Disputes over the rights to land associated with adoption.

The Lands Court also:
- Approves and records native leases.
- Records and deals with native wills.
- It receives applications for adoption, and records adoptions and associated transfers of land.

TOOL 3: LEAFLET: THE ISLAND COURT (ENGLISH VERSION)

The Island Court at work

There are 5 Island Court Magistrates.

The court normally sits twice a month. Sitting dates will be posted on the court notice board.

The President of the court presides over each hearing, sitting with the Vice President and one other member of the court.

During a hearing the court determines the facts by listening to evidence from the parties and witnesses. It reaches its decision by applying the law to the facts it has found.

The sources of law

The law applied by the Island Court is found in the Constitution, the laws made by parliament and the common law. Customary law can be applied but only if it is not inconsistent with the written law. **The Laws of the Tuvalu Act** sets out in detail what laws apply.

Decisions and Appeals

The Magistrates record their decision and the reasons for it in the minute book. The decision is then read out in court.

The Island Court is supervised by the Senior Magistrate who keeps its decisions under review.

The rules relating to appeals from the Island Court to the Senior Magistrate are set out in the **Island Courts Act**. They are too complicated to set out here, but in general there is a right of appeal to the Senior Magistrate.

Further appeals may be permitted from the Senior Magistrate to the High Court, and from there to the Court of Appeal.

Where to find the court

It is the duty of the Kaupule to provide a court house or somewhere for the court to sit.

The Kaupule also provides an office for the Clerk to the Court, it is often in the Kaupule building.

The Clerk to the Court can advise you on the court procedures but **NOT** on the merits of your case. The Clerk is responsible for setting the dates of sittings and publishing the list of cases to be heard.

All hearings are open to the public. You are welcome to observe. If you chose to observe please be respectful of the court and do nothing to disturb the conduct of business.

- You may not smoke in court.
- Mobile phones must be turned off.
- Please be quiet in the court.

Court Fees

You will have to pay court fees if you commence a civil action or if you lodge an appeal in a civil case.

You can find out more about fees from the Clerk to the Island Court.

> "I swear by Almighty God that I will well and truly serve Our Sovereign Lady Queen Elizabeth, her Heirs and Successors, as a Judicial Officer and I will do right to all manner of people after the laws and usages of Tuvalu, without fear or favour, affection or ill will.
>
> So help me God."

Where to find out more

The law - you can find the written law of Tuvalu on line at: **http://tuvalu-legislation.tv**

Jurisdiction and powers - the jurisdiction and powers of the Island court are set out in the Island Courts Act.

The Tuvalu Penal Code - sets out the law regarding what is a criminal offence.

The Laws of Tuvalu Act — sets out in detail the sources of Tuvaluan law.

Legal Advice - if you need help because you believe your rights have been disregarded, you may get the advice of a private lawyer. The People's Lawyer may be able to advise you.

The Island Court

The Island Court has jurisdiction over a wide range of minor criminal and civil matters arising in the island to which the court belongs.

The Island Court hears and determines prosecutions by the police in relation to a range of criminal matters. The Court's jurisdiction is set out in the **Island Courts Act**; it is limited to cases where the maximum punishment is a fine of $250 or 6 months imprisonment.

The Island Court also hears prosecutions in respect of alleged breaches of Kaupule by-laws.

The Island Court has civil jurisdiction in respect of claims for debt or damages where the value is no more than $250.

The court also hears applications in:
- Matrimonial proceedings
- Maintenance
- Custody

TOOL 4: BEHAVIOUR IN COURT (TUVALU VERSION)

Uiga fai iloto ite Fono

Tino katoa I loto ite fono e tau o galue fakatasi kote fono ke fai fakalei kae se fapito/ fakakesekese.

A famasino ka tautali ki fakatonotonuga I loto ite code of conduct, niisi tino e aofia iloto ite fono e fakamoemoe ke fakaasi ne latou te ava kite fono kae se fai ne latou ne mea e pokotia ei te seai se fakakesekesega mote fai fakalei ote fono.

A famasino ka:
- Fai ne latou te fono kiluga I te tulafono mo tulafono ki luga I faiga o fono;
- Seai se fai papito/ fakakesekesega
- Ka tuku ne latou ki tino katoa ite fono te avaa
- Sukesuke ne latou a fakamaoniga kola e mai kite fono
- Fai olotou ikuga I te tulafono

E se tau mo faamasino a kaukau io me fakamasino ne ia se keisi tela e isi sena aia iei.

Te Kilaki ote fono
Te Kilaki ote fono ka;
- Tautua ne ia a famasino.
- Fakapula ne ia ate keisi ma kamata.
- Fakamau ne ia a ikuga a famasino.
- E puipui kae fautua ne ia te fanofano lei ote fono.
- Tuku ne ia a information ki luga I taimi e fai ei a fono mo keisi kola ka tu kit e fono.

Ka fai koe e aofia pela ite fono pela mese tino tu kite fono io mese molimau
E tau mo koe o:
- E tau koe o maina I tulaga o faifaiga fono mote toka o koe o fai sau fakamatalaga.
- E tau koe o toka koi tua o kamata te fono.
- Tau koe o pei fakalei o gatu mote avaa.
- Fakatoumuaga ne koe te famasino pela Tou Malu.
- Tautali ki sose fakatonuga e tuku atu ne te famasino io meko te kilaki.
- Koe tau fua o faipati mafai ko tuku atu te avanoaga ke faipati koe.
- Koe e tau o tali ne koe a fesili kite mea tonu.
- E tau mo koe o onosai malie ke oko ki tou avanoaga o faipati. E tapu e fakalavelave ne koe te saa tino tela e fuipati (fakamatala). E tapu koe e faipati mafia a faamasino e faipati e tapu e fakalavelavegina.

Tino fakalogologo
A fono tulafono katoa loa e tala ki sose tino ke falalogologo kae ko koe e tapu io me se talia ke fakalavelave ne koe te faiga fono.
Ko tena uiga:
- Koe tau o ulu ki loto io me ulu ki tua kae se logoa.
- E tau koe o fakaasi ate ava kite fono I ou uiga fai mo ou gatu e pei.
- Mobiles e tau o tamate katoa kae e seai ne pukega (record) o mea e fai ite fono.

TOOL 5: BEHAVIOUR IN COURT (ENGLISH VERSION)

Behaviour in court

Everyone in court must cooperate to ensure that the court proceedings are conducted fairly and efficiently.

The magistrates will follow the principles set out in their code of conduct, other people attending court are expected to show respect for the court and to do nothing which might interfere with the fair and efficient conduct of court business.

The magistrates will:
- Conduct hearings according to the law and the rules of procedure; and
- be fair and impartial; and
- treat everyone appearing in court with courtesy and respect; and
- find facts from the evidence produced in court; and
- make their decision by applying the law to the facts.

The magistrates will not favour any party over another or hear any case in which they have a personal interest.

The Court Clerk

The Court Clerk will:
- support the magistrates as necessary; and
- announce the start of cases; and
- record the decision of the magistrates; and
- give guidance as to the correct procedures; and
- provide information about the timing of court sittings and the listing of matters before the courts.

If you are taking part in proceedings as a Party or a Witness

You should:
- make sure you understand the procedures and what is required of you be ready to play your part; and
- be punctual; and
- dress with respect for the court; and
- address the magistrates as Your Honour; and
- follow any instructions given by the magistrates or the court clerk; and
- speak only when invited to do so by the court; and
- be honest and clear when you answer questions; and
- you must should be patient and await your turn to speak. Do not interrupt others just because you disagree with what they are saying, Do not speak when other parties or the magistrates are speaking, never interrupt.

Observers

All court proceedings are open to the public you are welcome to observe proceedings in court but you must do nothing which might disturb the conduct of business.

That means:
- You should enter and leave the court quietly and be silent whilst in court.
- Your dress and manner should show respect for the court.
- Phones should be switched off in court; you are not allowed to record or photograph proceedings.

TOOL 6: ENCAPSULATED LABELS

Funafuti Island Court

Sala Livi Tapu	President
Tonuu Taani	Vice President
Leupena Maimoaga	Member
Timo Viliamu	Member
Iosefa Elisala	Member

Clerk to the Court - Michael Latasi

Funafuti Lands Court

Semeli Manase	President
Ioasa Tilaima	Vice President
Mesako Usufono	Member
Niu Alefaio	Member
Peniata Tui	Member
Vailima Iosefa	Member

Clerk to the Court - Faataemani Opetaia
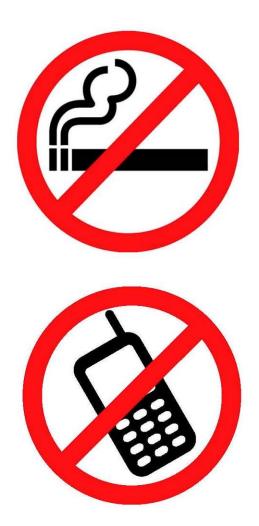
Te fesoasoani ote Fono
Mo koulua kola ese katoatoa te mafai ke aofia kite fono, ke fakailoa fakavave kite failautusi ote fono ke mafai o fakatoka se auala e fakafaigofie iei tou oko mai.

The Court can help
If you have special needs please make sure that you tell the Clerk of the Court as soon as possible. The court will do what it can to help you take a full part in the hearing.

TOOL 7: NO SMOKING & NO PHONES SIGN

Fakamolemole se uaa.

TOOL 8: CODES OF JUDICIAL CONDUCT FOR TUVALU (ENGLISH VERSION)

Code of Judicial Conduct for Tuvalu

This code is issued for guidance of magistrates and to inform the people of Tuvalu as to the role of the magistrates. It should be read and interpreted in conjunction with the Leadership Code Act 2006.

The magistrate's primary duty is to administer justice by applying the law. This is reflected in the oath in which the magistrate swears:

"I swear by Almighty God that I will well and truly serve Our Sovereign Lady Queen Elizabeth, her Heirs and Successors, as a Judicial Officer and I will do right to all manner of people after the laws and usages of Tuvalu, without fear or favour, affection or ill will. So help me God."

1. Independence

Judicial independence is essential to the rule of law and the fair conduct of trials. A magistrate should therefore uphold and exemplify judicial independence in both its individual and institutional aspects.

1.1 A magistrate must not be actively involved in government or politics. This is why the Islands Court Act says a member of the Kaupule may not be a magistrate.

1.2 Magistrates are also members of the community and may properly take their part as members of the Falekaupule, where they may vote on policy and in the election of members of the Kaupule.

1.3 In deciding cases a magistrate must make his or her decisions according to the law and the evidence and without fear or influence from the Kaupule, central government, anyone or anything outside the proper process of the court.

2. Impartiality

Impartiality in both the decision and the decision making process is essential to the proper discharge of judicial duties.

2.1 Particular aspects of conduct relating to impartiality are explained below. In considering these it should be borne in mind that a balance must be struck between the need to remain impartial and the need to be, and be seen to be, a part of the community; both are important aspects of the judicial role. In deciding cases the law requires magistrates to evaluate the credibility of evidence, and in some cases, to decide what is reasonable. Such decisions require knowledge of local mannerisms and customs. Where a court takes local custom or tradition into account, it must say so in open court.

2.2 A magistrate must be impartial.

2.3 A magistrate must also appear to be impartial, which means that a reasonable and fair minded member of the community knowing all the circumstances would believe that the magistrate is impartial.

2.4 In any case where there might be a reasonable doubt about a magistrate's impartiality he or she should recuse him or her self and let another magistrate hear the case.

2.5 A magistrate should not sit in any case involving a person with whom the magistrate has a close relationship, and should not sit in any case involving the magistrate's:

a. immediate family (i.e. parent, spouse, brother or sister, child including an adopted or step child.);

b. close friend; or

c. workmate.

This guideline applies whatever the capacity in which the person is involved; whether the person is a defendant, victim, witness, complainant or party to a civil case.

2.6 A magistrate should not sit on a case where he or his family might benefit from the outcome. This applies whether the interest is direct or indirect and includes:

a. a financial interest;

b. an interest in land; or

c. an interest in other property

2.7 In a land case a magistrate ought not to decide a case concerning land which belongs to a Kaitasi of which he or she is a member.

2.8 A magistrate should not sit on any case where he or she has or may appear to have preconceived or pronounced views relating to:

a. issues;

b. witnesses; or

c. parties.

2.9 A magistrate should strive to avoid making any assumptions and should make a decision based only on the evidence.

2.10 If the Island Magistrates believe their impartiality would be compromised because of the high social standing of the individual concerned it may be appropriate to refer a case to the Senior Magistrate. e.g. a case involving the Pule ote Fenua, Pule ote Kaupule, the pastor or his wife.

2.11 A magistrate should not recuse him or herself merely because he or she knows a person involved in the case. In a small community it is inevitable that the magistrates will know the people.

NOTE: Tuvalu is a small country and the island jurisdictions are very small. If magistrates were to disqualify themselves in every case where they know one or other participant, the hearing of minor matters might be considerably delayed. Undue delay can, in itself, constitute a denial of justice. Therefore, the interest of justice requires that magistrates are careful not to disqualify themselves too readily. Inevitably magistrates will hear cases where they know something of the parties. In every case it should be clear to all observers that the trial is conducted fairly and only on the evidence. The magistrates should explain their decision clearly giving their full reasoning. The reasons should leave no doubt that the decision was based on the law as applied only to those facts established by evidence in open court.

