



JUDICIAL STUDIES
BOARD

MANAGING JUDICIAL LEADERSHIP

IMPACT OF CHANGE

IDENTIFYING GOALS

COMMON STANDARDS

COMMON OBJECTIVES

UNDERSTANDING ROLES

MAINTAINING COMMUNICATION

MOTIVATING OTHERS

SHARED RESPONSIBILITY

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COERCIVE LEADERSHIP

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LISTENING TO OTHER VIEWS

| FOREWORD

Since 2004, the Judicial Studies Board has run a series of courses entitled *Managing judicial leadership* for resident, designated civil and designated family judges. The courses were developed with the full support and active participation of my predecessor, Lord Justice Thomas. This handbook summarises the knowledge and learning derived from those courses. It is intended for the use and benefit of all judges who have leadership responsibilities. It follows the pattern of the course and incorporates the material produced by the participants themselves. This ensures that it has not developed into a ‘management text’ and also that it keeps its roots in the judicial environment.

It is important that judges who exercise significant leadership responsibilities devolved to them following the Constitutional Reform Act 2005 have a reference guide to support them in the fulfilment of their responsibilities, whether or not they attended the courses. I am confident that this work assists us to achieve that end.

The information, suggestions, challenges and questions for reflection are intended neither to be prescriptive nor definitive. Not all the suggestions will suit everyone’s circumstances, but they do reflect the diverse views and experiences of the judges from courts and tribunals who have attended the course.

I would like to offer my thanks to all those who contributed – not only the authors and consultants but all those who participated at the courses and willingly shared their knowledge and experiences. I would also like to express my gratitude to those judges who exercise a leadership role in the courts who have agreed to their names being published in this work (see page 2). They assisted at the courses and have generously offered their advice and time to those of you who may feel a need to call on it. I would encourage you to do so.

I hope that you will find the handbook an accessible and useful source of information and of some assistance to you when you are carrying out your important leadership responsibilities.

Lord Justice Leveson
May 2007

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| 1: THE CHANGING ROLE OF THE JUDGE

This chapter considers the roles and responsibilities of resident, designated civil and designated family judges.

‘I am a judge – not an administrator or manager. I can’t understand management speak and certainly don’t want to learn it.’

The comment above is an understandable reaction to the whole topic of management and is the view of some judges. In agreeing to take on the responsibilities of a resident or designated judge, however, a judge has taken on a judicial leadership role – one which inescapably involves administrative and managerial responsibilities, functions and activities.

Constitutional reform

The Constitutional Reform Act 2005 and Concordat between the Lord Chief Justice (LCJ) and the Lord Chancellor, implemented in April 2006, vest in the Lord Chief Justice very considerable responsibilities as Head of the Judiciary.

These include:

- Leadership and direction of, and support to, the judiciary of England and Wales.
- Determining the structure, roles and responsibilities of the judiciary, including manpower and deployment.
- Managing the judiciary’s overall relationship with the executive legislature and other bodies, including the legal profession.
- Considering and making recommendations with respect to spending review priorities, targets and plans.
- Training.

In carrying out these duties, the Lord Chief Justice has the support of a number of bodies.

- The Judicial Executive Board is a permanent judicial body convened by the Lord Chief Justice, whose primary function is to make general executive decisions in relation to the discharge of his functions.
- The Judicial Office provides support to the Lord Chief Justice in the exercise of those functions.
- The Judges’ Council, whose primary function is to be a body broadly representative of the judiciary as a whole, informs and advises the Lord Chief Justice.

On the ground

In practice, and at circuit level, the Presiding Judges (with the Family Division Liaison Judges and Chancery Supervision Judges) have responsibilities delegated to them by the Lord Chief Justice which include:

- Appointments.
 - Agreeing with the Regional Director the requirements for the number and type of new appointments.
 - Consultation on new appointments.
 - Fitting new appointments into deployment.
- Deployment.
 - Supervision of the responsibilities of resident and designated judges, as set out in the protocol of July 2004.
 - Deployment of the circuit and district bench.
 - Recommendations for authorisations and board appointments.
 - Assignment and release of the more serious civil and criminal cases.
 - Part-time working.
- Personal issues.
 - Arrangements for career development, mentoring, discipline, etc.

In each region, a judicial secretariat supports the Presiding Judge in discharging the responsibilities delegated by the Lord Chief Justice. In particular, this secretariat will regularly consult resident and designated judges, area directors, diary managers and others on the needs of and pressures facing the courts in that region.

Responsibilities

The general responsibilities of resident and designated judges, set out in the protocol of July 2004, are listed below.

- Leadership.
- Allocation and despatch of the business of the court or group.
- General responsibility for the judicial team.
- Deployment of judges to the court or group.
- Regular meetings with the regional and area directors to discuss a wide range of issues, and to be consulted about plans for court buildings.

- Liaison with Presiders and Family Division Liaison Judges, legal profession and court users, training bodies, other resident and designated judges, civic and other persons and bodies, visitors to the court, local media, schools, open days, researchers seeking interviews.

These administrative and managerial responsibilities and functions often reflect good practice that has taken place for years, but is now enshrined as part of the job. It is the aim of this handbook to help and support you in the management aspects of the role.

Generally, there should be within each area arrangements that enable the resident and designated judges to meet jointly with representatives of all levels of the judiciary (including district judges) to discuss and reach agreement on issues concerning the administration of justice within that area. It is the responsibility of the resident and designated judges to decide how this is best done.

Delivering a service

The Concordat describes the ‘on the ground’ responsibility for delivery of a service to the public – that is, criminal civil and family justice. That is essentially the same as the delivery of any other service – with its delivery having to be organised, administered and managed, including such aspects as human resources, financial resources, buildings, relationships with other interested or affected parties, presentation and communication.

Three particular worries were raised by judges attending the *Managing judicial leadership* courses:

- 1 Concern was expressed that it is no part of the function of a judge to provide leadership of, or to seek to manage, fellow judges who are of equal status and wholly independent, and that the task of running the courts was for the administration.

The short answer to this is that resident and designated judges have to deliver what the job description (contained in the July 2004 protocol) requires of them. That involves leadership and management. As for running the courts, judiciary and administration have to work together to secure the common end of the efficient delivery of criminal, civil and family justice.

- 2 Concern was also expressed about judicial independence. This, however is not affected by the management role of resident and designated judges. There is no question of a resident or designated judge telling another judge how to decide a particular case, or what sentence to impose. The protocol does, however, require resident and designated judges to:

- Determine what cases each judge has.
- Encourage judges to follow a common approach to avoid delays or inefficiencies.
- Oversee deployment and sitting patterns.
- Maintain control, and offer support, if difficulties become apparent.
- Intervene in a helpful and constructive way if, for example, in civil or family cases reserved judgments are regularly delayed.

3 Concern was expressed about the authority that resident and designated judges have to discharge these duties. The answer is that that authority derives from the Lord Chief Justice, through the Presiding Judges.

However, judges are not in control of all resources. They are in ‘partnership’ with HMCS, working with:

- The regional director and/or area director in relation to matters of general application or importance.
- The court manager and staff in relation to day-to-day operations.

