



Pacific Judicial  
Integrity Program

## PJIP Judicial Network Newsletter

Issue 5 | July 2024

Welcome to the fifth issue of the Pacific Judicial Integrity Program Judicial Network Newsletter.

In the second quarter of 2024, we conducted three courses:

- Advanced online course for Judicial Officers on fraud and corruption law and practice, which is now available as a self-paced, online course;
- Webinar for Judicial Officers on issues and emerging challenges in fraud and corruption cases;
- Advanced workshop for Registrars on managing and reporting on fraud and corruption cases.

We continue to work closely with Judicial Officers and Registrars across the region to design the remaining activities planned to take place before PJIP ends in early 2025. Dates for the diary include:

- Advanced Managing and Reporting on Fraud and Corruption Cases Online Course in August; and
- Women in Judicial Leadership Webinar, 8 October.

Chief Justices have, or will soon, receive invitations to nominate judges and court staff to participate. We look forward to continuing to work with you.

With best regards,

*Nicole Cherry*

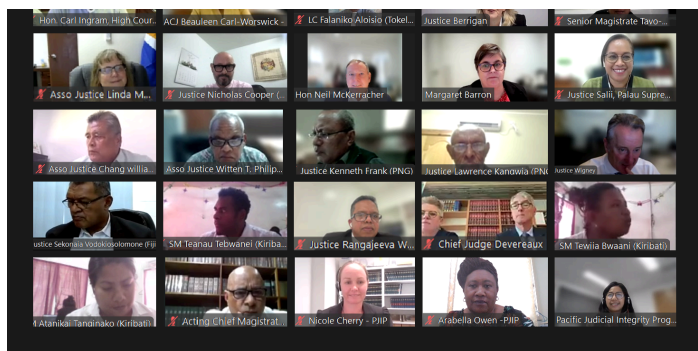
**PJIP Team Leader**

## Advanced Course Launchpad

We are excited to announce the launch of the [Advanced Judicial Officers' Fraud and Corruption Online Course](#).

This free self-paced course is designed to be accessible and flexible to enable judges to progress through the

Across five weeks in May, we piloted the “live” version of the advanced online course. The course aimed to further support Judicial Officers to preside over fraud and corruption-related cases. Participating judges explored the practical application of the Bangalore Principles including bias recognition and mitigation; fraud, corruption and money laundering-related offences; evidentiary issues and challenges including expert evidence, character evidence, hostile witnesses, and evidence management; sentencing; and decision-making.



The course was presented by Justice Rangajeeva Wimalasena, President of Nauru Court of Appeal; Justice Teresa Berrigan, National and Supreme Courts of Papua New Guinea; Justice Kathleen Salii, Supreme Court of Republic of Palau; Justice Michael Wigney, Federal Court of Australia; Chief Judge Devereaux SC and Judge Loury KC, District Court of Queensland, and Honourable Neil McKerracher KC, former justice of the Federal Court of Australia.

Should your Court be interested in participating in a ‘live’ version of the course, please contact the [PJIP Team](#).

## Issues and Emerging Challenges in Fraud and Corruption Cases Webinar

On 6 June, Justice Rangajeeva Wimalasena, President of the Nauru Court of Appeal led a webinar for judges on “*Issues and Emerging Challenges in fraud and corruption cases*”. His Honour presented key challenges; relevant legal principles; the use of regional judgments; and the social impacts of notable key fraud and corruption cases in the region. His Honour further discussed emerging issues, including money laundering case challenges involving law enforcement and crypto currency. The webinar was attended by 14 people including Chief Justices, Judges, Law Commissioners and Magistrates from nine Pacific Island Partner Courts.



The full recording of the webinar is available [HERE](#).

## Advanced Managing and Reporting on Fraud and Corruption Cases Workshop

The High Court of Solomon Islands hosted twenty-two Registrars and Court Officers from ten Partner Courts in Honiara to attend the Advanced Managing and Reporting on Fraud and Corruption Cases Workshop in June. Following the introductory workshop held in Brisbane last year, the advanced course focused on the areas identified by the attending registrars as the most challenging to them in performing their roles.

