

Phoenix Program

**Peer-led professional development
for magistrates**

18 to 22 August 2008

Phoenix offers five days of professional development, reflection and workshops.

Phoenix is a program with a strong emphasis on using the knowledge and skills of people who know what its like to be a magistrate . Magistrates from around Australia will work together to share their experience on the Bench.

Among the issues to be considered are court craft, ethical issues, judgment writing, self represented litigants, interpreters, work/life balance and much more.



Program

Monday 18 August 2008

9.00 am Welcome

9.15 am Session 1 - Judicial Conduct and Ethics

An interactive discussion session in which participants discuss ethical and judicial conduct issues arising out of scenarios (circulated in advance to participants as pre-reading material). Issues of disqualification and potential conflicts of interest will also be considered. There are no specific answers to many of the questions which arise in this session; rather the session is intended to identify potential problems and look at options for dealing with them.

12.30 pm - Lunch

1.30 pm Session 2 - Maintaining psychological and physical health

This session is designed to reinforce ideas which support the maintenance of physical and psychological well-being in a busy schedule.

4.30 pm - Close

Tuesday 19 August 2008

9.00 am Session 3 - Judgment writing

This session will examine the skill of good judgment writing. Participants will work in small groups on analysing specific judgments.

Tuesday 19 August 2008 (contin)

1.30 pm Session 4 - Oral judgments

In this session participants will consider techniques for preparing and presenting oral judgments. Participants will have the opportunity to practise the skills using case examples.

4.30 pm - Close

Wednesday 20 August 2008

9.00 am Session 5 - Children as Witnesses.

In this session a child psychologist will discuss children as witnesses generally including children as reporters of history, how they differ from adults in their perception of events, how age/capacity affects the reliability of their evidence as witnesses and the appropriate techniques for questioning.

11.30 am Session 6 – Interpreters

This session will focus on the intricacies of language and its importance in the adversarial courtroom, the complexities of the interpreting process and conclude by providing tips on how to help interpreters perform their work to the best of their skill and ability.

12.30 pm - Lunch

Thursday 21 August 2008

9.00 am Session 7 – Sentencing

This session will be a shared learning exercise in which participants examine the process whereby they determine a sentence and their reasons for doing so. The objective is to enable participants to develop and to enhance their skills in sentencing.

11.30 am Session 8 - Court Craft - Handling Difficult Courtroom Situations

An experiential learning session providing an opportunity to exchange ideas on handling difficult courtroom situations. Topics covered will include litigants in person, handling difficult or ineffective counsel, allegations of bias, communication skills, voice projection, eye contact, and body language.

12.30 pm - Lunch

1.30 pm Session 8 - Continued

4.30 pm - Close

Friday 22 August 2008

9.00am Session 9 - Contempt

This session will be based on a participant discussion of a number of scenarios involving contempt by litigants, witnesses or counsel.

11.00 am Session 10 - Cultural Barriers in the Court Room

The public has come to expect that magistrates will be sensitive to diversity within the community and many litigants confront cultural difficulties in their experience of the justice system. In this session the experienced facilitator speaks on cultural and racial differences within the community.

1:00 pm Close and lunch

What style of program?

The College aims to create a stimulating learning environment for magistrates by offering programs which use and build on the knowledge, experience and skills of participants. Many sessions will feature small group discussion and problem solving. Facilitators will assist throughout the program drawing on established techniques for professional learning.

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