

NATIONAL JUDICIAL ACADEMY

WORKSHOP ON IMPACT ASSESSMENT: METHODS AVAILABLE

2ND-6TH September, 2015

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INTRODUCTION:

National Judicial Academy organized a workshop of the directors/representatives of the State Judicial Academies on “Impact Assessment: Methods Available” on September 2nd-6th. 23 representatives from the Judicial Academies across the country participated in the workshop. The five-day workshop was split into six sessions for each day, out of which four sessions were taken by various resource persons and the last two sessions of the day was devoted to Library reading and Computer skills training. Justice R C Chavan, Former judge Bombay High Court; Prof. S C Bhatnagar; Prof. Jerome Joseph; Ms. Santosh Snehi Mann; Mr. Otojit Kshetrimayum; Mr. Shankar Chaterjee; Dr. Parul Rishi; Dr. Manju Mehta; Mr. Asheem Shrivastava; Mr. Sampath Iyengar, Justice Madan B. Lokur, Justice Kurian Joseph chaired and guided the sessions.

DAY 1: SESSION 1

EXISTING PRACTICES IN SJA's FOR EVALUATING TRAINING IMPACT

Speaker: Ms Santosh Snehi Mann

Prof (Dr.) Geeta Oberoi, Director In charge of National Judicial Academy gave warm welcome and brief introduction on all the sessions and deliberated on the objective of the conference. Prof (Dr.) Geeta Oberoi, deliberated that in this academic year National Judicial Academy is going to have four programs for the Directors/ Representatives of the State Judicial Academies. She introduced the resource persons for the day and asked the participants for their introduction as well. The warm welcome to all the resource persons was given and they were requested to open first session of the conference.

The baton of the session was then handed over to Ms. Santosh Snehi Mann. Her main agenda of presentation was on:

- Assessment & Evaluation
- Training Needs Assessment
- Training Impact Evaluation
- Challenges
- Way Forward

Her presentation majorly revolved around her experience in Delhi Judicial Academy. Starting up with her presentation, Ms. Mann confessed that before coming for this workshop, she wasn't aware of the difference between assessment, evaluation and impact, And the same she inquired from the participants. She pointed out the difference between the assessment and evaluation. An assessment is ongoing, positive, individualized and valuable and provides a feedback. It is done at the beginning of a program. Whereas talking about the evaluation, it is judgmental, applied against standards and provides closure. However, a common point between the two is that they require certain criteria, some measurable value which is demand driven. Further talking about the assessment and evaluation in terms of judiciary, assessment is a planned quality; you plan before acting for certain program. For instance, when we go for a movie, we assess the result at the beginning of the movie about how will the end be, etc. whereas if we talk about evaluation, it is

more of a judgment quality. You evaluate a thing when it is completed. She then discussed about the training need assessment as to why are we doing such assessments? This is done to assure, in the perception of judiciary, credibility, quality and efficiency. Assessment of training need means the process by means of which the existing capacity/level is compared to the desired level.

She then discussed about the methods of assessment for the need of training. The methods she discussed is the part of Delhi Judicial Academy's exercise which they conduct in the mid of their calendared year. The methods are:

- Feedback from the High Court
- Feedback from the Judicial officers
- Feedback from the Academicians, Lawyers & experts

A few feedback formats had been shared and discussed by Ms. Mann. Next in the line for discussion was Training Impact Assessment. It follows the same criteria as the training need assessment; the only change can be seen is in their definitions. Training Impact Evaluation is a process to assess the extent to which the learning/training outcomes are being used in the practice. The training evaluation starts with the training need assessment, says the judicial experts. Talking about the assessment, she said that if you are in the process of creating things with certain things in your mind whether you achieve those targets or not, the parameters would remain the same. Similarly for the impact also, how the training has affected the performance of the judges so that the quality and efficiency improves which in turn improves the efficiency and credibility of the system and as a direct relation to the perception of judiciary.

Not making the session as a monologue, Ms. Mann posted a question to the participants asking - whether their academies send any training need assessment forms to the High Court judges or the judicial officers to come for the training program? She further discussed about the feedbacks generated at the Delhi Judicial Academy and emphasized upon the session feedbacks which they give after every sessions to the participants. Next, she discussed about the challenges faced in such assessment and evaluation. These challenges are:

- Feedback from High Court on the administrative & judicial side
- Feedback from the Government

- Feedback from court users, those interacting with courts & public/society
- Feedback from those conducting surveys & studies on Perception of the Judiciary & working of courts
- Feedback from the Media/Press
- Criteria, Method & Analyses

And lastly, she concluded the session by suggesting the following:

- Formulation of a Judicial Education & Training Strategy
 - Need Assessment
 - Methods & Material
 - Impact Evaluation
- Involvement of stake-holders & players responsible for and directly affected by working of courts

DAY 1: SESSION 2

WHY EVALUATION IS NECESSARY?

Speaker: Prof. S C Bhatnagar & Prof. Jerome Joseph

The session was chaired by Justice R C Chavan, Dr. Geeta Oberoi and Mr. Shankar Chatterjee. The first part of the session was taken by Prof. S C Bhatnagar who discussed about the impact of assessment and the role of feedbacks. According to the Professor, the assessment or the feedbacks shall contain intensive discussions among the faculty members and participants. It builds an interaction between the members and the participants. For a market driven course, a market feedback is necessary for a proper feedback. He further added that for the impact assessment, a research is what is often required. Since Prof. Bhatnagar is an eminent part of IIM Ahmedabad, he shared a few experiences regarding the assessment and feedbacks in his institute. He shared that in his institute the feedbacks are read by all the faculty members which are given by the students based on a particular course or program and also a journal of feedback is circulated among the students and the alumni regarding the feedbacks on different courses and programs. Professor concluded his session in short, since he had another session subsequently, by stating that feedbacks are important as they depend upon an individual's perception.