It is for the magistrates to make it clear from the way they conduct themselves, that when they are sitting a magistrates they will always be impartial.

3. Integrity

Through all his or her public and private life a magistrate should demonstrate soundness of moral character through consistency of action and values, honesty and truthfulness.

3.1 By conducting themselves with integrity magistrates will sustain and enhance public confidence in the Judiciary.

3.2 A magistrate must be honest in his public and private life so that people will know that the magistrate can be trusted.

3.3 A magistrate must be true to the judicial oath.

4. Propriety

A magistrate must avoid impropriety and the appearance of impropriety in all his or her activities, public and private.

4.1 A magistrate's conduct should not be such as to bring the judicial office into disrepute or to offend against those standards expected of a proper member of the community within which he or she lives and works. By their behaviour individually and collectively magistrates should teach people to respect the court and the rule of law.

4.2 Whatever a magistrate does he must do properly, according to the law and with respect for the customs and traditions of the people.

4.3 It is improper for magistrates to use their judicial office to obtain any favour or advancement and magistrates must avoid any conduct which might give the appearance of so doing.

4.4 A magistrate should avoid any relationship which may put him or her in such a position as to be, or appear to be, subject to the influence of others. To this end, Magistrates should especially avoid developing, or appearing to develop, close social relationships with the prosecuting authorities and those individuals who represent parties in court.

Gifts

4.5 If there is any possibility that the giving of a gift is an attempt or might appear to be an attempt to gain favour, a magistrate must not accept.

4.6 A magistrate does not accept any gift, benefit or advantage whatsoever that might influence the conduct of his official duties or which might give the appearance of so doing.

(N.B. Specific guidance regarding traditional gifts can be found in The Leadership Act)

Confidential Information

4.7 A magistrate should not discuss or disclose any confidential matters learnt of by reason of his or her office. The deliberations of magistrates in reaching their decisions are confidential. It is proper for magistrates to discuss with other magistrates issues arising during the conduct of cases in the interest of developing good practice. A magistrate must never seek the opinion of any person, even another magistrate, other than those hearing the case in question as to the appropriate decision.

5. Equality

A magistrate should ensure that every one is treated with respect and courtesy and with equality according to the law.

5.1 It is the duty of the magistrates to ensure that every court hearing is fair. This means that everyone participating in court proceedings must be treated:

a. equally, no matter high or low;

b. with respect and courtesy; and

c. without prejudice or hatred.

AND that parties to a case must be:

d. given the same voice in order to put their case to the court;

e. present during proceedings to hear the case against them and the evidence submitted in support of that case;

f. given an opportunity to answer anything said against them; and

g. given the opportunity to put their own evidence before the court.

5.2 The court must recognise and uphold all those rights given by law to individuals.

6. Competence and Diligence

A magistrate must engage in training and preparation so as to be competent in performing his or her duties. He or she should also be diligent in the performance of judicial duties.

6.1 The Island Magistrates are created by statute (the Island Courts Act and the Native Lands Act) and the powers of magistrates are limited by statute. Magistrates must take care not to exceed the authority given to them.

6.2 A magistrate should read and use the materials provided for his or her guidance, such as the benchbook and the laws of Tuvalu.

6.3 A magistrate should participate in such training as is available.

6.4 Court hearings should be conducted at scheduled and published times and should commence punctually.

6.5 Decisions should be given in reasonable time and full reasons should be given identifying the relevant law and the evidence relied upon.

6.6 The magistrates should ensure that the court makes and keeps an adequate written record of the decision and the reasons therefore.

Cases of doubt

In any case where a magistrate is uncertain as to how these principles apply to the particular circumstances, he or she may seek guidance from the Senior Magistrate or the head of the judiciary, the Chief Justice. If there is not time to do so, he or she should err on the side of caution; the question may nevertheless be referred to the Chief Justice for the future.

Pacific Judicial Development Programme
TOOLKIT FOR PUBLIC INFORMATION PROJECTS

Pacific Judicial Development Programme

National Judicial Development Committee Toolkit

PJDP Toolkits

Introduction

For over a decade, the Pacific Judicial Development Programme (PJDP) has supported a range of judicial and court development activities in partner courts across the Pacific. These activities have focused on regional judicial leadership meetings and networks, capacity-building and training, and pilot projects to address the local needs of courts in Pacific Island Countries (PICs).

Toolkits

Since mid-2013, PJDP has launched a collection of toolkits for the ongoing development of courts in the region. These toolkits aim to support partner courts to implement their development activities at the local level by providing information and practical guidance on what to do. These toolkits include:

- Judges' Orientation Toolkit
- Annual Court Reporting Toolkit
- Toolkit for Review of Guidance on Judicial Conduct
- *National Judicial Development Committee Toolkit*
- Family Violence and Youth Justice Project Workshop Toolkit
- Time Goals Toolkit
- Access to Justice Assessment Toolkit
- Trainer's Toolkit: Designing, Delivering and Evaluating Training Programs

These toolkits are designed to support change by promoting the local use, management, ownership and sustainability of judicial development in PICs across the region. By developing and making available these resources, PJDP aims to build local capacity to enable partner courts to address local needs and reduce reliance on external donor and adviser support.

Use and support

These toolkits are available on-line for the use of partner courts at http://www.fedcourt.gov.au/pjdp/pjdp-toolkits . We hope that partner courts will use these toolkits as / when required. Should you need any additional assistance, please contact us at: pjdp@fedcourt.gov.au

Your feedback

We also invite partner courts to provide feedback and suggestions for continual improvement.

Dr. Livingston Armytage
Team Leader,
Pacific Judicial Development Programme

September 2014

TABLE OF CONTENTS

ABBREVIATIONS

MFAT	-	New Zealand Ministry of Foreign Affairs and Trade
MSC	-	Managing Services Contractor - Federal Court of Australia
NJDC	-	National Judicial Development Committee
PDP	-	Professional Development Plan for Judges & Court Officials
PIC	-	Pacific Island Country
PJDP	-	Pacific Judicial Development Programme ('Programme')
RTT	-	Regional Training Team

SYMBOLS USED IN THIS TOOLKIT

A note or reminder of something to be done.

An example, precedent, template or checklist is in the Tools section at the end of the toolkit.

A strong suggestion or something to note particularly. A 'do not forget' suggestion.

FOREWORD BY THE CHIEF JUSTICE OF SAMOA AND CHAIR OF THE PROGRAMME EXECUTIVE COMMITTEE OF THE PACIFIC JUDICIAL DEVELOPMENT PROGRAMME

I am very pleased to commend this *Professional Development Toolkit.* All of us in the countries which are part of the Pacific Judicial Development Programme, judges and court officials, are committed to improving the services we offer to our people, especially those who come to the Courts seeking, and expecting, justice.

We live in a changing and increasingly complex world. The courts, like all other parts of society, need constantly to develop and improve in order to provide justice in this changing and complex world.

The work of the Pacific Judicial Development Programme is based on four pillars:

- Access to justice
- Good governance
- Processes and systems
- Professional development.

Professional development is one of these Pillars. Through professional development activities we will seek to improve our work. The Toolkit will be our guide and a resource as we carry out that work.

The Toolkit has been piloted in Samoa and was developed after consultation with, and input from, the National Judicial Development Committee in Samoa. We look forward to using it to support our professional development activities in Samoa.

I wish to thank Mr Christopher Roper, our PJDP consultant, for the work he has done in developing the Toolkit, and Dr Livingston Armytage and Mr Lorenz Metzner of the PJDP for initiating and supporting this work.

Patu Falefatu Sapolu

Chief Justice of Samoa and
Chair of the Programme Executive Committee of the PJDP

THE TERM "PROFESSIONAL DEVELOPMENT"

The term "professional development" is narrower than the term "judicial development". Judicial development, as expressed in the Four Pillars of the Pacific Judicial Development Programme (PJDP), encompasses -

- Access to justice
- Good governance
- Processes and systems
- Professional development.

The term 'professional development' is now often used instead of the terms "continuing education" or "training" as they apply to professionals. In effect, though, they usually mean the same thing. The term "professional development" refers to educational and training activities which enable professionals to develop in their working life.

In this toolkit the term *professionals* refers to judges and court officials.[1]

This toolkit is, therefore, about the following types of professional development:

- Judicial training, such as:

  - Decision making
  - Judgment writing
  - Court procedures
  - Case management
  - Train the trainer.

- Seminars and workshops to provide briefings and training to implement other initiatives of the NJDC, such as mediation, codes of conduct, etc.

- Court officials training, such as:

  - Case management
  - Systems and procedures.

Professional development can take place in face-to-face activities, but also can occur by other means, particularly through reading and the use of computer-based mediums. Hence, for example, one can also professionally develop by reading a seminar paper or a bench-book,[2] by working with a mentor, by watching a video (alone or with others), or by engaging in an interactive learning programme on the Web. Publications can include pamphlets, guides or digests as well as seminar papers and bench-books.

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[1]   Dr Livingston Armytage concludes that the rationale for investing in judicial education is:
- to consolidate the identity, institutional capacity and independence of the judiciary
- to develop the professional competence of the judiciary to perform its duties; and thereby
- to improve judicial service delivery.
 ("Training of Judges: Reflections on Principles and International Practice", *European Journal of Legal Education*, 2:1, 21 - 38.)

[2]   The development of bench-books is not dealt with in this toolkit, but there is a short chapter on publications.

PURPOSE OF THIS TOOLKIT

This toolkit contains guidance, ideas, suggestions and examples for the National Judicial Development Committee (NJDC) and the PJDP National Coordinator to use in their professional development work.

Its purpose is to help plan and implement the Court's professional development activities. Its aim is to make that easier! We all know that if something is easier it is more likely to be done.

The PJDP has encouraged courts in Pacific Islands countries to become increasingly responsible for their own professional development. Whilst the PJDP will continue to be a resource for Pacific Island countries, this toolkit should enable the NJDC and the National Coordinator to take on the task of planning, implementing and evaluating the country's own professional development programme.

Once adopted, it is obviously important that the toolkit be implemented and actively used.

A plan for the implementation, or Implementation, of this toolkit is at Annex A.
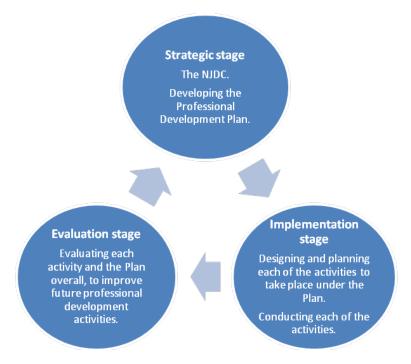
HOW THIS TOOLKIT CAN BE USED?

The toolkit has two types of material:

- In each chapter there is some discussion of the topic, with some ideas or suggestions.
- Wherever possible, examples, templates, or checklists are provided (in the *Tools* section at the end of the toolkit).

These 'tools' can be adapted and used, as appropriate.

The structure of the toolkit follows a logical progression:

There are chapters for each of these stages. The examples, checklists and templates are at the end of the toolkit.

1   PROFESSIONAL DEVELOPMENT FOR THE COURTS

1.1   THE NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

Professional Development is a responsibility of the National Judicial Development Committee (NJDC). The areas of responsibility for the NJDC are extensive, based on the Four Pillars of the Pacific Judicial Development Programme (PJDP), namely:

- Access to justice
- Good governance
- Processes and systems
- Professional development.

As can be seen, professional development is one of the four pillars of development.

This toolkit is intended to support the NJDC's professional development work. However, to the extent that it provides guidance and assistance more broadly, for example, on how to plan and conduct any type of activity, it may be of use to the NJDC in its other work.

1.2   THE PROFESSIONAL DEVELOPMENT GOALS OF THE NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

The discussion in this section is meant to provide an example only. For the purposes of this toolkit, "examples for discussion only" of a Vision and a Mission are chosen in order to demonstrate how a Professional Development Plan for Judges & Court Officials (PDP) could be developed (see Chapter 2). The words chosen as examples do not seek to anticipate what the NJDC may decide later in this regard.

An example of a **Vision**, <u>for discussion only</u>, for the NJDC could be:

> *Justice for a Peaceful and Prosperous [name of country]*

This could translate into an example of a **Mission**, <u>for discussion only</u>, for the NJDC which could be:

> *To improve the services provided by the courts to court users*
> *to enable justice for a peaceful and prosperous [name of country].*

A Vision and Mission such as these would remain constant across all the work of the NJDC.

In regard to the NJDC's professional development work[3], the Vision and Mission can be implemented in more specific **Goals** for professional development which might be:

> *To plan, implement and oversee the Professional Development Plan for Judges & Court Officials, and in particular:*
>
> *1.   To develop policy in regard to professional development for judges and court officials.*

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[3]   See the definition of professional development being used in this toolkit as described on p. vi.

2. *To identify the needs to be met by professional development.*

3. *To develop the Professional Development Plan for Judges & Court Officials.*

4. *To plan and design the activities to be conducted under the Plan.*

5. *To manage or oversee the conduct of the activities.*

6. *To evaluate the activities.*

1.3 MEETINGS TO PLAN AND MANAGE THE PROFESSIONAL DEVELOPMENT ACTIVITIES

1.3.1 The meeting cycle

In each year the NJDC, with the National Coordinator, will work through the following cycle of meetings -

This cycle of meetings assumes there will, at least initially, be two seminars or workshops during the year. If there are more, then an additional meeting should be held two to three months prior to each additional activity.

