

Advocacy Skills Workshop

NSW Department of Justice, July 2017



Please read the information below immediately and thoroughly as it is important to your preparation and contribution to learning at the workshop.

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 4th July, 2018

Time: 5.00pm to 7.00pm

Location: **The Family Court of Australia, Level 7, 99 Goulburn Street, Sydney.**

This session will finish by 7.00pm.

Part 2: Advocacy Performance Skills Workshop – Saturday 7th July, 2018

Time: 9.00am to 5.30pm.

Location: **The Family Court of Australia, Level 6, 99 Goulburn Street, Sydney.**

Workshop format:

The following “**Timetable and Task Allocation**” details the format for this workshop. On the next page 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.

At this workshop, one of your performances will be video recorded and you will then be given an individual ‘video review’, in private, with an instructor.

The Workshop Case Studies:

Why are we using applications and a ‘criminal’ case study?

We acknowledge that for some of you, the case studies we will use may not be of the type you generally deal with. We use 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 jurisdiction you appear in or the side you appear on. 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 during the actual workshop.

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 3 to 5 hours to 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 tasks in Evidence in Chief and 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.

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	Alexander Jobe	Isabel Kallinosis
2	Mena Katawazi	Hannah Quinn
3	Janet de Castro Lopo	Rebecca Jeyasingam
4	Valentino Musico	Michael McIntosh
5	Katie Llewelyn	Sue-Yin Chew
6	Skye McKinnon	Timothy Long
7	Bianca Holliday-O'Brien	Giancarlo Nalapo
8	Vicki Hughes	Adeline Nguyen

FRIDAY 4 July 2018

At the Family Court of Australia, Lev 7, 99 Goulburn Street, Sydney

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

SATURDAY 7 July 2018

At the Family Court of Australia, Lev 6, 99 Goulburn Street, Sydney

SESSION 2 9.00 to 10.00am (60 mins)	
Group Session	<u>APPLICATIONS</u>
Performances in Group: 4 mins per task	<p><u>Case Study 1: Porcine v Royal Bridgewater Golf Club</u></p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 1</p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 2</p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 3</p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 4</p>
Review in Group: 3 mins per task	<p><u>Case Study 2: Middleton v Blanchard and Handy Bros</u></p> <p>TASK: Apply for an urgent injunction PARTICIPANT: 5</p> <p>TASK: Oppose the application PARTICIPANT: 6</p> <p>TASK: Apply for an urgent injunction PARTICIPANT: 7</p> <p>TASK: Oppose the application PARTICIPANT: 8</p>

MORNING TEA 10.00 to 10.15am (15 mins)

SESSION 3 10.15 to 11.30am (75 mins)	
Group Session	<u>LEADING EVIDENCE AND CROSS EXAMINATION</u>
Performances in Group: 5 mins per task	<p><u>Case Study: DPP v Nigel Bland</u></p> <p>TASK: Lead Evidence for Prosecution from Mr Goldberg PARTICIPANT: 3</p> <p>TASK: Cross Examine Mr Goldberg for Defence PARTICIPANT: 4</p> <p>TASK: Lead Evidence for Prosecution from Snr. Det. Bruce PARTICIPANT: 1</p> <p>TASK: Cross Examine Snr. Det. Bruce for Defence PARTICIPANT: 2</p> <p>TASK: Lead Evidence for Defence from Mrs Mabel Bland PARTICIPANT: 8</p> <p>TASK: Cross Examine Mrs Mabel Bland for Prosecution PARTICIPANT: 7</p> <p>TASK: Lead Evidence for Defence from Mr Nigel Bland PARTICIPANT: 6</p> <p>TASK: Cross Examine Mr Nigel Bland for Prosecution PARTICIPANT: 5</p>
Review in Group: 4 mins per task	
Video Reviews: 12 mins per participant	<p><i>All participants must be completely familiar with all witness statements within this case study to enable them to act as witnesses.</i></p>

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 2.30pm (75 mins)	
Group Session	<u>LEADING EVIDENCE AND CROSS EXAMINATION</u>		
	<u>Case Study: DPP v Nigel Bland</u>		
Performances in Group: 5 mins per task	TASK: Lead Evidence for Prosecution from Snr. Det. Bruce		PARTICIPANT: 7
	TASK: Cross Examine Snr. Det. Bruce for Defence		PARTICIPANT: 8
	TASK: Lead Evidence for Prosecution from Mr Goldberg		PARTICIPANT: 5
Review in Group: 4 mins per task	TASK: Cross Examine Mr Goldberg for Defence		PARTICIPANT: 6
	TASK: Lead Evidence for Defence from Mrs Mabel Bland		PARTICIPANT: 2
	TASK: Cross Examine Mrs Mabel Bland for Prosecution		PARTICIPANT: 1
Video Reviews: continue	TASK: Lead Evidence for Defence from Mr Nigel Bland		PARTICIPANT: 4
	TASK: Cross Examine Mr Nigel Bland for Prosecution		PARTICIPANT: 3
SESSION 6		2.30 to 3.30pm (60 mins)	
General Session	<u>THE CLOSING ARGUMENT</u>		
	<u>COMMUNICATION IN THE COURTROOM</u>		
SESSION 7		3.30 to 4.45pm (75 mins)	
Group Session	<u>OPENING ADDRESS AND CLOSING ARGUMENT</u>		
	<u>Case Study: DPP v Nigel Bland</u>		
Performances in Group: 4 mins per task	TASK: Present opening address for Prosecution		PARTICIPANT: 5
	TASK: Present opening address for Defence		PARTICIPANT: 6
	TASK: Present closing argument for Prosecution		PARTICIPANT: 1
Review in Group: 4 mins per task	TASK: Present closing argument for Defence		PARTICIPANT: 4
	TASK: Present opening address for Prosecution		PARTICIPANT: 3
	TASK: Present opening address for Defence		PARTICIPANT: 2
	TASK: Present closing argument for Prosecution		PARTICIPANT: 7
	TASK: Present closing argument for Defence		PARTICIPANT: 8
SESSION 8		4.45 to 5.20pm (35 mins)	
Group Session	<u>Repeat Performances</u>		
Performances in Group: 2 mins per task	Participants to repeat part of one of their earlier performances, first identifying the review point that they were given from that performance.		
Review in Group: 2 min per task	Order of Performances: Set by instructor.		
SESSION 9		5.20 to 5.30pm (10 mins)	
General Session	<u>DISCUSSION AND CLOSING SESSION</u>		
	Evaluation Sheet: Participants are requested to complete and return to instructors.		