The latter part of the session was taken up by Prof. Jerome Joseph, IIMA. His main focus was on "E-valuation". He started his session by describing the word "Evaluation" as a term which creates tension, discomfort and is relentless and ruthless, according to him. Further, he posted a question to the participants asking - What is E-Valuation? After receiving a few responses, he answered that there is no specific answer for this question. In general, it is all about experimenting and exploring. In his presentation, he started with stating the four principles of evaluation- Ennobling, Energize, Empowering and Engagement. He also said that evaluation shall not lead to depression rather it shall lift everyone to the higher level. He extended his presentation by asking an interesting question from the participants, the question was- what is 1+1 equals to in America, Japan and India? The answers given by the participants too were quite interesting yet none gave the correct answer. Furthermore, he introduced and discussed about the "Andragogy Learning Mode" which includes:

- Conceptual Learning

- Introspective Learning
- Investigative Learning
- Experiential Learning
- Diagnostic Learning
- Interactive Learning

He also talked about the Trainer centric ecosystem and The Learner centric facilitator wherein he determined the characteristics of the Trainer as well of the Learner and concluded his presentation by emphasizing on interaction between the trainer and the trainee and lastly, stating the principle- “MAKING OTHERS MORE”.

DAY 1: SESSION 3

EVALUATION IN OTHER FIELDS/ DISCIPLINES

Speaker: Prof. S.C.Bhatnagar

The resource person for the third session was Prof. S C Bhatnagar whose bulk focus was on “E-Governance” and its importance in various fields. In his presentation, he covered the following topics depending upon his research and work in the field of E-Governance:

- Why Impact Assessment?
- Issues and Challenges in evaluation/Impact Assessment
- Results from 2 E-Governance studies
 1. DIT3 Projects 12 states study
 2. IIMA/DIT/World Bank study
- Evolving a framework: Learning from past assessments
- Dimensions to be studied depending upon the purpose of evaluation
- E-Governance benefits to clients
 - i. Reduce transaction less
 - ii. Less number of trips to government office
 - iii. Convenience
 - iv. Reduce corruption
 - v. Transparency/ clarity
 - vi. Empowered to challenges
- Questionnaire and surveys

He started his session by asking a question- why impact assessment? To answer this he stated various reasons, such as - to ensure that resources deployed in programs/project provide commensurate value, create a bench mark for future projects, sharpen goals and targeted benefits for each project under implementation, identify successful projects for replication and scaling up, etc. He then pointed out the issues and challenges faced in evaluation/ impact

assessment. To cite an example he discussed about two types of the IIMA evaluation/ impact assessment upon the programs and courses held in there. Out of which one was about the instructor of the program as to how successful was he in delivering or conducting the program and other, was regarding the course assessment, it was about how well the course was designed, course material circulated, achievement of stated objectives, etc. He then talked about the results conducted by him on the two E-Governance programs i.e. DIT 3 Projects 12 states study and DIT/IIMA/ WORLD BANK study and emphasized on the learning from the past assessments. This is important because client satisfaction survey results can vary over time as bench marks changes and there arises a need for counterfactuals, also different studies of the same project show very different outcomes. The most important and stressed part of his presentation was on E-Government benefits to clients. These benefits can be in the form of reduced transaction time and elapsed time, less number of trips to government offices, expanded time window and convenient access, reduced corruption, transparency, etc. These benefits were presented through a survey conducted by him in various states on the work done by people in field of transport, property and land record. He compared the impact of work done by people manually and by the use of technology (comport) in these fields. He also pointed that client assessments shall be “what ought to be measured” v/s “what can be measured”. Lastly, he concluded his session by emphasizing that culture of an organization is important apart from the feedback system and also educational training is a co-operative and interacting process between the participants and faculty members/speakers/teachers.

DAY 1: SESSION 4

EVALUATION OF HIGHER EDUCATION: METHODS AND CONCERNS

Speaker: Mr. Otojit Kshetrimayum & Mr. Shankar Chaterjee

The session began with the presentation by Mr. Otojit on “Evaluation: Methods and Concerns”. He stated that evaluation is a part of social research and social research is a “blue-print” of research dealing with- what questions to study, what data are relevant, what data to collect and how to analyze the results. He further listed the steps to be followed for evaluation since it is a social research. The steps are:

- Identifying the problem
- Review of literature (e.g.: journals, articles, etc)
- Research methodology
- Kind of data/study: qualitative or quantitative
- Data collection

He further continued by discussing about the need for judicial training and types of evaluation i.e. formative or summative. He also enlightened the participants with the DONALD KIRKPATRICK’s four levels of evaluation, which are- Reaction, Learning, Behavior and Results. Next, he discussed about the two case studies i.e. based on the Gujarat State Judicial Academy and Delhi Judicial Academy. And lastly, he concluded his presentation by stating the training methods for the Judicial Academy.

The second resource person for this session was Mr. Shankar Chaterjee whose presentation was on “Evaluation in Practical field”. However, his presentation was not confined to the literal judicial aspect of evaluation only. His discussions and presentation were practical, depending upon the daily cores. He said that we make use of the judicial system at our homes by citing an example of the relationship between a child and his parents. He used this example to state that when a child does something wrong, his parents punish him thereby acting as a judicial system. He also emphasized on the Do’s and Don’ts in relation with use of evaluation questions. He talked about indicators which are the tools for monitoring and evaluating an activity. Further in his presentation, he gave a detailed analysis about the

evaluation done in an irrigation project in Maharashtra wherein the government spends money at the initial stage and after a couple of years; it evaluates the field where the money was invested. If the government is satisfied by its results then it continues to invest in such programs. He also discussed about an NGO i.e. PRAGATIBANDHU, which finance/guide small and marginal farmers by forming self-help groups. Lastly, he concluded his presentation by discussing about the case studies done in various states.