Three of the meetings deal with the PDP and consider the whole programme of activities for the year, and the other meetings deal with the planning and preparation of specific seminars or workshops. The PDP is dealt with in Chapter 2 of this toolkit.

1.3.2 At the beginning of the year

At the beginning of the year the Chair of the NJDC or the National Coordinator should:

- decide on the dates and time for:

Meeting no. 1	Review of previous year and overall plan for coming year
Meeting no. 2	Finalise the PDP for coming year
Meeting no. 5	Review of past year and compile all suggestions for coming year.

Send a memorandum to members of the NJDC advising them of the meeting dates and asking them to put the dates in their diary.

An example is in Tool 1.1

- Book the meeting room at the Court for the meetings.

1.3.3 Meeting no. 1: the initial planning meeting

Shortly thereafter the Chair or National Coordinator should distribute the agenda for Meeting no.1.

An example is in Tool 1.2

This meeting is essentially a 'brainstorm'. The NJDC considers the participants' evaluations of activities held during the previous year[4] and its own ideas and any other suggestions made for future professional development activities.

After this meeting, the Chair or National Coordinator compiles a list of all the suggestions which have been proposed, but does not attempt to categorise or prioritise them.

1.3.4 Meeting no. 2: finalising the Professional Development Plan

Meeting no. 2 should be held several weeks after meeting no. 1.

The Chair or National Coordinator distributes an agenda which has attached to it:
the compilation of all the proposals contributed at meeting no. 1
the Planning Matrix for the PDP.

An example is in Tool 1.3

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[4] Of course, on the first occasion, as there will not have been previous seminars, there will be no evaluations of activities from the previous year.

After the meeting, the PDP should be written up, probably by the National Coordinator, as soon as possible. See Chapter 2 for suggestions on this.

The PDP is submitted to a meeting of the NJDC for approval.

It is important to do all of this as swiftly as possible, so that all of the planning and approval processes are done well in advance of the first activity, and sufficient time is allowed to advice all participants well in advance, as well as organise speakers and presenters so that they have sufficient time to prepare.

1.3.5   Planning meetings for specific professional development activities

The PDP will set out what activities will be held during the next two years and, if they are to be face-to-face activities, on what dates.[5] The next step is to plan those activities. How to do this is dealt with in Chapter 3.

The planning meeting should, ideally, be held three months ahead of the activity; leaving lots of time for speakers/presenters to be approached and for them to prepare, for participants to mark their diaries, and for other arrangements to be made.
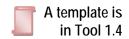
See Chapter 3 for more details.

1.4   REPORT ON THE YEAR'S ACTIVITIES

When the year's activities are over, a report should be prepared which will become part of the NJDC's Annual Report.

The professional development component of the Annual Report should contain:

- a list of the activities held, their aims, and the dates on which they were held;
- a brief description of each activity, including the names of the presenters, and a brief summary of the participants' evaluation of the activity;
- statistical information about the participants - numbers from each court or court administration; and
- a brief comment on the year's overall activities, including whether the PDP was fully implemented.

A template is in Tool 1.4

Quite a lot of this information can be obtained from the final reports prepared for individual activities: see *Tool 4.4* for an example of such a report.

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[5]   It is possible, for example, that an 'activity' might be to develop a publication.

2   THE PROFESSIONAL DEVELOPMENT PLAN FOR JUDGES & COURT OFFICIALS

2.1   THE OVER-ARCHING VISION AND MISSION

A first step in preparing any plan is to return to, and remind ourselves of, the over-arching mission and objectives, in this case the Vision and Mission of the NJDC.

This ensures that the Professional Development Plan for Judges & Court Officials (PDP) is 'on focus', and that what it proposes remains consistent with the overall Vision and Mission of the NJDC.

A discussion of what the Vision and Mission might be is in Chapter 1.

As mentioned in Chapter 1, the Mission translates into **Goals** for professional development for the NJDC:

1. *To develop policy in regard to professional development for judges and court officials.*

2. *To identify the needs to be met by professional development.*

3. *To develop the Professional Development Plan for Judges & Court Officials.*

4. *To plan and design the activities to be conducted under the Plan.*

5. *To manage or oversee the conduct of the activities.*

6. *To evaluate the activities.*

2.2   HOW LONG SHOULD THE PLAN BE FOR?

The PDP could be planned on an annual basis. However, it could be more desirable to have a two year rolling plan. That is, the initial plan is made for two years. After the first year, the next (second) year is reviewed and confirmed or modified; and an additional year (the third year) is planned. The advantage of a rolling two year plan is that there will probably be too many ideas for any one year, but it may be helpful to plan for them over two years.

But, the two years is not 'set in stone', and the second year can always be reviewed and modified, based on the then current situation. Thus the plan is a rolling plan, adding a year rather than starting afresh with a new year.

A third possibility is to have plans for a longer term, say a 5 year plan, in order to match world-class professional development programmes. This can be an aspirational vision towards which the shorter plans can aim.

2.3   THE FIRST STEP IN DEVELOPING THE PLAN

The first step is to compile all the possibilities for professional development activities.[6] This will result in a list far too long to be implemented! This first step is in the nature of a 'brainstorm' - getting down in writing all the possibilities, without bothering (at this stage) to prioritise or categorise them.

Ideas or possibilities can come from a number of sources, and the agenda for the yearly Meeting no. 1 of the NJDC reflects those sources (see *Tool 1.2*). There are five potential sources:

- Suggestions made by participants at seminars and workshops held during the previous year, and recorded in the evaluation forms used at those activities.[7]

- Recent developments in the law, both statutory and cases.

- The needs of newly appointed judges and court officials.

- Developments which are occurring elsewhere in society with which it would be useful for judges to be more familiar - in regard to things such as technology, customary matters, psychology, medicine, sociology, etc.

- The planned professional development activities of the PJDP, such as a regional orientation programme. Are there activities planned for the coming year by the PJDP in which judges and court officials should participate?

Thus the list of possibilities is wide and long: it will be unlikely they could all be implemented in professional development activities.

This brainstorming will happen at Meeting no. 1 of the NJDC. A form to help that brainstorming can be useful. This is what is sometimes called a Judicial Professional Development Inventory.

An example is at Tool 2.1

It would also be possible to use other ways, in particular a surveys of judges, court officials and even court users (but difficult and not recommended). If it were decided that a survey would be useful, it should be supplemented by the information collected from the sources listed above.

An example is at Tool 2.2

Bear in mind that the results from a survey reflect the respondents' suggestions at that particular time: they may well have taken a different position later. Also, surveys are fairly 'structured' and may not obtain a full understanding of what is required: which might be more possible in meetings.
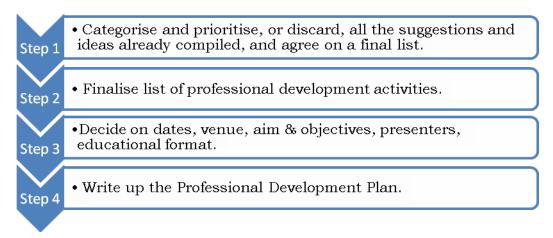
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[6]   See the definition of 'professional development' as being used in this toolkit at p. vi, which includes publications, mentor programmes and computer-based activities.

[7]   Not, of course, on the first occasion this is done as there will probably be no previous seminars and evaluations from them.

2.4 FINALISING THE PROFESSIONAL DEVELOPMENT PLAN

The next stage is to finalise the PDP. This is done at Meeting no. 2.

There are four steps involved:

Step 1 • Categorise and prioritise, or discard, all the suggestions and ideas already compiled, and agree on a final list.

Step 2 • Finalise list of professional development activities.

Step 3 • Decide on dates, venue, aim & objectives, presenters, educational format.

Step 4 • Write up the Professional Development Plan.

Each of these is now discussed.

Step 1: There will be more ideas than it will be possible to implement! Many of them may need to be discarded or postponed to a later year. A Planning Matrix can help.

A Planning Matrix is at Tool 2.3

The members of the NJDC should place each of the ideas into the various categories in the column down the left hand side. (Or this may be done by the Chair or National Coordinator beforehand.) Some ideas might fit into more than one of the categories.

Then a tick or cross should be put against each idea in the boxes to the right: to show who should participate.

Then look at the Matrix overall and, using the categories listed below, discard some, perhaps reshape or merge some, and start to move towards a decision as to what should be in the PDP.

- *Balance* as between topics - not too much on one topic at the expense of others - subject, of course, to current priorities.

- *Balance* as between participants - making sure all in the courts (judges and officials) are considered.

- *Balance* as between level - not too much at the basic or advanced level.

- *Overload* - don't take on too much for the NJDC or the National Coordinator, and don't overload the judges and officials with too many activities.

- *Expense* - are the funds available to conduct these activities?

- *Personnel* - are the personnel available to conduct these activities?

Step 2:   The next step is to finalise the list of professional development activities for the forthcoming year, or two years (as appropriate).

During this process, consider, in choosing a topic, whether a seminar or workshop is the best way to meet the need. Perhaps a how-to-do it manual might be more useful rather than a face-to-face activity. Or perhaps just a paper or short booklet might be more useful. For a particular topic, would it be better to put energy into developing a paper or booklet than running a seminar?

Step 3:   This is relatively straightforward. For each face-to-face activity chosen, the practical decisions are:

- *Date* - on which day/s will each of the activities be held? This involves considering court commitments by the participants, public holidays, other activities already planned for the year, and so on.

- *Venue* - will the activity be held at the Court House or at another venue?

- *Aims and objectives* - what is this activity meant to achieve from the participants' point of view? This is discussed further in chapter 3.

- *Participants* - who should attend? From which courts, and should court officials also attend?

- *Presenters* - who will be asked to present each of the activities? This is discussed further in Chapter 3.

- *Format* - how will the activity be conducted? Amongst the choices are talks, discussion, case studies, and so on. This is discussed further in Chapter 3.

There may be other practical matters to decide.

If the 'activity' is to be, for example, a publication, then other relevant considerations should be taken into account.

The decisions can be recorded directly into a draft of the PDP.

Step 4:   The *Professional Development Plan for Judges & Court Officials* is then written up, bringing together these decisions. It is then presented to the NJDC for consideration and endorsement.

A template is at Tool 2.4

After that, possibly without the financial details, it can be made available to all members of the judiciary and court officials. Its implementation is dealt with in Chapter 3.
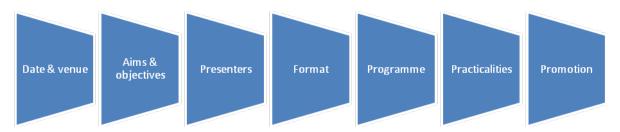
3 PLANNING AN ACTIVITY

3.1 IMPLEMENTING THE PROFESSIONAL DEVELOPMENT PLAN FOR JUDGES & COURT OFFICIALS

The PDP is, of course, only the first step. The next step is to start the detailed planning for each of the activities. [8]

As already mentioned, start planning early: we all know the problems with last minute planning! A much better outcome is more likely if the planning starts two or three months in advance.

This chapter follows the planning pattern suggested in Chapter 2, with a few more matters added.

The best way is to use a planning checklist.

An example
is at Tool 3.1

3.2 DATE AND VENUE

3.2.1 Date

The date and venue have already been decided as part of the PDP.

So far as the date is concerned, the important thing is that everyone knows about the date: which might be a single day or a number of days.

So, put the date onto any calendars in the court, advise everyone - all judges and all court officials. Make sure the starting and finishing times are shown.

3.2.2 Venue

So far as the venue is concerned, the important thing is to book it!

If the seminar or workshop is to be in the Court House, book the meeting room. If the venue is to elsewhere, make the booking now and, course, make sure the venue confirms the booking. There is more discussion of how to set up the room at the venue later in this chapter.

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[8] Much of what is covered in this chapter is also dealt with in the PJDP's *Trainers' Handbook: Applying the Principles of Adult Learning,* August 2010. That handbook is a very useful resource for presenters, whereas this toolkit is for organisers: however, many of the principles and insights apply to both.

⭐ If the seminar or workshop is to be at a venue outside the Court House, ask the venue to provide a technically competent person who can assist if things go wrong - air conditioning, lighting, microphone, Powerpoint projector, catering delayed, external noises .... many things can go wrong on the day! Make sure you are told where they will be nearby, or better still that they will be in the room.

3.3   AIMS AND OBJECTIVES OF THE SEMINAR OR WORKSHOP

Writing an aim may sound academic, but it is vitally important.   It is very important that you, the planners, know what you want to achieve, and that that understanding is shared by the presenters and the participants - that there is a common understanding of what the activity is meant to achieve. What will be its outcome/s, more than what will be the inputs. It is for you to decide that, not the presenters.

- An *aim* is where you want to be ultimately: the outcome.
- An *objective* is what you want to do to get to that outcome.

Example:

Here is a military example. The aim is to capture a village on the top of a mountain, because it is strategically very important. This is the single *aim*. But there could be several alternative ways to achieve the aim: various objectives. One way would be to parachute in from helicopters. Another way would be to climb up a gentle slope to the top, but that slope has no trees or other protection on it. Another way would be to climb up a cliff behind the village, which is very steep but has lots of rocks to provide cover.

