

INTERNATIONAL ADVOCACY TEACHING CONFERENCE

27th June 2014

Martin McKay Smith
(CPS Training Principal/Director Of Pupil Training)

Welcome and Introduction

**Martin McKay-Smith – Training Principal,
Crown Prosecution Service**

- Background
- Solicitor and Higher Court Advocate
- Training Principal and Director of Pupil Training
- Responsible to Regulators nationally for trainees and pupils
- Solicitors Association of Higher Court Advocates Committee Member
- I am here to explain our approach to advocacy training
- For visual learners it's quite simply ...



A reflective practitioner at work??



Structure of Crown Advocate Training

There is an old Chinese Proverb which says,

I hear and I forget

I see and I remember

I do and I understand

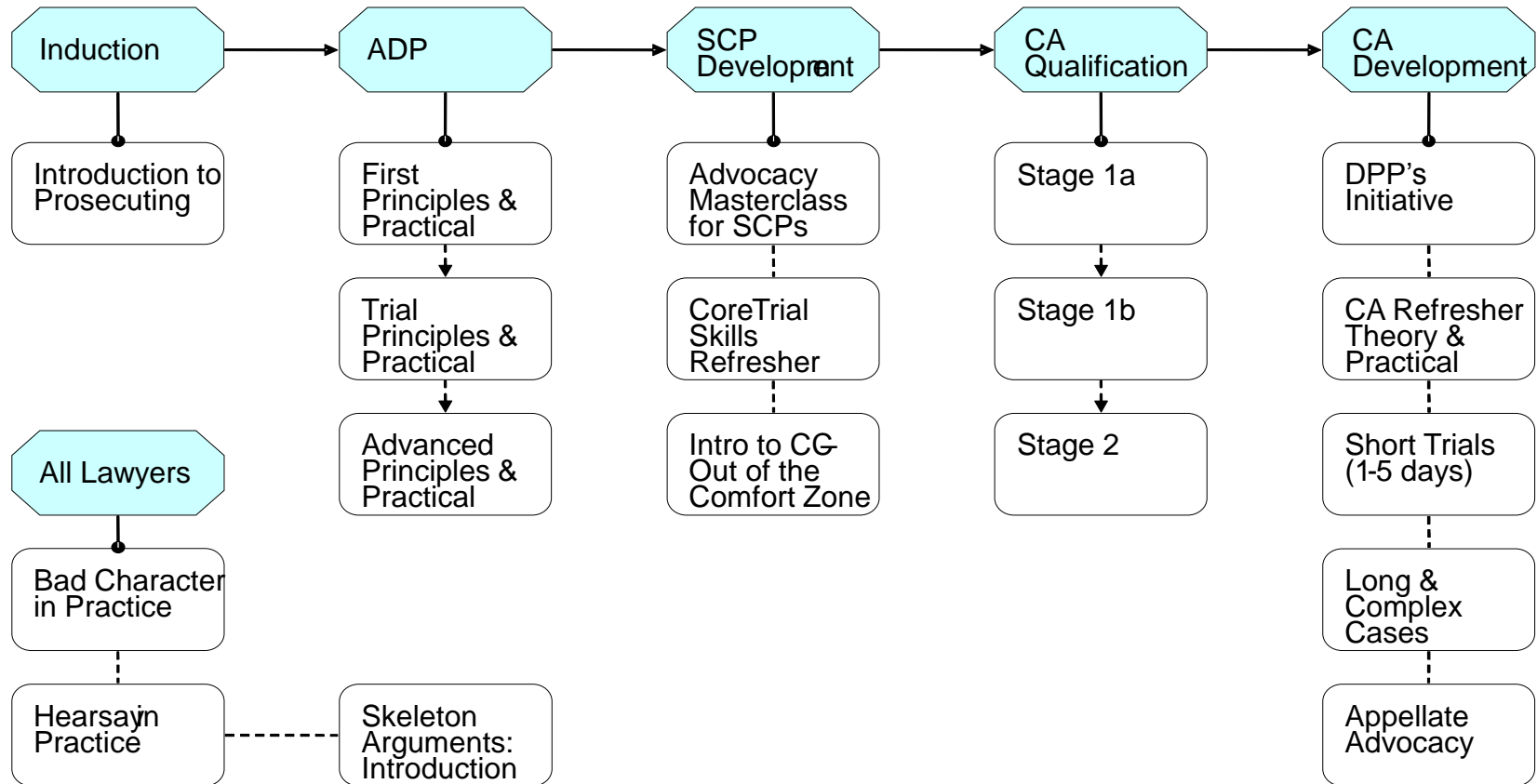
Advocacy Quality Development in CPS

- Trainees
- Associate Prosecutors
- Crown Prosecutors
- Senior Crown Prosecutors
- Crown Advocates
- Senior Crown Advocates
- Principal Crown Advocates

Higher Rights are not enough!

