

Moot camp or boot camp: The Keble Advocacy Course

Paul Menzies QC, Philippa Ryan and Penny Thew report on their participation in the Keble Course, perhaps the world's most challenging advocacy course.

In August 2008, Paul Menzies QC, Pip Ryan and Penny Thew survived the Keble Course. The Keble Course is a five-day advanced advocacy course run by the South Eastern Circuit of the Bar of England and Wales, held each year at Keble College, Oxford.

The course is delivered very professionally and strictly to schedule by way of demonstrations and then participation in break-out groups. The groups are divided into civil and criminal practice areas and the learning modules are based on detailed hypotheticals from which everyone prepares to open, examine-in-chief, cross-examine and then make final submissions. By the end of the fourth day, the case has been analysed, prepared, practised and video-reviewed. All performances are repeated in the light of feedback by faculty. It is gruelling and sometimes brutal.

Between seminars, there are presentations on ethics and examination of vulnerable witnesses and experts. Three meals a day (save for a mid-week barbecue) are served in the longest dining hall in Oxford. The week culminates in a banquet dinner on Friday night and then a mock trial on the Saturday. It is arguably the most demanding advocacy course in the world.

Paul attended as a member of the faculty; Pip and Penny were participants. This is their story.

Paul: Teach in Oxford? My academic record? Offers like that don't come often; others were killed in the rush.

Pip: Before I received an email from the New South Wales Bar Association offering me one of two spots allocated to Australian participants, I had not heard of the Keble Course. But it took only seconds to realise that this was an opportunity too good to refuse. With just two weeks notice, I re-jigged a couple of commitments and booked my flight to London.

Penny: The offer to participate in the Keble Course represented an invaluable and unique opportunity to work with and learn from silks, judges and expert witnesses with immeasurable experience from the bars of the common law world. I therefore did everything I could to clear the diary to attend the Keble Course, leaving court in Sydney on a Monday afternoon to jump on a plane to London and arrive in Oxford on the Tuesday morning to commence the course that morning. It was all worth it!

Paul: I hadn't been to Oxford for many years and I thought that the opportunity to be more than a gawker, if only for a week, would be reward in itself. That turned out to be correct. I had some reservations, perhaps my cultural cringe, that I would be viewed with some reserve; the opposite was the case as I was immediately welcomed as part of the rather grandly named "International Faculty." The other foreigners, as well as Robert Wensley QC from Queensland, included three from South Africa and one from Pakistan. The participants, apart from members of the English Bar, included barristers from Ireland, various parts of the Caribbean, Florida and Western Europe, with prosecutors from the various international criminal tribunals.

Pip: I lived in England as a child and worked there in my 20s (as did Penny), so it is all very familiar and I love London. However, my experience of Oxford prior to attending Keble was only as a tourist and I was not a fan. This time, instead of driving to Oxford (which is never advisable), I took the train from Paddington. As soon as I walked through the Porter's Lodge at Keble, I knew this was going to be different.



Keble College, Oxford.

Oscar Wilde said that 'in spite of Keble College ... Oxford still remains the most beautiful thing in England'. He was not alone in hating all that brick. Even today, Keble has its detractors. I am not one of them. Perhaps my appreciation of the polychromatic brickwork stems from my deep affection for UTS and its Edwardian functionalist market campus, where I did my law degree.

Penny: Both the participants and faculty were extremely welcoming and friendly (and somewhat in awe of the Australians flying in from the other side of the world!), making the course enjoyable from the outset. Set in spectacularly beautiful Keble College (apologies Oscar Wilde), the intensive days were made easier by the truly lovely surrounds and the seemingly back to back social events attended by faculty and participants in the evenings.

It was only a five-day course; however, by virtue of its 10 to 12 hour intensive days, the vast experience and teaching skills of the faculty and the preparation required in advance, a wealth of information was conveyed in just a short time. The central theme of the course was preparation in lecture and interactive tutorial form for the moot at the conclusion of the course, interspersed with further lectures and tutorials relating to additional discrete cases. The participants and faculty members also shared each meal together in the very ornate, 1870s Keble College dining hall, which itself was by no means an unimportant part of the course!

Paul: It was obviously less demanding for we teachers, however, like all good educational experiences, I believe I learnt as much as many of the participants.

Being put on the spot in front of a group of frighteningly intelligent young barristers and being asked to examine in chief, Jill, on the experience of she and Jack in *Re: Fetching a Pail of Water* was challenging indeed. The more so when I realised that one of the results of the Woolf reforms is that no member of the English Bar, less than 10 years out, has the faintest idea how to do it and they were looking to me for guidance!

Pip: The Keble Course was demanding, challenging and fun. In our group, it was affectionately known as 'Moot Camp'.



The Lamb & Flag, where CS Lewis and Tolkein met and drank.



Last drinks and war stories.

My foreign ways were a source of amusement to my local colleagues, who introduce their opponents when mentioning their appearance! On more than one occasion, I inadvertently addressed the bench as 'your Honour'. But, when asked to be play judge, I was happily 'your ladyship'. During one cross-examination exercise, I leapt to my feet and objected to my opponent's question. This was a cause for much laughter and was apparently very 'American TV'. English barristers do not object (and where is the fun in that?).

The hardest part was saying no (most of the time) to drinks at The Lamb & Flag, which by all accounts continued each night long after I had retired to my room.

Penny: Thankfully for the Australians the similarities between the styles and procedural formalities of the UK and Australian bars seemed overall to outweigh the differences; although, like Pip, I did notice the absence of objections and it was of course unique referring to the bench as 'your Lordship' and 'your Ladyship'. Importantly for future Australian participants, the skills and techniques imparted are readily transferable to the Australian jurisdictions and the course is truly international, with participants from The Hague and the bars of South Africa, Pakistan, India and Scotland also attending.

Overall, the course most certainly was very demanding and a lot of fun, with some time left over for socialising notwithstanding the lectures running until or after dinner each night. Between The Lamb & Flag, a mid-week indoor barbecue (it was too cold to have it outside) and a formal dinner concluding with a memorable violin recital by Geraldine Andrews QC (an eminent silk and faculty member I was lucky enough to have tutoring my break-out group) we got to know the other members of our break-out groups well in what was a very full week. Having other Australians such as Pip and Paul there made it especially enjoyable!

Paul: The ABA is running a course in January in an identical format. It is similarly challenging. It is of an equal standard. What it lacks in location and international flavour it gains in having the local nuance. It should not be missed.

Pip: The Keble Course will have an immediate impact on my practising as a barrister and as a tutor on the NSW Bar Practice Course. The highlight for me was getting to know the incredibly smart and entertaining bunch of barristers in Group 8 and our tutor Rebecca Stubbs, from Maitland Chambers (Lincoln's Inn). It was an amazing experience that I will never forget. And now I love Oxford.

Penny: The Keble Course was a truly worthwhile experience and I highly commend it to anyone considering attending in the coming years. The opportunity to participate in the 'most demanding and intensive advocacy course in the world' at beautiful Keble College is simply too good to miss!

Paul, Pip and Penny would like to thank the SE Circuit and the New South Wales Bar Association for the opportunity to attend the Keble Course. We highly recommend it to any future faculty and participants. If you are offered a spot, drop everything, book a flight and do it.

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