The need to participate fully in a working relationship with other judges and administrators, and the importance of influencing others to this end is the essence of judicial leadership and management.

Management challenges in the judicial role

Even before the 2005 Act and the Concordat, many judges already had considerable experience in management and leadership roles, a fact amply demonstrated by the experiences shared on the *Managing judicial leadership* course. Delegates painted a picture of the changing environment within which they had had to operate, the challenges they had faced, and the successes that they had achieved. The following is a summary of those experiences.

What are the particular areas of management behaviour or practice that is becoming more important to judges?

- Assuming responsibilities for the magistrates’ courts and the new relationships with magistrates in both family and criminal work.
- Building close working relationships in court and encouraging interdisciplinary working.
- Maintaining judicial independence, without being uninterested in the changes being implemented.

What are the most challenging aspects of the judge’s management responsibilities?

- Dealing with other agencies, for example in developing relationships with court service and government departments.
- Balancing the conflicting demands of day-to-day judicial work with management duties.
- Influencing the performance of other judges, particularly any disciplinary aspects of managing peers, while respecting judicial independence.

What have been your most recent successes in the role of judge as manager?

- Managing reorganisation and change.
 - Setting up a Family Justice Council by encouraging willing participation of the various interest groups.
 - Improving court performance by involving interested groups, such as the CPS, in the more efficient disposal of work.
 - Building new relationships with magistrates' courts.
- Introducing new procedures and new cultures.
 - Increasing the visibility of the work of the court in the community through, for example, a schools project.
 - Reducing delay in giving judgment by adding an element of personal responsibility in requiring any delay in excess of three months to be explained.
 - Managing a high adjournment rate by adopting a systematic approach.
 - Delegation of responsibility.
 - All adjournments reviewed and reasons identified.
 - Pamphlet distributed –'Adjournments – How to avoid them and still do justice'.
 - Adjournment rates charted for comparison.
- Keeping the show on the road despite constraints, such as resources, changes in law, new responsibilities and administrative reorganisation.

Points to ponder

- Do these match with your own experience?
- Do you think that you will have to address similar situations?
- Are you prepared to meet these demands?
- Who do you know in the judicial organisation that can provide you with the benefit of their experience?

How can management training help?

It is clear that the challenges to the judge performing a management role are considerable. The idiosyncrasies of the judicial context raise a number of additional issues.

- Managing judges can be like ‘herding cats’ – the manager is faced with resistance and often disparate behaviour. Although the judge has clear authority, derived from the Lord Chief Justice, the manner in which he or she exercises that authority will be the issue that dictates success.
- Managing the administration of the courts can present its own difficulties. One approach can be to designate specific individuals who can assume responsibilities for particular areas of administration. The judge as manager will need to decide whether to approach this cooperatively or prescriptively.

Understanding the people involved

In performing a management role, it is vital to be aware of the people in a particular working environment and their characteristics. In the judicial context, particular issues apply.

- It is important to clarify the boundaries between the judiciary and the administration; is motivation of staff the responsibility of the judiciary or of administrative management?
- Inconsistencies of location, organisation and changing contexts make it extremely difficult to impose any consistent management structure onto the people with whom the judge is working.
- How can the judge know the team that he or she is working with? As well as ensuring the practicalities are in place – for example, contact details – would an ‘open door’ approach, encouraging others to engage and form relationships, compromise the authority of the judge’s role?

Influencing

Influencing is inherent in every part of the judicial role. Nevertheless, the ability to influence effectively can perhaps be improved by being conscious of operating as an influencer.

- Judicial management issues extend beyond the individual judge or court, and their own inconsistencies, to regional inconsistencies. Consequently, good communication skills apply in managing private and public messages.
- What should be done in the face of a deliberate obstruction to management?
- What, if any, messages does the judge give to the public? Should judges be expected to explain what they are doing in an accessible manner? In the absence of communication, the public may infer or even invent their own message – a damaging alternative.
- Conversely, is it more damaging for the judge to promise something that they can’t deliver?

Fundamental questions

So what are the fundamental questions for the judge as manager?

- What are the boundaries of management and how can they be recognised?
- How should changing relationships be managed?
- How can the manager influence effectively?
- What communication needs can be identified?
- What should be done when everything has been tried and failed?

This handbook tries to answer some of these questions.

| 2: LEADING AND INFLUENCING COLLEAGUES

The impact of change on leadership and influencing

We live in a world in which many people are experiencing an unprecedented rate of change. This is true in the public sector in general and the judiciary in particular. Our prisons are bursting at the seams, judges are coming under greater scrutiny in the media and seem to be having to handle a greater workload, under more pressure, but with increasingly limited resources.

There are three major drivers of change in our society: people, technology and information. The role of the judge, as with other professionals, has expanded in recent years to encompass management, leadership and administration in their various forms. In times gone by, leadership in particular was looked upon as an attribute which an individual either did or did not possess. This quality of leadership was often equated with a strong personality, strength of character and the desire and ability to control and command every situation the leader encountered. However, things have changed, and leadership now includes a much wider range of ways of dealing with situations, other than by the command and control style. Leadership is now equated with the idea of creating organisational capacity and capability through unlocking the potential of its people. In being required to take on the role of leader and manager, judges are being expected to get the best out of those for whom they have some responsibility.

Points to ponder

- What are the major changes you have experienced in your work in the past five years?
- To what extent are the problems associated with change more about people than the job itself?
- What is your personal definition of leadership as it relates to your job?
- How well are you developing the ability of your part of the judiciary to operate more effectively through engaging those judges for whom you have some responsibility?

Leadership and influencing

When the judges attending the *Managing judicial leadership* course were asked for their definitions of *leadership* as it affected their role, a number of ideas emerged. It was suggested that judges need:

- To be able to persuade people to do what they wouldn't otherwise do through encouragement and example.
- To inspire loyalty and respect by being visible, by being good listeners and by empowering others to do their jobs (rather than trying to control everything that happens in their court centre).

In essence, the leadership aspect of the judge's role was seen as including the following:

- Identifying the goals to be attained and ensuring that everyone in the court centre works towards achieving those goals.
- Getting the best out of the team in a friendly way – getting effective performance through getting others to 'buy in'.
- Engendering a sense of belonging by identifying common objectives and common standards.
- Doing things with a light touch – through enablement and empowerment – and providing an environment in which everyone is able to get on with their work, knowing that they are valued.

Points to ponder

- Do you have a clear vision of the way you would like your court centre to operate?
- How good are you at involving others in goal setting?
- How well do you think you are handling those individuals who are not contributing as much as they might to the work of your court?
- Do people do what you want them to do through commitment, or through compliance?

Participants were also asked what they felt they needed to be particularly good at in terms of *leadership and influencing others*. It was felt that they needed to be:

- Technically competent.
- Capable of initiating and operating systems.
- Capable of solving problems effectively and making sound decisions.
- Skilful in handling people, as well as carrying out tasks.
- Capable of controlling their reactions to events and understanding the reactions of others to those events.
- Empathetic, seeing things from the viewpoints of others.
- A good listener and communicator.
- Consistent and fair.

