



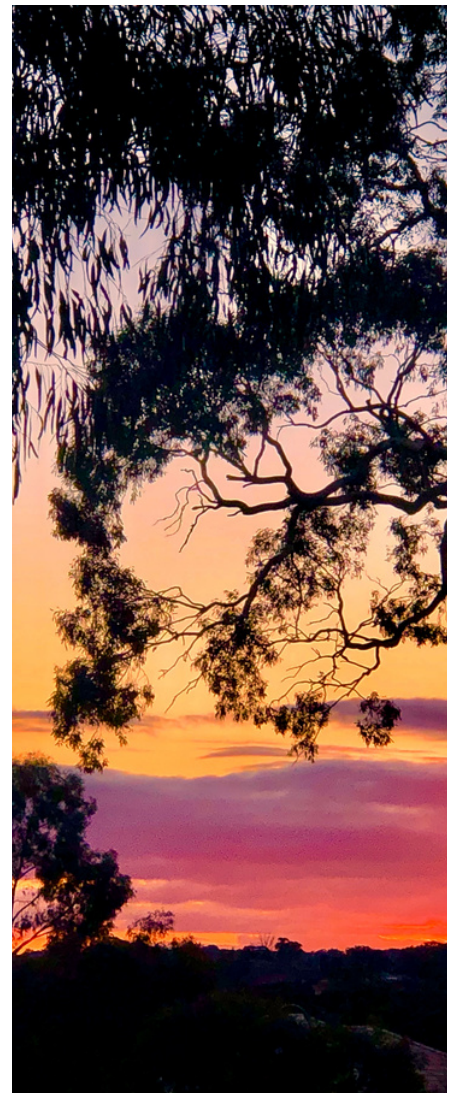
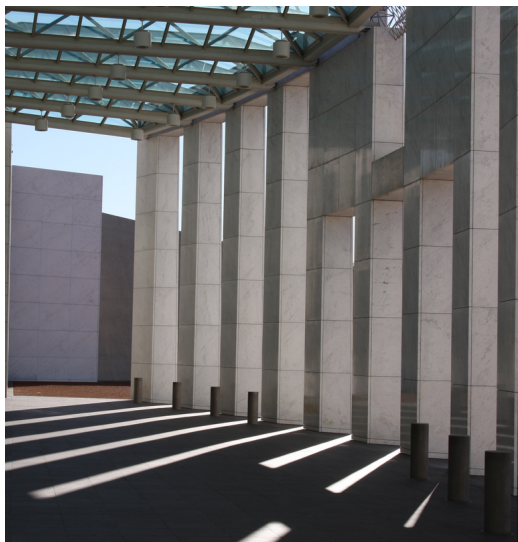
National Judicial College of Australia



INSIDE

- Spotlight on the John Doyle Oration
- NJCA delegation to Calgary
- Inaugural *Managing Sexual Assault Hearings* program
- Return of the *Family Violence in the Court* program
- *Artificial Intelligence and the Courts* Symposium update

Leading judicial
education for an
Australian judiciary



Building a stronger Australian judiciary

Welcome to the NJCA Summer newsletter for 2024.

Since our last newsletter, the NJCA has delivered five programs to judicial officers in Sydney, Adelaide and Canberra. Of particular note was the inaugural *Managing Sexual Assault Hearings* program, delivered in Canberra and Adelaide to trial judges from NSW, ACT, Queensland, South Australia, Victoria and Western Australia. A great strength of the program is its committee who individually and collectively bring a significant breadth of subject matter knowledge and skill. Linking court-craft skills with social context training, judicial participants are motivated to practice relevant skills and engage in candid reflection with one another using a rolling fact pattern, which helps internalise the program content and ‘bring it back to court’ with them. We look forward to the ongoing delivery of this important program to all jurisdictions over the coming months and years.

Our “Spotlight On” in this newsletter features the John Doyle Oration. The Oration is an acknowledgement, with gratitude, of the pioneering work of the Honourable John Doyle AC KC and the long lasting effect of his leadership on judicial education and training in Australia. It is an honour for the NJCA to share this occasion with our guest of honour, his family and distinguished attendees.

In early February, I joined the Chair of the NJCA Program Advisory Committee, Justice Glenn Martin, and five members of the NJCA *Managing Sexual Assault Hearings* program committee in Calgary, Alberta at the invitation of the National Judicial Institute of Canada (the *NJI*). Over the course of an intensive week, judges experienced best practice judicial education and training with a focus on sexual assault trials. This was an invaluable and validating opportunity for the NJCA as the national educator. I have no doubt that the experience will enable the NJCA to optimise its contribution to social context training and its application to sexual assault hearings in criminal justice system.

