



THE VICTORIAN BAR INCORPORATED

**REPORT FROM THE  
17<sup>TH</sup> CIVIL AND CRIMINAL  
ADVOCACY WORKSHOP**

AND

**WOMEN'S EMPOWERMENT  
/ MEN'S MENTORING  
WORKSHOPS**

PORT MORESBY 10-16 JULY 2017

# REPORT

1. Ten advocacy coaches from the Victorian Bar together with Wendy Pollock from the Bar Office delivered the 17<sup>th</sup> Civil and Criminal Advocacy Workshop to graduate trainees at the Legal Training Institute in Port Moresby from Monday 10 July to Friday 14 July 2017.
2. Seven coaches and Wendy then delivered an Empowerment/Mentoring Program to the trainees on Saturday and Sunday 15 and 16 July 2017. It was the third time that the Empowerment Program had been delivered to female trainees; and the first time that the Mentoring Program had been delivered to male trainees.
3. A total of 76 trainees participated in the Workshop.
4. The ten advocacy coaches from the Victorian Bar were:
  - (a) The Honourable Justice Elizabeth Hollingworth;
  - (b) Philip Corbett QC;
  - (c) Trevor Wallwork;
  - (d) Maya Rozner;
  - (e) Benjamin Lindner;
  - (f) Shivani Pillai;
  - (g) Paul Kounnas;
  - (h) Diana Price;
  - (i) Emma Pepler; and
  - (j) Daniel Nguyen.
5. This year the program which was presented was based upon the conduct of exercises that have been successfully used in PNG in previous years, most recently in 2016. The content was prepared by advocacy coaches at the Victorian Bar whom have implemented legal advocacy workshops in the Pacific on previous occasions, and was tailored to be appropriate to a Melanesian context.
6. There were three central “moot scenarios” provided to trainees – one criminal and two civil. The scenarios contained factual instructions, pleadings, witness statements with documentary “evidence” attachments, and a record of interview.
7. The moot scenarios were used as the basis of a series of practical exercises implemented in mock Court room set-ups over the course of the week, requiring trainees to prepare and present:
  - (a) Oral opening and closing submissions in relation to the facts and law;
  - (b) Leading of evidence in chief from witnesses;
  - (c) Cross examination of witnesses;
  - (d) A plea in mitigation on behalf of a client; and
  - (e) An application for an urgent ex parte interim injunction, including addressing the Court on the relief sought.
8. Most sessions were conducted in groups of around 19 trainees, with two coaches. The interim injunction application was conducted in a one-on-one session, providing a high degree of interaction with “the bench”. The interim injunction application was successfully introduced in 2016, and worked well again in 2017. As an aside, during the week of the training the local media reported upon an urgent injunction application having been made to the Court that very week in relation to the PNG elections – making it a very relevant exercise.
9. Each trainee was provided with tailored feedback from the advocacy coaches upon completion of the various exercises throughout the week.