It was also felt that a sense of humour was, on occasion, a great asset.

In leading and influencing others, judges had to be able to:

- Understand the roles of others, maintaining communication and motivating others to achieve the shared objectives.
- Understand one's own and others strengths and weaknesses, being careful not to create barriers by ensuring accessibility and visibility.
- Develop shared responsibility by making the court, as distinct from the judge, responsible for outcomes.

Points to ponder – on a scale of 1 to 10 where 10 is excellent

- Where would you score yourself in terms of technical competence?
- How good are your 'people skills'?
- How effective are your working relationships with the full range of individuals in your centre?
- Are your scores high enough in view of the fact that your job role is changing? What can you do to raise your scores?

Leading others

What are the characteristics of people who are good at leading others? For centuries, leaders have been considered individuals with a special set of qualities, present in the individual from birth. In the 20th century, however, a more scientific approach was adopted, and attempts made to identify specific qualities possessed by effective leaders in particular roles. In addition, leadership became to be seen as a mixture of the individual's qualities, how they behaved and the needs of their followers that they fulfilled. There is still little consensus on the exact qualities that an effective leader must possess, but a great deal of overlap in the lists of qualities often quoted. What is more useful than trying to identify the qualities of effective leaders is to identify instead what leaders actually *do* to influence others, and how they operate to achieve their outcomes.

As far back as Ancient Greece, Socrates and his students, such as Xenophon and Plato, listed leadership actions which caused followers to perform more effectively. However, it was Aristotle who set the scene for what we now tend to call 'persuasive leadership' rather than 'coercive leadership'. Aristotle pointed out that in order to influence others, an individual needs to possess three characteristics and display them through their behaviour:

- Ethos – credibility gained largely through position and track record.
- Logos – delivering logical rhetoric and arguments.
- Pathos – understanding emotion and producing an emotional effect on others.

Influencing others

So what enables someone to be effective at influencing and persuading others? Effective influencers seem to possess the following characteristics and display them with their behaviour.

They are credible, believable individuals who support and develop their credibility by appropriate behaviour.

They understand that credibility is easily destroyed and that it takes many positive behaviours to compensate for one negative behaviour on the part of an individual. The impact on an individual's personal authority by one negative behaviour can be immense, particularly if it attracts media attention.

They are empathetic individuals who see things from others' viewpoints and create the common ground.

The ability to put oneself into another person's position is often a very powerful way of obtaining objectivity about a situation. This is discussed in more detail in the multiple perspectives idea later in this handbook.

They use language, metaphors, analogies and stories to illustrate their arguments and reinforce their points.

The art of story telling is centuries old. Points may effectively be made through a story rather than simply telling the bald facts. It is believed by many psychologists that the reason for this is that the story impacts on the subconscious mind and is stored in a way that is linked with emotion. While pure facts presented intellectually may be difficult to recall, those images and ideas recorded with a degree of emotion often seem to be recalled more easily.

They have emotional intelligence and understand the emotions which others are experiencing.

Until relatively recently, it was not thought that the word 'emotion' had any place in our organisations. However, since the 1990s the concept of emotional intelligence has gained increasing awareness and significance in all organisations including those not known for their sensitivity, such as the military. In fact, the military has always been aware of the significance of emotion but has preferred to talk in terms of 'morale', 'spirit' and 'atmosphere', on the basis that these were acceptable terms which did not imply any sort of weakness. Emotional intelligence is discussed in more detail later in this handbook. It is worth noting that as our society, including the judiciary, becomes more diverse, emotion seems to be playing a more significant role than ever before. There have been examples of judges displaying emotional reactions in court – something almost unheard of in earlier times.

It is interesting to compare Aristotle's three points of ethos, logos and pathos with the above four areas. Perhaps human beings do not change as much over time as we might think.

Points to ponder

- How would you rank yourself on Aristotle's three points of ethos, logos and pathos? Give yourself marks out of 10.
- In behavioural terms, what actions do you regularly carry out that impact on your credibility?
- How effective do you think and feel you are at identifying and working on the 'common ground' with others?
- How good are you at using language, metaphors, analogies and stories to illustrate your arguments and reinforce your points?

Leadership, management and administration

Participants at the *Managing judicial leadership* courses were asked how they saw the differences between leadership, management and administration. Are there any differences?

In developing leadership ability in any professional position, it is important to realise that many levels of leadership exist. It is convenient to think of leadership on three specific levels, although in reality an infinite number of levels exists.

- Strategic – focusing on the big picture, values and the way ahead.
- Operational – putting the strategy into practice on a daily basis to bring the vision of the future into reality.
- Front line or tactical leadership – ensuring that groups of people engaged in tasks work well together, are coordinated and that they produce the required results.

Many people have suggested in the past that those three areas are very similar.¹ Some go as far as to suggest that leadership is part of management and that administration is simply the output of management. However, during the past two decades distinctions have been made, which can be helpful in understanding how the three areas impact on a judge's professional capability.

It could be argued that leadership is largely an emotionally based process, whereas management is largely an intellectually based one. Administration has been defined as the overall operation that is being carried out. The arguments about the specific definitions of these words continues, and many academics have listed the differences between 'leadership processes' and 'management processes'.

While many of these arguments are interesting, it is perhaps more important to recognise that people in professional roles have both leadership and management responsibilities.

¹ See John Adair's *Effective Strategic Leadership* for an interesting account of 'administration' and sustainability. His other books are also very interesting on the relationship between leadership, management and administration. Full details at www.johnadair.co.uk.

Leadership is largely about setting direction, creating a vision, communicating that vision and inspiring others to work towards bringing that vision into reality. Management on the other hand is often concerned with coordinating the efforts of a range of individuals, handling resources, meeting targets and creating results. Administration is concerned with both of these processes working together to create a workable system that adds value to society and solves problems.

Perhaps leadership is about the ‘why’, management is about the ‘when and how’ and administration is about ‘what gets done’. If we take the line that leadership is about inspiring others, then it is clearly more about influencing others than coercion.

Points to ponder

- What proportion of your time do you spend in each of the activities of leadership, management and administration?
- In which of these three areas are you most effective?
- In which of these three areas are you least effective?
- What single action could you take that would in your opinion improve your ability to lead the people with whom you work more effectively?

Leadership and emotional intelligence

If we assume that leadership is more of an emotionally based process than pure management, it is useful to explore what we actually mean by ‘emotional intelligence’. Until the latter part of the 20th century, intelligence in the context of human behaviour and psychology was thought of as primarily ‘intellectual’ intelligence, and considerable research efforts were made into working out ways of measuring intellectual intelligence. A key factor of the concept was that intellectual intelligence was essentially static and that it could not be developed.

During the latter part of the 20th century, it was suggested by many writers in the psychological world that we all possess a range of intelligence areas rather than simply ‘intellectual’ intelligence. Some examples are musical, spatial, numerical, kinaesthetic and language. One of the areas which attracted considerable interest was the notion of ‘emotional intelligence’, which was seen as having five distinct elements:

- Emotional awareness of your own emotional state.
- The ability to manage your emotional state.
- Motivation of yourself and others by channelling emotional states.
- Being aware of the emotional state of others.
- Social skills and the ability to handle relationships effectively.