Another important development, in the medium term, is the creation and publication of the *NJCA Managing Sexual Assault Judges Toolkit*, an on-demand learning resource for judges that will be accessible through the NJCA learning portal. My thanks to the members of the NJCA delegation and the NJI for their extraordinary hospitality. We look forward to building on this foundation and strengthening our relationship with the NJI.

Finally, we are looking forward to our *AI and the Courts Symposium - Master or Servant?* to be held shortly at the National Gallery of Australia. I hope to see many of you there for what is, undoubtedly, a critical issue facing judicial officers and the broader legal community in Australia and across the globe.



Karen Gregory
CEO, National Judicial College of Australia

NJCA Delegation to Calgary

The National Judicial Institute of Canada (NJIC) enjoys an international reputation as the pre-eminent judicial education body. At the invitation of the NJIC, an NJCA delegation made up of judges from Australian states and territories, travelled to Calgary, Alberta, in late January, to join 45 Federal Court judges from Canada for a week-long, intensive judicial education program, focussed on sexual assault trials.

Delivered by a deeply experienced NJIC judicial committee and in-person education team, our Australian judges had the opportunity to engage with the content and delivery methodology, while also exchanging ideas and experience with their Canadian counterparts. The NJCA delegation also met with the NJIC program architects and committee members to gain a greater insight into program design and development strategy, as well as meeting to discuss common challenges and opportunities.

With so much in common, the NJCA and the NJIC look forward to our next interaction and continuing our dialogue.



L-R: Deputy Chief Magistrate Anthony Gett, Deputy Chief Judge Meryl Sexton, Justice Tom Crabtree, Justice Glenn Martin, Chief Justice Lucy McCallum, Judge Laurie Levy, Judge Kara Shead, Ms Karen Gregory

Stay tuned for more information about the *NJCA Managing Sexual Assault Hearings Judges Toolkit - on demand learning for Australian judicial officers*

This new NJCA “Toolkit” will be much more than a bench book. It will be a toolkit, designed from the outset to acknowledge that social context training in the area of sexual assault for judges is just as important as an understand of the state based governing law. Sexual assault training is difficult to convey through the written word alone. Accordingly, the NJCA plan for most of the Toolkit’s social context content to take the form of videos, podcasts and interviews, which judges can absorb and replay at their leisure. As social values change over time, the Toolkit will simply grow and take on new topics as they arise.

The Toolkit will be available towards the end of this year.



National Judicial College of Australia

NJCA Symposium
*ARTIFICIAL INTELLIGENCE AND THE COURTS
MASTER OR SERVANT?
Canberra, 6 - 7 April 2024*

*Registration via the [NJCA website](#).
Official Welcome- 9.00am Saturday 6 April 2024
Symposium Close- 2.00pm Sunday 7 April 2024*

Sessions

- What is AI and what do I really need to know?
- The language of AI
- AI in private practice, the bar and the bench
- AI in the justice system
- AI and ethics
- An AI twist
- AI and the forensic and cybercrime landscape
- AI and the international approaches regulation
- Looking to the future - ask me anything



Register now at
njca.com.au/judicial-education-programs/



Join us for this important symposium and hear from senior judges, barristers, lawyers and experts in their field:

- Professor Lyria Bennett Moses, UNSW
- Ms Caroline Ryan, Partner, Allens Linklaters
- Mr Matthew Purcell, Generative AI AWS
- Dr Kaye Ballantyne, Chief Forensic Scientist, Victoria Police
- Dr Aditya Joshi, UNSW
- Dr Richard Frank, International Cyber Crime Research Centre, Simon Fraser University, Canada
- Professor Juliano Maranhão, Cidade University, São Paulo, Brazil
- Professor Aleš Završnik, Institute of Criminology at the Faculty of Law, Ljubljana, Slovenia
- Mr Ben Kremer SC, Banco Chambers, Sydney
- Professor Tiberio Caetano, Gradient Institute
- Justice Glenn Martin, Supreme of Queensland



John Doyle Oration



The Honourable John Doyle AC KC, former Chief Justice of South Australia, was appointed as the first Chairman of the Council of the National Judicial College of Australia in 2002



The Chief Justice of the High Court, the Honourable Stephen Gageler AC SC will deliver the inaugural *John Doyle Oration* on the 6 April 2024. The oration will celebrate the vision, lasting impact and profound reshaping of the judicial education and training landscape in Australia by the first Chair of the NJCA Council.