The commander may decide that the best choice, his *objective,* is to climb up the cliff during night time. So what is needed to do that: ammunition, water, food, communications, weather forecast, escape plan, and so on - so the commander's *objectives* are to have all those things in place in order to achieve the aim.[9]

⭐ A good way to write aims and objectives for a seminar or workshop is to put yourself in the shoes of a participant and ask, "what do I want out of this seminar or workshop?". So, not what you aim to do as the planner, but what will be the desired outcome for a participant. Then keep in those shoes and ask "what can we do during the seminar or workshop which will best help me, the participant, to achieve that aim?".

Example:

Seminar: The new Code of Conduct for Court Officials

Aim
The aim of this seminar is that all court officials will carry out their work in accordance with the new Code of Conduct for Court Officials.

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9   Of course, above all else well trained, and courageous, troops are needed: that is what professional development is about!

Objectives
The objectives of this seminar are that Court officials will:

1   Understand why a Code of Conduct has been introduced.
2   Have a good knowledge and understanding of the new Code.
3   Be able to apply the Code in various situations, particularly those where there is some uncertainty.

Usually, the presenter/s will see it as part of their responsibility to write aims and objectives for their presentation. This should be a joint venture between the persons given the responsibility of planning the activity by the NJDC *and* the presenters. This helps ensure a common understanding of what the seminar or workshop is meant to achieve, and also the 'bouncing back and forth' of ideas will probably lead to a more focussed, clear and achievable set of aims and objectives.

3.4   PRESENTERS

3.4.1   Choosing presenters

Of course, a main key to the success of a seminar or workshop is the presenters. If they know what they are talking about *and* know how to communicate, success is most likely.

So presenters should be knowledgeable. A more junior person may sometimes be more knowledgeable so not all choices should be made on the basis of seniority. Usually the knowledgeable person is in your own country; sometimes they may need to be drawn from elsewhere.

And presenters should know how to present. A number of judges and court officials are qualified as members of the Regional Training Team (RTT) under the PJDP training programme. They are an obvious choice as presenters for many seminars and workshops.

3.4.2   Confirming arrangements and briefing presenters

When a presenter confirms that he / she is willing to take part, the arrangement should be confirmed. This confirmation can also be an opportunity to brief the presenter on the seminar or workshop - what it is about and what is expected of the presenter. At the same time, this acts to help ensure (nothing is ever certain!) that the organisers and the presenters have the same mind - a common understanding of what is to be achieved. It is also good to tell the presenter what you are offering, if anything, such as a fee, transport costs, accommodation, etc.

The best way to do this is to write to the presenter in a letter, memorandum or email.   If by email, keep a copy - in paper form or in a folder in your emails.

**An example is
at Tool 3.2**

If there is to be more than one presenter, it is useful to ensure that they are talking to each other prior to the seminar or workshop, in order to coordinate their presentations and ensure there is no unnecessary overlap.

3.4.3   Ways to ensure a good quality presentation

As already mentioned, one of the best ways to ensure a good quality presentation is to choose presenters who are knowledgeable and experienced in the area on which they will present, *and* are good presenters.

The PJDP has given special emphasis to training a number of judges and court officials up to an expert level, through its training programmes for Regional Trainers. These Regional Trainers should desirably be used, either as presenters or to work with presenters from your own country, to assist them with their preparation.[10]

3.5   FORMAT OF THE SEMINAR OR WORKSHOP AND EDUCATIONAL AIDS

This aspect overlaps with decisions which the presenters themselves will be making about their presentation/s. But, as the NJDC it is good for you also to be considering these matters and making proposals to the presenters as to what formats might best achieve your aims and objectives.

3.5.1   Educational format[11]

There has already been mention in this toolkit of the various educational formats that can be used. The 'default' format often is a lecture, with the participants sitting mutely in rows listening (maybe not after 10 minutes or so!). At the end, there may be some questions or comments from the more vocal participants.

> Think about what is the best format for achieving the outcome/s: don't just default to lectures. A seminar or workshop is going to be more interesting if it has more than one format: but not too many so as to confuse.

Consider the options discussed below.

Here are some choices:

- Lecture

  If the participants will be taking in information, then perhaps a traditional lecture is best. A very senior person may only be willing to speak formally in a lecture format.

- Talk & discussion

  The session is structured around topics or questions for discussion. The presenter speaks for, say, 10 minutes to introduce the first topic or question. Then discussion amongst participants proceeds, perhaps based on some pre-arranged questions. After, say, another 10 minutes the presenter moves on to the next topic or question, and the same pattern applies.

- Panel discussion

  A panel discussion may start with a brief talk by one of the panellists. Then the members of the panel make brief comments on the topic. The idea is that they talk amongst themselves. Listening in on experts discussing something can be a very good way to learn. A good and well-prepared chairperson or moderator helps discussion along.

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[10]   A very valuable resource, containing much of the material in this toolkit but dealt with more extensively, is the *Trainers' Handbook: Applying the Principles of Adult Learning,* published by the PJDP in August 2010.

[11]   See also a useful discussion in the section "Presentations Techniques" in the PJDP *Trainers' Handbook: Applying the Principles of Adult Learning,* August 2010, at p. 9.

A panel is often a good way to get a senior person to take part in a seminar, who might otherwise say 'no' because of the need to prepare a presentation or paper.

- Case study

The participants are presented with one or more case studies drawn from real life. A case study might contain a problem to be solved or a dilemma to be discussed. Usually the presenter will introduce the case study (which will best be in writing and distributed to the participants), and then the participants will work on the case study, either as a full group or in smaller groups. The case study could be a story, and/or it could contain some actual documents, such as court documents. Afterwards individuals, or spokespersons on behalf of the groups, will report back.

Example:

Workshop: The New Code of Conduct for Court Officials

You have just been appointed as an Officer in Supreme Court Registry. This is your first 'serious' job, and you are very keen to succeed and impress your superiors.

On Day 2 a person comes to the counter to file a document, on behalf of his wife. This person is an uncle of one of the Seniors in the Registry, although the Senior is not there when the person comes to file the document. Later you show the document to the Senior and he points out that the signature of the wife on the document should have been witnessed. He tells you to witness the signature. You know that you didn't see the wife sign; so you don't really know if it is that person's signature.

Discuss what ethical principles apply, does the Code apply here, and what should you do?

- Practical exercise

Learning by doing is, almost always, the best way to learn. If the aim of the seminar or workshop is that the participants will be able to do something, or do it better, or do it with better understanding, then the best way for them to learn is actually to do it!

For example, if new mediation procedures are introduced, although one of the objectives will be to know what those new procedures are, the ultimate aim is that judges will be able to mediate following the new procedures, and court officials will be able to perform the necessary administrative tasks in accordance with the new procedures. So the best way to learn is obviously to actually do that - even though it will be in a simulated form.

- Demonstration

Sometimes it is useful for participants to see how something is done. For example, a newly appointed judge may need to know how to sentence a convicted person. In addition to talking about it, the judge will learn a lot by seeing it done in a demonstration.

Sometimes the demonstration may have already been videotaped and so is seen as a video.

Of course, a seminar or workshop will probably include a number of these formats, and even within the one session there may be more than one format used.

3.5.2   Room layout

The room or rooms in which the seminar or workshop is to be held should be laid out to best facilitate the educational format/s being used.

Theatre style Seated in rows with the speaker at the front.	Good for formal events, lectures, panel discussions, demonstrations, viewing videos.
U shape A three sided square, or even four sides of a square. The presenter sits at one end.	Good for discussions, questions, large group case studies, and practical exercises, such as a simulated court activity. If a Powerpoint presentation is being made or a video shown, sometimes there can be a difficulty for all the participants to see the screen.
Collection of tables scattered around the room Round, square or rectangular tables with chairs on three sides - the side closest to the presenter is left blank so that no one has their back to the presenter.	Good where there are to be small group discussions or case studies or, even in some cases, practical exercises. The advantage is that participants do not need to leave their place and move to another place in the room, or another room, in order to be in their small group. (Moving is often very disruptive and often takes longer than expected.)
Court room style Set up like a court room, with bench, counsel's table, etc.	Good where the workshop involves practical exercises where participants perform roles in a court room. Make sure that those participants not active at any time can see what is happening.

When making a booking with an outside venue, tell them how many people you are expecting, and make sure the room is appropriate - not too small but also not too large.

A trick is to have just the right number of chairs in the room, and in particular don't have any spare chairs on the back wall. Some participants (perhaps arriving late) will want to sit at the back and away from the others: this is an odd instinct many of us have. Don't have any spare chairs 'floating around' which such reluctant participants can use to distance themselves from the activity.

Check that the room is likely to be quiet, for example, that it is not right next to where music is played, or the venue is not undergoing renovations with workmen making noise. In a hotel, make sure there will be no piped music, or it will be turned off.

3.5.3   Educational equipment

Equipment may also be used. The best thing is to check with the presenter/s as to what equipment they want to use. If the presenter is from your country and new to presenting, it would be a good idea to outline some of the choices below.

Here are some things to consider when planning which equipment to use.

• Microphone	Participants are irritated if they cannot hear, so a microphone is often needed.
	If more than one person will be talking at the same time, such as a panel discussion, more than one microphone may be needed.
	If the room is quite small and quiet (no external noises, including air conditioning), a microphone might not be needed. Sometimes they are more trouble than they are worth.
	Not all microphones are designed for speaking: some are designed for singing. Make sure, if using a hotel as the venue, that the microphone is suitable for speaking. Make sure the stand for the microphone is not defective.
	The speakers need to be in the right position so that participants can hear well and are at not too great a distance.
• Powerpoints	If a presenter is using Powerpoints, there are four pieces of equipment needed - the projector itself, a laptop computer or iPad, cabling to connect the laptop or iPad to the projector, and a screen or white wall.
	These projectors can be notoriously temperamental. Bring your own or make sure the venue's projector is good quality (and if possible that there is a technical person who can assist if things go wrong). The bulbs are delicate and very expensive to replace, but a spare one should be nearby if possible. Make sure the presenter or someone in the room knows how to operate it.
	Often the presenter will bring his / her own laptop or iPad. Then the main thing is to have the right cabling to connect them and for someone to know what plugs in where. If the venue is providing the laptop or iPad, the presenter needs to load their slides onto it, or use a flash drive - and do that before the seminar starts.
	If a screen is being used, will it be able to be seen by all participants? Will it be big enough when the projector is turned on? If there is a white wall it might be suitable, provided the participants can see it.
• Video player	The main thing is that the equipment will work, and that there will be someone who knows how it works. Testing before is, of course, the best

way to check. Often videos can now be played through a laptop or iPad using a Powerpoint projector, rather than onto a television screen.

- Whiteboard

  Very useful to record comments and suggestions. But it is important that it will be clean, that there will be a duster to clean off what is written, and that the pens will be suitable for a whiteboard <u>and</u> have ink in them! These pens notoriously always run dry or become very faint. The best thing is to buy a box of your own and take them to the seminar - they are not expensive. Not all felt pens are suitable for whiteboards - check the packet.

  Make sure the whiteboard can be seen by all participants.

- Flipchart

  A flipchart can be used in the same way as a whiteboard, or participants can have their own, or at least their own flipchart paper, to record, for example, points made in a small group.

  Make sure there will be enough paper, that there will be enough whiteboard pens in good working order, that there will be walls or other places where the paper can be stuck up to view, and that you have Blu Tack.[12] Blu Tack doesn't mark the wall, is reusable, and doesn't tear off the paint like cellutape.

3.6   THE PROGRAMME

The next thing to do is to produce a programme for the seminar or workshop. This programme can be used in the following ways:

- Send it to the speakers, so they know what is happening, and can check they and their topic are described correctly, etc.

- Send it to the venue as a form of confirmation of arrangements, *eg.* when lunch or morning tea is to be available.

- Distribute it amongst all members of the NJDC.

- Distribute it, at the appropriate time, to all the judges and court officials.

A template is
at Tool 3.3

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[12]   This is a registered trademark and BluTack can be purchased at most stationers.

3.7 PRACTICALITIES

3.7.1 Catering

Arrangements may need to be made for catering. If the seminar or workshop is at the Court House, a caterer may need to be hired. At an outside venue, make sure there will be a place for the food to be laid out and set up so that the participants will not be disturbed. If it will be in the same room as the seminar or workshop, the tables should have been set up previously and, as much as possible, should be in a place where the food can be laid out quietly.

If an outside venue is being used, the details of the catering need to be confirmed.

Make sure that the coffee, tea, cold drinks and food will be laid out in such a way that there will not be undue congestion when participants go to get their food or drink. This can be a cause of frustration if they have to wait too long.

3.7.2 Equipment

Equipment has already been discussed in section 3.5.3 and some of the practicalities are mentioned there. The important thing is to make sure you know what equipment is needed (including what the presenters want), that it is available, what it will cost if necessary, and that it works! And, if possible, have a person at the seminar or workshop who knows how it works so that if anything goes wrong it can be quickly rectified.

Use a seminar / workshop planning checklist to make sure nothing is forgotten.

A checklist is at Tool 3.4

As a reminder, here are some helpful comments on various types of equipment to consider when planning:

•	Microphone	Includes also the speakers, the cabling between the microphone/s and the speakers, and the power cabling to the microphone.
•	Powerpoint projector	Which requires the projector itself, a spare bulb if possible, the laptop or iPad, the cabling between them and the projector, connection to power, and a screen or a white wall.
•	Video player	There are two ways to play videos - using a video player and a television set, or using a computer or iPad and a Powerpoint projector. Cabling between all these pieces of equipment and connection to power is essential.
•	Whiteboard	Often they have been used extensively before and the board itself is dirty and in a poor state: check if it can be properly cleaned. Whiteboard felt pens always seem to run out of ink: the best option is to have fresh multi-coloured ones of your own. Is the whiteboard big enough to be seen by all participants?

