

TRIAL ADVOCACY SOURCES

Resources:

-NSW Prosecution Guidelines 2007 (299 Kb)*

-NSW Barristers' Rules 2001 (102 Kb)*

-Evidence Act 1995 (Commonwealth) (390 Kb)*

Competitors are subject to the NSW Prosecution Guidelines 2007, the NSW Barristers' Rules 2001, and the Evidence Act 1995 (State or Commonwealth, depending on the offence), and are encouraged to note down the relevant points for the competition.

Papers and Articles

-Ten Rules of Appellate Advocacy by Justice Michael Kirby AC CMG (284 Kb)*

A lecture given by the High Court Justice Michael Kirby, outlining the objectives an advocate should bear in mind from the perspective of the bench. While the focus is on appellate advocacy in practice, the rules apply both to trial advocacy and to mooting and are an accurate and deep insight into the qualities sought in an advocate.

-The Art of Cross Examination by JW Smyth QC (144 Kb)*

A lecture given by one of the most famous and fiercest barristers in Australia, delineating the skills aspiring advocates should seek, most of which are assessed in the criteria. Reputed to be in the top drawer of every practising barrister.

-Preparing for Cross Examination by Justice John McKechnie (1.76 Mb)*

An article emphasising the importance of preparation and a method to analyse a case for the purpose of cross examination.

-Cross Examination by Brian Donovan QC (107 Kb)*

A discourse on the objectives and outcomes of cross-examination, and how to achieve such.

-Crown Solicitor's Advocacy Workshop - Opening Addresses by Annabelle Bennett (79 Kb)*

-Crown Solicitor's Advocacy Workshop - Cross-Examination (117 Kb)*

The Crown Solicitor's Advocacy Workshop, on each element of trial advocacy (more to come).

-Cross-Examination by John Stratton SC (420 Kb)*

The most recent exposition of the theory of cross-examination for defence counsel. Delivered on 1st August, 2007.

-Libke v The Queen [2007] HCA 30*

An extract from a recent High Court case on the etiquette of examination.

-The Power of Persuasion by Nicholas Cowdery AM QC (92 Kb)*

A speech on the art of persuasion delivered at the College of Law on 1st March, 2008.

-The Rule Against Hearsay by John Stratton SC (276 Kb)*

A recent summary of the legislative and common law exceptions to the rule against hearsay. Written on 1st November, 2007.

Books:

-Evans K, *Advocacy at the Bar*, 1983, ISBN: 0906322235.

-Evans K, *The Language of Advocacy*, 1998, ISBN: 1854318357.

-Glissan J, *Advocacy in Practice*, 4th edn, 2005, ISBN: 0409322350.

-Hyam M, *Advocacy Skills*, 3rd edn, 1995, ISBN: 1854314149.

-Mauet T and McCrimmon L, *Fundamentals of Trial Technique*, 3rd edn, 2011.

-Ross D, *Advocacy*, 2005, ISBN: 0521611172.

-Salhany R, *Cross-examination: the art of the advocate*, 1988, ISBN: 0409809691.