DAY 2: SESSION 5

CONSTRAINTS FACED GENERALLY BY ALL EVALUATORS

- **Data collection**
- **Authenticity**
- **Methodology**

Speaker: Mr. Otojit Kshetrimayum & Mr. Shankar Chaterjee

The session began with a brief recap of yesterday's session by Prof (Dr.) Geeta Oberoi and she further inquired from the participants about the problems faced by them in dealing with the feedback forms. The response by the participants was very positive and they shared different problems faced by them in their respective State Judicial Academies, which was listed as:

- Lack of uniformity
- Lack of feedback by participants came for short duration
- Blank fields in feedback forms
- Non-interested topics, less participants
- Not mandatory to fill feedback forms (in some academies)
- Disclosure by senior judges
- Hesitant in writing names
- Lack of co-ordination in selecting programs and participants
- Casual attitude towards the training programs
- No specific/suggestive feedbacks

The session was then proceeded further by Mr. Otojit whose topic of discussion was "Evaluation: prospects & constraints". He discussed about the impact of training such as flexibility, different techniques for different participants, pragmatic choice regarding methodology and effectiveness of training. He took up the constraints listed by the participants and concluded his presentation by discussing and dividing the constraints as following:

- CONSTRAINTS 1-
 - i. Narrow
 - ii. Unrealistic
 - iii. Irrelevant
 - iv. Unfair
 - v. Unused
- CONSTRAINTS 2-
 - i. Fears
 - ii. Outward looking- Inward looking
 - iii. Limited resources
- CONSTRAINTS 3-
 - i. Selection of predominantly formative reaction based assessment methodology
 - ii. Concentration on education purpose rather than other
 - iii. General avoidance of any meaningful measurement of results in terms of enhanced judicial performance
 - iv. Reliance solely on subjective qualitative data rather than to integrate objective quantitative data

The latter part of the session was taken up by Mr. Shankar Chaterjee whose presentation and discussion were based on “constraints faced by evaluators”. He started his presentation by distinguishing between ‘questionnaire’ and ‘schedule’. According to him, a questionnaire is an indirect way of data collection whereas a schedule is a direct way of data collection. He then proceeded towards the major constraints faced by the evaluators like Time, cost, staff expertise, location, facilities available, etc. After discussing the major constraints, he gave some solution for the same like- sharply focused, survey management skills, untrained staff should not be assigned the task and number of respondents should be proper. Further, he told the participants about the concerns of the evaluators-

- Open ended questions are more difficult to categorize

- Difficulty in getting a useful response rate (not everybody returns the questionnaire)
- In designing the layout of questionnaire/schedules, leave enough space for response to open ended questions
- Responses maybe based on the more memorable events
- Necessary to keep the questions focused and to ask the right kind of questions

Mr. Chaterjee concluded his presentation by laying emphasis on PRA i.e. Participatory Rural Appraisal which, according to him, is the best international evaluation methodology. The basics of PRA are: Rapport Building, Role Reversal, Unlearn, Listen & Learn, Trust/Faith, Avoid Biases, Cross checking by people, Diversity and Reality, Participation, Inter Disciplinary, Time saving, rapid but progressive learning and Critical self awareness hand over the stick. He listed a few advantages of PRA, such as - it helps interacting with local communities, gives good understanding of a community and its capacity, empowers the community, learning and facilitates planning, implementation and M&E and also discussed about the important tools of PRA such as:

- Social mapping
- Resource mapping
- Seasonal analysis
- Transect walk

DAY 2: SESSION 6

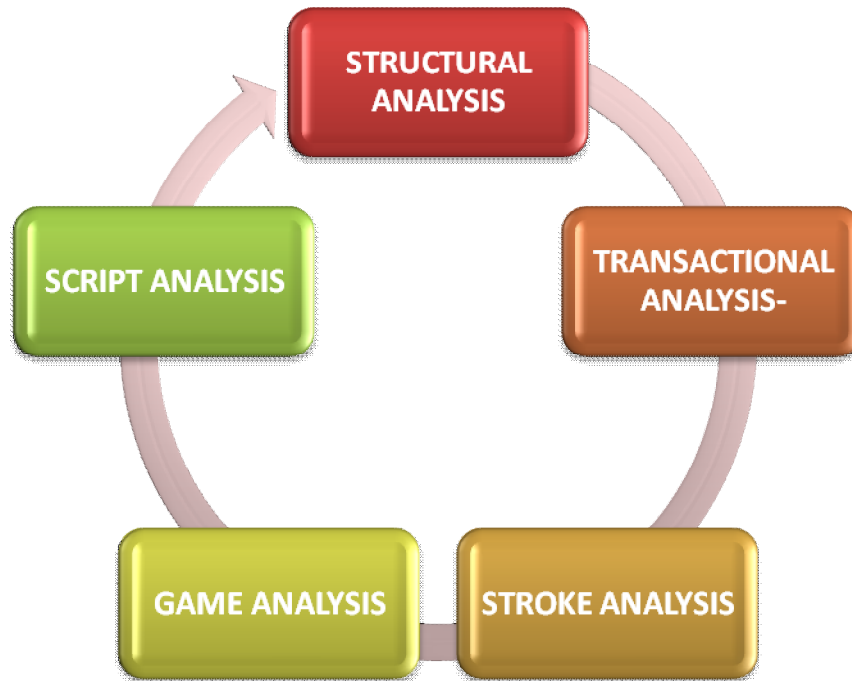
TRANSACTIONAL ANALYSIS

Speaker: Prof. Parul Rishi

The second session of the day was taken up by the Prof. Parul on “Transactional Analysis”. She started the session by distributing an exercise sheet to all the participants as well as to the other members present in the conference hall and asked everyone to fill the sheet according to the directions given by her. For the result of the exercise she said that it will be dealt at the end of her session. After this, she proceeded with her presentation and discussed about- what is transaction analysis. In general, Transactional Analysis is a method of understanding communication between the people. This method was first developed by Eric Berne, an American Psychoanalyst. He gave three transactional basis or principles-

