

Advocacy

.....

Australian Advocacy Institute Intensive Workshop Course review by Glen Pauline

Is there an Advocate trapped inside your Solicitor's body?
Do you think that you could be good at advocacy but have
lacked the opportunities to develop confidence?
Do you do some advocacy and want to know how to really
improve your skill and take the next step?

If any of the above fits you, the Australian Advocacy Institute runs courses which will give you the confidence and know-how that you need!

Background on the Institute

The Australian Advocacy Institute was formed in 1991 and since then has conducted over 100 workshops in all Australian States and Territories, as well as England, Scotland, Singapore and Hong Kong. Its motto is the pursuit of excellence in advocacy. Workshops include teacher/trainer workshops, general skills workshops, appellate advocacy, advocacy for family law practitioners, jury trial workshops and workshops with an emphasis on expert witness evidence.

The Institute's teaching is based on the concept that advocacy involves a number of developed skills and techniques, as well as natural ability. Those involved in the Institute hold the view that skills and techniques can be taught and natural ability can be developed in conjunction with those skills, through the workshop method.

As a result of great demand for advocacy training by the Australian profession the Institute ran a five day intensive workshop at the Supreme Court of Victoria in January. It was attended by 48 barristers and solicitors of all ages and levels of experience from across Australia.

Advocacy Exercises

Participants were required to prepare for and act out various advocacy exercises, including:

- an urgent application for an injunction;
- cross-examination and re-examination of witnesses;
- legal argument;
- plea in mitigation;
- opening and closing addresses.

Tutors included prominent members of the Bar from across Australia. They played the role of judge while participants made submissions, and then gave feedback. All tutors were very willing to share their knowledge and "tricks of the trade". Workshops were held in Supreme Court rooms which gave the advocacy exercises a realistic feel. Over the five days members of each group got to know each other well, as the workshop, although demanding and challenging, had some humorous moments and a supportive atmosphere. Participants acted as witnesses using a prepared script and sat in the jury box during opening and closing addresses.

Video Reviews

All participants were videoed and given individual feedback on matters of style and presentation. Although the presence of the camera added to people's nerves at first, participants quickly forgot about the camera. The constructive criticism

which participants received from tutors viewing their videos contributed significantly to increasing each participant's confidence on their feet.

Feedback was also given on the quality and persuasiveness of submissions made or questions asked of witnesses. I found these reviews to be very satisfying due to the detailed and individual comments made by tutors. Participants were told what they should and shouldn't have done and were praised for things they did well. Tutors also demonstrated some of the advocacy techniques.

General Sessions

His Honour, Justice Hampel, Chairman of the Institute, gave several entertaining and insightful talks on important aspects of advocacy, including the preparation and use of notes, general communication with the bench and jury, and how to be persuasive. Participants were also shown instructive and entertaining videos on techniques of cross-examination and impeachment of credit.

The workshop culminated in participants performing a complete moot trial. This very successfully allowed participants to bring together all the newfound techniques and pointers which they had accumulated during the previous four days.

Feedback from Participants

The pace of the course was quite challenging due to the preparation needed for each session. However, most participants felt that:

- their confidence had "sky-rocketed";
- they had gained a new outlook on advocacy;
- they had gained valuable insight from members of the Bar and Bench; and
- the fundamentals of advocacy had been hammered home.

For many young solicitors, the workshop provided inspiration to go to the Bar. I am sure that the newfound confidence and techniques will also be very beneficial to solicitors appearing in the County Court as a result of the recent changes to the County Court Rules. For more experienced barristers, it provided the chance to re-focus, break old habits and learn new techniques.

Overall I thought the course was very professionally run and thank all those who provided their time and experience for the benefit of others. No doubt the demand for such courses will increase in the future as more solicitors become "solicitor-advocates", and all advocates see the need to develop the quality of their advocacy skills.

If you wish to find out more about the Australian Advocacy Institute's courses, please contact:

Ms Anne Craig
Executive Officer

Australian Advocacy Institute
GPO Box 1989
Canberra ACT 2601

DX 5719 Canberra
Tel: (06) 249 7600
Fax: (06) 248 0639