

Advocacy, from previous page

He described this as follows:

There is no special mystery about appeals. As in any litigation the secret of success is to know what you are doing, and why. In appeals that manifests itself in three broad issues. They are:

(a) What aspect of the judgment below is being attacked?

(b) Why is it said to be wrong?

(c) What is the consequence if it is wrong?¹

Again you will develop a case strategy and the presentation of the argument will at all times be informed by reference to that strategy. As part of the strategy you will consider what is and is not to be argued, the order in which it is to be presented and the most persuasive method of presentation. In addressing these issues in preparing for your oral presentation in court you should bear in mind that the court will have received and considered your written submissions. There is no point in re-reading those to the court. There is no point in presenting the same argument in exactly the same way as appears in the written material. To do so is to waste an opportunity. A fresh approach consistent with your written submission is called for.

As part of your preparation you should anticipate the questions that are likely to come from the Bench. Such questions are likely to flag significant concerns held by the questioner and, if persuasively answered, can be decisive of the outcome of the appeal. You should therefore anticipate such questions and, when the question is asked, if possible, address it immediately. If you can not do so without laying some ground work then let the court know that you will answer the question and the method by which you propose to do so. Providing an answer to the question should be a priority.

¹ *Appellate Advocacy D F Jackson QC (1991-1992) Vol 8 Aust Bar Rev 245*

nt women lawyers association

A great time to join the Women Lawyers

The Dry season has arrived and Darwin is the most pleasant place to be whilst our southern counterparts are freezing.

It's also one of the busiest times of the year, and most of us have many social occasions to attend.

I understand that we are all busy and have many facets to our lives, but we need your support.

The Quiz Night was successful, though it was a shame to see such little support from legal firms in Darwin, most of the attendees are friends and family, and I thank them all very much for attending.

The prizes were great. A big thank you to the Fannie Bay Shopping Centre for the wonderful basket of goodies, Centrebet for a voucher.

A big thank you to friends who helped with the questions.

Our thanks also to all those who attended the Patrons Drinks on the Supreme Court Balcony.

It was a great chance to mingle and look out at the wonderful view of Darwin from the balcony.

Judge Thomas very kindly sponsors this event herself, and we thank her for patronage.

MEMBERSHIPS EXPIRE ON 30 JUNE 2003.

IT IS ONLY \$35.00

MEMBERSHIP FORMS WILL BE ON HAND AT THE PATRONS DRINKS.

THEY CAN ALSO BE OBTAINED FROM ME OR FRIEDA EVANS, SUPREME COURT LIBRARY.

AUSTRALIAN WOMEN LAWYERS

I attended the Australian Women Lawyers Board Meeting (AWL) on Sunday 13 April 2003.



Sandra Robinson, president, NTWL

It was a marathon event, starting at 9am and finishing at 4.30pm.

I will publish the budget and the minutes of this meeting when they are finalized.

It was great to catch up with these women who are really committed to raising awareness of women's issues in the law.

INDIGENOUS READERS COURSE

AWL is sponsoring an Indigenous Readers Course for the Bar.

This is in conjunction with the University of New South Wales.

All of the graduates currently involved in this program are men.

We would really like to see a woman enter the course.

If there are any indigenous lawyers out there who are interested in going to the Bar and would like to find out more about the Course, please contact me on 8981 3133.

THOUGHT FOR THE MONTH

MUST BECOME MEMBER OF NT WOMEN LAWYERS!

MUST RENEW MEMBERSHIP OF NT WOMEN LAWYERS!