Without question, the Honourable John Doyle, has been a powerful force for, and fundamental to, the development of judicial education in Australia. During his tenure (2002-2006), he developed programs for judicial training, particularly focussing on judicial leadership, conduct and ethics. He remained part of the NJCA governance bodies for many years after serving as Chair.

Importantly, as the first Chair of the NJCA, and the first Chair of the NJCA Program Advisory Committee, the Honourable John Doyle made sure his design for and vision of professional development for judges was matched by action through countless years of program design, development and delivery for the NJCA. This action has, undoubtedly, influenced the judicial education journey of many judges and magistrates from across Australia, over the past 20 years.

A vision, for a distinctly integrated, Australian judiciary is one the NJCA continues to celebrate through our work. The NJCA looks forward to this significant oration to mark the pioneering, consolidating and transformative leadership in judicial education in Australia.

Family Violence in the Court - November 2023, Adelaide

November saw the return of the NJCA *Family Violence in the Court* program. Managed by a highly experienced committee of Family Court of Australia judges and seasoned District and Magistrates Court judicial officers from diverse states, along with academics and experts, the program sessions are seamless and effective, guaranteeing its impact on participants.

The dedicated program committee was delighted to be delivering “phase two” of this program, which carefully links social context training with judge-craft skills. Through sessions such as *Using Judicial Narrative and Voice*, skills based sessions help in maintaining the focus for judicial officers on the perpetrator's accountability to others as well as how to avoid invitations to collude. Importantly, the program also leads judicial officers through the efficient use of the *National Domestic and Family Violence Bench Book* to maximise judicial productivity.



“Spoilt with the extremely high quality of each of the presenters.”

“Invaluable course.”

“Built on my knowledge and challenged some of my thinking.”

Participant feedback ‘Family Violence in the Courts’ November 2023

National Judicial Orientation Program, November 2023, Sydney



In November 2023, 35 newly appointed judges from across Australia gathered together at the Shangri-La Hotel, Sydney to participate in the National Judicial Orientation Program (NJOP). Participants enjoyed presentations across a variety of disciplines and topics including judicial conduct and ethics, resilience, unconscious judicial bias, discretion, witness credibility, exercise of power, courtroom control, contempt and judgment writing.

Participant feedback, given at the close of each day, was detailed and overwhelmingly positive. We look forward to welcoming these newly appointed judges to future NJCA programs as they navigate their individual judicial education pathways.

Thank you to the NJOP committee for their continued dedication to this important NJCA program.

‘A really valuable, well run program’
‘Thanks for a stimulating, productive and enjoyable week’

Participant feedback ‘National Judicial Orientation Program’, November 2023

Managing Sexual Assault Hearings

Canberra, 17 February and Adelaide, 8 March 2024



The judicial learning outcomes for this new NJCA program are unashamedly ambitious. Designed, at the outset, with a view to improving entrenched trial practices and out of step narratives, the program enjoys the stewardship of experienced judicial officers from across Australia.

Delivered this year in Canberra in January and Adelaide in March, the *Managing Sexual Assault Hearings* program has been delivered to over 50 judicial officers from NSW, ACT, Queensland, South Australia, Victoria, the Northern Territory and Western Australia.

Participant feedback has been extraordinary thus far - ***“Illuminating, Informative, Powerful, Challenging, Invaluable, Revelatory.”*** Participant feedback, February 2024





Informed by international best practice, the program challenges myths, stereotypes and norms that can lead to “mental shortcuts”, often framed within the “fabric of social common sense” when managing sexual assault hearings. It then links this understanding with best practice court-craft skills, complimented by outstanding judicial resources.

This one day, intensive program, funded by the Commonwealth Attorney-General's Department, will be delivered by the NJCA in Melbourne in April and in Brisbane in May. It will be delivered to other jurisdictions and courts over the next five years.

Registration is via the NJCA website.



“A magnificent program, thank you.”

*Participant feedback,
March 2024*

Writing Better Judgments I, Feb 2024, Sydney



Late February, the *Writing Better Judgments I* program was delivered in Sydney. The three day program was opened with a keynote by Justice Jayne Jagot.

With a focus on experiential learning, this program is designed to enhance participants' judgment writing skills through analysis, discussion and rewriting of judgments in small groups. The guided workshop groups are led by professional writers and senior judicial officers.