- Numbers of advocates – risk factor
- Largest law firm
- Structured approach to increased rights of audience in 1998
- Solicitors - Higher Rights are not enough
- Employed Barristers – Compulsory Internal training
- Independent assessment a pre requisite

Advocacy Flowchart



-----> = sequence
 - - - - - = no strict sequence

We have Standards! E.g.:

- Code for Crown Prosecutors - January 2013
- Core Quality Standards
- Ethical Principles
- Statement of Ethical Principles for the Public Prosecutor
- Farquharson Guidelines: The role and responsibilities of the Prosecution Advocate
- National Standards of Advocacy
- Prosecutors' Convention
- Prosecutors' Pledge

Learning Matrix

- Learning matrix available to all staff. Lists courses and their relevance to a specific job role in an easy to read, visual format
- Personal Induction plans now feature eLearning requirements

Prosecution College Suggested e-Learning Matrix								
Faculty of Law								
Prosecution College Programme Title	Administrator	Caseworker (Legal) / Paralegal	Witness Care Officer	Line Manager (Level B1-B3)	Associate Prosecutor	Legal Trainee	Lawyer	Senior Manager (Level D and above)
Introduction to Prosecuting	Dev	Dev	Dev	Dev	Dev	Req	Req	Dev
Road Traffic Offences	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Driving Offences	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Drink and Drugs Driving/Driving while disqualified.	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Introduction to Damage to Property	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Introduction to Offences Against the Person	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Introduction to the Theft Acts 1968 & 1978	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Introduction to Public Order	Dev	Dev	Dev	Dev	Rec	Rec	Rec	Dev
Advocacy Development Programme	Dev	Dev	Dev	Dev	Dev	Req	Req	Dev
Associate Prosecutors	Dev	Dev	Dev	Dev	Req	Dev	Dev	Dev
Associate Prosecutor - Extended Powers Training	Dev	Dev	Dev	Dev	Req	Dev	Dev	Dev
Adult Criminal Case Management Framework (ACCMF)	Dev	Rec	Dev	Dev	Rec	Rec	Rec	Dev
Prosecutor's Pledge	Dev	Dev	Dev	Dev	Dev	Req	Req	Rec
PPP: The Threshold Test	Dev	Dev	Dev	Dev	Req	Req	Req	Req
PPP: Pre-Charge Bail	Dev	Dev	Dev	Dev	Dev	Rec	Req	Req
PPP: Conditional Cautioning	Dev	Dev	Dev	Dev	Req	Rec	Req	Rec
Custody Time Limits	Dev	Req	Dev	Rec	Req	Req	Req	Req

Experiential Learning

- CPS use learning by doing as much as possible.
- The elements involved in this learning cycle are doing, telling and watching.
- Emphasis is upon learning by doing the process must involve performance by the participants and feedback by the tutors.
- The feedback will take the form of a critique of the performance.
- This will be in a group, or one to one setting, and will also involve video review of performances.
- The method of critique is to focus on one or two points only.
- It is a building block approach for the individual participant.
- Critique and not criticism.

Barriers



- A group of professionals whose openness to professional development varies.
- Think of the analogy of someone telling you that your driving needs to improve!!

Quality Assurance

- Supplements face to face training using feedback NITA style.
- A number of assessors, sourced internally and externally since 2009, have been fielded in CPS to observe advocacy and give feedback to individuals.
- They have been given consistency training in the application of the National Standards of advocacy.
- Using forms designed for non contested and contested hearings, NITA based positive and negative feedback is provided.
- Internal assessors are matched with externals to ensure ongoing consistency.
- There is an appeals system.
- In the two years to March 2014, 1268 assessments were carried out in 13 CPS areas, and a total of 52 of those required development action.

The Blended Approach - Supplements to Face to Face

- Prosecution College was designed to work in tandem with face to face courses, forming a pre-course work option.