10. Trainees were also videoed for selected exercises, with private one-on-one feedback provided to each student following viewing of the video. This session also provided the opportunity for individual questions about matters the trainee wished to discuss more in depth.
11. The exercises focussed upon providing the trainees with the core skills essential for court advocacy.
12. The scenarios and exercises proved highly successful and engaging for trainees and coaches.
13. The trainees also “played the part” of witnesses, and sat upon the bench, exposing them to a range of different Court room perspectives.
14. On the whole, the content of the moot scenarios was relevant and successful. The exercises required the trainees to prepare well, and challenged them. However, the trainees were also able to achieve an acceptable standard of advocacy, employing newly found skills, at a level that they built upon to improve throughout the week – and which no doubt they will continue to improve upon in their future careers using the lessons imparted to them.
15. In the event that we again implement the program at the Institute, we may wish to refine and further improve the moot scenarios, simply in order to ensure that the content is kept “fresh”.
16. This year we again implemented a Workshop initiative that was successfully introduced in 2016. Each morning an advocacy coach met with a designated group of around 10 trainees, known as “firms”, for a 30-minute mentoring and “checking in” session. The “firm” groups provided the basis for more informal discussion to occur about the requirements and expectations of the presentations and activities for the forthcoming day, and for a good degree of transfer of knowledge about the broader legal systems in PNG and Australia. These groups proved very successful, and allowed strong personal relationships of trust and engagement to quickly build between the coaches and trainees. The weather was good, and most sessions occurred outside on benches under the trees or the shade of the building, enabling a contrast to the formal Court room settings the students worked in for the balance of the day. Feedback provided by the students was that these sessions were highly valued and productive.
17. Another component of note was an ethics session in which the coaches and trainees discussed a series of hypothetical scenarios which are relevant to local practice, and during which the trainees engaged in reasoned iterative thinking about what they might do if they face such ethical challenges in practice.
18. During the week, the coaches kept a daily “record sheet” of various aspects of the performance of each trainee, for the internal use of the teaching team. This sheet tracked the progress of each trainee, and also allowed the coaches to see “at a glance” what feedback had been provided to that trainee each day. The record sheets demonstrate that considerable progress and skills development was rapidly made by each trainee over the course of the week.
19. On the Saturday and Sunday immediately following the Workshop, the Empowering Women in the Law Program was delivered for the third year in a row. This program aimed to build networks and confidence amongst the women entering the legal profession in PNG. This year we also delivered a Mentoring for Men program for male trainees. A separate report on those programs is attached.
20. In the delivery of all programs, once again Wendy Pollock provided outstanding assistance. Her experience and organisational skills are simply invaluable. It was an intensive week for all involved but especially so for Wendy who has many other significant commitments in the Bar Office, which she manages alongside this program. On behalf of the coaching team I wish to sincerely thank Wendy for her hard work, enthusiasm, patience and professionalism.
21. We were also once again supported in the delivery of the program by the staff at the Legal Training Institute. The staff at the Institute were knowledgeable, friendly, and helpful. They appear to run a very professional program for the balance of the year, which these workshops sit alongside. The staff are clearly well respected by the trainees and ensured that the trainees attended all sessions on time and ready to engage and learn. The staff at the Institute also ensured that we were looked after in terms of our care outside of teaching hours, including organising a mid-week dinner with representatives of the Institute and the local profession, and organising an excursion by way of social respite at the end of the week, for which we were appreciative. The relationships that Wendy and other returning members of the coaching team have built with the Institute’s staff continue to grow in a positive manner, and result in very productive outcomes for all involved.



