

Resources on Courtroom Advocacy (Part 1)

Appellate Advocacy Hearings

1. Live and recorded hearings of the following courts can be watched online:

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| (a) The Hong Kong Court of Final Appeal ; | (b) The New Zealand Supreme Court ; |
| (c) The United Kingdom Supreme Court and the Judicial Committee of the Privy Council ; | (d) The Supreme Court of the United States . |

(see also their [YouTube](#) archive)

The HKCFA

2. The HKCFA has the best set-up for students of advocacy.

3. This is because:

- (a) Individual cameras are trained at each judge and at the counsel's lectern throughout the hearing.

Therefore we can:

- (i) Study the judges' body language when they hear arguments. For example, the folded arms and leaning back may signal disinterest in the argument. And the shuffling of court papers might mean that they are unable to follow the argument; and,
- (ii) Study counsel's body language when questions are put to them in argument.
- (b) Links are provided to the written arguments filed and the judgments appealed from.

Therefore we can study how the arguments in the apex court may differ from those put in the courts below. Or how written arguments morph in the cut-and-thrust with the Bench.

4. The downside to the HKCFA recordings is that they are available only for a month from when they are uploaded.

The NZSC

5. The NZSC also provides the written arguments filed and the judgments appealed from.
6. But the camera is trained only at the person speaking at any particular time. Therefore we cannot study the judges' or counsel's body language when they are not speaking.

The UKSC and JCPC

7. The UKSC does not provide the written arguments filed. But it does provide a link to the judgment appealed from.
8. The JCPC does not provide either the written arguments or the judgments appealed from.
9. And in both Courts the camera is trained only at the person speaking.

The SCOTUS

10. The SCOTUS does not allow cameras in the courtroom. But transcripts and audio recordings of the arguments are available.
11. Oyez - a multimedia archive on The SCOTUS - allows listeners to sort hearings by (say) the issue in dispute, the judges that sat, or the advocates that argued. It also provides a running transcript to accompany the audio recordings.
12. Oyez's search engine therefore allows researchers to track the thinking of a particular judge or counsel through the exchange during oral arguments.

Resources on Courtroom Advocacy (Part 2)

Podcasts on Advocacy

The Favourites

1. The best podcasts are as follows:

- (a) The Advocacy Podcast; (b) Advocates The Podcast;
(c) Advocacy in Court: Preparation and Performance; (d) May the Record Reflect.

The Advocacy Podcast

2. Starting in 2021, the show now runs to 48 interviews with leading advocates. So popular it is, that it is available on the British Airways' inflight entertainment.
3. But more than that, Bibi Badejo compliments her show with a list of advocacy programmes, videos, and books. No better starting point therefore for the tyro advocate.

Advocates The Podcast

4. The show has a distinct Southeast Asian vibe, with a good number of interviewees drawn from the Bars of Malaysia and Singapore. Plenty of encouragement therefore for those keen to carve out careers as counsel in a fused profession.
5. Praised by Davinder Singh SC and Lord Sumption no less for the depth of their research, the interviewees discuss evergreen problems (Do you write down your cross-examination questions?) and modern ones (How to argue before arbitrators from different legal traditions?).

Advocacy in Court: Preparation and Performance

6. Hugh Selby's advocacy book is testimony to his passion in teaching the subject. Unafraid of being unconventional, he once said: In a three-point-argument, argue your second-best point last. That way you end on a winner, and not on your weakest point.

7. His 20 episodes are bite-sized, the longest is 25 minutes. But, also unconventionally, they discuss issues seldom taught in advocacy training (see Episode 4 on how to deal with bullying in the courtroom).

May the Record Reflect

8. The [National Institute of Trial Advocacy](#) is an American non-profit devoted to providing advocacy training. Its site offers blogs, articles, and webcasts devoted to advocacy training.
9. But the 67 podcasts [episodes](#) available for free must be the jewel in the crown. The podcasts are searchable by subject (appellate advocacy, jury selection, witness preparation, family law advocacy, etc.) for those keen on the different aspects of courtcraft.

Resources on Courtroom Advocacy (Part 3)

Podcasts on Advocacy

Also Worth a Listen

1. The shows also worth listening to are:

- (a) [Talking Law by Dr Sally Penni MBE](#); (b) Law and More: [The Boase Cohen and Collins Podcast](#);
- (c) [The Bombay Bar Association Podcast](#); (d) [Advocacy "The Trial Advocate's Playbook"](#).

Talking Law

2. Sally Penni's interviews are not devoted to insights on courtroom advocacy. They cater instead to a wider audience in offering insights into careers in the legal world.
3. But listen to Dinah Rose KC's [three tips](#) for good advocacy. Or Amanda Pinto KC's [advice](#) to baby barristers. And tell me if the show does not speak to the advocate in you.

The Boase Cohen and Colin Podcast

4. Coming out of Hong Kong, the show discusses current affairs with a HK-slant. But lucky for us, Senior Counsel and King's Counsel feature heavily among the interviewees.
5. Thus we are [treated to](#) José Maurellet SC explaining when (and why) he applied for silk, [Ng Jern-Fei KC](#) saying how he landed work in the early days, and a run-through of Edward Fitzgerald KC's [greatest briefs](#).

The Bombay Bar Association

6. 'Start with the prayers', Janak [Dwarkadas](#) SA says, 'when you draft pleadings. Then consider if the relationship between the parties entitle you to the prayers'. These and other gems abound in The Bombay Bar's podcast and [YouTube](#) channel.

7. And for fighting talk; for those moments when we are bloodied, but unbowed: Listen to tributes to the late [Iqbal Chagla SA](#) and [Fali Nariman SA](#).

Advocacy “The Trial Advocate’s Playbook”

8. [Craig MacKenzie](#) brings Horace Rumpole into the 21st Century, with four interviews with leading criminal barristers. The legendary Michael Mansfield KC features.

Resources on Courtroom Advocacy (Part 4): The Websites.

✦ advocacyhub.com.au.

Ben Katekar SC FCIArb has done a service to all advocates in the common law system. The site features interviews, blogs, and speeches on witness-handling. It also cites Lucy Cornell as a leading voice and performance coach.

✦ <https://hearsay.org.au/>

The Queensland Bar Association has put together a website that features articles on cross-examination (see: [here](#) and [here](#)), written submissions ([here](#)), and court etiquette ([here](#)), amongst other areas of courtcraft. That they've not hid the articles behind a paywall is credit to them.