



Case Management Practices - Scenario

You are an experienced Registrar (or Associate/Assistant) in your Pacific Island Country Court. A new Judge has been appointed and has been allocated the hearing of a multi accused money laundering case.

Before the hearing commences, the prosecution indicates to you:

- The case involves 10 accused, who are members of a prominent family and their friends who reside in your Pacific Island Country. The accused are connected to a recently convicted a drug trafficker.
- The 10 accused are charged with conspiring to commit a money laundering offence.
- This is the first time such an offence has been prosecuted in your jurisdiction.
- All 10 accused are legally represented by different law firms and barristers.
- The accused family members are citizens of your country, but the friends are foreign nationals on bail to remain in your jurisdiction. The foreign nationals are from a country 4 hours away. You have been informed that the foreign nationals do not understand English or your language.
- The alleged offending involves the accused receiving cash drops from a convicted drug trafficker, depositing the cash into various bank accounts, making transfers from the bank accounts into overseas bank accounts held in third party names.
- The monies were then transferred back into bank accounts held in a company name connected to the convicted drug trafficker.
- One of the witnesses in the case was involved in the alleged offending but has decided to give evidence against the other accused for immunity from prosecution.
- The hearing is estimated to last 6 months. The Court staff member responsible for managing the hearing is due to go on maternity leave halfway through the estimated hearing period.
- The Judge has asked you for as much help as possible during the hearing and has asked you to indicate what you can do to assist.

The hearing has finished, the accused were all found not guilty. A senior court official has raised several concerns with respect to some things that went wrong during the hearing:

1. The court transcription service failed to provide the transcript of the hearing on time.
2. A new court staff member releases a confidential document to the defence team in error.
3. When overseas witnesses were due to give evidence, there were issues with the internet connection delaying their ability to give evidence and frustrating the Judge at the hearing.

Scenario Questions

What are some key case management issues that arise in this money laundering trial scenario?

What things could you do to overcome the key case management issues identified?

Suggested Answers

Key case management issues arising in scenario	Key strategies for overcoming these issues.
<p>A new Judge and the first time the complex offence charged has been tried in your Court – extensive support will be required for your Judge to run the trial.</p>	<p>Prepare an offence guide for your new Judge.</p> <p>New offence provision – research case law in other jurisdictions with similar offence provisions.</p> <p>Review statement of facts or summary of facts to anticipate nature of evidence during the trial – create a trial plan.</p>
<p>Large matter involving multiple accused and legal representatives– resource intensive and significant organisation required to run the trial.</p>	<p>Review courtrooms to ensure it can fit all accused and their legal representatives.</p> <p>Prepare a list of name/details for all accused and their legal representatives.</p>
<p>High profile accused – likely media interested.</p>	<p>Arrange a media liaison officer.</p> <p>Communicate with all court staff re: approach to take with respect to media requests for information.</p>
<p>Overseas accused and witnesses – international considerations.</p>	<p>Meet with legal reps for overseas accused and witnesses to ensure trial period/sitting time is suitable for all.</p> <p>Organise Interpreters</p> <p>Check IT department can set up AVL facilities for overseas witnesses/experts to give evidence.</p>
<p>Overseas assets - \$ in overseas bank accounts – may be a restraining order involved (civil proceedings).</p>	<p>Check document management system – separate restraining order file (civil proceedings) from trial documents (criminal proceedings).</p>
<p>Rollover witness (witness giving evidence against other accused) – possible security concerns.</p>	<p>Check security is available to attend court and that adequate security measures are in place.</p>
<p>Court resourcing issue – turnover of court staff mid trial.</p>	<p>Organise for adequate court staff to assist in the smooth management of the trial and set</p>



Key case management issues arising in scenario	Key strategies for overcoming these issues.
	<p>up protocols for an efficient handover, should there be turnover of staff.</p> <p>Draft a handover protocol and have regular meetings during the trial to keep staff informed of key developments.</p>
Problems experienced during the trial (points 1-3 in the scenario)	<p>Conduct a post-trial debrief session with all Court staff to capture issues experienced during the trial and to note future training needs to avoid things going wrong at the next trial. For example:</p> <ul style="list-style-type: none">• Conduct training sessions – on confidential documents.• Draft practice notes to guide staff – guidelines for IT to test AVL set ups prior to trials involving overseas witnesses.• Set up agreements with external agencies (transcription services) imposing service delivery timelines

These are just some of the key issues and strategies – the participants may identify many more.