

Social Context Education: Principles of Operation
National Judicial Institute, Canada
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As a result of the Social Context Education Project (SCEP) at Canada's National Judicial Institute, we have identified ten critical operational principles that we consider necessary for sustained integrated social context judicial education. These Principles are as follows:

1. Integration of Social Context and Equality Issues across the Curriculum and Planning Process

The integration of social context is a continuing process that recognizes the ongoing importance of identifying and including social context and equality issues in all forms of judicial education. Integration is not simply a matter of adding one body or one topic to a committee, program or panel once in awhile. Integration can only be accomplished when appropriate social context perspectives and issues are regularly sought out, identified and included in a systematic way at all stages of the planning and delivery of all judicial education. To achieve integration requires attention to organizational structure and support, who plans, how topics are chosen and conceptualized, what learning objectives are identified, the process by which programs are developed and the faculty and resources chosen in support of program development and delivery.

2. Judicial Leadership and Involvement

Successful social context education for judges requires the commitment of Chief Justices and Chief Judges, the involvement of respected judicial leaders in each court in program planning and delivery, and close coordination with judicial education committees. It is essential that there is close communication and collaboration with all judges responsible for judicial education to ensure the necessary support to ensure delivery and sustainability.

3. The Three Pillars of Integrated Social Context Judicial Education: Judicial, Academic and Community Input

Judicial education, including social context education, must be judge-led. However, the involvement of academic and community leaders familiar with disadvantage and diversity and the impact of law on their community has been critical to the success of the social context education process. The role of community input is to make available practical, soundly based, balanced information in a setting or manner that respects judicial independence and can be the subject of questions and discussion. Appropriate community input is therefore an important resource at all stages of program planning. The earlier non-judges are included in the planning process, the more likely you will be able to capture a full range of relevant social context issues.

4. Needs Assessment and Advice

Judicial education should address judicial learning needs in program content, design, and delivery. Programs should be credible from the point of view of judges and non-judges. Therefore, assessing judicial needs will not only include canvassing the views of judges, but in many instances, it will be appropriate to consult with other groups involved in or affected by the topic including community and academic experts. The assessment should also include an assessment of what educational initiatives have been undertaken in the past and their evaluations. Needs assessment may also be assisted by considering recent developments in legislation and jurisprudence, changes in social conditions, and community or committee advisory reports.

In developing its own approach to social context education, the Social Context Education Project (SCEP) has been assisted by a National Advisory Committee comprised of judges, academics and community members, as well as two national needs assessment consultations.

5. Local Development

Programming should be responsive to local environments. In the first phase of the project, SCEP worked in close partnership on individual program development with local judicial education planning committees. This element fostered judicial ownership and ambassadorship for the program and ensured that local programming needs were met. The tailoring of programming and resources to local context is a principle of continuing importance.

6. Focus on Judicial Role and Tasks

Social context education is developed in a manner that understands and respects the role of judges, the independence of the judiciary, and the complexity of the issues judges face. Emphasis has been given to practical examples relevant to the everyday work of judges.

7. Trained Faculty and Planning Committees

Effective integrated social context education is supported through faculty development programs that involve the members of judicial education planning committees and the experts responsible for planning and delivery of sessions including discussion groups and workshops. Faculty development examines substantive social context themes, introduces facilitation and program design skills, and addresses the role of community involvement.

8. Adult Learning Principles

Social context education is developed to reflect adult education principles fostering active learning through engagement/discussion, problem-based learning, and carefully planned small group work. Elements of an adult learning approach include: capitalizing on learners' experiences as a resource; permitting them to reflect on that experience; connecting learning to the experiences and tasks of learners; allowing learners to explore and progress at their own level with the subject matter; providing a variety of learning methods or formats which are linked to learning objectives; and building adequate feedback opportunities into program delivery.

9. Effective Program Design

Social context education encourages judicial planners to set clear learning objectives. To meet these objectives a delivery plan is developed which ensures an appropriate match with resources and instructors; collaboration with instructors in planning the content; selection of appropriate varied learning formats (lecture, small group etc); development of appropriate problems, questions or hypotheticals for discussion; and identification or creation of supporting resources. The delivery plan also sets out an evaluation plan (for participants, instructors and planners) after delivery to see if the objectives were met.

10. Evaluation and Feedback

Consistent with good pedagogy, education should be evaluated on a confidential basis to allow assessment and adjustment of programming as appropriate.