By the end of the program, participants are able to:

- identify, frame and resolve the factual and legal issues and structure an issues-based judgment;
- prepare and plan for an issues-based judgment;
- write a well-structured judgment with an interesting introduction which signposts the whole judgment; and
- use language, sentence and paragraph structure to support the 5Cs.



The WBJ I program is intense, transformative learning. Morning walks before the program are a must!

“Keep doing what you are doing. This program should be compulsory.”

Participant feedback,
February 2024



ANU/NJCA Visiting Judges Program, March 2024

Justice Janine Pritchard took leave from her role as a Justice of the Court of Appeal of the Western Australian Supreme Court, and President of the State Administrative Tribunal to participate in the ANU/NJCA Visiting Judges Program this month.

The NJCA, along with the ANU, thanks Justice Pritchard for sharing her extensive experience, enabling students to link the study of law with the demands of life on the bench.

**Meet the judge:
the Hon Justice
Janine Pritchard**

Wednesday 6 March
12:30-1:30pm



Australian
National
University

ANU College
of Law

Forthcoming Programs



Managing Sexual Assault Hearings

20 April 2024, Melbourne

18 May 2024, Brisbane (program registration full)

Social and personal psychological context in judicial education and training is an important part of the judicial officer's remit.

This program will enhance your capability to engage with perpetrators, complainants, victims and survivors of sexual assault, families and communities more effectively with a view to improving entrenched trial practices and out of step narratives.



Writing Better Judgments II

13-14 June 2024, Sydney

At WBJ II, the overarching theme of the program is judicial productivity. Participants are given both the knowledge, skills and strategies to meet the increasing challenges of judgment writing. Time on the bench and corresponding experience often means lists are longer, cases allocated are more complex and a wearying load of judgments have already been delivered. This program provides practical skills and strategies to help better meet the ongoing challenges in the years ahead, by revisiting and improving judgment writing practices with renewed vigour.



National Magistrates Orientation Program

25 - 30 August 2024, Brisbane

This program provides newly appointed magistrates the opportunity to benefit from the knowledge and experience of senior magistrates who attend the program as facilitators and speakers. The primary goal of the program is to assist with the transition to the bench by facilitating the development and refinement of skills, knowledge and attributes necessary for effective judging.

Many sessions are interactive and rely on discussion by participants and the use of practical case scenarios.

Forthcoming Programs



Writing Better Judgments I
26-28 June 2024, Perth
23 -25 October 2024, Sydney

The popular *Writing Better Judgments I* program is designed to enhance participants' judgment writing skills through analysis, discussion and rewriting of judgments in small groups. This program provides judicial officers with practical tools and tips; a high level of interactivity including group workshops; and individual feedback. Topics include preparation and planning for judgments; issue identification and resolution; writing judgments that are clear, comprehensive, concise, coherent and convincing.



National Judicial Orientation Program
17-22 March 2024, Brisbane
10-15 November 2024, Perth

The primary goal of the National Judicial Orientation Program is to assist newly appointed judicial officers with their transition to judicial office by facilitating the development and refinement of the skills, knowledge, and attributes necessary for effective judging. The program provides new appointees with the opportunity to benefit from the knowledge and experience of senior judicial officers.



NJCA Symposium AI in the Courts -
Master or Servant?
6-7 April 2024, Canberra

What happens when machine-learned and
AI-generated data enter the courtroom?

The NJCA Symposium 2024 will bring together experienced members of the judiciary with leading academics from both Australia and overseas, policy makers and experts in their field to consider current AI issues and future challenges for both the judiciary and the wider legal community.

Forthcoming Programs



Heads of Jurisdiction - Leadership 16 - 17 October 2024, Adelaide

This invitation-only program is open to heads of jurisdiction and heads of specialist courts. Leaders come together to examine their own leadership style, consider their impact as a transformative leader of their court and how they can lead most effectively, using power to drive innovation and to manage change in the dynamic environment in which courts operate. The program includes presentations from and discussions with some of Australia's most well regarded leaders, from government, and the corporate world including social enterprises.



Oral Decisions 30 - 31 May 2024, Sydney

This program contains both theoretical underpinnings associated with decision making as well as a larger, practical component in which participants practice delivering oral decisions. The program is designed to be highly interactive whereby experienced judicial officers and facilitators give individualised feedback designed to directly enhance participant skills.

At the heart of the program is the opportunity to engage in experiential learning sessions with experienced facilitators, voice coaches and communication experts.

Register now at
njca.com.au/judicial-education-programs/



