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The Training of Instructors using Recorded Performances



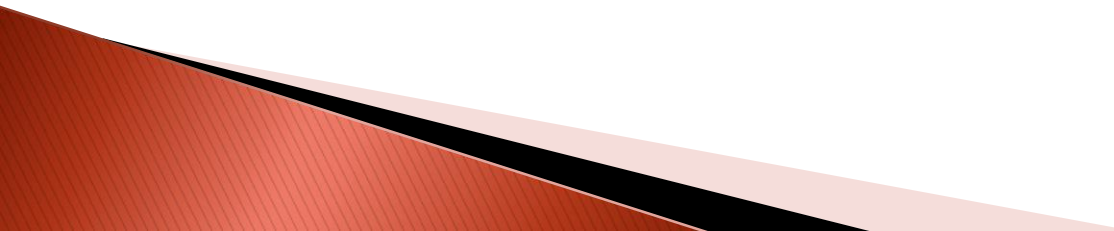
The General Scheme for Devils' Training

- ▶ In the Faculty of Advocates we have a training regime which looks like this:
 - ▶ 1. Foundation Course (5 weeks – skills and drills)
 - ▶ 2. One Day December Refresher
 - ▶ 3. The January Skills Course
 - ▶ 4. The Scheme for Assessment (4 days in Feb)
 - ▶ 5. The May Preparation for Practice Course
- ▶ The remainder of the time the devils are with their devil masters

The Instructors

- ▶ The whole programme cannot operate without the commitment of skills instructors drawn from the Bar.
 - ▶ Traditionally individuals were approached and asked if they would assist.
 - ▶ This led to patchy quality in some cases with the risk of harm to the development of devils in the worst case scenarios.
 - ▶ Instructors are volunteers and are not paid.
 - ▶ “Beggars cannot be choosers”
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Maintaining Rigorous Standards

- ▶ A key driver was to maintain rigorous standards on the part of instructors and to ensure that the right messages were being imparted to the devils
 - ▶ With the introduction of the 4 day assessment for devils this raised the importance of maintaining standards as it was conceivable that there could be avenues for appeal if devils had been given mixed messages or indeed the wrong message.
 - ▶ From the start of my tenure in 2012, I instigated training and assessment for all instructor invited onto the Faculty Programme
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The Training Scheme

- ▶ Any prospective instructor must complete the training scheme for instructors and an assessment.
- ▶ The training workshop runs once a year
- ▶ Lasts a day
- ▶ Contents include an introduction to the training method:
- ▶ Most in this room will be familiar with:
 - ▶ Tell Show Do Review Reflect Re-Do

Instructor Assessment



- ▶ Following the one day course:
- ▶ Firstly they have to attend one session of devils' performances simply to observe an experienced instructor
- ▶ Then a second attendance and they take 2 or 3 devils themselves
- ▶ Then attend the 3rd and final session at which they will take the whole session with two assessing instructors in attendance and the whole session filmed
- ▶ Options are a pass or pass with conditions or fail

The Challenge for Instructors of Review

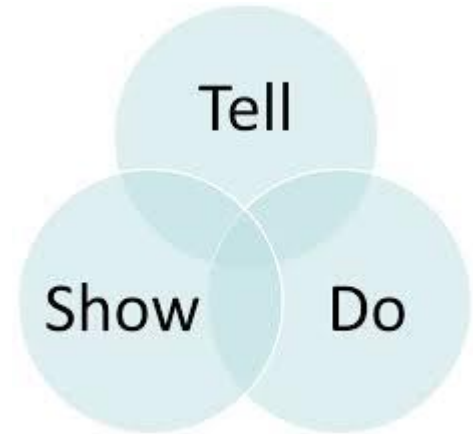
- ▶ The key skills to appreciate and learn are those relating to the review of performance itself
- ▶ Two things are challenging for the prospective instructors:
 - 1. Classifying the performance point for review into the right category (blending or mis-description are common)
 - 2. Being able to do so relatively quickly immediately following the performance

This room will be familiar with these issues



Advocacy Skills Training


The Structure



- ▶ Tell
- ▶ Show
- ▶ **Do**
 - Performing the advocacy task
 - Drills
 - Court room exercises

