

Advocacy Skills Workshop

Sydney, 12-13 October, 2018



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 – Friday 12 October 2018

Time: 5.00pm to 7.00pm

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

Part 2: Advocacy Performance Skills Workshop – Saturday 13 October, 2018

Time: 9.00am to 5.30pm.

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. 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 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 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. 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
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TIMETABLE

AND

TASK ALLOCATIONS

Advocacy Skills Workshop

IMPORTANT

- Each attendee has been allocated a participant number. This number can be found below.
- This time table details when each participant will perform their tasks.
- **Familiarise yourself with ALL the case studies**
- **Consider how the case may be presented from each side**
- **Prepare to present the WHOLE ALLOCATED TASKS**
- **You may be asked to perform part of a task**
- **You will be reviewed on the part of the task you perform in the allotted time**

TIMES FOR PERFORMANCE AND REVIEW WILL BE STRICTLY OBSERVED

DAY 1

FRIDAY 12 October 2018

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

4.45 to 5.00 pm (15 mins)	
	<u>REGISTRATION</u> – Family Court Level 7
SESSION 1 5.00 to 7.00 pm (120 mins)	
General Session	<u>INTRODUCTION AND OVERVIEW</u>

GROUP AND PARTICIPANT NUMBER

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

	RED GROUP	BLUE GROUP	GREEN GROUP	YELLOW GROUP
1	Jennifer Hold	Megawati Lie	Osman Samin	Teagan Naidu
2	John Fickling	Katherine Doust	Farzana Choudhury	Shahen Davityan
3	Gillian Eldershaw	Benish Haider	Philip Muller	Sarah Hein
4	Parastou Hatami	Jack Hibbard	Dudley Yariyari	Anthony Giugni
5	Alexandra Palk	Michael Levy	Hannah Panizzutti	Stephen Edwards
6	Tristan Lockwood	Lisa Rankin	Nicholas Scerri	Arielle Zinn
7	Arthur Metaxas	Nithya Ramesh	Matthew Sakaris	Declan Murphy
8	Felicity Cain	Craig Parrish	Nicolette Strauss	Self Rumbewas

DAY 2

SATURDAY 13 October 2018

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

SESSION 2		9.00 to 10.00 am (60 mins)	
Group Session	<u>APPLICATIONS</u>		
	<u>Case Study 1: Porcine v Royal Bridgewater Golf Club</u>		
	TASK: Apply for an ex-parte injunction		PARTICIPANT: 1
	TASK: Apply for an ex-parte injunction		PARTICIPANT: 2
	TASK: Apply for an ex-parte injunction		PARTICIPANT: 3
	TASK: Apply for an ex-parte injunction		PARTICIPANT: 4
<u>Case Study 2: Middleton v Blanchard and Handy Bros</u>			
	TASK: Apply for an urgent injunction		PARTICIPANT: 5
	TASK: Oppose the application		PARTICIPANT: 6
	TASK: Apply for an urgent injunction		PARTICIPANT: 7
	TASK: Oppose the application		PARTICIPANT: 8
	Performances in Group	4 minutes per task	
	Review in Group	3 minutes per task	
MORNING TEA <i>10.00 to 10.15 am (15 mins)</i>			

SESSION 3		10.15 to 11.30am (75 mins)	
Group Session	<u>LEADING EVIDENCE AND CROSS EXAMINATION</u>		
	<u>Case Study 3: DPP v Evelyn Cannon</u>		
	TASK: Lead Evidence – Const. O’Rourke		PARTICIPANT: 3
	TASK: Cross Examine – Const. O’Rourke		PARTICIPANT: 4
	TASK: Lead Evidence – Peter Porter		PARTICIPANT: 1
	TASK: Cross Examine – Peter Porter		PARTICIPANT: 2
	TASK: Lead Evidence – Luigi Fiorelli		PARTICIPANT: 7
	TASK: Cross Examine – Luigi Fiorelli		PARTICIPANT: 8
	TASK: Lead Evidence – Evelyn Cannon		PARTICIPANT: 5
	TASK: Cross Examine – Evelyn Cannon		PARTICIPANT: 6
<i>All participants must be completely familiar with all witness statements within this case study to enable them to act as witnesses.</i>			
	Performances in Group		5 minutes per task
	Review in Group		4 minutes per task
	Video Review (outside Group)		10 minutes per participant
SESSION 4		11.30 to 12.45 pm (75 mins)	
General Session	<u>TECHNIQUES IN QUESTIONING WITNESSES</u> <u>COMMUNICATION IN THE COURTROOM</u>		
LUNCH 12.45 to 1.15 pm (30 mins)			
SESSION 5		1.15 to 2.30 pm (75 mins)	
Group Session	<u>LEADING EVIDENCE AND CROSS EXAMINATION</u>		
	<u>Case Study 3: DPP v Evelyn Cannon</u>		
	TASK: Lead Evidence – Const. O’Rourke		PARTICIPANT: 8
	TASK: Cross Examine – Const. O’Rourke		PARTICIPANT: 7
	TASK: Lead Evidence – Peter Porter		PARTICIPANT: 6
	TASK: Cross Examine – Peter Porter		PARTICIPANT: 5
	TASK: Lead Evidence – Evelyn Cannon		PARTICIPANT: 2
	TASK: Cross Examine – Evelyn Cannon		PARTICIPANT: 1
	TASK: Lead Evidence – Luigi Fiorelli		PARTICIPANT: 4
	TASK: Cross Examine – Luigi Fiorelli		PARTICIPANT: 3
	Performances in Group		5 minutes per task
	Review in Group		4 minutes per task

SESSION 6 2.30 to 3.45 pm (75 mins)	
General Session	<u>CASE THEORY</u> <u>OPENING ADDRESS AND CLOSING ARGUMENT</u>
SESSION 7 3.45 to 5.15 pm (75 mins)	
Group Session	<u>OPENING ADDRESS AND CLOSING ARGUMENT</u> <u>Case Study 3: DPP v Evelyn Cannon</u>
	TASK: Open for Prosecution PARTICIPANT: 6 TASK: Open for Defence PARTICIPANT: 5 TASK: Close for Prosecution PARTICIPANT: 8 TASK: Close for Defence PARTICIPANT: 7 TASK: Open for Prosecution PARTICIPANT: 1 TASK: Open for Defence PARTICIPANT: 2 TASK: Close for Prosecution PARTICIPANT: 3 TASK: Close for Defence PARTICIPANT: 4
	Performances in Group 5 minutes per task Review in Group 4 minutes per task
SESSION 8 5.15 to 5.30 pm (15 mins)	
General Session	<u>DISCUSSION AND CLOSING SESSION</u> Evaluation Sheet: Participants are requested to complete and return to instructors.