



The Inns of  
Court College  
of Advocacy

# Advocacy and the Vulnerable

National Training Programme

## The Art of Facilitation Workbook

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Welcome to your 'Art of Facilitation' manual and reflective journal which has been created to assist you as you move on to deliver the Advocacy and the Vulnerable National Training Programme.

Its purpose is to help you:

- remember and review the course content
- plan implementation of new knowledge and skills in your facilitator role
- Build a foundation for capability into the future by reflecting on positive and developmental points before, during and after your experience of facilitating on the Advocacy and the Vulnerable National Training Programme

Feel free to write all over the workbook – making notes, doodles and pictures – whatever works for you, in helping remember and capture the key points.

## What is facilitation?

Before we go on to explain what is meant by 'facilitation', it is important to point out that although your role has been determined as a facilitator, for this training programme, you are much more than that. Your expertise and your own training, led by HHJ Sally Cahill QC and others, will be central to the feedback you give to delegates in your groups.

The word 'facilitation' comes from the Latin 'facilis', which means 'to make easy' and the key skills, which include observing, listening, questioning, challenging, confronting and supporting, are used by a facilitator to help individuals and groups to reach their own goals. The irony of this will not be lost on you as you deliver training to delegates to exercise those very same skills as they learn to question vulnerable witnesses.

Trainers frequently use the skills of facilitation to help delegates learn by identifying what has worked well and not so well in a skills practice session. In this way, a facilitator can go on to encourage the learner to identify how they can apply this learning in a professional context.

Facilitation then is a process that enables groups and individuals to reach their own goals. For Advocacy and the Vulnerable training, it will mean leading from the front. At other times, facilitation can mean being part of a group, following the direction which a group determines is appropriate, by participating rather than persuading.

The right atmosphere has to be developed so that the facilitator can concentrate on providing the resources and opportunities for groups and individuals to reach their goals. Participation, learning from experiences and discussions, feedback and planning the application of the learning are crucial elements.

## Creating an environment conducive to learning

Delegates learn best when they feel safe, relaxed and are able to do something practical (we all learn better by doing). In order for this to happen the facilitator must ensure the best possible environment for learning.

Ensure the room is set up in a way that enable participants to work easily in pairs or small discussion groups. It is likely here that you will require tables. Participants should be able to see one another's faces and not be staring at someone else's back. So for medium-sized facilitation

activities do not use theatre-style seating. Small groups benefit by being on small separate tables or in a semi-circle.

Make sure delegates are able to see visual aids properly and that they can hear you in all parts of the room. Keep an eye on the temperature.

Allow time for short introductions as part of the content. Participants will feel more relaxed and learn more if they know others around them. In the introduction to your session include a statement of equality asking everybody to join in, asking everybody to listen to each other with respect, valuing everybody else by saying that no one person's contribution is worth more than anybody else's and if relevant taking the focus off you if you can, even though your presence in the room means that you are there to train as well as facilitate.

Clarify your role as facilitator and the purpose of your facilitation with participants. To a large degree, you are there as the expert in this situation but you are also there to help and support. The training should be inclusive.

Clarify your agenda and timings especially breaks. Delegates do not learn well if they are thirsty or need a comfort break.

Explain what delegates are there to achieve and what they will have done by the end of the session.

## **Four steps to facilitation**

These four steps can be used when running any participative learning as an individual activity; e.g. briefing groups to split into pairs to work on a task such as question construction, then patrolling the boundaries as the delegates work (facilitation), reviewing after the activity as to what they learned and closing the exercise by summarising and moving onto the next section.

### **Briefing**

Be clear and quite prescriptive when telling delegates what you want them to do. Bear in mind that delegates will not hear all instructions. Ensure that all delegates have written instructions with them which should have been downloaded from the ICCA website in advance.

Be very clear on the time allowed for activities; their responsibility for completing the task in the given time and what you will want from them as part of the bigger group when the time is up. In this case, there are clear instructions as to what they need to do with the questions they have shared and scrutinised for accuracy and compliance with the guidelines.

### **Facilitating**

It will help if you patrol the room when delegates are critiquing questions as your help will be needed by some.

Allow time for delegates to get started on an activity for a few minutes by themselves then check they are clear and clarify any areas that appear confused.

Give time checks along the way to the whole group especially in the last minutes (it's amazing how much work gets done at the end!) Finish on time.

Make sure that you observe the process of learning so that you can be aware from noticing body language who might be struggling, who is not involved, and who is dominating a pair. Observe your own energy levels and don't be afraid to use your intuition and check with that all is well.

As well as observing, listening is a skill for facilitators. Be aware of your own listening biases - e.g. thinking about how to answer before hearing all of the message; being hijacked by your emotions when your pet ideas; prejudices and points of view are overturned; particular words or emotive words that when we hear them we get upset or irritated and stop listening.

If pairs ask for help beware leaping in and providing too much. They are there to learn and are asking for help. Don't let your ego get the better of you by letting them off the hook and providing an answer. Ask some questions that might get them thinking in new ways.

