

Advocacy Skills Workshop

Advanced Advocacy Skills

NSW DPP, 7 & 10 November 2018



Dear Workshop Participant,

The AAI is pleased to be able to provide this advocacy workshop for you and we are sure that you will find this course helpful in improving your advocacy skills.

Workshop Program:

Part 1: Introductory Session – Wednesday 7 November 2018

Time: 5.00pm to 7.00pm

Location: **Offices of NSW DPP, Sydney**

Part 2: Advocacy Performance Skills Workshop – Saturday 10 November 2018

Time: 9.00am to 5.15pm.

Location: **The Family Court of Australia, 99 Goulburn Street, Sydney.**

Workshop format:

The following “**Timetable and Task Allocation**” details the format for this workshop. At the start of the following Timetable you will find a table that allocates a **GROUP** and **PARTICIPANT NUMBER** for each participant.

On Saturday, Group Performance Sessions and Technique Sessions have been scheduled through the day. In the Group Sessions, you will break into smaller groups to individually **present your allocated advocacy tasks** before a Judge/Instructor in the same manner that you would present in court. You will find your allocated advocacy tasks set out within each session of the timetable.

Once you have finished each performance you will be given a review by the instructor. This review is designed to be positive, not critical. You will be given advice on ways that your individual performance can be improved using various advocacy skills, including a demonstration and explanation of the particular skills relevant to your performance.

The Workshop Case Studies:

We acknowledge that for some of you, the case studies we will use may not be of the type you generally deal with. Equally, you may be asked to perform tasks representing the Defence rather than the Prosecution. The AAI teaching method uses these case studies deliberately as we believe them to be very good for the teaching of advocacy, demonstrating skills that can be applied in any jurisdiction. The advocacy skills you will learn will be of universal application – the same skills apply regardless of the type of case, the side or the jurisdiction you appear in. This has been proven in over two decades of advocacy instruction by the AAI.

Please don't get bogged down in your preparation with any legal technicalities within the case studies. Don't research or bring statutes or precedents. Do not be distracted with “the law”. Evidence is restricted to **only** that contained within each case study so you do not need to look outside the immediate information provided. The purpose of this workshop is to help you with how to structure a case, how to prepare, how to ask purposive relevant questions, how to argue, how to be persuasive in court. We will not be concerned with jurisdictional procedure.

Preparation before the workshop:

This is a performance-based workshop. **NO** preparation time is included on the workshop day.

Advance preparation is essential. You are required to prepare each of your set tasks between now and the commencement of the workshop. Please **allow yourself time to prepare properly** – it is anticipated that you should allocate 4 to 5 hours for this preparation.

Please also note that in the workshop group sessions, participants will be called upon to act as the witness when other participants are presenting their tasks in Cross Examination. A thorough knowledge and understanding of the facts of each case study will help both you and your colleagues get the most out of the workshop.

If you are not totally familiar with the requirements of any particular advocacy task, you may find it helpful to refer to the “Specific Advocacy Tasks” summary at the end of the Course Materials document.

You have also been provided with a pdf copy of the “AAI Advocacy Manual”, which contains detailed chapters on each of the advocacy tasks you will be presenting. Unfortunately, copyright restrictions require this version to be ‘read only’ and cannot be printed. You are **not** required to bring a copy to the workshop, rather use this Manual in your preparation and for future reference.

Presenting your set tasks:

You will see in the timetable task allocations that a time limit has been set to present each task. Please prepare the whole of the task, even though the time allocation means you may not finish your presentation. Your review will be on that part of the task you present, not the parts you may not have reached.

At the close of the workshop the evaluation sheet provided with these materials will be collected. Please fill out this form before leaving as your (anonymous) comments help us structure future courses.

Dress is casual. Refreshments and lunch will be provided on Saturday.

Regards



Scott Wallace
General Manager, Australian Advocacy Institute.
Email: aai@advocacy.com.au



TIMETABLE AND TASK ALLOCATIONS

PARTICIPANT NUMBER

This is your participant number and is used to determine which **TASKS** you will be performing in the timetable that follows.

