

## Outline

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### Background:

Delegates attending this course are called upon to prepare statements and reports for use in court proceedings and to, potentially, attend court to give oral evidence based upon those reports. The course will provide the necessary skills to enable delegates to produce concise, accurate and compelling written evidence and give guidance as to how to present that evidence to best effect in the courtroom.

**Duration: 2 days** (may be run over 1 day, with theory only and without skills practice)

### Key Learning Outcomes:

- Understanding of the legal system, the legal process, what is good practice,
- How to construct a witness statement/report
- What is expected of the witness at Court
- What happens at Court
- How to prepare for and give oral evidence
- What to expect in cross examination

At the end of the course, participants should have gained a good working knowledge of how the court system works, together with a firm understanding as to how to create and present written statements and reports in an effective and persuasive way and how to give evidence and cope with being cross examined. A detailed breakdown of the course appears at the end of this course outline.

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This is a two day course designed to ensure that delegates develop the skills to produce balanced and compelling statements and reports as well as the ability to attend court and give considered and convincing oral evidence in support, if required. **Note:** It may be delivered as a one-day course though without skills practice.

The course will enable participants to be reassured over any fears they may have about encountering the legal system and it recognises the increasing demands upon social workers to give concise, persuasive, written evidence to the court. The course emphasises the importance of written evidence, and provides an overview of how that evidence fits into the hearing process. All key learning objectives listed above will be covered.

The course provides a summary of the legal system, an explanation of the respective role of judges, lawyers and other parties, and an analysis of lawyers'

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tactics and techniques. It also includes information as to the proper construction and form of written reports; how to assess the relevance and weight of evidence; how to use exhibits and associated documents and how to develop an effective and persuasive style.

The course is designed to be constructive and is conducted in an accessible and supportive manner.

**Maximum number of delegates: 15**

### **About the Trainer:**

Andrei Szerard has been a qualified barrister for 28 years, and was, until recently, Head of Chambers at 3 Dr Johnson's Buildings, Temple. He has practised in all areas of criminal and family law, conducting cases at the Old Bailey, the Court of Appeal and the High Court in London. Andrei has been delivering Court Skills training over many years for Talking Life to thousands of social workers across many local authorities in England and Wales.

Andrei has outstanding communication skills, as you would expect for a leading barrister; he is also very approachable, humorous and popular and has the great skill of making proceedings entertaining, whilst being able to put participants at ease in what could be seen by them as a daunting experience!

### **Feedback from the course:**

"An excellent piece of training. It was informative, well paced and excellently delivered" (Adults Social Worker, Kent)

"I was a bit apprehensive before attending the course. However, the lecturer was excellent. He helped me to feel at ease and I thoroughly enjoyed the two days." (Adults Social Worker Gwynedd)

# Court Skills for Adults Social Workers – (including Statement Writing) Course Outline

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## THE COURSE PROGRAMME (9.30-4.30)

The course consists of 3 sections;

1. The legal system, good practice, new legislation
2. Court Skills
3. Practical Exercises

### 1. The legal system, good practice, new legislation

- Where does 'law' come from?
- Statutes, regulations and 'common law'
- How law changes – "Setting a Precedent"
- The court system of England and Wales
- Lawyers, Judges and Magistrates

### 2: Court Skills

Constructing a witness statement

- Identifying the issues/what the court wants
- Providing the relevant information
- Using accurate information
- Using records
- Using the 'critical eye'

What to avoid in a witness statement

- Selectivity
- Irrelevance
- Inaccuracy
- Acronyms
- Cliches
- Others

The witness at court

- Notification of a court appearance
- Getting there and getting there on time
- What happens when you arrive at court

- Discussing the case with lawyers?
- What does the inside of a Court look like?
- What are the differences between Courts?
- What are the similarities?

#### The day at Court

- Being 'called' as a witness
- Answering the questions
- Important things to remember
- Cross Examination – purposes
- Common areas for cross examination
- Why cross examination sometimes becomes aggressive
- How to deal with aggressive cross examination
- Situations when your lawyer (or the Judge) will intervene
- Other cross examination techniques
- Why what you see in the films isn't true (mostly)

#### Gaining Experiences

- What makes a 'good' witness – discuss
- What makes a 'bad' witness – discuss
- Go to court as an observer
- Discuss court experiences with colleagues – honestly
- Objectively assess the court experience
- Using the 'critical eye'
- 'Winning isn't everything'
- Delegates' discussion and feedback

### 3 Practical Exercises

The objective of this exercise is to familiarise delegates with the process of giving oral evidence in a formalised setting. It is designed to allow delegates to put into practice matters discussed earlier in the course.