PROSECUTION COLLEGE



PROSECUTION COLLEGE

Design, Development and Delivery

Key Components - The Learning Portal



LOG IN TO THE LEARNING GATEWAY


If you do not have a password yet, or if you have forgotten your password, please select the relevant link below. You will need your user name to complete this process. If you do not have a user name, please contact prosecutioncollege@cps.qsj.gov.uk

User name:

Password:

Request a [new password](#)


Registration of a [new user](#)



- The Portal is the public facing element of our eLearning.
- Provides access to LMS through the login box (top-left).

Key Components - The Learning Portal

Prosecution College




Home My Space **Course Catalogue** Help Logout

Search: advocacy
Language: All
Vendor: All
Topic: All
Limit: 20
[Search](#) [Reset](#) ☒ Detailed ☐ Compact

[Search](#) [Browse](#)

Learning Paths (3)

Learning paths




[Advocacy Development Programme: Advanced Principles](#)

Overview: The Advocacy Development Programme (ADP) aims to develop new lawyers to meet the National Standards of Advocacy and to underpin the Core Quality Standards. In addition it can be used to support the development of legal trainees, Associate Prosecutors and experienced advocates with specific training needs. There are 3 parts to the Advocacy Development Programme, each of which combines e-learning...

[read more](#)

Contents: [+](#)




[Advocacy Development Programme: First Principles](#)

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- The Course Catalogue includes a Search function to locate the relevant eLearning module.

Key Components - The Learning Portal

Prosecution College




Advocacy Development Programme: First Principles



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Learning Paths (3)


Learning paths



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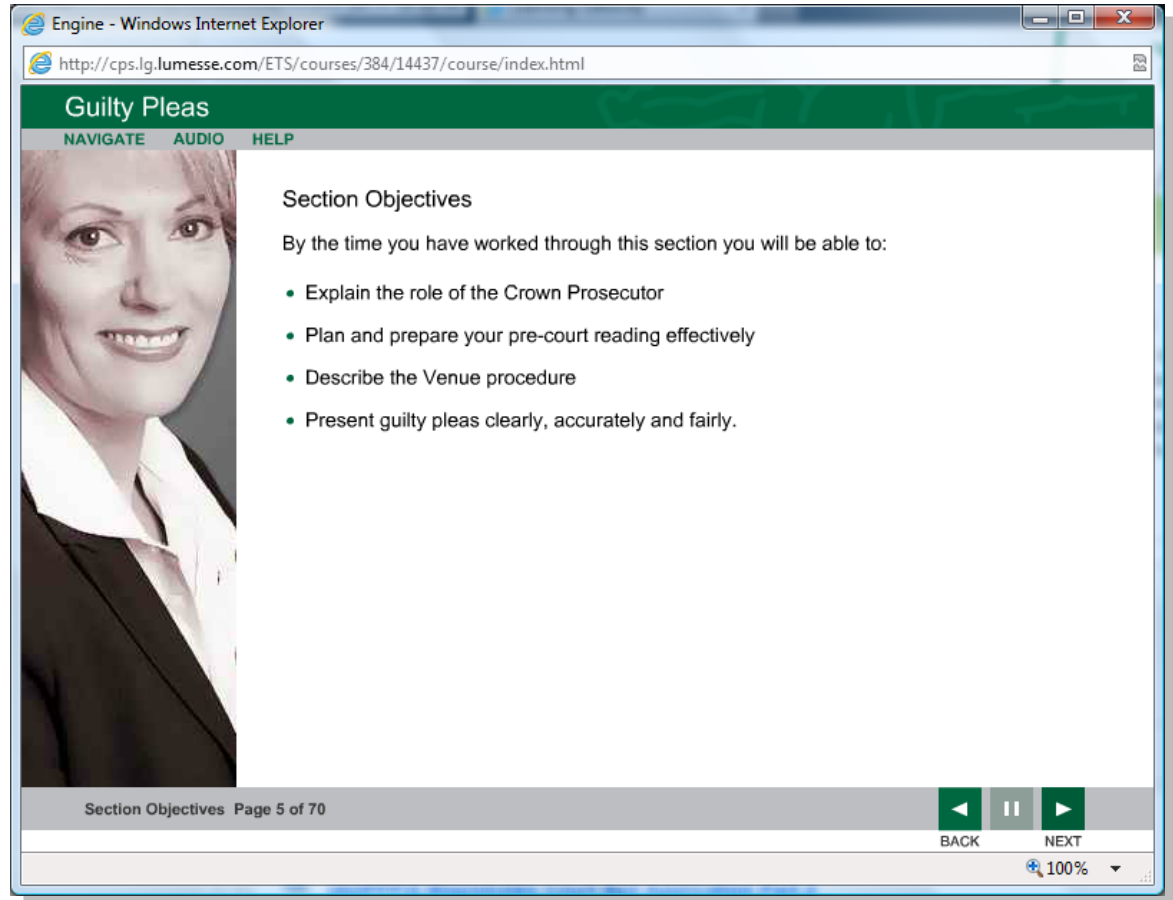
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- There is a description of each eLearning module.