	RED GROUP	BLUE GROUP
1		Sevinch Morkaya
2	David Coulton	Megan Heywood
3	Alex Brown	Rob Taylor
4	Adrian Walkowiak	Luke Wiggins
5	Cherie Roatz	Nick Angelovski
6	Kylie Henry	Roger Murray
7	Julia Dewhurst	Amanda Mifsud

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WEDNESDAY 7 NOVEMBER 2018

At the Offices of the NSW DPP, Sydney

SESSION 1 5.00 to 7.00pm (120 mins)	
General Session	<u>INTRODUCTION AND OVERVIEW</u>

SATURDAY 10 NOVEMBER 2018

At the Family Court, 99 Goulburn Street, Sydney

SESSION 2 9.00 to 10.00am (60 mins)	
Group Session	<u>PLEA IN MITIGATION</u>
Performances in Group: 4 mins per task	<u>Case Study 1: DPP v Uri Zukov</u> TASK: Present a plea on behalf of Mr Zukov PARTICIPANT: 1 TASK: Submit on behalf of the Prosecution PARTICIPANT: 2 TASK: Present a plea on behalf of Mr Zukov PARTICIPANT: 3 TASK: Submit on behalf of the Prosecution PARTICIPANT: 4
Review in Group: 4 mins per task	<u>Case Study 2: CDPP v Evelyn Cannon</u> TASK: Present a plea on behalf of Ms Cannon PARTICIPANT: 5 TASK: Submit on behalf of the Prosecution PARTICIPANT: 6 TASK: Present a plea on behalf of Ms Cannon PARTICIPANT: 7 TASK: Submit on behalf of the Prosecution PARTICIPANT: 8

MORNING TEA 10.00 to 10.15am (15 mins)

SESSION 3 10.15 to 11.30am (75 mins)	
Group Session	<u>CROSS EXAMINATION</u>
Performances in Group – per task: (i) Address: 3 min. (ii) Cross Exam.: 7 min. Review: 8 min.	<u>Case Study: CDPP v Nigel Bland</u> TASK: (i) Address: Perform part of your prepared closing argument on the point or points which you will cross examine 3 minutes (ii) Cross Examine the Witness to achieve the point/s on which that argument is based 7 minutes Task Allocation: Participant 1. Cross Examine Witness: Mr Goldberg (Played by Participant 5) Participant 2. Cross Examine Witness: Snr. Det. Bruce (Played by Participant 6) Participant 3. Cross Examine Witness: Mrs Bland (Played by Participant 7) Participant 4. Cross Examine Witness: Mr Bland (Played by Participant 2)
SESSION 4 11.30am to 12.45pm (75 mins)	
General Session	<u>TECHNIQUES IN QUESTIONING WITNESSES</u> <u>CASE THEORY</u>

LUNCH 12.45 to 1.15pm (30 mins)

SESSION 5

1.15 to 2.15pm (60 mins)

Group Session

Performances in Group –
per task:

(i) Address: 3 min.

(ii) Cross Exam.: 7 min.

Review: 8 min.

CROSS EXAMINATION

Case Study: CDPP v Nigel Bland

- TASK:** (i) Perform part of your prepared closing argument on the point or points on which you will cross examine **3 minutes**
- (ii) Cross Examine the Witness to achieve the point/s on which that argument is based **7 minutes**

Task Allocation:

Participant 7. Cross Examine Witness: Mr Goldberg (Played by Participant 3)

Participant 5. Cross Examine Witness: Mrs Bland (Played by Participant 1)

Participant 6. Cross Examine Witness: Mr Bland (Played by Participant 2)

SESSION 6

2.15 to 3.30pm (75 mins)

General Session

THE CLOSING ARGUMENT

COMMUNICATION IN THE COURTROOM

SESSION 7

3.30 to 5.00pm (90 mins)

Group Session

Performances in Group –
per task:

Performance: 5 min.

Review: 7 min.

OPENING ADDRESS AND CLOSING ARGUMENT

Case Study: CDPP v Nigel Bland

- TASK:** Present an opening address or final argument as per the task allocations **5 minutes**

Task Allocation:

Participant 5. Present opening address for Prosecution

Participant 7. Present opening address for Defence

Participant 6. Present closing argument for Prosecution

Participant 2. Present closing argument for Defence

Participant 3. Present opening address for Prosecution

Participant 1. Present opening address for Defence

Participant 4. Present closing argument for Prosecution

SESSION 8

5.00 to 5.15pm (15 mins)

General Session

DISCUSSION AND CLOSING SESSION

Evaluation Sheet: Participants are requested to complete and return to instructors.