- i. Id – pleasure principle (do pleasing things)
- ii. Ego – realistic principle (contact with reality)
- iii. Super-Ego – ethical principle (do’s and don’ts of life)

Further she discussed about Freud’s mental states i.e. ID, EGO and SUPER EGO and Berne’s ego states i.e. CHILD, ADULT and PARENT. She further added that we can tell which ego state a person is in because of the verbal and non-verbal behavior appropriate to each state. She then discussed about the cycle of Transactional Analysis which can be seen as under-



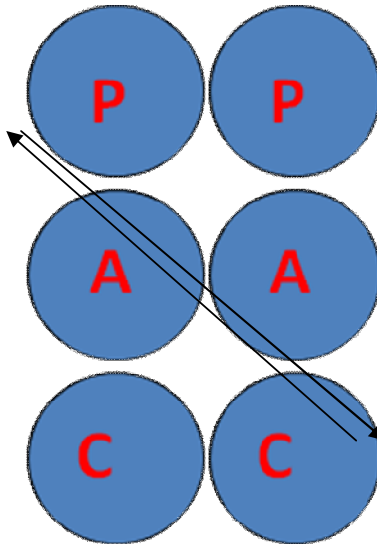
She also said that Berne believed that when we interact with other people, our state of mind affects to what happens. He believed that there were three states of mind in all humans, no matter how old they were, called ego states.

Prof. Parul further explained about the basic structure of Human Personality as-

- PARENT -> Taught concept of life
- ADULT -> Thought concept of life
- CHILD -> Felt concept of life

After this, she explained about the behavioural status of the three ego states as- Parents be in a state of “Do as I do”; Child be in a state of “What shall I do” and Adult be in a state of “I will be frank with you”. Next, she discussed about the strokes which is a basic unit of communication and the fundamental unit of social action and this can be two type: positive or negative. She further added that one has to be thoughtful while using the negative stroke since it can work in one’s contradiction as well. She also discussed about the type of transactions which are- complimentary and crossed, and explained with the following example:

Complementary Transactions



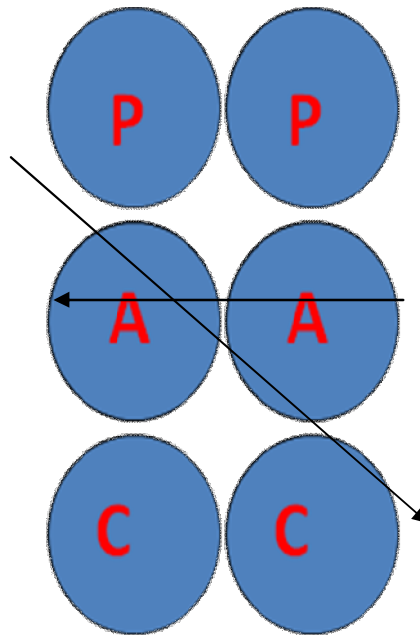
DIRECTOR EMPLOYEE

“You’re three hours late,
I want an explanation”

“I’M really sorry, I slept through the alarm, it
won’t happen again, I promise”

This is a **complementary** transaction because the employee accepts the **child (C)** ego state assigned to him by the director and responds in child ego state.

Crossed Transaction



DIRECTOREMPLOYEE

“You’re three hours late,
I want an explanation”

“Oh, didn’t you get held
up by that accident on the road as well?”

This is a **crossed** transaction because although the manager, **parent(P)** ego state, attempted to address the employee as a **child (C)**, the employee **refuses** this ego state and responds in **adult(A)** ego state to the manager’s ego state.

A crossed transaction is any transaction where the person being spoken to **refuses** the ego state they are assigned by the first speaker.

After discussing about different transactional styles, professor concluded the session by calculating results for the exercise sheet given at the starting of the session.

DAY 2: SESSION 7

TOOLS FOR ASSESSING POST TRAINING PERFORMANCE OF FAMILY COURT

Speaker: Dr. Manju Mehta

The session was preceded by Dr. Manju, who started the session by listing the topics discussed under training for family courts. These topics were given by the participants which were noted by Dr. Manju. The topics were:

- Maintenance u/s 125 Crpc
- Issues related to psychology
- Child rights/custody
- Child psychology
- Reconciliation
- Ability to handle conflicts/aggression
- Ability to resolve conflict
- Issues related to child emotion and ego
- Family Court Act and rules
- Foster care and Adoption of child
- Guardianship act and its various facts
- Fault and No-fault Theory
- Matters relating to domestic violence
- Effect of divorce on children
- Surrogate rights
- Shared parenting
- Divorce under Hindu Marriage Act

After listing the topics, Dr. Manju proceeded with her presentation, telling us about the aim of evaluation, its methods, techniques and types. She elaborated the four levels of the evaluation i.e. Reaction, Learning, Behaviour and Result. After ending up with her presentation, she asked the

participants about how they work in the mediation? The answer to this was given by a few participants. Then she came up with an exercise for the participants in which the participants sharing a same table were formed into a group and were allotted a topic from the list made earlier. They were asked to make two questions along with the options for answer for the questionnaire on the given topic. Out of all, some questions are-

- Whether training was sufficient to identify the mental illness?

