

NTBA Readers' Course – 2015

Session 2 – Traps in Criminal Procedure

Professor Ross Martin QC

First Session

When: Friday 6 March 2015

Where: AFA Conference Room (below William Forster Chambers)

Time: 9am – 12 noon

Course repeated

When: Saturday 7 March 2015

Where: AFA Conference Room (below William Forster Chambers)

Time: 9am – 12 noon

Most counsel are confident they have mastered the substantive criminal law. Many are less confident they have a firm grasp of procedural issues, yet all are aware that pitfalls exist in procedure. This program is designed to address some of those.

The Front End of the Trial - Indictment drafting and critiquing: Prosecutors must take the responsibility for drafting indictments, but both sides of the Bar table must know how it is done in order to spot errors. Drafting a basic indictment presents no problems, but what of the cases of multiple joint offenders or multiple offences? Where does one offence end and another begin? What can be the significance of the date or the place on which an offence is said to have occurred? What does it mean for an indictment to be bad for latent duplicity? What of particulars? When should they be sought and provided and when not? What consequences can flow from “nailing one’s colours to the mast” or failing to do so?

The Back End of the Trial – Directions on specific matters: There are common matters that arise in criminal trials about which mandatory directions are called for. How does one navigate the thicket of “surname directions” – McKinney, Longman, Robinson, Black, Edwards, Zoneff, Markuleski.....?

Professor Ross Martin QC has been a prosecutor for almost 30 years, rising to the position of Deputy Director of Public Prosecutions in Queensland in 2010. He was Chairperson of the Queensland Crime and Misconduct Commission between 2012 and 2013. He now teaches in criminal procedure and advocacy at Griffith University.

The cost of this session is be \$120 including GST (members of the NTBA \$60 including GST, current NTBA readers free). **This seminar is available to all Territory legal practitioners.** However, a limited number of positions are available so register soon by contacting: Ms Naomi Haaren, NTBA Administrator, NHaaren@williamforster.com ph: 08 89824700.