

Learning by experience

2012 Practical Advocacy workshop



Learning the practice of advocacy is an evolving process and lifelong experience. Instead of the traditional lectures, practitioners were treated to a workshop where participants 'learned by doing' and in the process were able to reflect on their performance by video reviews and proactively apply the knowledge and skills learnt from the teachers during the presentation of their closing arguments.

This year's Practical Advocacy Workshop was held over the weekend of 20, 21 and 22 July 2012 at the Supreme Court of the Northern Territory. As in previous years, the workshop was facilitated by the Hon Chief Justice Trevor Riley and Rex Wild QC.

In outlining the workshop's program, His Honour emphasised the importance of preparation to ensure that lawyers have a complete understanding of case materials, knowledge of the relevant law, evidence and procedure to master their plan of action.

Participants were divided into three small groups and streamed into either a criminal exercise (A) or a quasi-criminal exercise (B). The latter involves the application of advocacy techniques used in civil litigation.

Group A presented evidence in chief, cross-examination and a plea on sentence while Group B participants presented a short opening and cross-examination of a witness on his affidavit and closing address.

The workshop was conducted in a simulated courtroom session. The case material for exercise (B) was provided by Rob Jobson and Jon Bortoli from the Department of Justice. Participants were allocated limited time for their performances and were able to practice in a supportive learning environment essential advocacy skills in:

- Development of case concept and strategy
- Preparation of applications
- Use of persuasive techniques
- Submissions
- Examination in chief
- Cross-examination
- Closing arguments.

An important feature of the workshop and in the teaching of the art of advocacy is the videotaping and evaluation of individual performances which encourages aspiration for continuous improvement. Reviews from the teachers which were both positive

and constructive were tailored to the individual's need and abilities. A degree of role-playing as witnesses and judges were also undertaken. Some practitioners who performed at a more advanced level were complimented for mastering the basics and were given innovative suggestions to improve their techniques.

The success of the workshop was evidenced by marked improvement in the quality of participant's presentation of their closing argument. Kudos goes to the teachers and senior practitioners committed to the advancement of advocacy skills who volunteered their precious time to help facilitate this workshop:

- Hon Chief Justice Trevor Riley,
- Justice Peter Barr,
- Rex Wild QC,
- Graham Hiley QC,
- Ian Read,
- Professor Les McCrimmon and
- Georgia McMaster.

A similar advocacy workshop will be held in Alice Springs Law Courts from 19 to 20th October 2012. ●