- Flipchart

  They are especially good for small groups, or can be used by a presenter where he / she is recorded suggestions or comments made by participants, and then can display them around the walls. Once 'flipped' the piece of paper is not much use: so it is best to be able to tear it off and put it up on the wall. Blu Tack is needed for this purpose.

Where any equipment needs electricity to operate it, it is of course essential that the power lead is long enough to reach the power point, and that there are enough power points to support all the equipment being used.

Often power leads are found to be, on the day, not long enough. Take your own extension cord, and a double adaptor, to the seminar or workshop. You may well need it!

3.7.3 Materials

Often the presenters will have materials of different kinds for use during the seminar or workshop. In all cases, it is very desirable to receive these in advance and in sufficient time for them to be copied. Sometimes the presenters want them to be distributed to participants in advance.

Here is a checklist of various types of materials:

- Formal paper

  If the presenter is giving a lecture, he / she may prepare one in advance. Often this is left to the last moment and is not sent in advance. Sometimes it is available after the seminar for later distribution. If a paper is received in advance, normally a speaker does not want it distributed in advance as participants will just read it and not listen to the lecture. Always check with the speaker.

- Talk outline

  Many speakers may not be willing or able to send a paper in advance, but will send a one or two page outline - usually just the headings of what they will talk about. These are always much appreciated by participants. If the speaker is going to refer to cases or legislation, or other sources, ask that he / she include the references in the outline: again this is found to be very helpful.

- Powerpoints

  These are common nowadays. Some presenters may send you their Powerpoints in electronic form beforehand so that they can be loaded up onto the computer. They may want you to print them out and hand them to participants either at the beginning or after the session.

  There is a way of printing out Powerpoints so that the 'slide' is on the left hand side and there is ruled space on the right hand side to take notes.

- Case studies

  If the presenter is going to use case studies, they will hopefully send them in advance so that they can be copied.

- Practical exercises

  If there are to be practical exercises, there may be material to be copied and distributed. It may be quite complex. It could include court documents, statements, affidavits, and so on.

- Articles or extracts

  Occasionally a presenter will want a journal article to be distributed, or an extract from a book or a report.

- Legislation or cases

  Sometimes the presenter will be basing his / her presentation around some legislation or some cases, and it will be useful for participants to have them in front of them during the session. Make sure presenters don't overdo it and ask you, for example, to copy 70 pages of legislation when they are only going to refer to a few sections.

3.7.4   Transportation arrangements

Make transport arrangements as early as possible, because there is nothing more embarrassing to find that all is arranged but there is no seat on the flight for the presenter!

In addition to making arrangements for the presenters, it may sometimes be necessary to make arrangements for some of the participants. This may be ground transport or air transport.

3.7.5   Funding and budget

Usually a budget is necessary to work out what a seminar or workshop is going to cost. A budget should be prepared and, if necessary, approved.

**An example is
at Tool 3.5**

Then, of course, it is necessary to know where the money is coming from and, if necessary, make an application for funding.

One source of funding might be the PJDP Responsive Fund.

**The Responsive Fund
Application Form is
at Tool 3.6**

If funding from the Responsive Fund is received, it is useful to use the Checklist prepared by the PJDP for that purpose.

**The Responsive Fund
Checklist is
at Tool 3.7**

3.8 PROMOTION OF THE ACTIVITY AND PROCESSING REGISTRATIONS

Usually it will not be necessary to 'sell' the activity to potential participants. They will want to be involved or, at least, will feel obliged to participate. As mentioned above, the important thing is to prepare a programme in as an attractive format as possible, distribute it to all the appropriate people, and do so well ahead of the seminar or workshop.

You need to ask potential participants to 'register' so that you know who will be coming. It depends on how many people are involved. In some cases, just a note or an email or a phone call from them will be sufficient. In some cases, you might want to use a form.

Of course, keep a list of those who have registered. You may also want to have a list of those you expect to register, and thus be able to identify, and follow up, those who don't register.

It is a good idea to acknowledge registrations. You can do this in paper form or in an email.
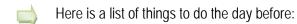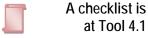
An example is at Tool 3.8

4   CONDUCTING AN ACTIVITY

Now the time has come to conduct the professional development seminar or workshop. It should go well if all the planning has been done. But there are some last minute things to do, and some precautions to take to reduce the risk of anything going wrong - actually, to ensure success!

4.1   ON THE DAY BEFORE THE SEMINAR OR WORKSHOP

Here is a list of things to do the day before:

- Confirm with the venue, if it is not at the Court House, that they are expecting you, that the room will be set up as requested, and all is in order.

- Confirm with the caterer that all is ready.

- Check that the presenters are ready.

- If a presenter is coming from outside your country, check that he/she has arrived, and all is in order (you may have already welcomed the person and done this).

- Ensure there are transportation arrangements (to the venue) for presenters from outside your country.

- Print up a list of all those who have registered to attend; and check if anyone appears to be missing (and follow up, if necessary).

- Make name tags for all participants and the presenters (if they are being used - they may not be necessary if everyone knows everyone; but might be helpful for presenters from outside your country).

- Make up signs to be used at the venue, *eg.* to be placed at the entrance pointing to the room being used, perhaps showing where the toilets are.

- If any gift or something similar is to be presented to the presenter/s at the end of the seminar or workshop, make sure it is ready.

- Collect all the things you need to take to the venue, or make sure they are being delivered to the venue.

A checklist is at Tool 4.1

4.2   THINGS TO CHECK ON ARRIVAL AT THE VENUE

Of course, arrive early, as there will be many things to check!

Use the checklist of things to check on arrival. Take it with you to the venue.

A checklist is at Tool 4.2

4.3   THINGS TO DO ON ARRIVAL AT THE VENUE AND BEFORE THE SEMINAR OR WORKSHOP STARTS

As well as checking these things, there are other things to do. Use the checklist (in *Tool 4.2*) you take to the venue.

4.4   MANAGING TIME DURING THE SEMINAR OR WORKSHOP

If everything is going to be covered, it is important that time is managed well during the activity. Here are some hints:

- Start the seminar or workshop on time. Don't wait for those arriving late: it is better to encourage those who *did* arrive on time.

- Don't repeat things for the late-arrivals. They will have to catch up later.

- Confirm with the chairperson or moderator of the seminar or workshop, and / or the presenters, that you want to ensure that each session starts and finishes on time.

- This might require the chairperson or moderator having a bell or some way of indicating to a presenter that time is running out or has run out.

4.5   DURING THE SEMINAR OR WORKSHOP

Hopefully, all will now go well, but here are some hints to help things go well:

- Sit with the participants (not outside the room) and be ready to facilitate anything that is necessary, for example, moving into small groups, putting flip chart paper up on the wall, and so on.

  It is quite common at seminars and workshops that someone will complain that the air conditioning is too hot or too cold; or that the microphones need to be louder or softer. These complaints need to be handled carefully. It can be distracting to interrupt a presentation to 'fix' this problem; and also the problem may not be fixable - for example, the air conditioning may not be adjustable. Try to anticipate these problems but be wary of trying to fix them during a presentation.

- Towards the end of the seminar or workshop, hand out the evaluation form or place it at each participant's place. Make sure the chairperson, moderator or presenter is briefed to tell participants what it is about, and tell them the procedure for filling it in.

4.6   AFTER THE SEMINAR OR WORKSHOP

After the seminar or workshop, there remain a few things to do:

- Thank you letters   Send these off as quickly as possible, as they are more appreciated if they arrive soon after the event.

- Materials & papers

  There may have been useful materials or papers prepared for the seminar or workshop. It is important they don't just gather dust or get forgotten. Should they be copied and put in the Court Library? Or should they be distributed to everyone? Is there anything else that could be done with them?

- Pay all final bills

  Arrange for all outstanding bills to be paid, including anything to go to presenters.

- Prepare a financial report

  This report is important to ensure it can be determined whether the seminar or workshop cost what was expected.

  An example is at Tool 4.3

- Prepare a final report

  This report should be a combination of participants' feedback and the organisers' own observations. It should be submitted to the NJDC for its consideration. It is also a vital element for the preparation of the next PDP.

  A template is at Tool 4.4

If funding has been received from the PJDP Responsive Fund, a Completion Report must be completed and submitted.

A copy of the Responsive Fund Completion Report is at Tool 4.5

5   PUBLICATIONS

As already mentioned, a better way to achieve a professional development aim might be to produce something in printed form, which judges and/or court officials can use in their daily work. Another possibility is to have a face-to-face activity but then follow it up with a printed booklet or manual.[13]

Set out below is a range of practical hints if the decision is made to publish a booklet or manual. It is not a full discussion of publishing: that would require a toolkit of its own.
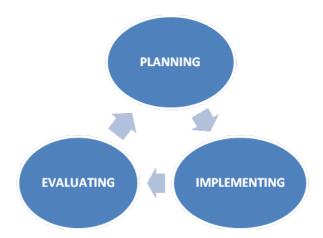
- Think of the purpose of the publication - is it to give practical guidance on day-to-day work, or is it thoughtful background reading, or something else?

- Everyone is busy, so keep the publication as short as possible. However, readability is not just based on the length of a publication: it is also a result of how well something is written - is it succinct, is it well structured, does it have a logical flow, are sentences not too complex, is there one idea per paragraph, and are paragraphs reasonably short?

- Use headings throughout.[14]

- Have a table of contents at the beginning.

- If possible, have the author use practical examples to illustrate what is being said.

- If the publication is a practical manual, usually it should be possible to provide precedents or examples or templates (as used in this toolkit).

- Always include the date of publication at the beginning, so that it is clear whether the law and practice set out in the publication is likely to be still current or not.

- Make clear who is publishing the publication - what its authority is.

- Print the publication in a form that is easily usable. For example, a publication on A4 paper with a staple in the top left hand corner is likely to become soon battered and hard to use.

- Think about how the publication is to be distributed, and make sure it is indeed distributed to all those who should have it. Don't let it just gather dust.

- It might be useful that all judges and court officials have a professional development two-hole ring binder, with an appropriate cover, into which various publications can be put as they are produced.

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[13]   This chapter does not deal with bench books.
[14]   Sometimes, the task of including headings in a seminar paper which has no headings can reveal that there is no apparent structure to the paper. So the use of headings is a good intellectual discipline.

6   EVALUATING AN ACTIVITY

Evaluation is the final step - although, in a way, there is no final step because the process is cyclical not linear. As mentioned at the beginning of this toolkit, the process is:

In evaluation, there are three steps:

- Collecting information on which to base the evaluation.
- Collating and diagnosing the information collected.
- Making decisions based on the diagnosis.

6.1   WHY EVALUATION IS IMPORTANT

Once the event is over, it is easy for it soon to be forgotten. In particular, an evaluation might never get completed. But it is important and should be done if the NJDC is to achieve its Mission.

The diagnosis has three elements:

- Did the seminar or workshop achieve its own aims and objectives?
- Did the seminar or workshop contribute towards achievement of the NJDC's Vision and Mission?
- What can be done to improve future professional development activities and, in a broader context, the services provided by the courts to court users?

Each element is important. In particular, evaluation is important because it is part of a process of self-improvement.

6.2   SOURCES FOR EVALUATION

There are three sources of information for evaluation:

- The participants' responses on the Evaluation Form.
- The presenters' comments and observations - usually made informally to the organisers.
- The organisers' comments and observations based on their monitoring of the activity.

6.3 DRAFTING THE EVALUATION FORM

An evaluation form should be prepared beforehand. Participants are more likely to complete it if it is simple: certainly no more than one page. If they have to write too much they will resist - by the end of the seminar or workshop they are tired and just want to get home!

An example is at Tool 5.1

Don't ask questions just for the sake of asking questions. What is the information you want to seek from the participants? What information can you actually use for the future or in checking if the aims and objectives were achieved? The example in *Tool 5.1* seeks to find out three things:

- Did the participants think the seminar or workshop met its objectives?
- Was the seminar or workshop helpful or disappointing?
- What ideas do participants have for future professional development activities?

The first two questions seek to validate, or otherwise, whether the professional development programme is doing its job. The third question contributes to planning for coming years.

The evaluation form can be confidential: there is no advantage in having people put their name on it, and indeed that may inhibit them from making frank comments.

6.4 DISTRIBUTING AND COLLECTING THE EVALUATION FORM

The form is distributed at the seminar or workshop. This can be done by handing it out at the registration desk on arrival, or placing it on participants' seats or tables during a break towards the end of the seminar or workshop, or handing it out at or near the end.

It is important to get the completed forms back. A good way is to allow 5 minutes in the final session for participants to fill in their evaluations and then collect the forms on the spot.

Another way is to have the participants fill them in and place them in a box on the registration desk on their way out.

6.5 PROCESSING AND DIAGNOSING THE EVALUATION FORM

A report is then prepared on the evaluation. Using the Evaluation Form in *Tool 5.1* as the model:

- Questions 1, 2 and 3 - The responses should be collated, and then a comment added if required, particularly as to whether the responses indicate that the seminar or workshop's aim and objectives were met.

