



INSTITUTE OF JUDICIAL STUDIES (IJS) PROSPECTUS 2018

The Institute of Judicial Studies (IJS) is the education arm of the judiciary delivering annual programmes and seminars to assist judges throughout their careers.

IJS has developed a curriculum of judicial education which guides the Institute's course development. The role of IJS is to both inform and inspire the intellect of the judiciary, and to impart and develop skills and good judge craft. The courses provide for judges at every stage of their career and also address bench-specific and specialist court education needs.

The curriculum is comprised of four broad areas:

1. The role of the judge
2. Context of judicial function
3. Skills and judge craft
4. Renewal

The role of the judge involves broadly three categories – induction; the role of the judge generally; and special functions, courts and delivery. Courses include induction programmes which have skills and judge craft as part of their content; programmes covering judicial conduct and ethics; annual seminars for the different benches and jurisdictions; and mentoring programmes.

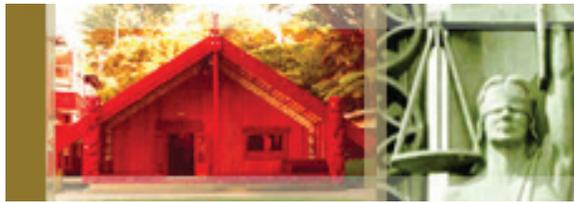
Context of judicial function covers both social and legal context. Social context includes core programmes on Te Reo, Tikanga, Noho Marae, Open Justice & the Media, and Family Violence. Legal context includes substantive law updates and common room sessions on new and/or complex areas of law, as changing legal rules are part of the context in which the career judge operates.

Skills and judge craft includes management skills (such as courtroom management and communication, and case and time management), evaluative skills and delivery skills. Core evaluative skills programmes include Evidence and Procedure; Decision Making; and Bail and Risk Assessment. Core delivery skills include Oral Judgments and Judgment Writing.

Renewal and resilience supports judges to judge “well.” It encompasses leadership, mentoring, managing workload and mental and physical wellbeing. It is also aimed at reinvigorating and harnessing the previous experience of longer-serving judges.

IJS courses are developed and delivered with input from both subject area experts and judges. Judges participate as seminar leaders, facilitators, learners and experienced contributors. Courses are interactive and include discussion, practice sessions, scenarios, and analytical frameworks.

We look forward to seeing you at some of the IJS seminars listed below in 2018.



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TE REO WĀNANGA FOR PROFICIENT SPEAKERS

He rumaki reo Māori tēnei wānanga. Ko te whāinga kia whai wā ngā ākonga ki te whakapakari i tōna reo Māori, kia hōhonu ake, kia whakaniko ake, kia Māori ake.

Te Reo training is an important aspect of the IJS curriculum. This wānanga intensive is taught in a rumaki / immersion style, aimed at those who are at intermediate to advanced level proficiency. The wānanga also encompasses aspects of tikanga and kawa. The wānanga is led by an experienced faculty of kaiako/teachers. The objective of the wānanga is to strengthen the depth, quality and fluency of the participants' reo.

→ February 2018

OPEN JUSTICE AND THE MEDIA

Dealing with the media often poses difficult issues for judges. This one-day seminar focuses on educating and assisting judges as they negotiate what has been described as the “media minefield.” Issues covered include:

- Managing suppression
- Access to court records
- Social media and judges
- Processing applications for coverage under the In-Court Media Guidelines
- Establishing systems and procedures before the start of a trial attracting media interest
- Procedures to increase the likelihood of accurate reporting
- Media issues arising before and after trial
- Young persons and the media
- A Judge's armoury when the media transgress.

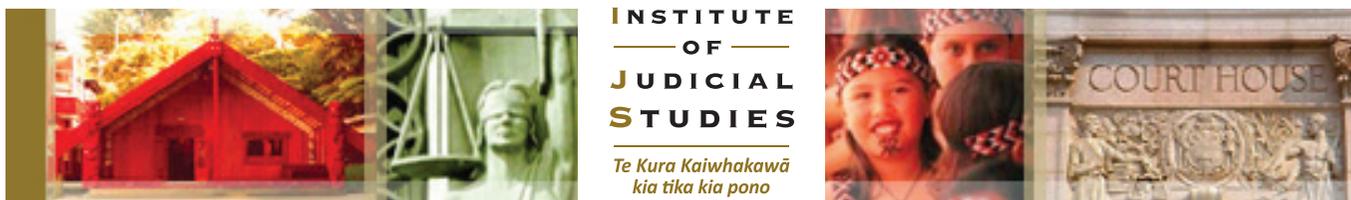
The goal is to improve the relationship between judges and the media as well as the quality of court reporting.

→ March 2018
Auckland

MARAE VISIT

An important focus of the curriculum is the development of judicial awareness and skill in the areas of tikanga and te Reo. The marae visit is a unique opportunity to explore Māori culture and life on the marae where there is a clear expression of tikanga Māori. You will be formally welcomed onto the marae where kaumātua will present aspects of tikanga and explain the significance of land and history. You will be guided by judicial colleagues as you participate, with the local people, in the life of the marae. Past attendees have described the visit as “inspirational” and commented that they have learned a huge amount. The marae visit is an unrivalled opportunity to better understand tikanga and to foster collegiality with judicial colleagues.

→ March 2018



VULNERABLE WITNESSES: TRIALS FOR SEXUAL OFFENCES

This seminar addresses the barriers conventional practice presents to courts receiving “best evidence” in sex trials. Expert academic and judicial presenters work with you to identify and consider, through examples, issues with current practice. You will be introduced to a new model of practice, within the current legislative and common law boundaries, aimed at overcoming those barriers and producing a better quality of evidence in order to maximise fair and accurate outcomes for all participants.