The workshop dove deeper into the topics of ethics and integrity, fraud and bribery case types and procedural fairness. Topics such as money laundering case types, case management practices, security consideration

engaging presentations and discussions led by Registrar Shemi Joel, Supreme Court of Vanuatu, Judicial Registrar Alicia Ditton, Federal Criminal Jurisdiction, Federal Court of Australia; Judicial Registrar Jodie Burns, National Operations Team, Federal Court of Australia; Judicial Registrar Joanne Wilson, Federal Court of Australia; and Assistant Registrar Crimes Victoria Belo, National Court of Papua New Guinea.



## Resources

Please find a collection of recently developed resources on evidence that may be of interest to you and your Court.

**1. Character Evidence**, *Brian Devereaux SC, Chief Judge, District Court of Queensland*. To read the full paper, please click [HERE](#).

- A defendant may introduce evidence to show that he/she is of good character. By doing so, however, they put their character in issue and the prosecutor may cross-examine witnesses or, in some cases, the defendant about their character and about any previous convictions. The purpose of introducing evidence of good character is primarily to establish the credibility of a witness or the defendant, as well as to point to the improbability of guilt. Evidence of good character also becomes very important when sentencing the defendant upon conviction of an offence.

**2. Hostile Witness**, *Brian Devereaux SC, Chief Judge, District Court of Queensland*. To read the full paper, please click [HERE](#).

- The best introduction to this topic is in Cross on Evidence. A party calling a witness to prove certain facts may be disappointed by the failure of the witness to do so. The difficulties of the party may be increased by the witness's manifest antipathy to the party's cause. This lies at the root of the distinction between unfavorable and hostile witnesses. An unfavorable witness is one called by a party to prove a particular fact in issue or relevant to the issue who fails to prove such fact, or proves an opposite fact. A hostile witness is one who is not desirous of telling the truth at the instance of the party calling the witness.

**3. The admissibility of common forms of evidence in fraud/corruption trials**, *Judge VA Loury KC, District Court of Queensland*. To read the full paper, please click [HERE](#).

- The starting point for a consideration of the admissibility of any piece of evidence is relevance. Evidence is not admissible unless it is relevant. Under the *Uniform Evidence Acts* evidence is relevant if, were it accepted, it could rationally affect (directly or indirectly) the assessment of the probability of the existence of a fact in issue in the proceeding.

Should there be any articles or resources that you would like to share with the Judicial Network, please send to [pjip@fedcourt.gov.au](mailto:pjip@fedcourt.gov.au)

## Upcoming Events

sessions. The objective of this advanced online course is to further support Registrars and Court Officers to manage and report on fraud and corruption-related cases. Invitations for nominations have been sent to all Chief Justices'.



**PJIP: Women in Judicial Leadership Webinar (8 October)**

The two-hour webinar will be held on 8 October and presented by Chief Justice Debra Mortimer of the Federal Court of Australia. Invitations for nominations will be sent to all Chief Justices' shortly.

**Papua New Guinea Continuing Judicial Education Seminar in Port Moresby**

Papua New Guinea Centre for Judicial Excellence (PNGCJE) will be co-hosting this complimentary seminar with the Law Society of PNG and the Bar Association of Queensland on September 3 in Port Moresby. The program will include presentations on key commercial law developments by Wavie Kendino Leki and on judicial review – how to make a successful application and obtaining writs of mandamus by the Honourable Justice J A Logan RFD, Federal Court of Australia. Please click [HERE](#) for further details on the seminar and to register.

**PNGCJE – 10<sup>th</sup> Asia Pacific Mediation Forum Conference in Port Moresby**

PNGCJE will be hosting the 10<sup>th</sup> Asia-Pacific Mediation Forum (APMF) at the modern APEC Haus in Port Moresby from 19 to 21 August 2024. The Conference theme has been chosen to enable meaningful exchange of information and ideas by expert speakers, facilitators, and conference attendees. The Conference speakers include leading Judges, scholars and experts from all over the world (including from Europe, the Americas and the Pacific Rim) and will focus on both the science of climate change and approaches to managing, transforming or resolving associated conflicts. Please click [HERE](#) for further details and to register.



## Comments and Feedback



We welcome and appreciate comments or contributions. If you have any feedback or require further information, please contact the [PJIP team](#).

You are receiving this email as you've previously attended a PJIP activity. Should you wish to opt-out of receiving the Judicial Network Newsletter please [contact us](#).



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