- Question 4 - the Overall Score is calculated in this way.

    Total no. of participants who circled '5' x 5 = xx
    Total no. of participants who circled '4' x 4 = xx
    Total no. of participants who circled '3' x 3 = xx
    Total no. of participants who circled '2' x 2 = xx
    Total no. of participants who circled '1' x 1 = <u>xx</u>

    Total = *xx*

    Divide *Total* by Total no. of participants = Overall Score

- Question 5 - The responses should be collated; any recurring suggestions can be noted. This list will be added to lists from other seminars or workshops and considered later when planning future activities.

To this should be added any comments or suggestions which presenters made to the organisers, and the organisers' own observations on the evaluations themselves and the seminar or workshop itself.

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE TOOLKIT -

ADDITIONAL DOCUMENTATION

Available at: http://www.fedcourt.gov.au/pjdp/pjdp-toolkits

TABLE OF CONTENTS

ANNEX A: PLAN FOR THE IMPLEMENTATION, OR IMPLEMENTATION OF THIS TOOLKIT

The overall approach

The overall approach is to use a learning-by-doing technique. That is, the NJDC or, where appropriate, the National Coordinator, would become familiar with the Toolkit by actually using it.

It would be used for two purposes:

- To develop an annual, or biannual, or rolling biannual, Professional Development Plan for Judges and Court Officials.
- To plan and design the first professional development activity to be held under that Plan.

A proposed process is:

- Initial meeting of the NJDC
  - Introduction to Toolkit

- Meeting no. 1 (as proposed in Toolkit), *i.e.* use suggestions in Toolkit to brainstorm initial ideas, proposals, etc.

- Meeting no 2 (as proposed in Toolkit), *i.e.* use suggestions in Toolkit to move to process of finalised Professional Development Plan. Plan is written up.

- Professional Development Programme begins.

- Sometime later, plan first activity, using suggestions and materials in Toolkit.

- Meeting, sometime later, of the NJDC to evaluate useful of the Toolkit, and to make proposals for changes.

The process of adapting the Toolkit to a country's situation will not be difficult. In particular, its adaptation to a situation where the NJDC is directly responsible for professional development will require only easy amendments.

The most effective method would likely be that the Toolkit could be adapted out of country and sent to the relevant country as a draft. Then a relatively brief consultation should occur to make it as specific to that country's needs, expectations and capacity.

After that, the toolkit would be implemented in that country in the same way as described above.

Implementing the Toolkit in small Pacific Island countries

The toolkit should be the template for a toolkit for the small Pacific Island countries in the PJDP.

However, until conversations are held with the relevant people in those countries, it is not clear what capacity and commitment each of them has to having an in-country professional development programme, and if they do, what its extent might be. It is likely that they will, after seeing the Samoan Toolkit, have a better idea of what a professional development toolkit is, and how it might be used in their own country.

A-3

The adaptation of the toolkit to meet their circumstances should only occur after those consultations.

Once the toolkit had been finalised, the process for implementing it would be the same, *ie.*

- Use it 'on the job' to prepare the first Professional Development Plan.
- Use it 'on the job' to plan, design and implement the first professional development activity.
- After a period, evaluate its usefulness and make amendments.

TOOL 1.1: MEMORANDUM TO MEMBERS OF NATIONAL JUDICIAL DEVELOPMENT COMMITTEE ADVISING THEM OF MEETING DATES FOR THE COMING YEAR

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

MEMORANDUM

To: Members of the Committee

From: xxxx, Chair or National Coordinator

Date: dd/mm/20xx

_____

I am writing to ask you to put aside the following dates in your diary for three key meetings of the National Judicial Development Committee:

dd/mm/20xx   *Planning meeting*: At this meeting we will develop an outline of the Professional Development Plan for the coming year.

dd/mm/20xx   *Planning meeting*: At this meeting we will finalise the Professional Development Plan for the coming year.

dd/mm/20xx   *Review and evaluation meeting*: At this meeting we will review and discuss the activities held during the previous year, including the evaluations from participants.

All three meetings will be held in the xxxx at 12.30pm and will last 1 hour.

Additional meetings will be held to plan the specific activities: the dates for these meetings will be advised later.

Please note your diary now.

TOOL 1.2: AGENDA FOR MEETING NO. 1 OF THE NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

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NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

AGENDA: MEETING TO BE HELD ON DD/MM/20XX AT 12.30PM

> *Note: This is the initial planning meeting for the year.*
> *Attached to this agenda is a Professional Development Inventory,*
> *to be used during the meeting.*
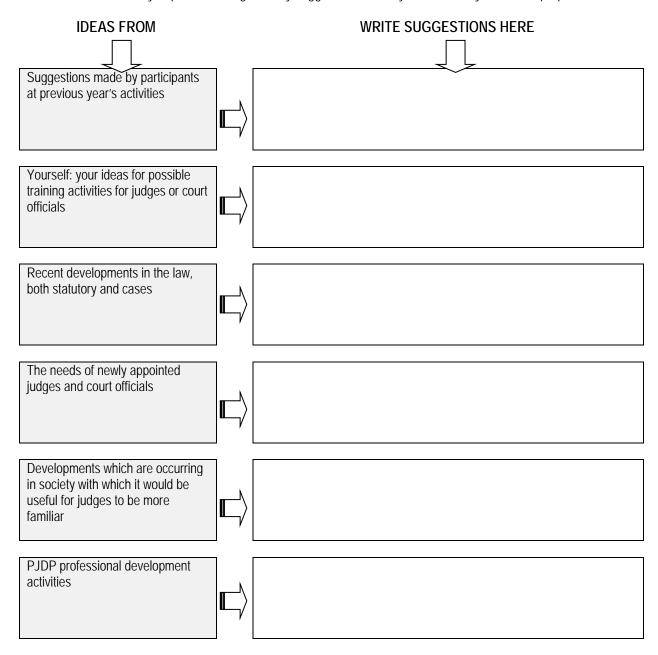
1   Opening

2   Apologies

3   **Discussion of the professional development seminars/workshops held during the previous year[1]**
  -    including final reports of each activity *distributed with this agenda*

4   **Discussion of possible training activities for judges and for court officials**

5   **Discussion of developments which may require professional development activities**
  -    including:
  •   recent new laws passed by Parliament or amendments to the law
  •   recent cases in the courts which could usefully be discussed by judges
  •   newly appointed judges – their needs.

6   **Matters raised by, or of interest, to members of the Sub-Committee**
  -    Including interdisciplinary matters, such as technology, customary matters, psychology, medicine, sociology, etc.

7   Any other business

8   Closing of meeting

Attachment to Tool 1.2:

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[1]   This item would not be included on the first occasion.

PROFESSIONAL DEVELOPMENT INVENTORY

Note: It is not necessary to put something in every suggestion box: only those which you want to propose.

IDEAS FROM	WRITE SUGGESTIONS HERE
Suggestions made by participants at previous year's activities	
Yourself: your ideas for possible training activities for judges or court officials	
Recent developments in the law, both statutory and cases	
The needs of newly appointed judges and court officials	
Developments which are occurring in society with which it would be useful for judges to be more familiar	
PJDP professional development activities	

TOOL 1.3: AGENDA FOR MEETING NO. 2 OF THE NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

AGENDA: MEETING TO BE HELD ON DD/MM/20XX AT 12.30PM

> *Note: This is the meeting at which the Professional Development Plan for Judges & Court Officials will be finalised.*

1 Opening

2 Apologies

3 Consideration of the list of proposals for professional development

> *A document listing all of the proposals for professional development contributed and discussed at Meeting No. 1 is attached.*

4 Categorisation and prioritising of the proposals

> *A Planning Matrix for this purpose is attached.*

5 Final decisions as to activities to be held in the year

> *The PDP will be based on these decisions.*

6 Any other business

7 Closing of meeting

Attachment to Tool 1.3:

PLANNING MATRIX

Vision for the NJDC
[*to be decided*]
Mission for the NJDC
[*to be decided*]

⬆

P R I O R I T Y No.	CATEGORISE THE IDEAS & SUGGESTIONS ⬇	Tick who should be participants			
		Judges/magistrates		Court staff	
		Supreme Court	[other Court/s]	Supreme Court	[other Court/s]
	Orientation/induction •				
	Substantive law • • •				
	Judicial skills, court craft and ethics • • •				
	Inter-disciplinary *eg. society, economics, technology, psychology, medicine etc.* • •				
	Others • •				

TOOL 1.4: PROFESSIONAL DEVELOPMENT COMPONENT OF THE NJDC'S ANNUAL REPORT

**NATIONAL JUDICIAL DEVELOPMENT COMMITTEE
ANNUAL REPORT FOR THE YEAR 20XX**

PROFESSIONAL DEVELOPMENT PROGRAMME

An overview of the year
In pursuance of the NJDC's Vision and Mission, during the year, the following professional development activities were held:

[insert name of 1st activity]
[insert name of 2nd activity]
[insert name of 3rd activity]

[insert a brief comment on the year's overall activities, including whether the PDP was fully implemented]

[insert name of 1st activity]
[insert date on which held]
[insert the aim of this activity]
[insert a brief description of the activity, including the names of the presenters, and a brief summary of the participants' evaluation of the activity]
[insert statistical information about the participants – numbers from each court or court administration]

[insert name of 2nd activity]
[repeat information as above]

[insert name of 3rd activity]
[repeat information as above]

TOOL 2.1:   PROFESSIONAL DEVELOPMENT INVENTORY

PROFESSIONAL DEVELOPMENT INVENTORY

Note: It is not necessary to put something in every box: only those which you want to propose.

IDEAS FROM	WRITE SUGGESTIONS HERE
Suggestions made by participants at previous year's activities	
Yourself: your ideas for possible training activities for judges and court officials	
Recent developments in the law, both statutory and cases	
The needs of newly appointed judges and court officials	
Developments which are occurring in society with which it would be useful for judges to be more familiar	
Planned professional development activities of the PJDP	

TOOL 2.2:   SURVEY FOR IDEAS FOR PROFESSIONAL DEVELOPMENT ACTIVITIES

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

SURVEY OF IDEAS AND SUGGESTIONS FOR
PROFESSIONAL DEVELOPMENT ACTIVITIES

The NJDC would appreciate receiving your ideas and proposals for professional development activities over the next few years. Please complete the follow survey and return it to xxxxxx by xxxx. To assist your thinking, we have provided the categories below, but feel free to make other suggestions on the back of this survey form.

In the column asking you who you think should participate, the options are:

+ Supreme judges   + Supreme and [other] court officials
+ [other court/s judges or magistrates]

YOUR IDEAS & SUGGESTIONS {Please consider both what you would want or need, and what you think others might want or need.}	Who do you think should participate?
Orientation/induction	
Substantive law eg. recent legislation or cases.	
Judicial skills, court craft and ethics	
Inter-disciplinary *eg. society, economics, technology, psychology, medicine, etc.*	

Write any more suggestions the back of this form

TOOL 2.3: PLANNING MATRIX FOR PROFESSIONAL DEVELOPMENT

Vision for the NJDC [*to be decided*] Mission for the NJDC [*to be decided*]				

P R I O R I T Y No.	CATEGORISE THE IDEAS & SUGGESTIONS	Tick who should be participants			
		Judges/magistrates		Court staff	
		Supreme Court	[other Court/s]	Supreme Court	[other Court/s]
	Orientation/induction •				
	Substantive law • • •				
	Judicial skills, court craft and ethics • • •				
	Inter-disciplinary *eg. society, economics, technology, psychology, medicine etc.* • •				
	Others • •				

TOOL 2.4: THE PROFESSIONAL DEVELOPMENT PLAN FOR JUDGES & COURT OFFICIALS

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

**PROFESSIONAL DEVELOPMENT PLAN FOR
JUDGES & COURT OFFICIALS FOR THE YEARS 201X & 201X**

Overall Aim

The overall aim of professional development is to improve and enhance the standards and quality of the services provided by the Courts to the court users.

Objectives

The objectives of this Plan, in order to achieve this aim, are –

[the following are examples only]

❖ To build capacity in the Courts through training in the law, court procedures, systems and skills.

❖ To reinforce ethical and professional behaviour through training in the guidelines for judicial conduct.

❖ To encourage and enable good physical and psychological health amongst judges and court officials.

The Plan seeks to provide a programme which is:

➢ as comprehensive as possible
➢ balanced as between the various needs which can be met by the Plan
➢ balanced as between the various participants, both judiciary and court officials
➢ feasible given the constraints of time and money, and personnel available.

The following professional development activities will be conducted:

[1st activity][2]

Date – dd/mm/20xx from xx.00am to xx.00pm.

Venue – this seminar/workshop will be held at ....

Aims and objectives – The outcome for those participating in this seminar/workshop will be .....

Presenters – this seminar/workshop will be presented/led by .....

Format – this seminar/workshop will take the form of talks and discussion/case studies/ etc.
[2nd activity]

---

[2]   Recalling that an 'activity' need not necessarily be a seminar, workshop or conference.

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Date – dd/mm/20xx from xx.00am to xx.00pm.

Venue – this seminar/workshop will be held at ....

Aims and objectives – The outcome for those participating in this seminar/workshop will be .....

Presenters – this seminar/workshop will be presented/led by .....

Format – this seminar/workshop will take the form of talks and discussion/case studies/ etc.