## **Reviewing**

When reviewing results or learning from an activity, look for ways to encourage if answers are not right.

The duty of the facilitator in these circumstances is always to show respect and, if at all possible, "save face." A wrong answer may indicate that others are also in difficulty. If you have picked on a person, it's unlikely that they are the only one in the group confused, muddled etc. Offer the incorrect response to the rest of the group for further opinions: "How do the rest of you feel about Sarah's answer? Are your own answers similar?"

Such wording places you in a position of neutrality and will let you know how widespread the problem is. It may also encourage somebody else with an acceptable answer to give their reasoning behind it, gently correcting Sarah and anybody else in difficulty. You are not always seen, therefore, as the person with "the bad news" and your participants will hopefully begin to view each other as resources.

Sometimes questions are asked by participants that are really statements of OPINION. These often begin with, "Don't you think that the best way is to..." Recognising that these questions are really statements of opinion through which the participant is making a point is the first step. Try passing it back to yourself or throw it to the group.

Do not be embarrassed by silence. Rushing in to fill it can stunt contribution and hinder learning. Five to ten seconds (particularly if a question you posed is involved) is not a long time to wait for an answer. Counting mentally or under your breath up to ten can aid the process of allowing the right gap for answers to come. It also prevents you attempting to fill any silences that occur.

If there is time, involve the group by asking for their viewpoint. If you are short of time then give some examples from your own experience but tailor it so it is relevant to them. If participants fight or challenge answers that you know are correct then avoid taking sides – acknowledge the unpopularity but explain that this is the way things are and that we all have to operate with such rules and guidelines if we are to progress. If you can anticipate such resistance, then you point them in the direction of further resources.

## **Closing**

If you have time, always get participants to provide a short summary of their key learning. If you are short of time, summarise yourself what has been covered.

- Thank participants and show appreciation for their work/learning
- Tell them where to get additional support and help if needed
- Follow up issues raised as appropriate

## Different characters in the classroom

Given that this training is compulsory and most have now accepted that the shift to adjusting questioning of vulnerable witnesses is necessary and inevitable, it is hoped that few delegates will present difficulties in the training sessions but that does not mean you will not encounter some resistance or tricky questions. Often, taking responsibility for not conveying the message correctly will take the steam out of things.

Set out below is a non-exhaustive list of characters you may come across and some tips on how to deal with such situations.

### **The Andrex Puppy**

Will be eager to get one-to-one attention and monopolise the session. Try giving them an example of what you observed them doing, how it impacted on the group as a whole and how you hope it might change. You can explain that the learning outcomes for the group are your priority and any challenges should be left until the end.

### **The Guru or Know-all**

May try to disrupt the group with various different behaviours including not listening, taking calls or talking over you. Again if left unchallenged this can be the undoing of a session. Peer pressure can help by opening up their objections to the rest of the group and getting them to help you to settle the delegate. If all else fails, you should ask them (in private away from the group) if they would prefer to leave.

### **The Bulldog**

May be aggressive and want to win the game. Usually, they have misunderstood the point. Put delegates like this on your left and pretend not to hear them. Keep cool. If he pipes up with something useful then you can engage with him.

### **The Horse**

Keen and enthusiastic but too talkative. Take up just one of his points and open it up for discussion. Move on and don't let him dominate.

### **The Gazelle**

Will do anything not to be noticed. Ask a direct question which he is sure to be able to answer. Encouragement is key as he may be a valuable asset.

### **The Hedgehog**

Is prickly and hates everyone. He is not without ability but is sceptical of change and anything new. He is disinclined to be helpful. If you enable him to have his ideas listened to and accepted by others he will start to listen to the opinions of others. Encourage him to come out of his corner and thank him when he does.

### **The Hippopotamus**

Will not want to be involved at all. He is openly hostile and incapable of adopting ideas. Encourage him to talk about his own experiences and work, to illustrate his resistance.

### **The Fox**

Will try to outwit you and throw grenades at you and other delegates. Do not attempt to tackle him head on. Open up his interventions to the group instead of dealing with them one-to-one, on your own.

## Giving Feedback

Feedback helps delegates learn from their experiences. Sometimes delegates can offer feedback to each other, but your expert feedback will be vital and the most important aspect of the training event. You have the benefit of preparation; a better knowledge of the subject matter, and this will help make sure delegates come away with something useful.

It is important to give feedback in a way which will not be threatening and increase defensiveness. The more defensive the individual is, the less likely it is that they will correctly hear the feedback.

Avoid rigid, parental language (e.g.: “you always...”; “you must...”)

Avoid diminishing your message (e.g.: “overall that was good, but...”; “well, that wasn’t too bad



but...”; “perhaps, sometimes you might just tweak that a little bit”)

Keep breathing and relax your posture.

Ask questions if performances are not quite up to the standard you would be expecting. e.g. “The first part of your question was very helpful and I like the way you phrased that. However the second part sounded like it might be leading the witness. How else could you have phrased that?”

Be encouraging and constructive in giving feedback. Make sure you highlight and compliment a good performance.

