



# INSTITUTE OF JUDICIAL STUDIES (IJS) PROSPECTUS 2019

The Institute of Judicial Studies (IJS) is the education arm of the judiciary, delivering programmes and seminars to assist judges throughout their careers. The role of IJS is to inform and inspire the judiciary and to develop skills and good judge craft.

## THE CURRICULUM

IJS has developed a curriculum of judicial education which guides its programme development. The programmes provide for judges at every stage of their career and address bench-specific and specialist court education needs.

The curriculum integrates four broad areas of education:

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

**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 the core programmes Te Reo, Tikanga, Noho Marae, Open Justice and the Media, Family Violence and Managing Sexual Violence Trials. Legal context includes substantive law updates and common room sessions on new and/or complex areas of law.

**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.



## PROGRAMME CHOICES FOR 2019

### MARAE VISIT

An important focus of the curriculum is the development of judicial awareness and skill in the areas of tikanga and te reo Māori. 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 in the life of the marae with the local people. Past attendees have described the visit as inspirational and commented that they have learnt a huge amount. The marae visit is an unrivalled opportunity to better understand tikanga and to foster collegiality with judicial colleagues.

→ **February 2019**  
**Location TBC**

### MANAGING SEXUAL VIOLENCE TRIALS

This seminar addresses the barriers conventional practice presents to courts receiving 'best evidence' in sex trials. The aim is to overcome those barriers and produce a better quality of evidence to maximise fair and accurate outcomes for all participants in sexual violence trials. Expert academics and judicial presenters will work with you to identify and consider issues with current practice, using a range of scenarios. You will consider options for best practice within the current legislative and common law boundaries.

→ **March 2019**  
**Auckland**

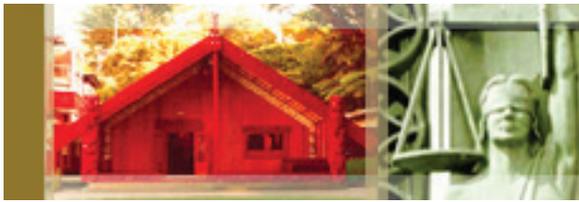
### TE REO WĀNANGA FOR PROFICIENT SPEAKERS

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. Participants have the choice of working at one of three levels- advanced beginner, intermediate and advanced level of proficiency. The method of instruction for all levels is rumaki (immersion style). 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 your te reo.

→ **March 2019**  
**Te Kaha**

### FAMILY VIOLENCE



The aim of this seminar is to consider best practice given the current understanding of what assists victim safety and prevents recurrence of family violence. Experts from a range of disciplines and backgrounds will present current research on family violence, with a focus on how family violence dynamics can play out in the courtroom. You will have the opportunity to apply this knowledge to various scenarios and discuss the issues that arise.

→ **March 2019  
Wellington**

## **OPEN JUSTICE AND THE MEDIA**

Dealing with the media often poses difficult issues for judges. This one-day seminar covers a range of issues judges must negotiate in what has been described as the “media minefield”, including:

- Managing suppression
- Access to court records
- Social media
- 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
- Options when the media transgress.

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

→ **May 2019  
Auckland**

## **ORAL JUDGMENTS**

Over two days you will focus on the structure and delivery of oral judgments. The programme will cover preparation, note taking, reasoning, delivery and credibility findings. You will be recorded delivering oral judgments and receive feedback and coaching.

→ **May 2019  
Wellington**



## TRANSFORMATIVE JUSTICE: PRISON REALITIES AND ALTERNATIVES

This seminar provides judges with the opportunity to explore the many issues that arise in sentencing from both legal and practical perspectives. You will examine in detail the sentence of imprisonment, its characteristics in jails, the parole system, opportunities for therapeutic interventions, and reintegration.

→ **May 2019**  
**Wellington**

## EVIDENCE AND PROCEDURE

This two-day workshop is an opportunity for you to identify and deal with evidential issues that routinely arise during trials. 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 a judge's work. The seminar is highly interactive and you will work through examples to apply the law and grapple with the difficult issues posed by them. You will determine relevance and appropriate responses to a range of courtroom situations.

→ **June 2019**  
**Auckland**

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

This seminar is led by a panel of some of New Zealand's best legal historians and experts. You will take a journey through the history and development of the New Zealand judiciary and the part it has played in our Constitution. Faculty and participants together consider and debate times of change and crisis in New Zealand and the judicial role in those times. Our experts share stories and experiences about structural and procedural change as it has affected the judiciary in the past and relate these to issues that continue to be debated today.

→ **July 2019**  
**Wellington**

## TIKANGA

Judges must have 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 Te Puea Marae which provides not just a cultural 'fit' for this seminar, but also a warm and collegial atmosphere for learning.

You will develop 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 2019**  
**Auckland**



## DIVERSITY

As New Zealand society and courtrooms become more diverse, judges need new tools and skills to navigate this ever-changing landscape. They need to be equipped to recognise and manage the community and diversity of the people who appear in their courts, to enable equal access to justice through fair trials where assessment of the evidence is impartial and free of prejudgment. Judges need the opportunity to discuss and reflect on the challenges they face in an increasingly diverse courtroom. This seminar responds to these needs by giving judges a forum in which to both assess and build their intercultural competence and to develop greater awareness and understanding of different communities' sensitivities, cross-cultural experiences and communication issues in court. Our 2019 version of this seminar will focus on selected Asian communities and particularly Chinese.

→ **November 2019**  
**Location TBC**

## JUDICIAL INTENSIVE

All new judges complete our Intensive programme which is designed to help with the transition to life on the bench. Senior judges lead presentations and discussions on aspects of court craft with an emphasis on the skills that judges are called upon to apply immediately. Coverage includes judicial conduct, social context issues, courtroom management, judgment delivery, bail, sentencing and dealing with media. The programme is an opportunity to enjoy the friendship of new colleagues and benefit from the experience of senior colleagues. Your Head of Bench will make arrangements for your attendance and the scheduling of your roster.

→ **November 2019**  
**Location TBC**

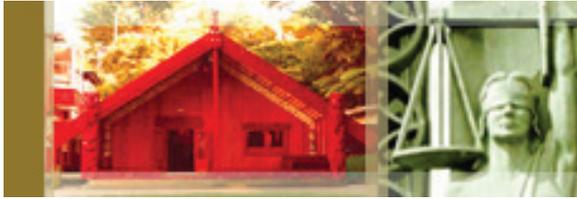
## BENCH-SPECIFIC SEMINARS

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. Your Head of Bench will oversee arrangements for your attendance and the scheduling of your roster. In 2019, seminars will be conducted for:

- Senior Courts
- Māori Land Court
- Environment Court
- District Court.

## ATTENDING NEW ZEALAND LAW SOCIETY CONTINUING LEGAL EDUCATION COURSES

New Zealand Law Society Continuing Legal Education (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 refer to [www.lawyerseducation.co.nz](http://www.lawyerseducation.co.nz)



**INSTITUTE  
OF  
JUDICIAL  
STUDIES**

*Te Kura Kaiwhakawā  
kia tika kia pono*



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