Participation in Pacific Judicial Development Programme activities

During the year, a judge or court official will attend the following Pacific Judicial Development Programme activities:

[name, date & venue of activity]

Participation in other activities outside the country

During the year, a judge or court official will attend the following other activities outside the country:

[name, date & venue of activity]

Financial aspects

The expected cost of these activities is:
[*list as appropriate*]

> *Within the country*
> Speakers/presenters costs (fees & honoraria)
> Travel costs
> Venue hire costs
> Catering costs
> Materials
> Any other costs
>
> *Outside the country*
> [list costs]

Funding sources will be ....

Developed and endorsed by the National Judicial Development Committee on dd/mm/20xx.

TOOL 3.1: INITIAL PLANNING CHECKLIST FOR A SEMINAR OR WORKSHOP

PLANNING CHECKLIST FOR [NAME OF SEMINAR]

	Insert details ⇩		
Date/s and time of day	Insert date/s and time of day.	⬭	Recorded in court calendar/s.
		⬭	All judges and court officials advised.
Venue & room layout	Insert name of venue.	⬭	Venue booked.
		⬭	Room layout/s arranged.
	Insert layout chosen.		
Aims & objectives		⬭	Aims and objectives finalised and recorded.
Presenters	Insert name/s of presenter/s.	⬭	Presenter/s decided upon.
		⬭	Letter sent to presenter/s confirming arrangements and briefing.
Format	Insert format/s chosen.	⬭	Format/s chosen and presenters advised.
Catering	Insert name of caterer, if applicable.	⬭	Catering organised and confirmed in writing.
Equipment	List what is required.	⬭	Equipment is available at the venue, or has been hired.
Budget		⬭	Budget prepared.
		⬭	Approvals obtained.

TOOL 3.2: CONFIRMING / BRIEFING LETTER, MEMORANDUM OR EMAIL TO A PRESENTER

Note: This is a letter but can be easily adapted to be a memorandum or email. There are various choices shown between square brackets [   ]*: use only the choices which are applicable.*

[date]

[name]
[address]

Dear ....

Seminar: [name of seminar], [date], [venue]

I am writing to thank you, on behalf of the National Judicial Development Committee, for agreeing to take part in this [seminar / workshop] as a presenter.

The aims and objectives of the [seminar / workshop] are [insert aim/s and objectives or an adaptation of them]. We have decided to conduct it as part of our [annual / biannual] Professional Development Programme because [words describing the background to, or motivation for, the activity].

The National Judicial Development Committee would like you to present a session on [name of session] which will be from [starting time] to [finishing time].[3]

[add a paragraph discussing the agreed or a suggested teaching method – presentation / large or small group discussion / case studies /practical exercises / etc., or a combination of these]

We would be grateful if you could provide us in electronic form, prior to the [seminar / workshop] with [*insert as appropriate*: a copy of the paper you will present / an outline of your presentation /a copy of your Powerpoint presentations /the questions or problems to be used in the discussions / the fact situations you plan to use for the [case studies / practical exercises] / etc.].

[*if applicable*: The other presenters at the seminar / workshop will be:
          [names, who they are, email address, telephone number]

 I suggest that you be in contact with them in order to coordinate your contributions to the seminar / workshop.]

I confirm that [*delete if not applicable:* we will pay you a fee of ....]. We will also be responsible for the cost of your accommodation at [name of hotel] including meals and other reasonable incidentals but not alcoholic beverages. We will make the booking for you and will consult with you later as to your arrival and departure times.

We will also be responsible for your travel costs, [*delete if not applicable:* including an economy class airticket to ....]. We will be in contact with you to make detailed arrangements.

---

[3]   This assumes the presenter is not the sole presenter of the seminar or workshop. If the person is the sole presenter, the letter needs to be adapted accordingly.

On behalf of the National Judicial Development Committee I thank you for agreeing to take part in this [seminar / workshop]. We look forward to a successful and useful occasion.

Yours sincerely

National Coordinator

TOOL 3.3: PROGRAMME FOR A SEMINAR OR WORKSHOP

Note: *This example is for a seminar but can be easily adapted for a workshop or other type of activity. It is for a one day seminar with four main sessions but can be adapted for any other form, including an activity running over several days.*

[NAME OF SEMINAR]
[Date/s & time of day]
[Venue]

Conducted by the National Judicial Development Committee

The purpose of this seminar is .....[insert a user friendly wording of the aims and objectives, as agreed}.

Programme

8.30am	Registration and coffee on arrival
8.45am	Opening, prayers and welcome to the seminar
9.00am	**[name of session]** [name of presenter]
	In this session, ... [describe what will happen]
10.15am	Morning tea
10.45am	**Case study** [name of discussion leader/s]
	In this session, we will discuss three issues or problems which will be circulated at the session. You will be in a small group of 5. At the end of the session, there will be a general plenary discussion.
12.30pm	Lunch
1.30pm	**[name of session]** [name of presenter]
	In this session, ... [describe what will happen]
2.45pm	Afternoon tea
3.00pm	**Practical exercise** [name of leader/s]

In this session, we will work on a practical exercise which will be introduced at the session.

4.15pm **Wrap-up session**
[name of speaker]
During this session, you will be asked to complete an evaluation form which will be collected.

4.30pm Concluding prayer

The seminar presenters

[X X] X X is .... [short description of present role, background and experience]

[X X] X X is .... [short description of present role, background and experience]

TOOL 3.4: **CHECKLIST: SEMINAR / WORKSHOP EQUIPMENT, MATERIALS AND CATERING PLANNING**

SEMINAR/WORKSHOP PLANNING CHECKLIST

[NAME OF SEMINAR]

[DATE]

EDUCATIONAL

Session	Name of session & presenter	Equipment needed	Materials to be provided
1		☐ Microphone/s ☐ Powerpoint projector ☐ Videoplayer & TV ☐ Whiteboard ☐ Flipchart	☐ Paper ☐ Talk outline ☐ Powerpoints ☐ Case study ☐ Practical exercise ☐ Article/s ☐ Legislation
2		☐ Microphone/s ☐ Powerpoint projector ☐ Videoplayer & TV ☐ Whiteboard ☐ Flipchart	☐ Paper ☐ Talk outline ☐ Powerpoints ☐ Case study ☐ Practical exercise ☐ Article/s ☐ Legislation
3		☐ Microphone/s ☐ Powerpoint projector ☐ Videoplayer & TV ☐ Whiteboard ☐ Flipchart	☐ Paper ☐ Talk outline ☐ Powerpoints ☐ Case study ☐ Practical exercise ☐ Article/s ☐ Legislation
4		☐ Microphone/s ☐ Powerpoint projector ☐ Videoplayer & TV ☐ Whiteboard ☐ Flipchart	☐ Paper ☐ Talk outline ☐ Powerpoints ☐ Case study ☐ Practical exercise ☐ Article/s ☐ Legislation

CATERING
Tick when arranged

	Name of caterer	Contact details	Cost
			$

TOOL 3.5: BUDGET FOR A SEMINAR OR WORKSHOP

Expenses

Items	*Insert estimated cost, if applicable*	Notes
Venue hire	$	
Presenter/s' fees or honorarium	$	
Presenter/s' accommodation costs	$	
Presenter/s' travel costs	$	
Catering costs	$	
Equipment hire	$	
Other costs eg. printing or couriering of materials	$	
TOTAL OF COSTS	$	

Sources of revenue to meet these costs

Court budget	$	
Other source/s	$	
TOTAL OF REVENUE	$	

NET SITUATION	Expenses met: Shortfall:	

TOOL 3.6: PJDP RESPONSIVE FUND APPLICATION FORM

PJDP Responsive Fund Application Form

Country and Court:	
Contact Person(s):	
Contact Details:	
Telephone:	
Fax:	
Email:	
Title of the Activity:	
Start / End Dates:	
Date that Report / Finance Acquittal will be submitted (no more than 2 weeks after the completion of each activity):	
Demonstrate how this Activity is *directly linked* to your national judicial development plan (or similar document) or is otherwise a development/reform priority for this calendar/financial year.	
The problem(s)/challenge(s) to be addressed by this Activity?	
What will be done to address these problem(s) / challenge(s)?	
What is the objective of this Activity?	
Who will carry out the Activity?	
Who will provide administrative support when implementing this activity and undertaking activity / finance reporting?	
How were the expert(s) / others carrying out the Activity selected?	
How will you know the Activity has been successful?	
How will you ensure the achievements / results will last after the Activity?	
How have participants been selected?	
How will participants be involved in planning?	

How are gender/human rights issues being addressed?					
What risks are there to the Activity and how will they be managed?	*Risk*			*Management*	
What will your judiciary contribute?	*e.g. facilitators, venue, catering, domestic travel for participants/visiting experts,co-funding*				

Budget:	Expense *(based on actual invoices and receipts)*	Unit Cost	Number of Units	Total *(local currency)*	Total *(AUD - approx)*
	Airfares: *(From → To)*				
	Travel Costs: *(departure tax, visas, vaccinations)*				
	Local Transport / Taxis:				
	Accommodation:				
	Per diem: *(meals / incidentals / allowance)*				
	Expert(s) Fees:				
	Materials / Printing:				
	Venue Hire / Workshop Refreshments:				
	Communication Costs:				
	Contingency: *(maximum 2.5% of total budget)*				
	Total:				

Signed: …………………………………………………… Date: / /
 Chief Justice

Signed: …………………………………………………… Date: / /
 National Coordinator

PJDP Responsive Fund Application Form - with Comments

*Note: the brief explanations and examples included in red font, below, are intended to be **a guide only**
to help when you fill in the above application form*

Country and Court:	
Contact Person(s):	
Contact Details: Telephone:	
Fax:	
Email:	
Title of the Activity:	
Start / End Dates:	*e.g. Activites are to be completed by 30 September 2013*
Date that Report/Acquittal will be submitted:	*e.g. Reports including programmes, materials, evaluations and full funds acquittals are to be received by PJDP within 2 weeks of completing the Activity*
The problem(s)/challenge(s) to be addressed by this Activity?	*e.g. judicial/court officers lack knowledge, skill or appropriate approaches to..., or court systems are inefficient/ineffective in the area of...*
What will be done to address these problem(s) / challenge(s)?	*e.g. conduct training for judicial/court officers in the areas of..., or receive advice/support to make changes to court systems and processes in the areas of...*
What is the objective of this Activity?	*e.g. that judicial/court officers are able to perform their functions competently, or that cases are managed efficiently*
Who will carry out the Activity?	*e.g. a PJDP certified trainer, or a PJDP Adviser, or a pro bono expert from another PIC, New Zealand or Australia*
How were the expert(s) / others carrying out the Activity selected?	*e.g. on the basis of previous training experience and knowledge of the subject matter*
How will you know the Activity has been successful?	*e.g. by assessing the performance of judicial/court officers before and after the training, or assessing the efficiency with which cases are managed*
How will you ensure the achievements / results will last after the Activity?	*e.g. materials/manual will be produced which participants/stakeholders can refer back to, incentives (be specific) will be developed to reward improvements*
How have participants been selected?	*e.g. as their roles require performance of certain skills which are the focus of the training, they have not received trianing previously, they are responsible for the aspects of court administration which are the subject of the Activity.*
How will participants be involved in planning?	*e.g. they will contribute to a needs assessment and comment on draft programmes, schedules and materials*
How are gender/human rights issues being addressed?	*e.g. international/domestic provisions related to the need to ensure people are not discriminated against will be covered along with provisions related to the need to ensure a fair and expedient trial*

What risks are there to the Activity and how will they be managed?	*Risk*	*Management*
	e.g. Participants are not available	Suffiicent advance notice and agremeent from the Chief Justice that they will be made available
	e.g. Participants/stakeholders are not committed to maknig changes	Participants will be selected on the basis of their demonstrated commitment to change and the Chief Justice will publicly reward improvements in performance
What will your judiciary contribute?	*e.g. facilitators, venue, catering, domestic travel for participants/visiting experts,co-funding*	

TOOL 3.7:   RESPONSIVE FUND CHECKLIST

Responsive Fund - Reporting and Expenditure Checklists

The aims of the Responsive Fund are to enable your court to; address it's priority needs and strengthen the capacity to lead, design, implement, monitor, and report on local judicial development activities.

This checklist has been developed with feedback received from National Coordinators. The PJDP Team hopes that it will assist those implementing Responsive Fund activities to report on and acquit (account for) those activities.