Keep improvement points to one or two things. Don’t overload. If there is time, you can ask delegates to summarize back what they have heard so you are clear they have taken it on board. Try to do this in a way that does not come over as patronising. This sounds much better than “Please repeat back to me what I’ve just said.”

Focus feedback on observations rather than inferences. Observations refer to what you can see and hear in the behaviour of another person, whereas inferences refer to interpretations and conclusions you make from what you see or hear.

## A dozen top tips for effective facilitation

### Preparation is key

You should be completely familiar with all aspects of the training materials. We would strongly advise that you watch and read all of the compulsory and optional materials available on the ATC website in advance of any training.

## **Do not lecture**

Aside from the introduction and the closing remarks, the course is not designed to be a lecture. Delegates should be doing all of the work and your job is to facilitate that. Lecturing is rarely an effective method of teaching. Go for a quick start and a big finish!

## **Encourage participative learning**

Do not forget that your delegates should always be participants in the learning process. Make your delegates DO, make them ASK, make them TALK.



## **Be objective focussed**

Have in mind at all times the objectives to come out of this training. It is not your job to make all your delegates great advocates. This training is simply to ensure that all advocates, when dealing with vulnerable witnesses, understand the key principles behind the approach to, and questioning of, vulnerable delegates in the justice system.

## **Give good examples**

Be confident and give real examples of 'good questions' and be clear in your feedback about good and poor questions and the reasons for it. Don't always cite your own experiences but refer delegates to good examples of advocacy that you have observed.

## **Relate training to practice**

Do not forget to help delegates relate the subject matter to their advocacy in court. What you facilitate must be explicitly connected to professional work-based problems for the true transfer of learning to take place.

## **Develop a thick skin**

Do not be offended by bad feedback. Teaching and facilitating is not easy and even the most proficient trainers and facilitators have much to learn. There is no place for a trainer's ego in the classroom. Delegates will already regard you as senior to them and will be more concerned with learning a new skill and completing the course.

## **Enthuse your learners**

Be passionate about the training and that will transfer to your delegates. Passion about a subject is infectious.

## **Learn names**

Try wherever possible to know all of your delegates' names in advance. This will go a long way to make delegates feel comfortable and to encourage them to participate more willingly.



## Be mobile

Move around your delegates and get amongst them. Relaxed body language is important as well as a large dose of empathy.

## Be aware of different characters

Go out of your way to cajole, enthuse and encourage – not all delegates will be equally confident or able. Differing levels of ability will always be a tricky aspect to overcome.

## Smile

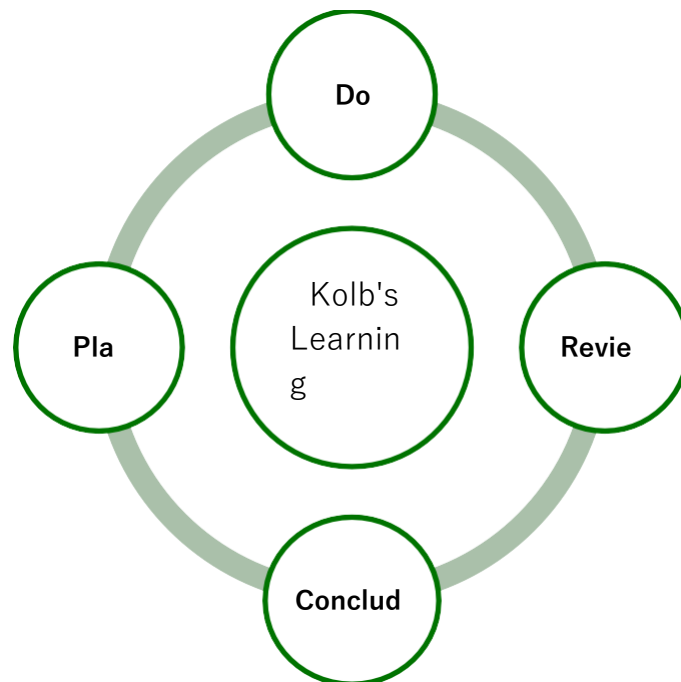
Joke (a little) and give something of yourself to the session, anecdotally perhaps.

## Reflective journal

### What did you learn after facilitating this event?

(Only to be completed after you have run your first Advocacy and the Vulnerable training event. This is your personal learning and you do not have to share it with anyone unless you wish to).

The best learning happens when we follow the learning cycle of **do**, **review**, **conclude** and **plan**.



This section of the workbook is for you reflect on how well you facilitated your own workshops, what didn't go so well and what you could do differently next time.

"When I next facilitate, what do I need to do – more of, less of, differently or the same. Use the following headings as a guideline".



**Planning the environment**

**Identifying and clarifying the purpose/agenda**

**Managing the timings**

**Briefing participants**

**Use of my own facilitation skills such as questioning, listening, intervening, handling different characters**

**Helping participants to review and draw conclusions from their learning**

**Giving feedback during role play**

**Closing individual activities and ending workshop**