Performance Skills

The Structure

- ▶ The participant performs specific advocacy tasks, in an authentic setting.
 - ▶ The reviewer gives the participant feedback (a review) on his or her performance.
 - ▶ The reviewer suggests a way of performing the task more effectively next time.
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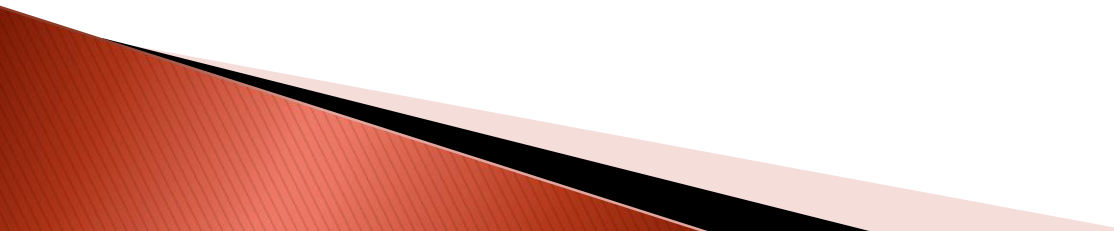
The competencies

- ▶ There is a number of competencies that the devils must show as well as indicators of good practice and persuasive advocacy
- ▶ Tone, pitch, moderation, volume, distractions, pace, pausing, structure, case analysis with roadmaps and signposts and transitions etc. An example for “clarity of delivery”:
- ▶ **Clarity of delivery:**
 - ▶ Appropriate language
 - ▶ Choice of words / phrases
 - ▶ Concise sentences
 - ▶ Avoids unnecessary repetition
 - ▶ Appropriate use of notes




Performance Skills

The Structure – depends on numbers but:

- ▶ Performance of an advocacy task –
5-7 minutes
 - ▶ Review of the performance in the group 4 – 5
minutes
 - ▶ Video review - one to one –
10 - 14 minutes
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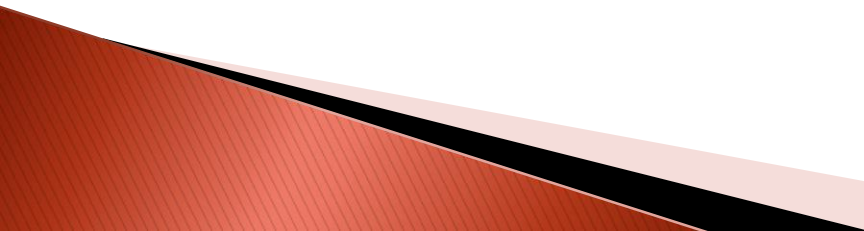
Performance Review

The Objective

- ▶ To help the participant identify what worked or what did not work in his or her performance.
 - ▶ To explain why what he or she did worked or did not work.
 - ▶ To enable the participant to identify ways of performing more effectively next time,
 - ▶ In such a way that
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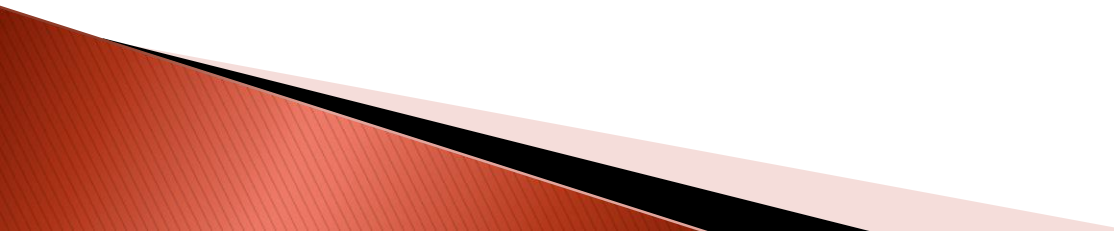
Performance Review

The Objective

- ▶ The participant knows
 - **What** he or she will do differently
 - **Why** he or she will do it differently and
 - **How** he or she will do it differently next time.
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The Method HPDREE

- ▶ Faculty method
 - ▶ Based on NITA and Hampel and other similar models

 - ▶ H Headline
 - ▶ P Playback
 - ▶ D Diagnosis
 - ▶ R Remedy (or fix)
 - ▶ E Explanation
 - ▶ E Example
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Performance Review

Creation Sequence as instructor

As the performance is going on:

- ▶ **What** worked or didn't work?
 - ▶ **Why** it worked or didn't work?
 - ▶ **How** it can work better next time?
 - ▶ **Why** it will work better next time?
 - ▶ **What** area of skill?
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- ▶ “Playback”
 - ▶ “Diagnosis”
 - ▶ “Remedy”
 - ▶ “Explanation”
 - ▶ “Example”
 - ▶ “Headline”