Key Components - eLearning modules

- This is an example of what the modules look like once accessed.



Key Components - The Learning Management System

- The LMS is the backbone of the Prosecution College. It records and stores information on over 6000 learners.
- The current LMS can track completion, provide usage statistics and deliver evaluation data in the form of graphs or tables.

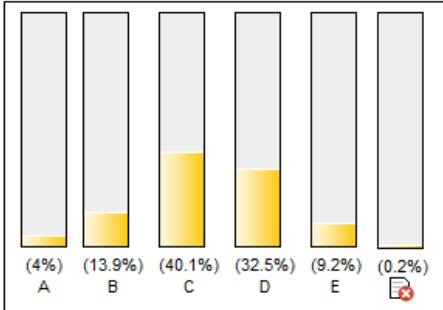
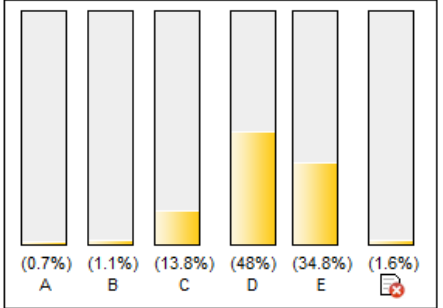
eLearning Programme Design and Development

- Leadership and Development retains a Training Pool of Lawyers and mid-level managers with experience in delivering face to face training.
- An external provider relationship provides the team with access to experienced Learning Designers. Also able to advise on blend.
- Prosecution College team experienced in learning design and consult on the development of Quicklearn products.

Evaluation

- All Prosecution College Modules include pre-course and post-course knowledge comparison.

Submitted last time: 27/09/2010

Question	Question statistics	Answer distribution												
<p>Prior to completing the course, how confident were you that you could list the 5 monitored strands of Hate Crime?</p> <p>Answer alternatives A: Not at all confident B: Not very confident C: Average D: Quite confident E: Very confident</p>	<p>Number of times the question has been shown: 891</p> <p>Number of times the question has been left unanswered: 2 (0.22%)</p>	 <table><thead><tr><th>Answer Alternative</th><th>Percentage</th></tr></thead><tbody><tr><td>A</td><td>(4%)</td></tr><tr><td>B</td><td>(13.9%)</td></tr><tr><td>C</td><td>(40.1%)</td></tr><tr><td>D</td><td>(32.5%)</td></tr><tr><td>E</td><td>(9.2%)</td></tr></tbody></table>	Answer Alternative	Percentage	A	(4%)	B	(13.9%)	C	(40.1%)	D	(32.5%)	E	(9.2%)
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eLearning Awards



2011

The 'eLearning Internal Project Team of the Year' Gold award went to the CPS Prosecution College Team, for Leadership and Learning work.

2012

'CPS Scoop Brandon Hall Gold Award for 'Best Custom Learning Content'



e-Tivities: Extending eLearning

- e-Tivities extend learning beyond the programmes prepared by the Prosecution College.
- Based on and prepared in conjunction with a module, they allow learners a greater deal of flexibility and interactivity in their study.
- In legal training, for example, having studied legal method in training, an e-Tivity would give the learner a chance to practice what they had learned in the form of a case study, or series of questions.
- There are various forms of eTivity. Cases studies can be attached to modules, as well as simple task lists asking learners to search for information.

e-Tivities: Extending eLearning

- Podcasts – Allow tutors or Subject Matter Experts to present short audio clips to learners.
- Maintain a level of interactivity for the learner, as well as presenting information in another medium. Ensures that a learning programme holds the learners attention.
- Can be downloaded or accessed on the move by staff with mobile technology (Laptop, PDA, Smartphone, iPod etc...).



Questions?