It is suggested that these five areas are all capable of being developed in an individual, and this is a significant difference from earlier thinking on intellectual intelligence.

The effect of different leadership styles on the atmosphere of an organisation yielded some surprising results. It was often believed that if you wanted to achieve good results on a short timescale you needed to be coercive and set the pace for the followers to swing into action. However, in today's society these two styles of coercion and pace-setting have been shown to produce a negative impact on the atmosphere and subsequently the effectiveness of how people work together. What seems to work in reality is where the leader operates in four clearly identifiable ways:

- The leader has a vision which is clearly communicated and inspires others to take action.
- The leader promotes a democratic feel, listening to the views of others and incorporating them into her or his thinking when making decisions.
- The leader promotes cross-functional communication and discussions, so that people feel involved in the big picture rather than in just their own small part of the operation.
- The leader spends time coaching and developing others so that individuals feel that they are growing as individuals, not simply turning the handle of a machine.

This is further evidence that our views on the nature of leadership and what really works in organisations has changed and that emotion and feelings are playing an greater role than in the past.²

Points to ponder

- How skilled do you think you are at each of the five main areas of emotional intelligence? Give marks out of 10 for each area.
- What action could you take to improve your least strong area?
- Which of the four areas of leadership style above do you find the easiest to use and with which of the four areas do you feel least comfortable?
- What reasons would you give for feeling this way and what action could you take to improve your performance?

Maintaining the balance

How though to maintain a balance between emotional awareness and objectivity in influencing and persuading others? Understanding and managing emotions is only part of the story – it is also important to achieve the correct balance between self-awareness in emotional terms, an understanding of others' emotional situations and the ability to remain objective and detached from the emotional side of a situation.

² One of the major contributors on the link between emotional intelligence and leadership style is Daniel Goleman whose article 'Leadership that gets results' presents data on which styles of leadership improve the atmosphere of people working together and which styles tend to have a negative impact. The article appears in the March–April 2000 edition of the *Harvard Business Review*.

A technique for achieving this balance is called multiple perspectives, and requires an individual to take three viewpoints on a situation: first position, second position and third position.

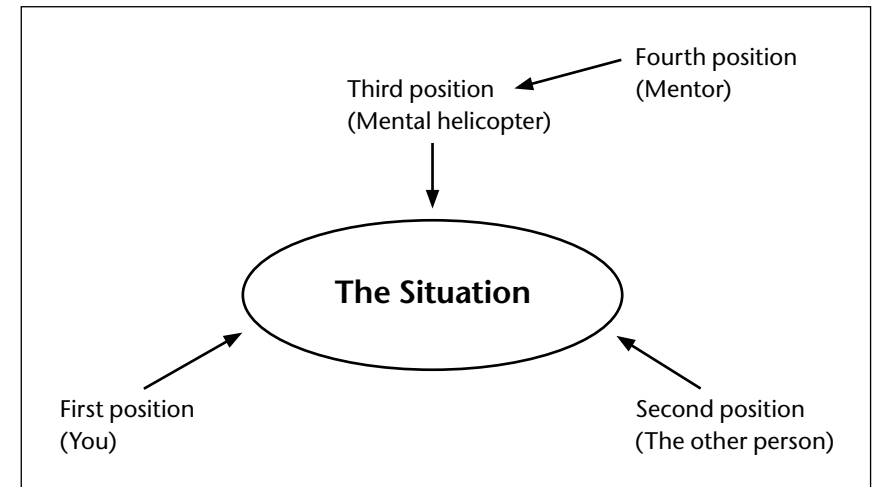
First position is where you consider the situation purely from your viewpoint. This is a position often adopted easily by individuals who see themselves as leaders, because they naturally adopt a viewpoint on the situation and how it should be handled. However, there is a danger in just looking at the situation from this viewpoint. Strong-minded individuals often make decisions quickly and are slow to change their point of view. In some situations, such as a crisis where action needs to be taken quickly, this can be a useful attribute. However, most situations are not crises, and the danger is that the decision may be made too quickly before adequate information is at hand and consideration of that information has taken place. The danger here is that the individual may reject new information that suggests his or her decision may be wrong. This can set up an internal conflict which may result in the individual behaving increasingly erratically by reinforcing a decision which, on an unconscious level, they know is wrong.

Second position is where you put yourself into the other person's position in order to avoid this possible conflict occurring. It is often useful to widen one's perspective on a situation and to think about it from the viewpoints of the other people involved. It is the position of empathy, of putting oneself in the other person's shoes. While it is still emotionally based, particularly if one becomes skilled at it so that one feels the same way the other person feels, it takes the pressure off the leader and their first position viewpoint. This tends to help the leader to be more balanced and more creative in thinking up ways to handle the situation.

Third position is the mental helicopter view – the fly on the wall or the dissociated observer. This is the ability to stand back from the situation and see it as an uninvolved observer, who can take a detached, unemotional and objective view. Third position can be developed further. One way of doing this is to imagine a video camera fitted to the mental helicopter and that this video camera has a choice of three lenses through which the problem may be viewed. There is the creative lens, where anything is possible and there are no limitations on possible outcomes. Secondly, there is the critical position, where all the problem issues are identified. Thirdly, there is the realistic lens, which is usually a combination of the first two, combined to make a realistic plan.

A possible problem with the multiple perspectives technique is that the individual may think they are in third position, yet still be influenced by the first and second positions. One very effective way out of this is to use a mentor – an individual of knowledge and experience who is not associated with the situation. The mentor is in a non-involved role, and as such is able to weigh up the information on a variety of issues and create a balanced opinion. We call the mentor viewpoint the *fourth position*.

This model helps to achieve a wider range of perspectives on a situation and can be very useful in a range of issues, particularly those involving difficult people.



Points to ponder

- How easy do you find it to dissociate yourself from the emotional aspects of situations and think objectively about the bigger picture?
- How well do you take the empathetic position and see things from the viewpoints of others?
- Do you have a mentor to whom you can take problem issues for guidance?
- As mentors often learn as much as the person they are mentoring, are you developing your leadership ability by acting as a mentor for any of your colleagues?

Influencing colleagues

During the *Managing judicial leadership* course, various personnel-related situations were put to groups of judges, who were asked to consider how the situations should best be handled. These mini case studies were all based on real situations. Some of the situations include individuals who consistently went home early and had excessive time off for dental and medical appointments. Others related to questionable behaviour during the working day, such as lunchtime drinking, visiting the local betting shop and making unsuitable remarks to younger female members of staff. In addition, reading court papers in public places, high adjournment rates and poor reactions to the pressure of work can all give rise to personnel problems in a court centre.

Course participants reviewed these situations and presented their ideas on the underlying principles of how difficult situations regarding colleagues should be handled. Some common themes and learning outcomes emerged from this exercise.