(Topic: child psychology)

- Is the workshop helpful in dealing with problems of child custody?

(Topic: Child rights/custody)

- Are you able to remove aggression?

(Topic: Ability to handle conflicts/aggression)

- Are you aware of the methods to resolve conflicts?

(Topic: Ability to resolve conflicts)

In the meanwhile, Dr. Manju also guided the participants about the framing of the questions, its language and simplicity of the sentences. After the questions were made by the participants, Dr. Manju guided and corrected the participants if there was something wrong or incorrect in their questions. Thus, the session ended with discussing the questions formed by every group on the given topic.

DAY 2: SESSION 8

TOOLS FOR ASSESSING POST TRAINING PERFORMANCE OF MAGISTRATE PRESIDING OVER JJB's AND TOOLS FOR ASSESSING IMPACT OF MENTAL HEALTH ACT TRAINING FOR JUDGES

Speaker: Dr. Manju Mehta

The session was again headed by Dr. Manju, in which she initiated the session by discussing the questionnaire given in the reading material provided to the participants. After going through and discussing it, again a list of topics was prepared by Dr. Manju with the help of the participants based on the training given to the magistrates for dealing with Juvenile Justice Cases. These topics were:

- Child development
- Adolescent period
- Family background and relationships
- Child psychopathology
- Intelligence
- Methods used to modify behaviour manipulative behaviour, effect of peer group
- Drug abuse

Like the previous session, the participants were again divided into the same groups and were asked to make one question along with three options for the answer from the given topic. Out of all, some questions are-

- Manipulative behaviour of a child is because of :-

(Topic: Manipulative behaviour)

ANSWER: 1. Coming in contact with bad company 2. Family background

3. Lack of education

- Character development of a juvenile is possible:-

(Topic: Child Development)

ANSWER: 1. keeping in shelter homes 2. Engaging in social service
3. No punishment, no development of character

- Deviant behaviour of the child may be modified:-

(Topic: Methods used to modify behaviour)

ANSWER: 1. By moral education 2. By school education
3. By vocational training 4. All of the above

- How would you judge the intelligence of a child:-

(Topic: Intelligence)

ANSWER: 1. By asking simple questions and watching his Conduct/demeanour
2. With the help of an expert
3. From school records

However, this exercise was better than the previous one since by now the participants got a rough idea to prepare a questionnaire. Dr. Manju, then, discussed the questions made by each group. After this, she discussed the pro-forma given in the reading material and later, concluded her session by discussing about the Mental Health Act.

DAY 3: SESSION 9

ACTING ON ANALYSIS- FOLLOW UP ACTION

Speaker: Mr. Asheem Srivastava

The first session of the day started with recapping of the previous day's sessions. Surprisingly, this task was given to the participants, out of which a few actively responded for this. The session then proceeded by Mr. Asheem Srivastava discussing about the impact of Hiroshima-Nagasaki. Further, he shared about his experience of National Conference on Juvenile Justice Board held at National Judicial Academy. It was a two-day conference, he discussed about each day independently. After sharing and discussing about the conference, he shared his experience of visiting a sports authority center in Chennai. Therein he interacted with the sports persons and their coaches independently. Initially, he found that the sports persons were reluctant to share anything but by the passage of time, these sports persons interacted very well and shared about each and everything they go through in the center. After this, he presented the data collected by him on the National Conference and taught the participants about the data feeding, analyzing of data, for example: in context of JJB, Analyzing data on representation of women in JJB or From where is your district JJB working. He presented these data by the help of excel sheets and hence, motivated the participants to use excel sheets and graphical methods for feeding and analyzing the data. His next discussion was based on the POCSO analysis report made by him. He concluded his presentation by telling about the methods to feeding and analyzing the data.

DAY 3: SESSION 10, 11 & 12

COLLECTING FRANK AND ANONYMOUS FEEDBACK, ELEMENT OF ANALYSIS OF RESPONSES RECEIVED & HOW TO DEAL WITH CRITICISM RECEIVED IN FEEDBACK?

Speaker: Mr. Sampath Iyengar

At large, this session was based upon the above topics which began by energizing the participants with some energy-boosting exercises by Mr. Sampath. He advocated the principle that “enjoy with me but not at my cost”. ‘Feedback is the breakfast of the champion’- this was the starting line of his presentation. Discussing the importance of the feedbacks, he asked the participants about their expectations at the end of this program. The interesting part was that every participant replied for this question. Some gave reply as- they will gain some knowledge after this workshop, will learn something new, learn more about the topic, etc. His presentation was based on the following topics-

- What is feedback?
- Importance of feedback
- Types of feedback
- Features of effective feedback
- Feedback technique
- Analysis of feedback
- How to handle negative feedback

He advised the participants that not to just understand the importance of feedback but also realize its importance. He further quoted some real-life examples for feedback which were- mirror, mind, appreciation, suggestion/advice, exam results, hungry, pain, smile, judgment, counseling, etc. His main contention behind these examples was to tell that feedbacks are experienced by everyone in the normal course of life as well. He then asked the participants that how many people have received a feedback since morning. He then asked that what we do with the feedbacks, to which he further added that either we succeed or we learn. There is no failure in this matter. If we don't succeed then you definitely learn something. He then came up with an

exercise for the participants wherein all the participants were asked to close their eyes for 2 minutes and think about the best feedback they have received in their life and share the answer with their partners.

