

The advocacy training programme

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A GREAT deal has taken place in the GCB's programme since the last article on the subject, which appeared in the April issue of *Consultus*. Advocacy training is now, in terms of the decision taken at the April meeting of the National Advocacy Training Co-ordinating Committee, on which all Bars are represented, a compulsory component of pupil training and all pupils are required to attend at least one advocacy training workshop on the basic advocacy skills of case preparation, examining witnesses in chief, cross-examining witnesses and presenting oral argument. These workshops are being held in six centres across the country and are available to and compulsory for all pupils registered for pupillage from August 1996. A number of Bars have arranged and will again, it is to be hoped, arrange additional advocacy training workshops on such aspects as motion court work and opening and closing addresses in civil trials for the pupils at their Bars.

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National Advocacy Teacher Training Workshop: July 1996

Training the trainers

The main aim of the first stage of the advocacy training programme, namely the training workshop in London in January 1996, attended by thirteen South Africans from six different Bars and followed by the workshops in Durban, Johannesburg and Cape Town, conducted by a contingent from the English Bar led by Michael Hill QC, was to establish the basis for an advocacy training programme at the South African Bar, by training a group of proficient advocacy trainers at each of the centres of the Bar in South Africa, who would be able to carry the programme forward.

To a large extent this aim was achieved, as a further 53 trainers, in addition to the thirteen trained in London, from virtually all the centres of the Bar in South Africa, received training, most of whom have indicated their willingness to continue to be involved in the training of pupils.

After the departure of our English guests, however, a number of difficulties began to emerge as the various Bars began to plan and run workshops on their own.

We were most fortunate that Michael Hill QC and David Hunt QC, two of the most experienced advocacy trainers at the English Bar, who had both been part of the February training squad, were available and prepared to make the trip for a weekend in July, and that the British Development Division in South Africa was prepared to assist with the financing of the workshop.

Workshop

The workshop was held at the AFSA (Arbitration Foundation of South Africa) building in Sandton over the weekend of 26 to 28 July 1996. Internal finishing work on the upper floors was still in progress, but the newly completed large arbitration suite and smaller consultation rooms were perfect for training purposes.

The training panel consisted of Michael Hill QC, David Hunt QC, Johan Ploos van Amstel SC, John Pammenter SC, Sharise Weiner SC, Roland Sutherland SC, James Goodey, Martin Kriegler, Jan-Hendrik Roux, John Newdigate, Rashid Vahed and Ben Ford. The trainees were Lapa Laubscher SC, Dawie Fourie, Carlos da Silva, Ig Bredenkamp and Paul Ellis (all from the Pretoria Bar), Chris Loxton SC, Paul Jammy, Robbie Stockwell, Craig Watt-Pringle, Barry Roux, Braam du Plessis and Frans Odendaal (all from the Johannesburg Bar), Irma Schoeman from the Bloemfontein Bar, Izak Smuts from the Eastern Cape Bar, Spicko Dickson SC and Pops Aboobaker SC from the Natal Bar, as well as Jeremy Muller, Gerrie de Kock and Murray Bridgman from the Cape Bar.

The proceedings commenced on the Friday evening with an introductory lecture on how the training programme is structured and an explanation of why it is structured in that way, designed to ensure that the pupils understand the importance of adhering to the training method. Pupils and new juniors from the Johannesburg Bar were the "guinea pigs" for the weekend. They prepared performances from cases given to them in advance, i.e. examining a witness, or cross-examining one or presenting oral argument, and had their performances reviewed by the trainee teachers, who >

were in turn watched and reviewed on their reviewing-training technique by the training panel in each group.

The workshop sessions were held on Saturday from 09:00 to 16:00 (the late start occasioned by the television broadcast of the rugby international between the All Blacks and the Wallabies, which left all the South Africans down in the mouth), and on Sunday from 09:00 to 15:00 – a weekend's hard work! During the weekend all the new trainers had taken part in two case analyses and preparation sessions and conducted numerous reviews on the performances of the pupils, following the training "recipe" of Headline, Playback, Rationale, Prescription, Demonstration and Replay.

Aside from enjoying the opportunity to get to know colleagues from England and the other Bars in their own country, many of those who took part expressed the view that their participation in the training exercise was a revelation to them in that it was the first time that they had in fact attempted to analyse what advocacy was all about and that it had made them look critically at their own advocacy style for the first time.

A new trainer's perspective on the weekend by Pops Aboobaker appears elsewhere in this issue. Although the pupils were exhausted and many said the workshop had become somewhat tedious for them by the end of the weekend, they all felt that they had learned and benefited a great deal by their participation, even though the primary aim of the workshop was to train trainers in the training method, rather than pupils.

The view expressed by many of those who took part



From left to right: Spicko Dickson SC, Rashid Vahed (both from the Natal Bar) and Chris Loxton SC from the Johannesburg Bar.

was that teacher training workshops should in future always be organised on a national basis, as this one was, because of the manner in which it drew colleagues from different Bars together and the standard of training which can in this way be maintained.

Pupil training workshops for the August pupil intake

Pupil training workshops for the new intake of pupils have been held in Johannesburg, Durban and Cape Town, and are planned for Grahamstown, Bloemfontein and Pretoria over the next few weeks.

It is hoped that most, if not all, of those who have received training will have taken part or will take part in these sessions and continue to be involved. Although this is the only compulsory ad-



From left to right: Ben Ford from the Eastern Cape, Martin Kriegler, Sharise Weiner SC and Robbie Stockwell (all from the Johannesburg Bar).

vocacy training workshop for pupils, some of the Bars are intending to hold additional workshops on other aspects, such as opening and closing addresses.

All training centres also now have copies of two of the videos produced by the Inns of Court School of Law on consultation skills and examination-in-chief and cross-examination for use in pupil training.

International symposium on advocacy training

The South African Bar has been invited to send delegates to an international symposium on advocacy teaching being presented jointly by the Australian Advocacy Institute, the Inns of Court Advocacy Training Committee and the National Institute for Trial Advocacy (US & UK) – NITA –, at Gray's Inn in London from 6 to 8 January 1997.

The aim of the symposium is to establish an international forum for the development of teaching methods, materials, administration and the exchange of views between the various advocacy teaching institutions in the English speaking world, and delegates are expected from Australia, Canada, England, Hong Kong, Ireland, New Zealand, Scotland, Singapore, South Africa, the United

States and Wales. The symposium will be followed by the Richard Du Cann QC Memorial Advocacy Training Workshop for Appellate Advocacy, also at Gray's Inn on 9 and 10 January 1997, the first annual workshop established by Gray's Inn in honour of Richard Du Cann QC, a member of Gray's Inn who died in 1994 and who played a major role in the development of an advocacy training programme for pupils of Gray's Inn.

It is hoped that a sizeable South African contingent will be able to attend. 