Performance Review

Delivery Sequence

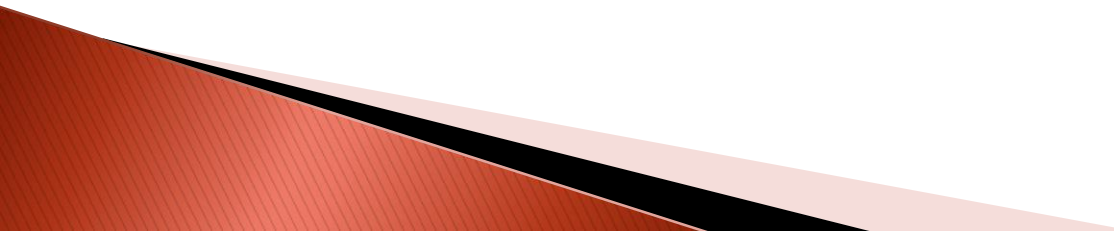
How you lay it out for the devil

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- ▶ “Headline”
 - ▶ “Playback” → ▶ What skill
 - ▶ “Diagnosis” → ▶ What didn’t work
 - ▶ “Remedy” → ▶ Why it didn’t work
 - ▶ “Explanation” → ▶ How it can work better next time
 - ▶ “Example” → ▶ Why it will work better next time

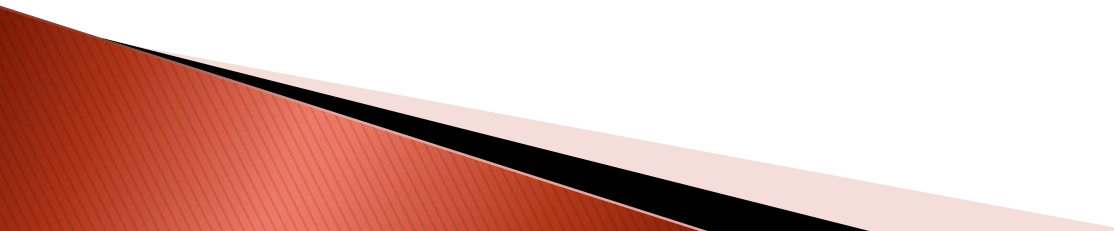
Issues arising

- ▶ This is a skill that has to be practised and mastered
 - ▶ The instructors in training always want a chance to see what we mean (in a tell/show/do fashion)
 - ▶ Can't expose them to devils (risk of harm)
 - ▶ So in the past we have used volunteer junior advocates (who don't demonstrate the formative skills needed nor display the requisite errors)
 - ▶ Or we have brought in trainee solicitors (who have no notion of the Faculty method of presenting)
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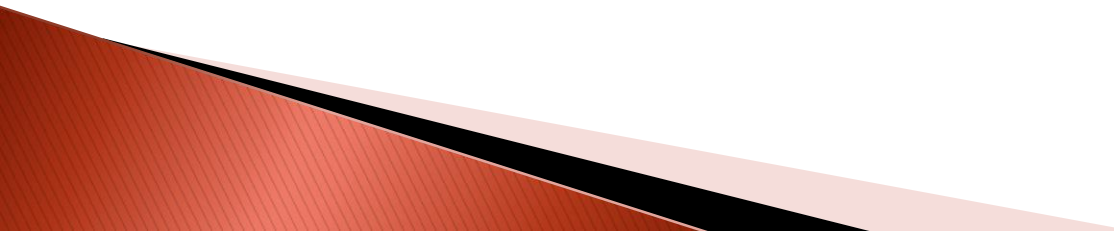
A New Approach

- ▶ It was decided for these reasons above that we should try another model
 - ▶ We have recorded performances of devils from previous years.
 - ▶ They were kind enough to let us use them
 - ▶ Teaching points can be pre-prepared as illustrations
 - ▶ Here is an example:
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Pro's and Con's

- ▶ The feedback from the instructors has been very positive.
 - ▶ Ease of use and simplicity of demonstration
 - ▶ They like the fact that they can take the performances away and review their assessment
 - ▶ We can still have the immediacy element in the review
 - ▶ The HPDREE approach can be demonstrated
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But

- ▶ The training is multi-factorial and not all dimensions are covered with this approach
 - ▶ There is a necessary degree of artificiality
 - ▶ Particularly when practising giving the review to a person who is not the same person performing
 - ▶ Illustrations for group learning are more difficult
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The Way Ahead

- ▶ We have arrived at a happy medium which uses a method which permits us to train our instructors and from their point of view allows them to develop and master the reviewing skills using recorded performances
 - ▶ From those who have gone on to qualify they have appreciated this method in their development of the necessary skills
 - ▶ We are considering how to use this approach with Quality Assurance Assessors and their training and assessment.
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