After the exercise, he stressed upon- why feedback? In answering this he stated some reasons, such as - it helps to identify the areas of strengths, imparts ways to improve and correct performance, boost confidence in areas they have correct performance & behavior, act as a caution as well as motivates behavior change and lastly, it helps you to understand where you are as compared to where you want to go. He also said that one should depend upon the quality of feedbacks and not on the quantity of feedbacks. The next think he discussed was- who to give/get feedback. In its answer he laid down certain points as to whom feedbacks can be given - give feedbacks only when asked for, give when the receiver is the 'right' person , refrain giving feedbacks behind the person and with respect with by whom shall a feedback be accepted, he stated that - get from unbiased and non-judgmental people, get from SME and get from trustworthy people only. He also discussed about- How to give feedback, for which he stated 7 criteria for effective feedback. They are:

- i. The feedback provider is credible in the eyes of feedback recipient.
- ii. They feedback provider is trusted by the feedback recipient.
- iii. The feedback provider is conveyed with good intentions.
- iv. The timing and circumstances of giving feedback are appropriate.
- v. The feedback is given in an interactive manner.
- vi. The feedback message is clear.
- vii. The feedback is helpful to recipient.

Another important thing he discussed while giving feedback is to 'be sensitive'. One should be sensitive while giving feedbacks as in they should keep in mind the situation when giving feedbacks. He stated and stressed upon the golden rule of feedback i.e. feedback shall be positive in public and negative in private. That means a feedback which is positive shall be given in public whereas if it is negative then it shall be personally conveyed to that person in private. Next he talked about the types of feedbacks, which are- solicited & unsolicited, verbal & non-

verbal, right & wrong, positive & negative, instant & evaluated, past & future, suggestive & judgmental and open & anonymous. After discussing the types of feedbacks, he asked from the participants about the type of feedback they would support- open or anonymous? Quite a many supported anonymous feedback. Along with the participants, Mr. Sampath too strongly supported and favored anonymous feedback. In its favor, he stated some advantages of anonymous feedback, like- appropriate when large number of people are involved, fearless, drives transparency and easy to give negative feedback. However, he did pointed out some disadvantages for the same too, which are- lack of trust, ambiguous, general in nature, lack of context lead to incorrect feedback, difficult to take specific corrective action and demands more money and time.

In respect of formulating a questionnaire, he said that one should put bouncer questions, which does not include direct questions, in order to get accurate feedback otherwise the direct questions asked in the questionnaire can be manipulated by the participants. For the evaluation he supported and suggested for 'feed forward' rather that 'feedbacks'. Comparing the two, he pointed that feed forwards are a better way, always positive, gives suggestion for future, anyone can do it, quite a fun and anyone can give it. Whereas if we talk about the feedback, they are- feed: about the past, can be positive/negative, need to know the person, needs to be an expert (real or assumed) and can be painful. He further discussed about- How to give negative feedback. One must be cautious in giving a negative feedback because the person whom you giving such feedback can be offended by such feedback. The technique which can used to give negative feedback is- praise, criticize and praise. Next he taught about how to handle the negative feedbacks. It can be handled by:

- Just say 'Thank you'
- Give them a smile
- Don't get into argument/clarification
- Apologize quickly for the inconvenience
- Keep calm and focus on the basics
- Consider before decision

- Ignore if it doesn't make sense
- Take it easy, if you are helpless
- Express gratitude

However his sessions were one of the most entertaining sessions since he incorporated some videos and audios in his presentation and thereby making it a fun-filled session.

DAY 4: SESSION 13-14

PRE-TRAINING & POST TRAINING EVALUATION OF JUDGMENT WRITING SKILLS

Chaired by: Justice Madan B. Lokur & Justice R C Chavan

The first session of the day was initiated by Prof. S P Shrivastava and later, continued by Justice Lokur, briefing about the order of the presentation. The presentations were given by the participants i.e. Directors/ Representatives of the State Judicial Academies, on the questionnaire given to them on 'Evaluation of judicial education: judgment writing'. The questions of the questionnaire are:

1. Whether the assessment of judgment writing is conducted by your academy?
 - (a) If no, then how you assess the judgment writing skills for judicial officers?
 - (b) If yes, then describe the methodology used for evaluation of judgment writing skills
2. What is the period during which the assessment of judgment writing is done during the year?
 - (a) Monthly
 - (b) Quarterly
 - (c) Half yearly
 - (d) Annually
3. Whether your academy gives any exercise/problem to the judicial officer for writing a judgment, which is to be assessed?
4. Whether the assessment of the judicial officer is being reflected in their future prospects/obligation in the judiciary?
5. What are the parameters established for evaluating judgment writing skills?
6. Whether different parameters are established for assessing the judgments in civil cases and judgments in criminal trials

If yes, then elaborate such differences through which the assessment is being made.

7. No. of sessions that your academy devotes to conduct training for judgment writing skills?
8. Whom do you invite as speaker/resource persons for imparting judgment writing skills?
If possible, kindly name some of them.
9. Whether a continuous evaluation system is developed to assess improvement in quality of judgment post training?