22. Following some challenges in 2016 with the transportation and security arrangements, I am pleased to report that the transportation and security arrangements this year were well organised and professionally delivered. Thanks go to Matias and his team of drivers.
23. There was also a high degree of contact throughout our stay from the representatives of the JSS4D. In particular, Teresa Berrigan and Ellen Seymour supported the delivery of the program, regularly attending upon us at the hotel and the Institute throughout the week and ensuring everything was in place to provide an environment to be able to implement the program effectively. Teresa Berrigan has provided support to the program in past years, and continues to be a significant point of contact.
24. The program this year was conducted immediately following voting in the 2017 parliamentary election, and at a time when the votes were still being counted in many areas. JSS4D advised that there was a need for heightened vigilance during this time in terms of security arrangements.
25. This heightened awareness around security did result in stringent controls on the team's movements at times – for example, requiring us to stay at and dine at the hotel on certain days as it was not considered safe to leave the hotel grounds; and restricting movements to certain areas of Port Moresby only. Each day Wendy checked in with JSS4D for security updates. This did result in a noticeable amount of restriction being placed upon the group throughout the week. However I am pleased to report that the team accepted the wisdom of these precautionary measures, and all instructions provided were followed.
26. I am also pleased to report that the team remained, on the whole, healthy throughout the duration of our stay – though noting that the week provides an intensive program, and at the end of the week a good rest was needed by all.
27. There was also a good degree of camaraderie amongst the members of the teaching team this year, which assisted in the smooth and effective delivery of the program.
28. The team was accommodated at the Holiday Inn, which is a short distance by vehicle to the Institute. This accommodation was satisfactory.
29. Port Moresby remains a challenging destination for those willing to offer their assistance to present this program. Members of the coaching team hit the ground running upon arrival and have very little down time throughout the week. The security conditions are stringent, and the program is an intensive one which involves a high degree of interaction and coaching with a great number of trainees, who are keen to – and do – learn a significant amount over the course of the week. Each member of the team provides the benefit of their many years of experience and skills to the students not only in the actual workshop itself, but also in preparing to teach the PNG specific problems prior to the workshop. This commitment is pro bono, and is not without impost on their families back home, and interruption to their practices and livelihoods in the form of more than a week out of their ordinary schedules, including travel time. Despite these challenges, the Victorian Bar team delivered a highly successful, enthusiastic and professional workshop and they should be formally thanked by the Committee for their efforts.
30. Her Honour Justice Hollingworth also made a significant contribution to the program. The presence of a Supreme Court Judge elevates the status of and respect for the program. Her Honour not only presented multiple high quality sessions throughout the week, and gave a great deal of coaching feedback, but was able to share her experiences from the bench with students. Her Honour was very well received. We were fortunate in that her Honour had some familiarity with the context, having attended PNG in a professional capacity in the past. Her Honour was also a good source of morale boosting within the team for the duration of the program due to her enthusiastic manner. I thank her Honour for her attendance and commitment to the program.
31. The workshop was formerly opened and closed. Local practitioners were invited. Mr Tauvasa Tanuvasa, Deputy Solicitor General, spoke on behalf of the profession, and was warmly received for his earnest, intelligent and dignified manner. The degree of engagement with the local profession is something that could potentially be improved upon in the future if opportunities are identified.
32. Feedback from the workshops was highly positive and it is hoped that the same program can be delivered again next year.
33. Funding for any future workshops is not certain however. It is unclear whether the program will remain a priority of the Australian government.

34. In 2016, I had a number of conversations in which it was conveyed that in order to justify the funding of the program it was desirable for the recording of tangible results from the program. As I stated at that time, this is difficult given the nature of the skills being taught and strengthened within the program.
35. However, I am confident that the program does achieve concrete results. The coaching team conveyed to me on multiple occasions this year that the skills development and the growth in confidence of all of the trainees throughout the week was tangible, and significant.
36. The keeping of the record sheets also enabled each trainee's noticeable improvement to be tracked throughout the week.
37. Evaluation sheets were completed by trainees at the end of the week. The evaluation sheets record the views of the trainees that the program was invaluable to their development as lawyers.
38. No quantitative review has, to date, been undertaken – or required – to assess the success and achievement of the program, and its lasting effects. However each year, former participants of the program are in touch with members of the Victorian Bar and convey that the program was influential upon their development in the law. A ready example is that of the Deputy Solicitor-General, who spoke of the importance of the Victorian Bar's program to him personally, in his opening address, and advised trainees not to waste the opportunity provided to them to learn from the Victorian Bar.
39. The program is, in my opinion, very important to the continued development and strengthening of legal services in PNG. The trainees whom attended the program will commence employment as lawyers next year. At the commencement of the week they had little confidence in their ability to personally present cases in Court. By the end of the week, they conveyed to members of the teaching team that they felt like they had the skills to face the challenges associated with commencing and continuing legal practice in PNG.
40. I therefore sincerely hope that the funding of this program continues. It continues to provide an important cornerstone of the Legal Training Institute's annual program. It is therefore an important contributor to the continued integrity of the system of law and order in PNG. It uses established relationships and proven content, to directly build the skills of the next generation of local lawyers. The Institute is an important incubator for the future legal leaders of the country; and the program is an important key component of the Institute's curriculum. I commend the importance of the continuation of the program in years to come.
41. Finally, my thanks to Emma Pepler who assisted in the preparation of this report and was a valued member of the teaching team.

**P D CORBETT QC**

25 July 2017

