

MR HARPRABDEEP SINGH (2): ADVICE ON ORAL ADVOCACY

What were the main challenges that you encountered when learning oral advocacy?

The first issue I probably had was being able to pause, speak slowly, being able to judge whether or not the audience which I was seeking to persuade was actually following my arguments. That was the first major challenge I encountered. The second one was probably my stubbornness, my inability to accept that there were weaknesses in my case and to be able to persuade the judge that the weaknesses really didn't exist when they actually did. So those were the two main difficulties I encountered when I was presenting oral arguments in English.

What is the main challenge encountered by most students when learning oral advocacy?

Stage fright is definitely one thing most junior lawyers encounter, not only in the moots or the academic setting, but in the professional setting. The primary cause, in my opinion, of stage fright is, number one, the inability to understand your case completely, to think that what's going to come out of your mouth is going to sound silly or dumb or idiotic even some may say. And the second point is the fear, the fear of the audience, of what they may think of you as an individual, and the fear of whether or not you're able to stand the pressure of being a lawyer.

I think you have to understand that as a junior lawyer, as any type of lawyer, no matter how senior you are, you, at some point of your career, will make a mistake in court. You have to accept that fact. You may say something which is wrong and then you have to admit your mistake and apologize. You may put forward a point which is completely foolish and you have to accept that fact because the facts are against you and that's the only point you come up with. So the first thing to overcome fear of presenting in court is accept that you're only a human being, you're as good as your case, and you have to make some mistakes in your career.

What advice do you have for students who are learning oral legal argument in English?

Don't murder the English language. First of all, understand the English language and the ability to present it without using slang or any other forms of abbreviations which have constantly been stuck

in our minds in this year of 2015 and onwards. First, understand the language. Second of all, understand legal English. Now, some people might think it's the same thing. It isn't. Legal English really requires you to understand the law in terms of the facts and having understood those two together and to present the argument in such a way which makes sense and doesn't require repetition and doesn't require same sentences being repeated again and again. Having mastered these two requirements, then I would think if you have the time, if you have the hunger and you have the ability to want to become a good lawyer, focus on your ability to present, which means focus on your tone, your frequency, your pausing abilities, your ability to answer questions. And that would assist in presenting oral arguments in English.

What can students do to learn better oral advocacy skills?

I would say before students actually get up and start speaking, they should really, really prepare. I happen to find, whether it's in a professional setting or an academic setting, there's just a general lack of preparedness for the case. That could be due to a lack of time, so just poor time management, a lack of understanding of the actual case itself, that could be due to a lack of research, not reading up on the files, not understanding, not trying to talk about it with fellow lawyers or students to understand the case, so generally, I happen to find that that's the number one problem facing most junior lawyers at the moment: a general lack of preparedness.