The presentation was given on power point by majority of the participants, only a few chose oral presentations. The answer of the questionnaire was same for a majority of the participants. For instance, in answering the first question- Whether the assessment of judgment writing is conducted by your academy? Majority answered 'yes' and gave the methodology used by their academy for the same. Talking about the second question- What is the period during which the assessment of judgment writing is done during the year? The answer to this question varied, for some it was annually, for some it was quarterly, some relied on the discretion of respective High Courts and for some it was half yearly. For the third question- Whether your academy gives any exercise/problem to the judicial officer for writing a judgment, which is to be assessed? Majority answered as yes and further told about the various materials they provide for writing judgment such as paper-book, exercises, etc. For the fourth question- Whether the assessment of the judicial officer is being reflected in their future prospects/obligation in the judiciary? The answer was a yes for majority, thereby quoting certain instances wherein the reflection of the assessment was seen for the future prospective. For the fifth question- What are the parameters established for evaluating judgment writing skills? Again for this question, the answers varied. Different participant stated different parameters followed by their academies. However, a few were common amongst all. For the sixth question- Whether different parameters are established for assessing the judgments in civil cases and judgments in criminal trials; if yes, then elaborate such differences through which the assessment is being made. Different parameters were stated by the participants for both, civil cases and criminal trials. Only a few academies don't follow any different parameters for such cases. For the seventh question- Number of sessions that your academy devotes for conducting training for judgment writing skills? This answer was in a positive for all though the number of sessions varied depending upon the different aspects of the governing high court. For the eighth question- Whom do you invite as speaker/resource persons for imparting judgment writing skills? A list of speaker/resource persons was given by every

participant which mainly comprised of faculty members, retired high court or district court judges and other judicial members. For the last question- Whether a continuous evaluation system is developed to assess improvement in quality of judgment post training? There was a mixed and balanced answer for this question, almost half said yes for the development of continuous evaluation system in their respective academies.

DAY 3: SESSION 15

FEEDBACK BY JUSTICE R C CHAVAN

This session was a feedback session by Justice Chavan. He spoke about the status of impact of assessment at the State Judicial Academies. He also shared his curiousness regarding the resource persons for this workshop, especially Mr. Samapath Iyengar. He discussed about the efforts made for making the reading material and advised to the participants upon assessments. He said that let us make our programs more interesting by assessments. Regarding the learning in past four days of the workshop, he discussed about the difficulty faced by the participants in making the questionnaire. Further he talked about the presentation held in the previous sessions and pointed out some shortcomings. On a light note he said that he is here to point out the flaws rather than the positives. Stating the shortcoming, he discussed that it is difficult to assess the judicial member came for the training programs. Further he added that the resource persons who came exclusively talked about their own fields which were a little irrelevant with the judicial aspect and also judiciary is different from other fields, in which the sessions were taken. However, apart from pointing out the shortcomings, Justice Chavan gave some advice and suggestions to the participants also. He said that the participants shall make the presentations applicable, given by the various resource persons and also, the questionnaires are important for assessments of the trainees. He then discussed the various topics mentioned in the reading material provided to the participants for this workshop. He further discussed about the impact of assessment, which is done at three levels- at the participant level, at the trainer level and the institutional impact.

Taking the session on the lighter mode, he discussed about the bollywood movie- 3 Idiots and stated that there are three types of persons who come for the training, they are:

- Who know nothing
- Who know something
- Who know everything

Now, it is the task of the trainers to identify such persons and connect accordingly. He recalled and praised Mr. Sampath Iyengar for his presentation and talked about the goals of training he discussed. Coming back to judiciary, he said that feedbacks in judiciary are variable hence there

shall be specific questions to find out the proper feedbacks. Further he discussed about the formulating the questions/questionnaire and stressed upon using the tools like Google forms, Google pro, lime survey, etc. He suggested the participants to learn these tools and analyze the assessment through these. He further advised the participants to practice making questionnaire since it can be helpful in judging the human nature. He then discussed about a few pages of the reading material. And lastly, suggested the participants to form a group and keep in contact with each other and share the happening of their academies.

The baton of the session was then handed to Justice Lokur and he concluded the session by commenting upon the presentation held in the previous sessions. And lastly, he invited questions from the participants. The questions were asked by the director of the Delhi Judicial Academy, NJA Registrar and a few more participants which were answered by Justice Chavan and Justice Lokur collectively.

DAY4: SESSION 16

FEEDBACK BY JUSTICE MADAN B. LOKUR

Justice Lokur, in this session, discussed about the 'Evaluation of judgment writing skills'. Talking about the presentation held in the previous sessions, he asked- for whom is the judgment being written? Answering this he said that one must be clear about whom the judgment is being written so that the person you are writing for can understand it clearly. He then discussed about the style of the judgment. By this he meant that judgments should be easy while reading, clear and to the point. This is necessary since communication is really important and to whom it is made is equally important. He also discussed about the proportionality between the length and the subject matter of the judgment. The judgment should be to the point and shall not contain unnecessary matter in order to increase the length of the judgment. He further discussed about the content of the judgment for which he cited example of the landmark writing style of the three great Judges, namely- Justice Holmes, Justice Denning and Justice Krishna Iyer. Talking about the content, he emphasized that there should not be any cut and paste in the judgments in order to increase the length of the judgments and use of proper heading can add to the clarity of the judgments. Next he discussed about the influences of the public opinion and media and suggested that no expression of personal views shall be followed while giving the judgments. Talking about the influence of public opinion and media, he quoted some examples such as that of Yakub Menon's case and the latest being, Indrani Mukherjee's case. Further he discussed about the passage of time and issues of language. Referring the passage of time, he meant to convey that with the time, society undergoes a change and so the social context changes as well and hence. We should comply with such changes. In the context of issues regarding the language, he said that the language may be different for different places but the basic principle remains the same. However, he also emphasized the importance of translation.

Next, he discussed about- what should a judgment shall contain? For its answer he stated a few points, such as reason and law and submissions. And lastly, discussed about what you should do. The answer was given as-

- Leadership is important in every aspect related to the Judicial Academy
- New subjects (e.g.: cyber crime, land acquisition, food security, etc)

- Analysis of existing judgments
- Involvement of academies emphasized on impact assessment.

