

Advocacy Skills Workshop

Maddocks, Melbourne, 29 August & 8 September, 2018



Please read the information below immediately and thoroughly as it is important to your preparation and contribution to learning at this 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 29 August, 2018

Time: 5.00 pm to 7.00 pm

Location: **Maddocks, Melbourne**

Part 2: Advocacy Performance Skills Workshop – Saturday 8 September, 2018

Time: 9.00 am to 5.00 pm.

Location: **Maddocks, Melbourne**

Workshop Format:

The following “**Timetable and Task Allocation**” details the format for this workshop. On page 3 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. 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:

Advance preparation is essential. You are required to prepare each of your set tasks between now and the commencement of the workshop. There will be an introductory session on 29 August, 10 days before the workshop. It is important that you read the case studies before the introductory session, so you can apply what you are hearing about preparation, and the fundamentals of the advocacy skills you will be performing at the workshop to them. This will also assist you to better prepare for the performance based workshop on 8 September. **NO** preparation time is included during the Saturday workshop.

Please **allow yourself time to prepare properly** – it is anticipated that you should allocate about 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 examining and cross examining. 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. There are no witness statements. The case studies contain sufficient information to enable you to lead evidence and cross examine the witnesses.

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



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TIMETABLE AND TASK ALLOCATIONS

GROUP and PARTICIPANT NUMBER

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

	BLUE GROUP	GREEN GROUP
1		
2		
3		
4		
5		
6		
7		
8		

WEDNESDAY 29 August 2018

SESSION 1	5.00 to 7.00pm (120 mins)
General Session	<u>INTRODUCTION AND OVERVIEW</u> Moderator: Her Honour Judge Felicity Hampel SC

SATURDAY 8 September 2018

SESSION 2	9.00 to 10.15am (75 mins)
<p>Group Session</p> <p>Performances in Group: 5 mins per task</p> <p>Review in Group: 4 mins per task</p>	<p><u>APPLICATIONS</u></p> <p><u>Case Study 1: Porcine v Royal Bridgewater Golf Club - Application</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> <p><u>Case Study 2: Wood v Chop</u></p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 5</p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 6</p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 7</p> <p>TASK: Apply for an ex-parte injunction PARTICIPANT: 8</p>

MORNING TEA 10.15 to 10.30am (15 mins)

SESSION 3	10.30 to 11.30am (60 mins)
General Session	<p><u>ARGUMENT</u></p> <p><u>CASE THEORY</u></p>

SESSION 4	11.30 to 12.45am (75 mins)
<p>Group Session</p> <p>Performances in Group: 5 mins per task</p> <p>Review in Group: 4 mins per task</p> <p>Video Reviews: 10 mins per task</p>	<p><u>ARGUMENT</u></p> <p><u>Case Study 3: Davies v Riverside Grammar</u></p> <p>TASK: Present Argument for Applicant PARTICIPANT: 5</p> <p>TASK: Present Argument for Respondent PARTICIPANT: 6</p> <p>TASK: Present Argument for Applicant PARTICIPANT: 7</p> <p>TASK: Present Argument for Respondent PARTICIPANT: 8</p> <p><u>Case Study 4: Middleton v Handy Bros. & Blanchard</u></p> <p>TASK: Present Argument for Applicant PARTICIPANT: 1</p> <p>TASK: Present Argument for Respondent PARTICIPANT: 2</p> <p>TASK: Present Argument for Applicant PARTICIPANT: 3</p> <p>TASK: Present Argument for Respondent PARTICIPANT: 4</p>

LUNCH 12.45 to 1.15pm (30 mins)

SESSION 5 1.15 to 2.15pm (60 mins)	
General Session	<u>TECHNIQUES IN EVIDENCE-IN-CHIEF and CROSS EXAMINATION</u>

SESSION 6 2.15 to 3.35pm (80 mins)	
Group Session	<u>EVIDENCE-IN-CHIEF and CROSS EXAMINATION</u>
Performances in Group: 5 mins per task	<u>Case Study 4: Middleton v Handy Bros. & Blanchard</u> TASK: Examine in Chief Jonathon Middleton PARTICIPANT: 3 TASK: Cross Examine Jonathon Middleton PARTICIPANT: 4 TASK: Examine in Chief Jane Blanchard PARTICIPANT: 2 TASK: Cross Examine Jane Blanchard PARTICIPANT: 1
Review in Group: 4 mins per task	<u>Case Study Davies v Riverside Grammar</u> TASK: Examine in Chief Jason Davies PARTICIPANT: 5 TASK: Cross Examine Jason Davies PARTICIPANT: 6 TASK: Examine in Chief David Gribbon PARTICIPANT: 8 TASK: Cross Examine David Gribbon PARTICIPANT: 7 <p style="text-align: center;"><i>All participants must be completely familiar with both case studies to enable them to act as witnesses.</i></p>

SESSION 7 3.35 to 4.05pm (30 mins)	
General Session	<u>COMMUNICATION SKILLS</u>

SESSION 8 4.05 to 4:45pm (40 mins)	
Group Session	<u>Repeat Performances</u>
Performances in Group: 3 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 4.45 to 5.00pm (15 mins)	
General Session	<u>DISCUSSION AND CLOSING SESSION</u>
	Evaluation Sheet: Participants are requested to complete and return to instructors.