Reporting Checklist:	✔
i. Check that you have the *Completion Report Template* and are familiar with this.	☐
ii. At the start of your activity, look through your application and see what information you will need to collect / keep track of to help you write your report and provide the acquittal.	☐
iii. Once the activity has started, keep a note of any significant matters as they happen - this will help you when it comes to writing the report. These matters may include:	
- exact start and end dates;	☐
- dates of individual activities, workshops, consultations, trips/travel, etc.;	☐
- names, position, gender and total number of participants/people involved; and	☐
- responses to pre- and post-activity evaluations/assessments.	☐
iv. The report is intended to be simple and quick to write. The suggested length is *3 pages* plus annexes.	☐
v. Use your application as the basis of your report (for example the aims and objectives of the activity can be taken directly from your application.)	☐
vi. Remember to include a section on how your activity addressed gender / human rights issues.	☐
vii. Please also write a brief summary of the activity (no more than 250 words) and send it, plus two or three interesting photos of the activity (including the names of all the people shown in the photos) for the PJDP Newsletter. (*Note:* this may also be a good way of giving your Chief Justices a brief update!)	☐
Remember: if you have any questions or are uncertain about something, please ask one of the PJDP Team.	
Other reporting-related matters you would like to keep track of:	
-	☐
-	☐
-	☐
-	☐

Reporting Checklist:	✔
-	☐

Expenditure and Acquittal Checklist:	✔
i. Have you discussed and agreed with the PJDP Team the way funds will be reimbursed / transferred to your court for your RF activity? If 'no' - this will need to be organised with the PJDP Team before you start.	☐
ii. Check that you have the *Expenditure Summary and Acquittal Template* and are familiar with it. This sheet is used to track all expenditure relating to the activity.	☐
iii. Check that you have the *Meals and Incidentals Receipt Form* and are familiar with it. This form is used for any payments made to participants as part of the activity.	☐
iv. Check that you are aware of the per diem rate (meals and incidental allowance) that can be paid to participants. Use the rate paid locally to people participating in activities. If such an allowance rate does not exist, ask the PJDP Team for the most up to date MFAT rate.	☐
v. There is a specific form to be used to calculate any meals and incidentals each participant needs to receive. If you need to pay this allowance, please work with the PJDP Team to request and complete this form. *Note:* To prevent 'double dipping', MFAT requires that if costs such as lunch or a dinner are covered by the activity, the participant's meals and incidentals allowance *must be reduced* by these amounts.	☐
viii. At the start of your activity, look through your budget and see what costs you will have and what receipts, invoices, and other supporting documents you will need to collect to acquit the expenditure at the end.	☐
vi. *Supporting Document* - this is any form of documentation that directly relates to an expense. It must include the: date; a description of the cost; and the total amount. *Note:* as per MFAT requirements, the PJDP *must be given all original* receipts, supporting documents and other forms for its records.	☐
vii. *Please remember:* the PJDP can only make payments / reimburse funds to your court based on receipts. Without receipts and relevant supporting documents, the Programme will not be reimbursed by MFAT. As a result, please keep *all* receipts, invoices, finance-related emails, etc.	☐
viii. Reminder of key supporting documents to collect: - All *receipts and invoices* - every amount you spend *must* have some document clearly supporting the expense.	☐
- *Supporting documents* for expenses (e.g. plane tickets and itineraries; boarding passes, boat tickets, taxi receipts, requisition and payment vouchers, etc.)	☐
- When including *bank fees / transfer costs*, please include the *bank statement* showing the amount as part of your supporting documentation.	☐
- If you are receiving an *advance of funds*, please include the *bank statement* showing the amount you received in your local currency as a supporting document.	☐

Expenditure and Acquittal Checklist:	✔
- For *non-Australian Dollar expenses,* please attached a copy of the exchange-rate used that you used if converting local currency into Australian Dollars.	☐
ix. Updating the *Expenditure Summary and Acquittal Template* as you are implementing the activity is a good way of keeping track of your expenditure and simplifying your acquittal at the end.	☐
x. When developing your expenditure summary please make sure that you *clearly reference / link* all receipts and supporting documentation to relevant expenses so the PJDP Team can easily see which line in your acquittal the expense relates to.	☐

Remember: if you have any questions or are uncertain about something, please ask one of the PJDP Team.

Expenditure and Acquittal Checklist:	✔
Other expenditure / financial matters you would like to keep track of:	
-	☐
-	☐
-	☐
-	☐
-	☐
-	☐

General Responsive Fund Activity Matters you Would Like to Keep Track of:	✔
-	☐
-	☐
-	☐
-	☐
-	☐
-	☐
-	☐

General Responsive Fund Activity Matters you Would Like to Keep Track of:	✓
-	☐
-	☐
-	☐
-	☐
-	☐
-	☐

TOOL 3.8: ACKNOWLEDGEMENT OF REGISTRATION FOR A SEMINAR OR WORKSHOP

Note: This is set out as a memorandum but could be an email.

MEMORANDUM

From: xxx, National Coordinator

To: xxx

Date: dd/mm/20xx

Seminar: Introducing the new Code of Conduct for Court Officials

Thank you for your registration for this seminar. A place has been reserved for you.

I confirm that the arrangements are:

Date/s: dd/mm/20xx

Time: 00.00am to 00.00pm

Venue: Meeting Room, Court House

Lunch, morning and afternoon tea will be available at the seminar.

Some material will be available for you to collect at the time of registration. Registration begins at 00.00am.

[add other information, if applicable, *eg.* that pre-reading is required and will be distributed, etc.]

The National Judicial Development Committee looks forward to your participation in this seminar.

TOOL 4.1: CHECKLIST OF THINGS TO PREPARE OR ASSEMBLE ON THE DAY BEFORE THE SEMINAR OR WORKSHOP

[NAME OF SEMINAR]
CHECKLIST FOR THE DAY BEFORE

☐   Extension cord

☐   Double adapter

☐   Any signs you will need to put up

☐   List of participants

☐   Name tags (if needed)

☐   Presenters' materials – paper, outline, Powerpoint, etc

☐   Laptop or iPad for Powerpoints (if needed)

☐   Felt pens (if needed)

☐   Evaluation forms

☐   Box for participants in which to place their completed evaluations

☐   Presentations (if needed) for presenters

TOOL 4.2: CHECKLIST OF THINGS TO CHECK AND DO ON ARRIVAL AT THE VENUE

[NAME OF SEMINAR]

CHECKLIST OF THINGS TO CHECK AND DO AT THE VENUE

Things to check

- Find out who is the contact person at the venue, in case you need to contact them during the seminar or workshop

- Check that the room is clean, including the tops of tables.

- Check that the room is set up as arranged.

- Check where the light switches are, and that there is sufficient lighting.

- Check that there is the right number of chairs (and tables) – not too few and not too many.

- Check that the chairs, and tables if necessary, for presenters are in the right place and are adequate.

- Check that the microphones, if being used, work properly.

- Check that any audio visual equipment is in place and works properly.

- Check that Powerpoints, if being used, are loaded onto the laptop or iPad.

- Check that the airconditioning is working properly.

- Check where the toilets are, and there is signposting to them.

- Check that the toilets are clean.

- Check that the area for food and drink is ready, and is in a place where participants won't be disturbed.

- Check that the catering is ready, unless it is being delivered later.

- Check that there is a table for registrations.

Things to do

- Put up the sign/s so that participants can easily find the venue (if necessary).

- Contact the person who will be the technical back-up person – check he / she is there and how to contact them if necessary.

- Have a copy of the programme (even though you have distributed it beforehand) at the registration desk to give to participants on arrival.

- Have the materials / handouts ready, either at the registration desk or at participants' places in the room.

- Welcome the presenters and make sure they are ready.

- If necessary, have something ready to summons the participants to go into the room, such as a bell or an empty glass to be tapped by a spoon.

- Make the room as inviting as possible, for example, by opening curtains to let in more light, or to turn on more lights, or to ensure the screen to be used can be seen by everyone.

- Start on time!

TOOL 4.3:   FINANCIAL REPORT FOR A SEMINAR OR WORKSHOP   A-34

Expenses

Items	Budget	Actual cost
Venue hire	$	$
Presenter/s' fees or honorarium	$	$
Presenter/s' accommodation costs	$	$
Presenter/s' travel costs	$	$
Catering costs	$	$
Equipment hire	$	$
Other costs eg. printing or couriering of materials	$	$
TOTAL OF COSTS	$	$

Sources of revenue to meet these costs

Court budget	$	$
Other source/s	$	$
TOTAL OF REVENUE	$	$

NET SITUATION	$ cr/dr	$ cr/dr

TOOL 4.4: FINAL REPORT FOR A SEMINAR OR WORKSHOP

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE

[NAME OF SEMINAR / WORKSHOP]
[DATE/S HELD]

FINAL REPORT

Date & venue

This seminar / workshop was held on [date/s] at [venue].

Participants

It was attended by [total number] persons, comprising:

> X Supreme Court judges
> X [other court/s judges/magistrates]
> X Courts officials

A list of those who attended is attached to this report.

Aims and objectives

The aims and objectives of the seminar / workshop were:

> [insert].

Programme

A copy of the programme is attached to this report.

Evaluation of the seminar / workshop

X of the X participants (XX%) completed the evaluation form. Their evaluation of the seminar / workshop was as follows:

> *Whether they considered the seminar / workshop achieved its aim and objectives*
> [list in dot points what the participants said on their evaluation forms, slightly edited if necessary to make the comment understandable]

> *What they found helpful*
> [list in dot points what the participants said on their evaluation forms, slightly edited if necessary to make the comment understandable]

What they were disappointed in or thought could be improved
[list in dot points what the participants said on their evaluation forms, slightly edited if necessary to make the comment understandable]

Overall rating
The participants' overall rating of the seminar / workshop was X, where:[4]

No. 5 = very helpful for my work
No. 4 = helpful for my work
No. 3 = not sure
No. 2 = not helpful for my work
No. 1 = no use at all.

Overall evaluation by the Professional Development Sub-Committee

The overall evaluation of the members of the National Judicial Development Committee who were involved in the planning of this seminar / workshop is as follows:

[insert a narrative of any feedback from members of the NJDC]

Suggestions for future professional development activities

The participants made the following suggestions:

[list in dot points what the participants said on their evaluation forms, slightly edited if necessary to make the comment understandable]

 [dd/mm/20xx]

Attachments:
1	List of participants
2	Copy of the programme

4	How this calculation is made in discussed in chapter 5.

TOOL 4.5: PJDP RESPONSIVE FUND COMPLETION REPORT

PJDP Phase 2:

Responsive Fund Activity Completion Report

Insert Activity Title
Insert Location
Insert Date

Note: *Excluding annexes, the report is to be no more than* ***3 pages*** *in length.*

1.0 Introduction

This Report provides an overview of the Responsive Fund Activity undertaken in Insert Location between Insert Start and End Dates which was designed to Insert Problem.

2.0 Designing the Activity

Using the approved application, insert a summary of:
  1. *The problem you wanted to address.*
  2. *The activity you designed to address the problem/s.*
  3. *How and which stakeholders participated in the design.*
  4. *If relevant, attach the design and materials at* ***Annex A****).*

3.0 Delivering the Activity

Insert a summary about:
  1. *The aims and objectives of the activity*
  2. *If it was a training activity, what participants said about their knowledge and skills before the activity (attach pre-workshop evaluations in* ***Annex B****)*
  3. *If it was an activity to improve court governance or administration, what stakeholders thought about the situation before the activity*
  4. *Who participated:*
      a. *the target group(s);*
      b. *total number of people involved; and*
      c. *how participants were selected (if a selection process was required).*
     (please include full names, titles, gender and any other information of all individuals / participants you have ***Annex C****)*
  5. *Who facilitated/supported your activity (include names, titles and previous relevant experience and provided training/technical assistance)*
  6. *How the activity went:*
      a. *The extent to which you think it achieved it aims?*
      b. *How you know it achieved, or did not achieve its aims (ie the assessment you made)?*
      c. *Whether any changes were made to the approved activity and why these were made.*

4.0 Assessment

*Insert a summary about what participants said about their skills and knowledge or what stakeholders said about the problem after the activity (include post-workshop evaluations in **Annex D**)*

5.0 Cross-cutting Issues

5.1 Sustainability

How will the benefits of the activity live on now the activity is finished?

5.2 Gender

1. *How many males and females were involved/participated?*
2. *Were males and females given an equal chance to participate?*
3. *What gender issues were relevant to the activity?*
4. *How was awareness and understanding of gender equity and equality issues incorporated?*

5.3 Human Rights

What concepts relating to the promotion of human rights were integrated into the activity and how?

6.0 Lessons

Was there anything that happened that we should remember in future to make planning, design and implementation easier, better or more efficient?

7.0 Finance

*Were the actual costs the same as the approved costs? Explain any difference. Provide a copy of the financial acquittal in **Annex E**.*

8.0 Conclusion

Describe the activity and its achievements in 100 words.

Annexes:

Annex A - Final Activity Design

Annex B - Pre-workshop Evaluations and Brief Summary of Responses

Annex C - List of Activity Participants

No.	Title	Full Name	Gender (M/F)	Other Information
1				
2				
3				
4				

Annex D - Post-workshop Evaluations and Brief Summary of Responses

Annex E - Financial Acquittal

Annex F - Responsive Fund Activity Photos

TOOL 5.1: EVALUATION FORM

[NAME OF SEMINAR / WORKSHOP]

EVALUATION

Please complete this evaluation form before leaving the [seminar / workshop] and [it will be collected from you *or* hand it in at the registration desk].

Your comments and suggestions are very important, and the National Judicial Development Committee will take all of them into account in planning future professional development activities.

---

1 **In what way do you think the [seminar / workshop] did or did not meet its objectives (as set out on the programme)?**

2 **Please list one or two things about this [seminar / workshop] which you found will be helpful for your work.**

3 **Please list anything which you were disappointed with or which you think could be improved in future.**

4 **Overall, how would you rate this [seminar / workshop]?**
   (please circle the appropriate number)

5	4	3	2	1
Very helpful for my work	Helpful for my work	Not sure	Not helpful for my work	No use at all

5 **Please list any suggestions you have for future professional development programmes?**

Pacific Judicial Development Programme

NATIONAL JUDICIAL DEVELOPMENT COMMITTEE TOOLKIT