It was seen as particularly important to address personal shortcomings where they had an impact on the work of the court. It was also seen as important to decide on the real nature and extent of the problem, and to verify the facts in order to ensure the accuracy of the information. Empathetic exploration of the behaviour with the individual needed to be done as early as possible, so that the individual wasn't given the impression that it was acceptable. In some cases, it was felt they might not be aware of the impact of their behaviour, in which case it might only need to be pointed out to them, in order for them to modify or change that behaviour. A mentor might help address the problem, or someone else who has their confidence.

At all stages of the process, the judge should be clear about the reasons for what is happening.

Feedback on behaviour

When giving feedback on behaviour, it is essential to be sensitive to the potential for damaging self-esteem when seeking to be firm, particularly when the problem is escalating. Establishing rapport by focusing on common ground and listening in a non-judgemental way is important before giving feedback. At all times notice and be aware of body language and face the issues involved. There are a number of ways of influencing others so that they are encouraged to respond to the suggestions which are made for future conduct. Reciprocity and agreement in principle will tend to produce agreement for the future. Setting standards for the group as a whole

encourages conformity and consistency in both behaviour and practice. Colleagues will also tend to defer to a more senior member of a group, particularly when that person has the responsibility and ability to affect their working pattern.

Intervention is needed when the organisation and its operation is affected. Start off informally with a 'quiet word', if possible and appropriate. Remember to comment on positive aspects of the situation and the individual's performance and give praise when it is due. This can do wonders in developing open-mindedness on the part of all concerned. It is important to review progress, and decisions on whether matters need to be taken further should be taken fairly quickly.

Keep a record of all the evidence, the extent of which may depend on the sensitivity of the complaint – and if you cannot solve the problem, seek help elsewhere.

Keep an 'open-door' policy to encourage colleagues to approach you for help when necessary.

Points to ponder

- What types of personnel issues do you find it most difficult to handle?
- What are the aspects of those situations which cause difficulty?
- How often do you praise the work of others when that praise is deserved?
- How visible are you – would your colleagues say that you operate an open-door policy?

Finally

The world as we know it is a rapidly changing and evolving place. The judiciary has to keep up with the times in order to fulfil its role effectively.

There are a few, final questions that may be worth considering:

- Even though you are almost certainly good at the day-to-day work of a judge, how good are you at managing and leading others?
- What are you doing to develop your ability to lead and influence others in your part of the judiciary?
- Are you working on developing your emotional intelligence so that you can understand and work with others more effectively?
- Above all, are you learning to thrive on change or do you tend to resist progress.

| 3: MANAGEMENT STYLE AND PERSONAL ORGANISATION

The Lord Chief Justice commented in January 2005 that the constitutional changes mean that the judiciary now needs to ‘look after themselves’. In terms of management skills, this means being able to influence colleagues and other interested parties effectively to get things done. In addition, it means being effectively organised to deal with high caseloads with low levels of support.

The unique and essential requirement for judges to maintain their independence means that, in management terms, individuals often have to fall back on their personality as the basis for their influence, rather than their authority. It is therefore important to understand one’s own personality and the habits it encourages in one’s behaviour. In order to achieve this, judges who attended the *Managing judicial leadership* course all completed a questionnaire called the Myers-Briggs Type Inventory. This section provides some background to this model of personality preference, and will help readers consider their personality in the context of the demands of a changing situation.

The Myers-Briggs Type Indicator (MBTI) ®

The MBTI information describes the individual’s personality preferences using a model with four dimensions:

- 1 Where, primarily, do you direct your energy? *Introvert (I) – Extravert (E)*
- 2 How do you prefer to process information? *Sensing (S) – Intuition (N)*
- 3 How do you prefer to make decisions? *Thinking (T) – Feeling (F)*
- 4 How do you prefer to organise your life? *Judging (J) – Perceiving (P)*

Although each person uses all these functions, their personality preference (which does not change) tends to influence the habits or approach of the individual.

These notes contain a description of each of the preferences, which you can use to help work out your Myers-Briggs type.

1: Where, primarily, do you direct your energy? *Introvert (I) – Extravert (E)*

To the outer world of activity and spoken words OR to the inner world of thoughts and emotions? If it is towards the outer world of activity or words, it is called Extraversion, denoted by the letter E. If it is towards the inner world of ideas, information or thoughts, it is called Introversion, denoted by the letter I.

During each day, you will undoubtedly spend time spontaneously doing or saying things, as well as retreating into the inner world of contemplation and thought. If your working day has involved much interaction with the world, even the clearest extravert may feel at the end of the day that he wants to be left alone with his thoughts. Conversely, if an introvert has been working in isolation all day, they may feel that they need to ‘party’ in the evening to restore some balance.

The following table lists words and expressions that are often associated with extraversion and introversion:

Extraversion	Social	Expressive	Broad	Interaction	Action before thought
Introversion	Private	Quiet	Deep	Concentration	Thought before action

Which is your preference? How are you actually behaving most of the time? Sometimes it can be difficult to tell. Every individual exhibits all of the above characteristics at some time or other, and one source of difficulty can be in distinguishing which behaviours are ‘learned’, or a response to current demands, and which reflect true preference.

Preference, role, or learned behaviour

One feature differentiating Es from Is is whether action or thought comes first. In situations that demand action, both types will act. But their underlying preference is still the same.

In situations that demand thought, such as solving a crossword puzzle, both types will think. Most crossword puzzles cannot be solved by taking action or by talking. Both extraverts and introverts need to spend time in thought first, to make some progress towards a solution, but their underlying preference remains the same.

Everyone adapts to some degree to each situation. However, the difference between people who have a preference for extraversion and introversion becomes more apparent when there is a free choice. In these situations, the extravert will tend to act, and the introvert will tend to think. However, very few situations involve a truly free choice, as your behaviour may be influenced by factors such as:

- The culture of the judicial world.
- Your training or upbringing.
- A range of environmental factors, such as whether the situation is a new or familiar one, whether recognition or reward is given, and the effects of stress or illness.

Nevertheless, your innate preferences will still influence the way that you behave. What do you think is your preference – Extraversion or Introversion?

2: How do you prefer to process information? *Sensing (S) – Intuition (N)*

In the form of known facts and familiar terms OR in the form of possibilities or new potential? If it is in the form of facts or familiar terms, it is called Sensing, denoted by the letter S. If it is in the form of possibilities or new potential, it is called iNtuition, denoted by the letter N (N is used rather than I, to avoid confusion with Introversion).

A preference for sensing tends to include an interest in tangible reality, focusing on the present, and seeing what is, rather than what might be.

A preference for intuition gives a greater emphasis on insight and the future, focusing on what might be, rather than what is.

The following table shows words that are normally associated with each of these two preferences.

Sensing	Facts	Experience	Present	Practicality	Using
iNtuition	Possibilities	Novelty	Future	Aspiration	Changing

What do you think is your preference – sensing or intuition?

3: How do you prefer to make decisions? *Thinking (T) – Feeling (F)*

On the basis of logic and objective considerations OR on the basis of personal values? If it is on the basis of logic and objective considerations, it is called Thinking, denoted by the letter T. If it is on the basis of personal values, it is called Feeling, denoted by the letter F.

