



Pacific Judicial
Integrity Program

Advanced Judicial Officers' Fraud and Corruption Online Course

Via Zoom - 2, 9, 16, 23 & 30 May 2024

Presenter: Justice Rangajeeva Wimalasena

Facilitator: Ms. Margaret Barron



**FEDERAL COURT
OF AUSTRALIA**



Papua New Guinea
Centre for Judicial Excellence



Pacific Judicial Integrity Program

- Funded by the Australian Government
- Implemented in partnership between the Papua New Guinea Centre for Judicial Excellence & the Federal Court of Australia
- Working with 12 partner courts
- March 2022-April 2025

Goal & Outcomes

- To support judicial officers to preside over fraud and corruption-related cases
- To provide specialist in-person & online training
- To provide mentoring, networking & resources

Session 1: Agenda



1. Welcome & Introduction (20 minutes)
2. Presentation overview and commentary on the Bangalore Principles by Justice Rangajeeva Wimalasena (35 minutes)
3. Questions & Answers on presentation (25 minutes)
4. Scenario Questions Discussion – previously sent (30 minutes)
5. Introduction to next week’s session (5 minutes)
6. Session Wrap-Up (5 minutes)

PJIP Website



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- Online Courses
- Judicial Officers' Introductory Course
- Judicial Officers' Advanced Course
- Court Officers' Introductory Course

The Pacific Judicial Integrity Program (PJIP) launched in March of 2022 for three years. Funded by the [Australian Department of Foreign Affairs and Trade](#), it is being delivered in partnership by the [Federal Court of Australia](#) and [Papua New Guinea's Centre for Judicial Excellence \(PNGCJE\)](#). The Program collaborates with 12 Pacific Island partner nations: Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga and Vanuatu.

The program aims to strengthen partner courts response to corruption-related cases through a suite of specialist training, mentoring and other development activities. The Program also aims to promote efficiencies and effective case management and reporting of corruption-related cases.


Pacific Judicial Network Newsletter

Stay updated and receive quarterly communiques on fraud and corruption resources and upcoming events.

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Name *

Email *

 Security key

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Can't read the security key? [Click here to get a new key.](#)



Participants of Advanced Judicial Officers' Fraud and Corruption Workshop in Port Vila, Vanuatu 2024.



Participants of PJIP's Judicial Officers' Fraud and Corruption Workshop, Port Moresby 2022.

Judicial Officers' Fraud and Corruption Advanced Course

The objective of this online self-paced specialist training course is to further support Judicial Officers to hear some of the most prevalent types of fraud and corruption-related cases in the Pacific.

Following completion of this course, participating Judicial Officers will be able to:

- Discern and apply general principles, standards and approaches.
- Interpret and apply domestic law according to applicable procedural rules.
- Identify the elements of fraude related offences and the evidence required to prove them.
- Detail the rationale for their decisions including appropriate criminal penalties.
- Strengthen judicial identity and continue to build the region's professional network.

Recognising that it is not always possible for Judicial Officers to be available to attend in-person training, we developed an online training course enabling Judicial Officers' from across the region to learn remotely and at their own pace over five sessions. The course covers the following topics:

Session 1: Judicial Ethics

Session 2: Fraud and corruption related offences

Session 3: Evidence

Session 4: Sentencing

Session 5: Decision Making



Justice Michael Wigney of the Federal Court of Australia at the Advanced Judicial Officers' Fraud and Corruption Workshop in Port Vila, Vanuatu 2024.

Each session comprises:

1. Access to a pre-recorded presentation
2. Access to PowerPoint slides of the presentation
3. Additional reading and resources.

Using Zoom – The Basics



This button mutes your audio, so that no one can hear you

This button allows you to choose to display your webcam, or not

This button lists all of the participants in the Zoom meeting

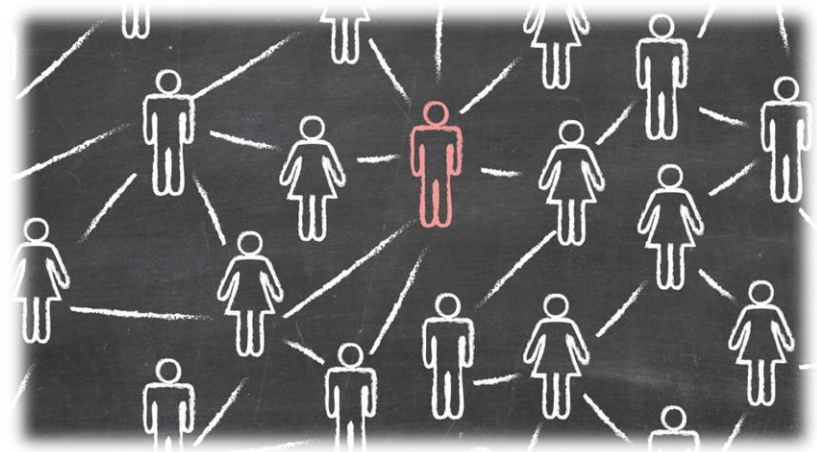
This button allows you to text chat with all the participants

This button allows you to share your phone or computer screen with the other participants

Introductions



- Please introduce yourself and what court you join us from?
- Is there a particular question that you would like answered on the topic of presiding over fraud and corruption related cases from this Online Course?



