



Bribery Scenario - R v Louise Remain

- Louise Remain has been charged in your jurisdiction with a bribery offence.
- Louise Remain, is an unregistered Migration Agent, who owns and operates a migration advice and visa business (Let Us Help Pty Ltd) in your jurisdiction. There are 2 other colleagues who work in the business and who are also responsible for visa applications.
- It is alleged that on 20 occasions, between January 2021 and January 2022, Louise Remain paid AUD 90,000 as a bribe to 3 different public officials, in the Department of Immigration, to obtain a visa or an extension of a visa for some other person. The visa applications were submitted using the Department of Immigration's online system.
- The money paid to the Department of Immigration officials was transferred from a bank account in the name of a company called Collections Royal Pty Ltd, which is registered in a foreign jurisdiction. The sole director and shareholder of that company is Harrison Peters, a citizen of the foreign jurisdiction.
- The police have found text messages on Louise Remain's phone and other items during a search warrant executed on Louise Remains' home, which reveal a connection between Harrison Peters and Louise Remain.
- Police investigations revealed Harrison Peters owns 2 properties in your jurisdiction and one of the properties is lived in by Irene Remain (Louise's mother).
- Louise Remain has pleaded not guilty.

Scenario Questions

1. What types of evidence could be relied upon to convict Louise Remain of the bribery offence charged? Feel free to be creative! What additional evidence may have been recovered during the search warrant?

Suggested Answers:

- *Business/company records*
- *Expert computer systems evidence*
- *Financial/accounting records/ money transfers*
- *CCTV footage*
- *Travel records*
- *Telephone records*
- *Police Statements – search warrant evidence and interviews conducted*
- *Witness statements – rollover witnesses*

Being creative – come up with ideas on what the police may have found in Louise Remain's home, when they conducted the search warrant, that may reveal a connection with Harrison Peters. Text messages have been found on Louise Remain's phone and 'other items'. Conversations in Honiara included, birthday card, letters, Harrison himself.

2. What kinds of resources may be required to conduct this bribery trial in your Court?

Suggested Answers:

Both internal and external resources may be required, including (external) – additional security, translators, transcription services, international witnesses, IT support; (internal) considering timezone differences, how the evidence will be sorted for/by the Judges; how experts will be coordinated, how materials will be received by Harrison who is overseas, anything else that is required to get ready for the trial in your Court.