The following table lists words often associated with each of the two preferences.

Thinking	Analysing	Objective	Logical	Criticism	Decides on principle
Feeling	Sympathising	Subjective	Personal	Appreciation	Decides using values

What do you think is your preference – Thinking or Feeling?

4: How do you prefer to organise your life? Judging (J) – Perceiving (P)

In a structured way, making decisions as quickly as possible OR in a flexible way, discovering life as you go along? If it is in a structured way, making decisions and knowing where you stand, then it is called Judgement. If it is in a flexible way, discovering life as you go along, it is called Perception. Someone whose preference is Judgement prefers, in their lifestyle, to make decisions. As a result of these decisions, their lifestyle appears organised. Someone whose preference is Perception prefers, in their lifestyle, to find out more, rather than making decisions, and they are more comfortable when they keep their options open. As a result of this openness, they can appear flexible.

Some words often associated with Judgement and Perception are:

Judging	Close	Decide	Organise	Firmness	Control
Perceiving	Open	Explore	Inquire	Flexibility	Spontaneity

What do you think is your preference – Judging or Perceiving?

Working out your own preference

Everyone’s personality reflects all aspects of the Myers–Briggs model. However, your preferences drive your behaviour and your habits especially when trying to influence others or when deciding how to deal with your workload.

The letters that represent your preferences are combined to produce your Myers–Briggs Type, such as ENTJ. An ENTJ prefers Extraversion, iNtuition, Thinking and Judgement. The ENTJ is likely to feel energised by having lots of things going on (E). He will tend to interpret events by seeing patterns or overviews (N). He will tend to make decisions on the basis of logic (T). And he organises life on a logical basis (J).

Look at the lists of words for each preference above, and think about your preference (not just the way you behave in, say, your work or social roles). List the letters in the four–letter form outlined above – if you are unclear about any of them, simply insert a question mark. E.g. IS?P

The final section consists of some brief descriptions of the 16 types (see pages 24–25). Read the ones that you think may apply to you, and see if you can yet narrow your choice down further.

If at the end of this you are still not sure, discuss your data without someone who knows you well, speak to colleagues who have been on the *Managing judicial leadership* course or contact the JSB. You can also complete the whole questionnaire and discuss the results with a qualified MBTI practitioner who can provide more comprehensive personality profile information, or find out more about the process from OPP Ltd (www.opp.eu.com).

<p>ISTJ The ISTJ takes his/her energy from the inner world of thoughts (and, maybe, emotions). He/she prefers dealing with facts, and making decisions after considering the various options. He/she organises his/her life on a logical basis. He/she is quiet, serious and well prepared for most eventualities. He/she is a keen observer of life, developing a good understanding of situations, which is often not expressed. He/she has a strong sense of practical objectives, and works efficiently to meet them.</p>	<p>ISTP The ISTP takes his/her energy from the inner world of thoughts (and, maybe, emotions). He/she prefers dealing with facts and making decisions on a logical basis. His/her life is flexible, demonstrating an interest in acquiring new information that leads to a practical understanding of the way the world works. He/she is quiet and detached, and adaptable (up to a point). He/she is often good at solving organisational problems that need to be thought through. He/she is curious about how and why things work, and can seem impulsive, sometimes producing surprising ideas or doing something unpredictable.</p>
<p>ISFJ The ISFJ takes his/her energy from the inner world of thoughts and emotions. He/she prefers dealing with facts and people, and making decisions on the basis of personal values. His/her life is organised on a personal basis, seeking to enjoy relationships with people he/she likes. He/she is a quiet, serious observer of people, and is both conscientious and loyal. He/she prefers work that involves being of practical service to people. He/she is often concerned for and perceptive of how other people feel and dislikes confrontation and conflict.</p>	<p>ISFP The ISFP takes his/her energy from the inner world of thoughts and emotions. He/she prefers dealing with facts and people, and making decisions on the basis of personal values. He/she is adaptable (up to a point), quiet and friendly. He/she is interested in people, enjoying their company preferably on an individual basis or in small numbers. He/she takes a caring and sensitive approach to helping others. He/she enjoys the present, and tends to dislike confrontation and conflict. He/she usually acts as a very supportive member of a team.</p>
<p>INFJ The INFJ takes his/her energy from the inner world of thoughts and emotions. He/she prefers dealing with patterns and possibilities, particularly for people, and makes decisions using personal values. His/her life is organised on a personal basis. He/she often has a private sense of purpose in life, and works steadily to fulfil that goal. He/she demonstrates a quiet concern for people, being interested in helping them to develop and grow. He/she is good at developing insight into people, though it can often remain unexpressed.</p>	<p>INFP The INFP takes his/her energy from the inner world of thoughts and emotions. He/she prefers dealing with patterns and possibilities, especially for people, and prefers to make decisions on the basis of personal values. His/her life is flexible, following new insights and possibilities as they arise. He/she is quiet and adaptable (up to a point - when his/her values are violated the normally adaptable INFP can surprise people with his/her stance). He/she will seem to be very interested in ideas, and he/she may sometimes make very creative contributions. He/she has hidden warmth for people and a desire to see self and others grow and develop. He/she prefers to undertake work that has a meaningful purpose.</p>
<p>INTJ The INTJ takes his/her energy from the inner world of thoughts (and, maybe, emotions). He/she prefers dealing with patterns and possibilities for the future, and making decisions using impersonal analysis. His/her life is organised on a logical basis. He/she is a strategist, identifying long term goals and organising life to meet them. He/she tends to be sceptical and critical, both of self and others, with a keen sense of deficiencies in quality and competence. He/she often has a strong intellect, yet is able to attend to details that are relevant to the strategy.</p>	<p>INTP The INTP takes his/her energy from the inner world of thoughts (and, maybe, emotions). He/she prefers dealing with patterns and possibilities, and making decisions on a logical basis. His/her life is flexible, following new insights and possibilities as they arise. He/she is quiet and detached, and adaptable (up to a point - sometimes he/she may stop adapting, insisting that there is a clear principle at stake). He/she is not interested in routine, and will often experiment or change things to see if they can be improved. He/she operates at best when solving complex problems that require the application of intellect.</p>