Objective of the Online Course

The objective of this online specialist training course is to further support Judicial Officers to hear some of the most prevalent types of fraud and corruption-related cases in the Pacific.



Outcomes of the Online Course

Following completion of this course, participating Judicial Officers will be able to:

- Discern and apply general principles, standards and approaches.
- Interpret and apply domestic law according to applicable procedural rules.
- Identify the elements of fraud related offences and the evidence required to prove them.
- Detail the rationale for their decisions including appropriate criminal penalties.
- Strengthen judicial identity and continue to build the region's professional network.

Online Course



- Live online sessions each Thursday afternoon for 2 hours across 5 weeks on Zoom
- First session **Thursday 2 May 2024 12-2pm (GMT+10:00)**
- You will be emailed a link and instructions to access the online sessions via the PJIP website
- The course will focus on Fraud, Bribery and Money Laundering offences, identified as the most complex and challenging areas in the region.



Online Session Topics



Sessions

Topics and Presenters

Session 1: Thursday 2 May

Judicial Ethics

Justice Rangajeeva Wimalasena

Session 2: Thursday 9 May

Fraud and Corruption-related offences

Justice Teresa Berrigan and Justice Michael Wigney

Session 3: Thursday 16 May

Evidence

Chief Judge Brian Devereaux SC and Judge Vicki Loury KC

Session 4: Thursday 23 May

Sentencing

Justice Michael Wigney and Justice Teresa Berrigan

Session 5: Thursday 30 May

Decision Making

Justice Kathleen Salii

Discussion Questions



- Each week discussion questions or scenarios will be considered by participants based on the presentation topic of the week
- Discussion questions will be examined in detail online as a group with the support of the judicial presenter



Introduction



Session 1: Judicial Ethics

Honourable Justice Rangajeeva Wimalasena, President of Nauru Court of Appeal



Justice Wimalasena holds a Bachelor of Law and a Master of Law in International Human Rights, Children's and Women's Rights, and is also an accredited mediator by the Singapore and Fiji mediations centres.

His Honor has a judicial career spanning over two decades across three Commonwealth jurisdictions in the Asia Pacific region. Embarking on his journey in 1999 as a prosecutor in the Attorney General's Department in Sri Lanka, he joined the bench as a Magistrate and later as District Court Judge in 2003. In 2009 he served a short stint as Resident Magistrate in the Fiji Judiciary before returning to Sri Lanka. In 2015, he returned to Fiji and was appointed as a Judge of the High Court in 2018. In 2021, with the establishment of the anti-corruption division of the Fiji Judiciary, he was appointed as the first Judge of the Anti-Corruption Division. In 2022, Justice Wimalasena joined the Nauru Court of Appeal and is currently the President.



Pacific Judicial
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Session 1: Thursday 2 May Judicial Ethics

Overview and commentary on the substance and application of the Bangalore Principles; inference and bias mitigation

Presenter: Justice Rangajeeva Wimalasena



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Questions on the presentation



Are there any questions for Justice Wimalasena regarding his presentation on the Bangalore Principles and bias mitigation



Scenario Questions

We will now consider three scenario questions, where we will ask you to:

- identify if any of the Bangalore Principles have been breached, and
- if so, which principles, and
- why.

Scenario Questions



Scenario 1:

In a small town where only a handful of lawyers practice, you work as a Magistrate. Your partner has been one of the few legal practitioners practicing in that town even before you started the relationship.

Can you preside over a case in which your partner represents a party as a lawyer?



Scenario Questions



Scenario 2:

When you are newly posted in a town as a magistrate, you receive a Christmas hamper full of luxury items and drinks from a politician in the area. You are told by the registry staff that it has been the practice of the politician to give Christmas hampers to the public officials in the area as a gesture of goodwill.

What should you do?



Scenario Questions



Scenario 3:

Your uncle, the chief of a village, invites you to join him and close relatives and friends for a customary traditional drink. During the gathering, he introduces you to someone and asks for your help. That person seeks legal advice from you regarding a case not heard by you, but by a colleague of yours.

What should you do as a Judicial Officer?



Next Week: Session 2 - Fraud and Corruption-related offences

- Thursday 9 May
- **12-2pm (GMT+10:00)**
- Use same Zoom link
- Judicial Presenters: Justice Teresa Berrigan and Justice Wigney





Due to varying locations, **local time zones for the discussion** are as follows:

Thursday 9 May, 2024	
11:00	Palau
12:00	Australia Papua New Guinea
13:00	Federated States of Micronesia Solomon Islands Vanuatu
14:00	Fiji Kiribati Nauru Republic of Marshall Islands
15:00	Tonga Samoa Tokelau

Session Wrap-Up





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