

**11.00 am Session 11 — 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 accessing the justice system. In this session an experienced facilitator speaks on cultural and racial differences in the community.

*Presenter: Ms Maria Dimopoulos, Myriad Consultants (invited)*

1.00 pm Lunch and close

**What style of program?**

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

**When?**

The program will be conducted over 5 days (Monday to Friday) commencing 23 August 2010.



**Preliminary Registration**

The program is open to all magistrates. Preliminary Registration by phone, fax, email or mail:

Phone: 02 6125 6655  
Fax: 02 6125 6651  
Email: [pmp@njca.anu.edu.au](mailto:pmp@njca.anu.edu.au)

Mail: The Director,  
National Judicial College of Australia  
PO Box 8102, ANU, ACT 2601

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

Title: \_\_\_\_\_

Court: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: (work): \_\_\_\_\_

Email: \_\_\_\_\_

[www.njca.com.au](http://www.njca.com.au)  
ABN: 20 100 577 544



**NATIONAL  
JUDICIAL  
COLLEGE**  
*of Australia*

**Phoenix Magistrates  
Program**

**Peer-led professional development  
for magistrates**

**23 to 27 August 2010**

*The Phoenix program offers five days of professional development, reflection, workshops, and the opportunity to meet Magistrates from other jurisdictions. The program has a strong emphasis on using the knowledge and skills of people who are familiar with the challenges inherent in the work of a magistrate - you and your peers.*



# Program

## Monday, 23 August 2010

**8.00 am Registration**

**8.15 am Welcome**

### **8.30 am Session 1 — Pre-program preparation**

The aim of this session is to encourage participants to approach the program in a reflective frame of mind, to reflect on their own practice and methods, to identify the need for possible change, to be prepared listen to others (presenters and participants) and to talk about ways of approaching change.

*Presenter: Elizabeth Bolton, Chief Magistrate SA*

### **9.15 am Session 2 — Judicial Conduct and Ethics**

An interactive discussion session in which participants discuss ethical issues arising out of scenarios which will be circulated in advance to participants as pre-reading material. This session is intended to identify ethical issues which confront magistrates. There are no specific answers to many of the questions which arise in this session; rather the session is intended to look at options for dealing with the problems raised.

*Presenters: John Doyle, Chief Justice SA and Judge Brendan Butler, Chief Magistrate Qld*

### **1.30 pm Session 3 — Maintaining psychological and physical health**

Magistrates are confronted daily with numerous demands - through the hearing and determining of cases in large caselists, as well as administrative duties. The psychological and physical health of any person will affect their work and their productivity. This session is designed to reinforce ideas which may assist in maintaining physical and psychological well-being in a busy schedule, as well as preventing injury.

*Discussion Leaders: Professor Trevor Waring (University of Newcastle); Ms Jo Bills (Physiolink, Adelaide); Ms Karen Inge (Dietician, Melbourne)*

4.30 pm Close

7.00 pm Dinner

## Tuesday, 24 August 2010

### **9.00 am Session 4 — Judgment writing**

This session is designed to introduce magistrates to the skill of good judgment writing. There will be a brief introduction to basic points for judgment writing, and participants will then work in smaller groups on the analysis of specific judgments.

*Discussion leaders: Justice Linda Dessau, Family Court of Australia; The Hon Tom Wodak, County Court Vic. (Ret); Justice Debra Mullins, Supreme Court Qld.*

### **1.30 pm Session 5 — Oral Decisions**

Group discussion and practice of preparation and presentation of ex tempore decisions based on case examples.

*Discussion leaders: Justice Debra Mullins, Supreme Court Qld; Chief Magistrate Elizabeth Bolton, Magistrates Court SA*

4.30pm Close

7:00pm Dinner

## Wednesday, 25 August 2010

### **9.00 am Session 6 — Children as witnesses**

In this session a child psychologist with experience of children in courts will talk about:

- Children as reporters of history (eg as witnesses), how they differ from adults in their perception of events, how age/capacity affects the reliability of their evidence; appropriate techniques for questioning children;
- Why children as witnesses may need to be dealt with in a different way from adult witnesses;

### **11.30 am Session 7 - Interpreters**

This session will focus on the work of interpreters in the court room: the intricacies of language; its importance in the adversarial courtroom, the complexities of the interpreting process and the difficulties encountered by interpreters.

*Presenter: Dr Sandra Hale, School of Languages & Linguistics, University of Western Sydney (invited)*

## Thursday, 26 August 2010

### **9.00 am Session 8 — Sentencing**

Sentencing requires consideration and balancing of many different and often conflicting principles. This session will consider trends in sentencing and there will also 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 enhance their skills in sentencing.

*Presenter: Deputy Chief Magistrate Jelena Popovic (VIC)*

### **11.30 am Session 9 — Court craft**

An experiential learning session giving magistrates the opportunity to exchange ideas on handling difficult and tense situations in the court room including

- communication skills, voice projection, eye contact, body language;
- dealing with difficult or ineffective counsel and litigants.

*Discussion Leader: Magistrate Clive Alsopp (VIC)*

### **1.30 pm Session 9 — Court craft: (Continued)**

4.30 pm Close

7:00 pm Dinner

## Friday, 27 August 2010

### **9:00 am Session 10 — Contempt**

This session will be based around a discussion of scenarios with participants. The scenarios describe handling contempt in the face of the court and include situations involving litigants, witnesses and counsel.

*Presenter: Justice John Byrne, Supreme Court of Qld*