The session was concluded by inviting the questions from the participants. The questions by some participants are:

- What is the nature of submissions?
- Examples on social audit
- How can the media impact be avoided?
- How can the selection of the participants be made for the training programs?

DAY 5: SESSION 17-18

COMPARATIVE ANALYSIS OF EVALUATION FORMS FOR P820 & P935

Chaired by Justice Madan B. Lokur & Justice Kurian Joseph

This session was initiated by Prof (Dr.) Geeta Oberoi and later, continued by the presentations given by the participants on the analysis of two evaluation forms given by NJA (i.e. P820 & P935). The questions given for the presentation were:

1. What kind of impression you draw from the responses provided by participants?
2. What methods are available to tabulate the response received collectively?
3. What use can be made of responses received?
4. How it can help you in designing your next program for the NDPS court?
5. Compare the forms and responses submitted with that of second set of forms and responses. From which format and responses, better information can be collected?
6. Can you come up with your revised version of evaluation format for better data collection post training?
7. Can you device re-training evaluation form to be distributed to participants in advance before conducting program on NDPS courts?
8. Are you aware of professionals/schools/disciplines engaged in the business of evaluation and monitoring? Has your State Judicial Academy ever approached such professionals?

Unlike the previous presentation session, less number of participants gave a power point presentation and many chose oral presentation. The answers for the presentation can be summarized as:

1. The impression drawn from the responses was quite positive for all the participants. According to them, the responses were satisfied, pleasing and was appreciated by the participants who gave the feedback.
2. Regarding the methods available to tabulate the responses collectively, majority stated the use of excel sheets, graphical representation, pie charts, word documents, etc. while some also stated the use of software like Google forms, lime survey, etc.

3. The use of responses can be made as- for designing the future modules/programs, selection of the resource persons, new courses for the training programs can be arranged, identifying strengths and areas of improvement, etc.
4. It can be helpful as- Best practices can be identified and can be shared for future programs, resource persons can be identified, important topics can be highlighted, addressing the problems faced by NDPS officers, the suggestions given by the participants can be incorporated, What are the grey area where the participants expect to be imparted training, etc
5. In comparing the two set of forms- P820 & P935, both these forms were equally supported by the participated. The only difference spotted was that the first set form (P820) covers about the whole program including the hospitality and hence was quite general in nature. Whereas talking about the second form (P935), it was more analytical about the program and strictly covered the details about the program.
6. Everyone answered as yes for coming up with their own revised version of evaluation format for post training, but only a few actually formulated the post training data evaluation out of which the one formulated by the Additional Director of West Bengal Judicial Academy was highly praised by the chair as well as by the participants. Some questions of his evaluation format are:
 - Did the course meet your expectation? If no, then what were your expectations?
 - Were the course notes beneficial? If no, then what were your expectations?
 - Do have any suggestions by which the training might be improved to meet the aims more effectively?
 - Has there been any case study on NDPS Act during the training?
 - Give suggestion on how the problem in determining the drug quantity can be solved?
7. Like the previous question, everyone answered as yes and only a few actually formulated a pre-training format. And again the one from West Bengal Judicial Academy was highly raised by all. A few questions of his evaluation format are:
 - Number of NDPS cases pending at your court
 - In how many cases charge-sheet is pending for non-submission of FSL report?
 - What problems are you facing in determining the drug quantity?
 - How many cases ended in acquittal since last one year?
 - Where are the seized articles being kept generally?

8. The answer for this question was majorly negative. However, a few academies are aware of such professionals/schools/disciplines and have also such professionals.

After the presentations, Justice Lokur discussed about a few things regarding the evaluation. He discussed about- why should we have an evaluation? To answer this he said that evaluation gives an idea from the perception of the participants as a large and not only by one or two persons. Further, he praised the process of evaluation. He then discussed about, asking of the correct questions. For which he said that for a correct question, there is a correct answer. Hence, what you ask is what you will get. Questions should be so asked so as it generates illicit response. It is just like the 'garbage in; garbage out' in terms of computer language. He further discussed about the analysis of the answers you receive. These analysis help in specific responses, improving the programs, helps to analyse as to what a participant wants to convey. Analysis is just like a cross-question thing of the judiciary. Next he talked about 'possible critiquing; possible improvement'. By this he wished to convey that one must accept the honest opinion given by the participant and should work on the improvement in case of negative response. He emphasized on taking every opinion seriously, whether positive or negative. He then stressed upon transparency in what we do. Since judicial academies are government funded, hence it is necessary for us to utilize the money effectively. Often the accountability of such institutions is at the question. Lastly, he discussed about the importance of mediation and computerization.

The baton of the session was then handed over to Justice Kurain, he briefed about the impact of assessment and the importance of evaluation. Further, he praised such programs as these programs are a great help to the Supreme Court and NJA. He then posted some questions to the participants, they are:

- Has any academy conducted any study on the NDPS cases on acquittal/conviction?
- Deliberate lapse in the duty of a judge- has any study been conducted by any SJA?
- What makes the court litigant friendly?
- Has any litigant gone out of court with a satisfaction? If not, then why?

The answers of the first two questions were given by Justice Kurian himself; however, the answers of the last questions were given by the participants. For the third question, on what

makes the court litigant friendly, the participants answered as- welcoming attitude, transparency and accountability, computerization of the court schedule, information to the litigant about the procedure of the court, etc.

The session was concluded by Justice Kurian, stressing upon the improvement in our courts and thereby, listening the cry of the litigant.