

ADJUDICATING TERRORISM CASES: FACULTY DEVELOPMENT - II

28TH & 29TH JANUARY 2023

REPORT

A two-day 'Training of Trainers' program for faculty development Phase II (ToT-2) was conducted at Judicial Academy, Jharkhand on January 28th and 29th 2023. The training was organised by National Judicial Academy, Bhopal, India in collaboration with Central and Eastern European Legal Initiative Institute (CEELI Institute), Prague, Czech Republic and Federal Judicial Centre (FJC), Washington DC, USA. The central aim of this Training of Trainer's program was to create a group of trainers who are judges to impart special training and to develop a cadre of trained judges who are experts in adjudication of Terrorism cases. This endeavor has been taken in order to meet the challenges and complex issues faced by the Indian Judges at large while adjudicating terrorism cases.

The first Phase of Training of Trainer's program for faculty development was conducted at Tamil Nadu State Judicial Academy, Chennai on 12th to 13th November 2022. In the said training program 9 judicial officers from all over India, were chosen by the CEELI Institute in consultation with NJA, Bhopal. The participating officers were:-

1. Mr. Manmeet Singh Suri, Additional Director (Training) JTRI, Lucknow;
2. Dr. Humayun Rasheed Khan, Additional Director (Research) JTRI, Lucknow;
3. Ms. Garima Sharma, Additional Director, Chhattisgarh State Judicial Academy, Bilaspur;
4. Mr. Ankur Gupta, Officer on special Duty, Patna High Court;
5. Ms. Madhu Khanna Lalli, ADJ-cum-Faculty Member, Chandigarh Judicial Academy, Chandigarh;

6. Mr. Ch. K. Bhupathi, PDJ, Rangareddy District Court, Hyderabad, T.S;
7. Dr. Sunnan Srinivas Reddy, 25th Chief Additional Judge, City Civil Court, Hyderabad, T.S;
8. Mr. D. Lingeswaran, Director, Tamil Nadu State Judicial Academy and
9. Mr. Onkar Nath Choudhary, Additional Director-cum-Senior Faculty Member, Judicial Academy Jharkhand.

The purpose of the first phase of training was that a curriculum be designed for training judges on Adjudication of Terrorism cases. All the participating trainee judges with the help of faculties from CEELI Institute and FJC developed a curriculum and each participating trainee judge (total 9 in number) were assigned a topic on which they would give deliberations while imparting training to other judges. The assignment of topics were in the following manner:-

1. Dr. Humayun Rasheed Khan- Fair trial
2. Mr. Onkar Nath Choudhary- Laws/Legislations
3. Mr. D. Lingeswaran- Framing the Charges
4. Dr. Sunnan Srinivas Reddy- Case Management
5. Mr. Ch. K. Bhupathi- Evidentiary Issues
6. Mr. Ankur Gupta- Cyber/Digital Evidence
7. Ms. Garima Sharma- National Security Management of Classified Information.
8. Mr. Manmeet Singh Suri- Transnational issues
9. Ms. Madhu Khanna Lalli- Security (Stakeholders)

In the second phase of Training of Trainers Programme (TOT-2) which was organised at Ranchi same set of judges who had participated in the first phase as to be Trainers were invited. The six main objectives of the TOT-2 was that after completion of the training the participant will:

- Finalize their session outline, including title and agenda description
- Make a short interactive presentation
- Create two PowerPoint slides
- Facilitate a group discussion
- Facilitate a learning activity
- Identify program materials to collect and/or develop, including background reading

Day one 28th January 2023

In the beginning of the training at 9:30 A.M, Shri Sudhanshu Kumar Shashi, Director Judicial Academy, Jharkhand welcomed all the nine participating Judicial Officers and the resource persons who had come from CEELI institute, Prague and FJC Washington DC. The Director spoke about the purpose of training i.e creation of a group of trainers for imparting specialised training to the selected judicial officers in Adjudication of Terrorism cases in consonance with the principles of Haque memorandum. He also emphasised on the impact of globalisation due to which impact and reach of terror has increased multi-fold in the contemporary era, where the speed of communication is enormously wide and fast. In the light proliferation of transnational terrorist groups with globalised agendas whose operations involve many countries or have ramifications that transcend national borders, it is important that the legal and judicial architecture is in place to deal with the menace and judges who are involved in adjudicating terrorism cases should be aware of all the complexities and intricacies of the issues involved, and be prepared to deal them with efficiency while imparting justice to all.

The resource persons were: -

1. Ms Maria Ladrón de Guevara, Program Officer, Central and Eastern Europe Legal Initiative Institute, Prague, Czech Republic (CEELI, Prague).
2. Ms Celine Calpo, Program Specialist, in The Federal Judicial Centre, United States.
3. Ms Claire Smearman, Senior Judicial Education Attorney, in Federal Judicial Centre, United States.
4. Mr Jonathan E. Hawley, Federal magistrate judge for the United States, District Court for the Central District of Illinois, United States.