<p>ESTP The ESTP takes his/her energy from the outer world of actions and spoken words. He/she prefers dealing with facts, which he/she usually views objectively, and he/she makes decisions on a logical basis. His/her life is flexible, consisting of a series of activities that interest his/her. He/she is an action oriented problem solver, and prefers to work with practical organisational issues. He/she can be impulsive, and likes taking part in trouble-shooting-type work. He/she can sometimes neglect follow-through, but will work best when there is a lot going on that needs organising and solving.</p>	<p>ESTJ The ESTJ takes his/her energy from the outside world of actions and spoken words. He/she prefers dealing with facts and the present, and makes decisions using logic. His/her life is organised on a logical basis. He/she is therefore practical, and likely to implement tried and trusted solutions to practical problems in a businesslike and impersonal manner. He/she prefers to ensure that the details have been taken care of rather than spend time considering concepts and strategies.</p>
<p>ESFP The ESFP takes his/her energy from the outside world of actions and spoken words. He/she prefers dealing with facts, which he/she usually takes at face value. He/she also prefers dealing with the present and with people, and probably derives much enjoyment out of friendships. His/her life is flexible, living it very much in the present, and responding to things as they arise. He/she is impulsive and friendly, seeking enjoyment out of life, and makes new friends easily. He/she likes taking part in solving urgent problems, such as fire-fighting or trouble shooting. He/she operates best in practical situations involving people.</p>	<p>ESFJ The ESFJ takes his/her energy from the outer world of actions and spoken words. He/she prefers dealing with facts, and making decisions on the basis of personal values. He/she likes dealing with people, and organises life on a personal basis. He/she is a very warm person, seeking to maintain harmonious relationships with colleagues and friends, who are a very important part of his/her life. He/she can find conflict and criticism very difficult to handle. He/she has a strong sense of duty and loyalty, and is driven by a need to belong and be of service to people.</p>
<p>ENFP The ENFP takes his/her energy from the outer world of actions and spoken words. He/she prefers dealing with patterns and possibilities, particularly for people, and makes decisions on the basis of personal values. His/her life is flexible, following new insights and possibilities as they arise. He/she is creative and insightful, often seeking to try new ideas that can be of benefit to people. He/she may sometimes neglect details and planning, but he/she enjoys work that involves experimentation and variety, working towards a general goal.</p>	<p>ENFJ The ENFJ takes his/her energy from the outer world of actions and spoken words. He/she prefers dealing with patterns and possibilities, particularly for people, and makes decisions using personal values. His/her life is organised on a personal basis, seeking to develop and maintain stable relationships with those people he/she likes. He/she is actively concerned with promoting personal growth in others. He/she is also highly sociable, and expressive of feelings towards others, but can find conflict and criticism difficult, particularly if it might damage long term relationships. He/she works best in situations involving people.</p>
<p>ENTP The ENTP takes his/her energy from the outer world of actions and spoken words. He/she prefers dealing with patterns and possibilities, and making decisions on a logical basis. He/she is adaptable, tending to focus on new ideas and interests as and when they arise, particularly if they involve increasing his/her competence or skill. He/she is an ingenious problem solver, constantly trying new ideas out, and can seem to enjoy a good argument. He/she is interested in instigating change, and operates best in overcoming new difficulties where the solution requires the application of creative effort.</p>	<p>ENTJ The ENTJ takes his/her energy from the outer world of actions and spoken words. He/she prefers dealing with patterns and possibilities, and making decisions after considering the consequences of the various courses of action. His/her life is organised on a logical basis. He/she tends to control life, organising systems and people to meet task oriented goals. He/she often takes the role of executive or director, using a business-like and impersonal approach. He/she may appear intolerant of people who do not set high standards for themselves or don't seem to be good at what they do.</p>

Judges group profile

The profile of different Myers-Briggs personality types on the *Managing judicial leadership* courses has consistently shown a group preference for: *Extraversion, Sensing, Thinking, Judging* – ESTJ.

Therefore to:

- Focus on the practical and the short-term.
- Avoid issues where the decision is not clear-cut.
- Want to make progress – fast.
- Underplay the importance of building relationships with other interested parties.
- Operate in an active and energetic fashion but can tend to find listening difficult.

Your own preferences may well be different from this profile, but the five bullet points above may give you an insight into how judges, as a group, are perceived by others. In turn this may help you understand how you might influence other groups and individuals.

Personal organisation

One of the practical uses of this personality data is in the way it influences how you organise your work. This has been an area of great concern to judges on the *Managing judicial leadership* courses.

Many judges have complained about the lack of personal administrative support provided to them. Although this is improving in some instances, this is not universal, and judges have had to respond to the challenge of becoming more organised through their own initiatives. They reported many innovative ways to get more achieved within the constraints of the time available.

The most popular ideas reported by delegates are listed below in four categories. You may wish to choose a couple of ideas from each category for your own benefit. In doing so, don't limit yourself to those that fit with your personality – the less attractive ideas may be of more benefit to you.

Use of time

- Implement closed-door sessions to allow you to focus on high-priority tasks.
- Choose tasks that can be completed in small amounts of available time – this helps demonstrate progress.
- Provide finite time slots for tasks to increase your productivity.
- Use your list officer to help you manage the time available to meet all of your objectives.

- Take control of the scheduling. Judges are in fact in control of their own timetable and can set it accordingly. Plan judicial release time – within acceptable limits, it is possible to work with the relevant authorities to gain time for administrative pressures.
- Use the ‘early shift’ to ensure you use the time before e-mails and phone calls interrupt your concentration. Get administrative jobs done early. Take a short lunch hour to ensure that the day finishes promptly.
- Set aside time for working at home as a strategy for getting things out of the way.
- One Friday every month, have an ‘admin day’, starting with a formal meeting and properly minuted actions.
- Make sure meetings end on time, and try to adopt timed agendas.
- Block out time for meetings. This can lead to less fragmentary schedules, and make more time for individual work.

Getting organised

- Produce lists.
 - Make sure they are prioritised.
 - Get rid of easy tasks first.
 - Use ‘Do It Now’ lists to focus your use of time.
 - List completed tasks.
- Carry a paper notebook or Blackberry to manage tasks on the go, and to collect your ideas before you forget.
- De-clutter your work environment to aid clarity of thinking.
- Schedule your working week to meet your objectives. Use time working at home rather than sitting in rush-hour traffic.
- Use verbal media, such as the phone. This can cut the time required to consult individuals and come to decisions. Use e-mail or the phone instead of letters.
- Develop a strategy for managing e-mails, such as printing out relevant e-mails and binning the rest. Process e-mails once – don’t spend all your time organising this information.
- Use your clerk as diary keeper for your extensive diary. Go into the office and make contact with the administration.
- Wall charts and filing systems make tasks visible and allow information to be accessed easily.
- Use websites to access information.
- Invest in a more sophisticated computer. This can allow more flexibility in managing a personal workload, and reduce dependency on particular locations for doing particular work.

Managing case load

- Don't read cases in detail – get to the core of the case and save time.
- Keep a diary record of cases.
- Use auto text, for example to make templates for orders.
- Create spreadsheets for each judge to show allocation of work.
- Delegate tasks to the court manager, with a return date.
- Meeting the listing officer at the beginning of the week can help consolidate schedules (and create a surrogate PA).
- Building a good relationship with listing officers can minimise inconvenient scheduling.
- Be disciplined about cutting down on time spent reading papers.

