

# JUDICIAL SKILLS TRAINING

Variation on the skills cycle  
Credibility

# REVIEW AUDIENCE NEEDS

- Royal Commissions
- Concerns by judiciary
- Changes in legislation
  - Especially in area of sexual assault and child witnesses
  - More cases based on evidence of single witness

# REVIEW AUDIENCE NEEDS

- Causes of wrongful convictions
  - Eye-witness identification
  - Prosecutorial overreach
  - Inadequate defence
  - False confessions
  - Misleading expert evidence
  - Mistakes in credibility assessment

# LEARNING OBJECTIVES

- Credibility assessment
  - Participants will be able to identify problems in relying on stereotypes, unproven assumptions and demeanour contributing to incorrect or inadequate assessments of credibility and reliability of witnesses.

# INSTRUCTIONAL METHODS

- What is the range of methods?
  - Plenary
    - Panel discussion
    - Lecture
      - With or without PowerPoint
    - Video presentation
    - Live presentation
    - Self-test

# INSTRUCTIONAL METHODS

- What are the range of methods?
  - Small groups
    - Directed discussion using framework
    - Dividing group into pairs, threes etc.
    - Individual work that is then presented to the group
    - Use of questionnaire
    - Snowball?

# DESCRIBE ACTIVITIES

- View a video showing witnesses testifying
  - Prosecution witness and defence witness
- Participants decide whom they believe
- Participants fill out detailed questionnaire to draw out reasons for decision
- Facilitated discussion about the decision
- Report back to full group
- Results of questionnaire

# DESCRIBE ACTIVITIES

- PowerPoint presentation by expert in credibility
- PowerPoint presentation on application of legal principles to issues of credibility and reliability

# DESCRIBE ACTIVITIES

- How could you complete the skills cycle?
  - What is missing from the lesson plan?
  - Deliver an oral or written decision based on the video presentation

# TIMED AGENDA

- Plenary:
  - 9:00 – 9:40 Description of activities, view video demonstration, credibility decision
- Small groups
  - 9:40 – 10:00 Credibility questionnaire and facilitated discussion
- Plenary
  - 10:00 – 10:20 Report back and announcement of results

# TIMED AGENDA

- Plenary

10:20 – 11:00      PowerPoint presentation  
by expert on credibility

11:00 – 11:15      Health Break

11:15 – 11:45      PowerPoint presentation  
on application of law

# PARTICIPANT PREPARATION

- Review fact situation

# IDENTIFY RESOURCES

- PowerPoint projector
  - Video capability
- Tables in plenary for maximum of 8 persons with microphones
- Handouts of credibility choice and questionnaire
- Handouts of PowerPoint presentations

# REVISE LEARNING OBJECTIVES

- Using video taped excerpts, questionnaires, lecture and small group discussion; participants will be able to identify problems in relying on stereotypes, unproven assumptions and demeanour in determining credibility and reliability.

# DELIVERY

- Deliver the lesson plan
- Have participants complete detailed evaluation form
- Re-evaluate
- Redesign
  - Modify video based on results of exercise
  - Consider changing order of presentation
  - Redesign to complete skills cycle?

- How would you design a credibility module for your judicial system