All the resource persons and participants introduced themselves. Ms Claire Smearman explained and discussed the agenda of the two-day training program. She also welcomed the participants and thanked Director, Judicial Academy, Jharkhand for hosting the program.

Thereafter activities for curriculum design commenced. In first two sessions, each participant presented their opening statement and an overview of the session, their session planning and the activities they would include in the session while explaining the decisions regarding learning objectives, content, learning activities and their sequence. Every participant was given 5 minutes for presentation, and after each presentation a group discussion ensued and the presenting participant were offered feedbacks on their proposed session planning. Some of the them were advised to modify/amend their sessions by the resource persons and other participants.

The participants were also asked to identify each of the proposed topics with relevant chapters of South East Asia Regional toolkit for effective adjudication of terrorism cases.

On the first day, during post lunch sessions, Ms Claire Smearman discussed elements of an effective presentation and how to use learning objectives to guide

a presentation, strategies for making a presentation interactive and best practices for using demonstrative aids.

Ms Celine Calpo, Program Specialist at FJC and Ms Maria Ladrón de Guevara discussed how to approach a slide deck. During the deliberations, the focus of discussion was how power point presentation helps instructors, attract and maintain participants engagement through brevity, media and aesthetics. Importance of effective demonstrative aids such as graphics, images, and video as well as interactive elements such as quizzes were also discussed and was impressed upon the participants to incorporate them strategically into their slide deck for a successful presentation. Basic introduction was given to teach participants how to prepare power point slides. All the nine participants were divided into four groups and each group was requested to prepare 2 slides each on any one of the topics, assigned to the member of that particular group. After each group prepared two slides on one of the topics, they were asked to make group wise presentation of 8 minutes each on the next day.

Judge Hawley and Ms Claire Smearman discussed about facilitating group discussions. Class room discussion is an important tool for engaging learners and reinforcing content. Facilitating discussions can be challenging for the resource person, so aspect of facilitating discussions was discussed. The participants were asked to encourage participation, keep the session on topic without dominating the discussion, and challenge learners to think critically. Participants were told about the tools used by facilitators which includes open ended questions, follow up questions, diffusing disruptive comments and redirecting comments.

Towards the end of Day 1, Judge Hawley and Ms Claire Smearman while discussing activities of facilitation for practice, one participant was asked to volunteer while introducing a discussion topic, a 7-minute discussion was facilitated by the volunteer, while the remaining participants were given a note with certain instruction to interject. The purpose of this activity was a practice with facilitation skills. While concluding day 1 of the program, the resource

persons gave important feedbacks and suggestions on the discussion so that the participants could improve upon their facilitation skills.

Day two 29th January 2023

Pre-lunch session was divided into three parts. Each part was preceded by Judge Hawley and Ms Claire Smearman. In the first part each of the four groups gave 8 minute Power Point presentation, which were prepared by them on the first day, thereafter on the conclusion of presentations a discussion was invited in order to provide feedback to the presenting teams as to organisation, clarity, time allocation and demeanour of the presenting group in order to find that :-

- Were the learning objectives clear?
- Were the learning objectives achieved?
- Did the presenters engage the audience? How?
- Was the visual aide used effectively?
- Was the presentation collaborative?

The purpose of this activity was to sharpen the presentation skills and team-teaching skills of the participants.

In the second and third part of the pre-lunch session Judge Hawley and Ms Claire Smearman reviewed and discussed the components of learning activities proposed by each participant. Discussions were made on:-

- Selecting the ‘right’ activity
- Drafting a hypothetical scenario
- Allocating time
- Writing clear instructions
- Providing feedback
- Integrating “quick” learning activities such as a poll or quiz

The post lunch session was presided by Judge Hawley and Ms Claire Smearman. In this session each participant was given ten minutes to present and facilitate the learning activity, they had included in the session planning outline. After the presentation made by each participant group discussion took place in which each of them was given feedback as well as suggestions to improve upon their session planning. They were also requested to add other activities, which were not generally incorporated by the other participants in order to make their session interesting and purposeful.

In the last part of post lunch session, each participant was given 30 minutes to revise their workshop session plans based on feedback, teaching methods, and learning activities modelled through this workshop. Thereafter each participant shared their significant changes/ modifications made by them to their session plans.

At the end of the session Hon'ble Mr. Justice Shree Chandrashekhar, Judge In-charge, Judicial Academy Jharkhand joined and gave valuable insights on the topic and appreciated the aim and purpose of the training program. The two-day training program ended by vote of thanks, addressed by Director Judicial Academy, Jharkhand and thanked all the resource persons and the participants for making the workshop a resounding success.
