

2019 Practical Advocacy Workshop

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The 2019 Practical Advocacy Workshop is a testimonial to the calibre of the NT's legal practitioners, especially to the three organisers, Justice Graham Hiley, Professor Les McCrimmon of CDU and ICAC Commissioner, Kenneth Fleming QC.

Over 70 people invested a full weekend to focus on teaching and learning the art of being a better advocate, using the facilities of the Supreme Court of the Northern Territory. The weekend workshop commenced at 5.00 pm on Friday 6 September and concluded at 1.00 pm Sunday 8 September.

Because of the intensity of the Practical Advocacy Workshop, it began with an Introductory evening session on Thursday 29 August and was video-linked to Katherine and Alice Springs. This was a critical session as it outlined the program, introduced participants to the three organisers and explained the importance of preparation, briefly introduced injunctions and highlighted the fundamental need to develop a coherent case theory.

The art of advocacy is a multi-faceted competency, involving ability to vary voice, tone and pace for effect, ability to read people, knowledge of substantive law and supportive case law and relevant legal principles, the ability to tell a story, to communicate, the need for clarity in case theory and acknowledging weaknesses in a case from both sides, ability to identify critical facts from misinterpretation and ability to raise doubt, ability to ask direct questions and leading questions.

The opportunity to step away from normal practice and focus on deeper development of advocacy skills benefits the practitioner, as well as their employer, their clients and judges.

The purpose of the Practical Advocacy Workshop is to assist junior and mid-career practitioners to develop their skills and knowledge in becoming effective

persuasive advocates and gain a competitive edge in the courtroom.

Recognition of the expert panel Justice Graham Hiley, Professor Les McCrimmon and Commissioner Ken Fleming QC spent many hours in the months leading up to the workshop preparing the program content and schedule, selecting and developing suitable cases, sourcing and training the volunteer instructors, and leading the instruction and support of participants throughout the weekend.

Guest presenters The Hon Chief Justice Michael Grant presented on Ethics in Advocacy on Saturday, Judge Elizabeth Morris presented the Do's and Don'ts of Local Court Practice on Sunday morning and Mary Chalmers presented on a Voir Dire Application before a Judge.

Volunteer instructors represented a cross-section of judges, barristers and senior practitioners. The legal profession in the NT is fortunate to have active contributors willing to donate their time on a weekend, to providing individual feedback for the professional growth of junior and mid-career practitioners. The individual feedback given was valued by the participants.

Performance coach The Society was pleased to welcome Paolo Fabris (CDU) to the teaching team. Paolo presented vocal exercises and coaching to students to assist with their presence, performance and impact in the courtroom.

Thirty-nine students participating in the workshop had to prepare and present an opening address, conduct an examination in chief and cross-examination, present a persuasive closing address and make a voir dire application. Although this year focused on a civil case, it provided an excellent means for the teaching and learning of advocacy skills useful in all matters, criminal and civil. Many participants were taken out of their comfort zone and realised this was where deep learning occurred.

The Little Red Book of Advocacy, 2nd Edition (2016) was the major reference book for this workshop. This book is written by the Hon Trevor Riley and printed by the Society. A copy of this book was provided to each participant and a PDF copy can be downloaded

from the Society's website.

The Society would like to sincerely thank: The Hon Justice Graham Hiley, Professor Les McCrimmon and ICAC Commissioner, Kenneth Fleming QC for their significant volunteer contributions, without which the workshop wouldn't happen. We also thank: Chief Justice Michael Grant, Acting Justice Trevor Riley, Judge Elizabeth Morris, Sonia Brownhill SC, Miles Crawley SC, David Morters SC, Matthew Nathan SC, Ian Read SC, Mary Chalmers, Ben O'Loughlin and Wade Roper.

The Society would like to congratulate all participants for making an intensive effort for their own professional growth. Additionally, the Society would like to acknowledge and thank all volunteer witnesses and courtroom assistants who helped make the workshop the success that it was.

The Society is sincerely grateful

to every volunteer who gave up their normal weekend activities to support this valuable workshop and for sharing their expertise.

The Society also recognises the ongoing support of the Sheriff and staff of the Supreme Court of the Northern Territory (Alice Springs and Darwin), including security staff, legalsuper as a major sponsor of this CPD event as part of the Society's CPD Program. ■

"The comments we got from our instructors were invaluable in informing our knowledge on how to refine our performances and strength of legal argument. I especially appreciated that our instructors took the time to recreate parts of our performance to give us an idea of which direction we could go to improve. This 'recreation' was extremely relevant and directly helped in areas of inexperience or difficulty."

"Definitely attend this workshop as it will develop your practical skills. Make sure to be across the facts of the case and your case theory well in advance, so that you can really focus on presenting your arguments to the court. It is a very challenging and quite stressful weekend, however after completing the conference, I felt more confident about appearing in court, building a case theory and structuring arguments. I learned a lot from the instructors and colleagues."

"It's invaluable. I would recommend it. Not many chances to gain feedback from senior barristers/judges on your advocacy!"

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Presenters include The Hon Justice David Berman; Judge Peter Cole OAM; Judge Kevin Laphorn; Judge Janet Terry; Judge Leanne Turner; Judge David Dunkley; Jodi Truman; Ric Trevaskis(Family Consultant); Dr David Chapman + more!



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