→ **May 2018**
→ **Auckland**

JUDGMENT WRITING

This seminar offers the chance to improve your judgment writing skills. Guided by an experienced faculty drawn from the Senior Courts and District Court, together with a panel of professional writers, you will consider the architecture of a robust judgment, and the principles of good writing as applied to judgments. Both theory and practice are considered. You will learn to simplify, streamline and strengthen your judgments. During the workshop the faculty will guide you through a re-write of one of your own judgments, to apply and reinforce the principles and skills presented.

→ **May 2018**

EVIDENCE & PROCEDURE

This two day workshop is an opportunity for you to identify and deal with evidential issues that routinely arise in the course of a trial. The seminar strengthens judicial skills in analysing evidential issues, applying the law to those issues and giving reasoned decisions. The material covered is at the core of the Judge’s work. The seminar is highly interactive and you will work through simulated examples to apply the law and grapple with the difficult issues posed by them. You will work with scenarios to determine relevance and appropriate responses to a range of courtroom situations.

This seminar is an opportunity for you to discuss evidence issues with a leading academic and evidence expert who was involved in the Law Commission’s reform project. The faculty judges running the session are drawn from every bench allowing participants to benefit from a variety of perspectives.

→ **June 2018**



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CHALLENGE AND CHANGE: THE CONTINUING EVOLUTION OF THE NEW ZEALAND JUDICIARY

Guided by a panel of some of New Zealand's best legal historians you will journey through the history and development of the New Zealand judiciary and the part it has played in our constitution. You will be able to consider and debate times of change or crisis in New Zealand and the role the judiciary played. You will hear about structural and procedural change as it has affected the judiciary, as context for the structural and procedural issues that continue to be debated amongst us.

→ **July 2018**
Wellington

TIKANGA

Tikanga training is an important aspect of the IJS curriculum. Judges need to develop a basic grasp of formal Māori protocols, whether employed in the courtroom or outside it. Judges also need to develop a basic awareness of tikanga as law, both procedural and substantive, and whether contained in statutory directives or as part of the wider New Zealand common law. This seminar will be led by tikanga experts of high standing within the Māori community who will be assisted by judges experienced in dealing with tikanga as law. The seminar will be held at the Te Puea Marae which provides not just a cultural "fit" for this seminar, but also a warm and collegial atmosphere for learning.

Judges completing this seminar will have developed a basic grasp of procedural and substantive tikanga alongside an awareness of the limits of that knowledge, and an understanding of when and how to seek help.

→ **October 2018**
Marae, Auckland

DECISION MAKING

We are very fortunate to have Kimberly Papillon again in person to lead this seminar in 2018. Kimberly is an international expert in the field of legal and judicial decision making and will explore with you the neuroscience and psychology of decision making in the courts. Over two days she will:

- pinpoint the areas where decisions are made by judges and where cases can be affected by implicit preferences and unconscious processes and subtleties
- use neuroscience to explore how decisions in criminal and civil court can be affected by implicit bias
- show how the brain reacts while making judgments of competence and character;
- demonstrate how communication methods affect the public's trust and confidence in the courts
- use research in neuroscience and psychology to show how unconscious processes can be changed.

Sessions include exercises, tools and specific strategies for increasing equity in decision making. Participants will explore new methods for reaching the goal of equitable decision making in the courts.

→ **November 2018**
Auckland



BENCH-SPECIFIC SEMINARS

A series of one day seminars will be conducted regionally to update judges on topics relevant to the work of each bench. No application is required to attend. Your Head of Bench will make arrangements for your attendance and the scheduling of your roster. In 2018, seminars are planned as follows:

- Senior Courts Updates
- Māori Land Court Update
- Environment Court Update
- Family Court Update
- Youth Court Update

ATTENDING NZLS CLE COURSES

NZLS CLE welcomes the attendance of judges free of charge at all CLE programmes. The only exception is a charge for any attendance at a dinner included in a two-day conference. For further information about available programmes please go to www.lawyerseducation.co.nz



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IJS STAFF

Our office is located in the historic High Court building beside and expanding into the Supreme Court in Wellington. Our core team is:

JANINE MCINTOSH

DIRECTOR

DDI (04) 496 3953

Extension 68053

janine.mcintosh@justice.govt.nz

BERNICE SMITH

EDUCATION AND DEVELOPMENT ADVISER

DDI (04) 496 3952

Extension 68052

bernice.smith@courts.govt.nz

JAYNE COLLINS

PROGRAMME AND EVENTS COORDINATOR

DDI (04) 496 3954

Extension 68054

jayne.collins@courts.govt.nz

ZOE ATKINSON

SUPPORT SERVICES COORDINATOR

DDI (04) 496 3955

Extension 68055

zoe.atkinson@justice.govt.nz

TINA POPE

BENCH BOOK EDITOR

DDI (04) 496 3999

Extension: 68099

tina.pope@justice.govt.nz

LIZ KENNEDY

BENCH BOOK EDITOR

DDI (04) 466 3439

Extension: 53439

liz.kennedy@justice.govt.nz

MEREANA WHITE

DEVELOPMENT ADVISOR (FAMILY AND SEXUAL VIOLENCE)

DDI (04) 466 4052

Extension: 68052

mereana.white@justice.govt.nz

TERESA JULIAN

BENCH BOOK RESEARCHER

DDI (04) 918 8239

Extension: 58239

teresa.julian@justice.govt.nz