Managing yourself and others

- Listen to your feelings and manage your own levels of motivation. A break might make you feel much better and raise your productivity.
- When overwhelmed with work, tell others. Often their requests are not as urgent as you think.
- Dedicate time each week to moving work from desk to briefcase.
- Let others know your work pattern. This respects their time and helps build relationships.
- Listen to your intellect – don't force yourself into tackling difficult tasks when you are tired, etc.
- Get people together on a regular basis (weekly/monthly) either in courthouse or restaurant.
- Make contact with people on a regular basis.
- Maintain a personal awareness of priorities, and don't respond to panic or urgency imposed by others.
- Be selective – prioritise your engagements.
- Make a conscious effort to delegate, and delegate an objective, rather than merely a task. Delegate some work to more junior judicial colleagues – their time is cheaper.

| 4: WORKING WITH HMCS

Clearly, access to the right resources to administer justice is of great concern to all judges. However, these resources are partly in the hands of Her Majesty's Court Service, over which judges do not have direct control. In chapter 1, reference was made to the partnership between the judiciary and HMCS. Some judges object to the use of the word. Of course, there is not a partnership in any legal sense. The word is used simply to try to convey a core working relationship. The nature of this relationship is important.

Attitudes identified among some judges are that:

- The relationship with HMCS is seen essentially in confrontational terms.
- The administration at best causes problems, and at worst is a threat to judicial independence.

Such attitudes misunderstand the respective roles of the judiciary and the administration. They are not in conflict, but complementary, and a public service can only be delivered successfully if there is effective cooperation.

Each group has conflicting demands. The Regional Director controls and is accountable for financial resources, but those resources are limited. On the other hand, deployment is a judicial responsibility – judges are needed, with staff to support them, to hear and dispose of cases. It is the responsibility of the administration to provide the buildings and infrastructure, without which judges cannot function.

These statements of the relatively obvious are made to underline the need for close cooperation rather than confrontation.

Balancing needs

So who has to do what in relation to deployment? Judicial strength (full- and part-time) in a region is a matter for discussion and agreement between the Presiding Judges and the Regional Director. However, resident and designated judges, as the judges with day-to-day responsibility for operations on the ground, have input into that process. They advise on current caseloads, the types of case being heard and which judges, full- and part-time, are needed to dispose of them. In other words, the needs of the 'business', and how best to meet those needs, in terms of available resources and the service provided.

Not that it stops there. At the same time there may be 'welfare' issues of concern to both resident and designated judges and the administration. For example:

- Does a particular judge appear to be under excessive strain or have particular personal problems which impact upon judicial performance?
- What about the judge who wishes to convert to part-time work?

The duty to consider a judge's welfare, and the 'business' needs may have to be balanced.

In relation to buildings and other infrastructure, the links between the judiciary and HMCS are close ones. Judges have a role at both strategic and tactical levels:

- Planning for the Region will be a matter for the Presiding Judges and Regional Director, but resident and designated judges, by way of suggestions in the light of their on-the-ground experience, have input.
- At a tactical level, there should be close involvement from the outset of any project. If a new court is being provided or there are adaptations to an existing one, it is essential for the resident or designated Judge to see the plans, participate throughout in the process, making suggestions from the perspective of the user.

Dealing with targets

'Targets' are a particular *bête noire* to some judges, often seen as an interference with judicial independence. They should not be perceived in that way: no one suggests that the need to achieve a target should interfere with the proper judicial disposal of a case, simply that an enterprise concerned with delivery of a service must measure its performance. While a particular case may be outside the relevant target for good reason, a substantial number of such cases is likely to indicate that something is amiss. The targets should have built-in margins to allow for exceptional cases, and are no more than a measure of a good level of performance for the user. In times of increased judicial responsibilities, increased public attention and media focus and annual reports from resident and designated judges on performance, close attention has to be paid to targets.

Consider the following:

- Identify what the targets are.
- Check that the statistical information relevant to the targets is being recorded accurately.
- Make sure that judges for whom you are responsible are aware of the targets relevant to them.
- Review performance monthly.
- If the targets are not being achieved, investigate why.
- If a particular target appears to be inappropriate, take up the matter with the relevant senior judge.

The recording of statistical information should be checked for accuracy, not only in relation to targets, but generally. It is vital to know what your caseload is and how it is made up. This information will largely determine, within overall financial constraints, what resources you receive.

Building a relationship with HMCS

Making these relationships work effectively is more art than science! However, experience from other judges suggests that to facilitate and operate the working relationship with HMCS:

- Contact with the Regional Director will be necessary only occasionally and the matter to be raised will generally also require reference to a Presiding or Supervising Judge.
- There should be regular contact with the area director, say on a monthly basis, preferably in the form of regular one-to-one meetings.
- There should be daily contact with the court manager, diary manager and listing officers.
- Consider regular formal minuted meetings with the court manager, diary manager, case progression officer and any other relevant staff members, every couple of months. These may be attended by other selected judges such as specialist judges at major court centres and district judge representatives, if appropriate.
- Consider an annual meeting, particularly if your area is large geographically, attended by judges, the area manager, court managers, diary managers and other relevant staff.

| 5: JUDICIAL COMMUNICATIONS OFFICE

The JCO may also on occasion be of help to you. Based at the Royal Courts of Justice, its aim is to enhance public confidence in judicial office-holders in England and Wales. It is also a judicial facility committed to supporting all judicial office-holders. In essence, the JCO's work focuses on three areas of communication: internal judicial communications, the public, and the media. Aware that the judiciary is bombarded with information from a wide range of sources and in many formats, the JCO aims to act as a 'gatekeeper' for communications to the judiciary, ensuring that information is channelled to judges, magistrates and tribunals judiciary in an efficient, coordinated way.

The JCO is divided into two teams: media support and corporate (that is internal and web-based) communications.

The media support team provides advice to all judicial office-holders with interview bids, misreporting, the handling of potentially controversial issues and general external communications matters and aims to be part of a 'no surprises' culture, where information which is relevant to judicial office-holders is known about in advance, and any judicial comment is communicated effectively by us to those who need to know. The team has produced media guidance for judges, which is available on the judicial intranet site. It is well worth taking the time to read this.

The corporate communications team is responsible for maintaining the four main judicial communications channels:

- The judicial intranet.
- The business newsletter, *Benchmark*.
- The judicial website at www.judiciary.gov.uk.
- The new judicial identity, for use on stationery and publications.

Judges who have any information they would like to share with judicial office-holders, or more widely on the public-facing website, are encouraged to contact the corporate communications team who can advise on the best mechanisms for doing this.

The judicial intranet is accessible to all judicial office-holders who have access to the web. This is intended to be main judicial communications channel and all judges are urged to sign up at <http://benchmark.sut1.co.uk/join>.

The business newsletter, published electronically 10 times a year, is aimed at all judicial office-holders and is designed to provide helpful general commentary, as well as an opportunity to share information across various jurisdictions. It is only really useful if it contains information that judges want to read, so please let the team know what you think.

To help draw together some of these initiatives and to provide easy access to information, JCO has developed an e-mail alert service. In short, a judge may sign up to receive e-mails in three specific areas:

- 1 Urgent messages – for example on travel and subsistence, pensions, salaries, legal matters, and constitutional changes.
- 2 An electronic copy of the judicial business newsletter.
- 3 A weekly round-up of news relevant to judicial office-holders.

Judges who are interested in any of these should sign up at <http://benchmark.sut1.co.uk/join>. The team is keen to emphasise that it will endeavour not to bother judges with unsolicited JCO e-mails.

Further information

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