

"Suitable programs of professional development are vital to maintain the competence and independence of the judiciary."



National Judicial College of Australia



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Leading judicial education for an Australian judiciary



Building a stronger Australian judiciary

Welcome to the NJCA 2024 Winter newsletter. Since our last newsletter, the NJCA has delivered ten programs in Brisbane, Canberra, Melbourne, Sydney and Perth. It has certainly been a busy few months.

In April, we delivered the *AI and the Court Symposium* at the National Gallery of Australia. This important judicial learning event was well-received, predominantly due to dynamic presentations by Australian and international experts in their respective fields. Thank you to all who attended and participated.

We also held the *John Doyle Oration* at the National Portrait Gallery, where the inaugural address was delivered by Chief Justice Stephen Gageler AC. It was a privilege for the NJCA to share this special evening with our guest of honour, his family and distinguished attendees while honouring the pioneering work and judicial education leadership of the first NJCA Council Chair, the Honourable John Doyle AC KC. The oration and moments captured during the evening are showcased in our “Spotlight On” feature.

Judgment writing was the focus of much of April and May. The NJCA welcomed Professor Virginia McRae from the Faculty of Law at the University of Ottawa in April for a two day “train the trainer” intensive to inform our *Mastering Judgment Writing (Writing Better Judgments III)* program for 2025. In May, I travelled to Toronto at the invitation of the National Judicial Institute of Canada (NJI) and the Canadian Institute for the Administration of Justice (CIAJ), to observe the Canadian approach to *Mastering Judgment Writing*. This was an invaluable opportunity to engage in best practice judicial education discussions with the judicial and executive leaders of the NJI and CIAJ. It also provided a comparative validation of the NJCA’s pathway for excellence in judgment writing, namely *Writing Better Judgments I, II and III*.

In early June, the Chief Justices of the State and Territory Supreme Courts elected Chief Justice Lucy McCallum as their nominee member on the NJCA Council. This was followed by the subsequent announcement by the Chief Justice of the High Court of Australia, the Honourable Stephen Gageler AC, of Chief Justice McCallum as the new NJCA Council Chair. I extend my heartfelt gratitude to departing NJCA Council Chair, Chief Justice Christopher Kourakis, Supreme Court of South Australia, for his leadership and lasting contribution to judicial education in Australia. Read more about Chief Justice McCallum's vision for the NJCA below in a short interview piece.

Finally, registrations for our 2025 programs are now open on the NJCA website. Alongside existing orientation, judgment writing and social context program offerings, we are excited to announce the return of the *Children and the Court* and *Jury Management* programs, in addition to three new programs, the *Advanced Judicial Skills and Techniques* program, *Writing Better Judgments III* and our *Indigenous Justice Program*. Details are available on our website.



Chief Executive Officer, NJCA

In conversation with NJCA Council Chair, Chief Justice Lucy McCallum



You have been a champion of judicial education for a long time. Why do you see judicial education as an essential part of the institutional architecture?

There is an increasing acceptance that to be a good judge, it is not enough to be a good lawyer or even a fine jurist. The transition from legal practice to judicial office is huge. As with any kind of expertise, much of the learning that is essential can only be gained on the job. But, of its nature, the job is ordinarily undertaken alone, unsupervised except on appeal. If judicial officers are to be properly supported in the development of their craft, judicial education led by experienced, senior judicial officers must be widely available and properly funded.

If there was ever any considered resistance to this idea, it has long since been shown to be misconceived. To develop judicial education is not to succumb to populism. Its single purpose is to support judicial officers to acquire the skills and learning required to uphold the rule of law. The importance of this undertaking was recognised by Chief Justice Stephen Gageler at the NJCA's 20th anniversary when he said: *"The beginning of judicial wisdom is having the humility to recognise that there will always be things one simply does not know and skills one has not yet mastered. Recognising those human weaknesses is the beginning of judicial education."*



What do you see as the role of the NJCA?

The NJCA plays an important national role in being able to cater in a flexible way for the educational needs of judges, magistrates and tribunal members across Australia, which are necessarily as diverse as their jurisdiction. I am looking forward to working with others who share my interest in judicial education and to continuing our collaborations with the Judicial Commission of NSW and the Judicial College of Victoria along with the Australian Judicial Officers Association and the Australian Institute of Judicial Administration. I would like to see a formal coalition of state-based and national education bodies with a view to capturing synergies, avoiding duplication, making the best use of limited funding and casting a wide net for judicial education in Australia.

The NJCA will also continue to develop international relationships with judicial colleges in Canada, New Zealand and Singapore. Judicial education serves many purposes – foundational, preventative, remedial, and aspirational. It can have a transformative impact, which is important as we embrace a more diverse judiciary in an Australian society with rightfully high expectations. The NJCA's reputation as a world-class educator is well-earned, thanks to strong governance and a dedicated team.

Where did you start your judicial education journey?

Since the terrifying moment of my own swearing-in as a puisne judge of the Supreme Court of New South Wales on 31 January 2008, I have hungered for the learning that might guide me to justice and spare me from ignominy.



Chief Justice Lucy McCallum (centre) with *Managing Sexual Assault Hearings* committee members, Deputy Chief Judge Meryl Sexton, Judge Kara Shead, Deputy Chief Magistrate Anthony Gett and Judge Laurie Levy

“Spotlight On”

John Doyle Oration



On 6 April 2024, the Chief Justice of the High Court of Australia, the Honourable Stephen Gageler AC SC, delivered the inaugural *John Doyle Oration*. The oration celebrated the vision, leadership and lasting impact on the judicial education and training landscape in Australia made by the Honourable John Doyle AC KC, the first Chair of the NJCA Council.

The oration was an opportunity for judicial officers from across Australia to reflect on the growing importance of judicial education and the integral role of the NJCA as the national educator. The Chief Justice of the High Court, the Hon Stephen Gageler AC, reflected on this and John’s impact stating, *“Without question, John made judicial education part of the institutional architecture of the Australian judiciary. And, without question, the Australian judiciary and the Australian public are better off for it.”*

Chief Justice Christopher Kourakis outlined during the evening how the NJCA continues to build upon John Doyle’s legacy. We honour his work and the significant efforts of those judicial education pioneers by delivering outstanding programs to judicial officers around the country and by never ceasing to be innovative and open to new ideas. Attendees included a significant number of NJCA life members and this was a visible reminder that our governance bodies, the NJCA Council and the NJCA Program Advisory Committee, along with our program committee members, stand on the shoulders of giants and that through collective learning we harness the ability to share, preserve, and build upon knowledge and skills over time.

Thank you to all who travelled from across the country to attend this special evening.

View the professional images taken in the National Portrait Gallery during the evening [here](#). View full version of the oration by the Hon Stephen Gageler, AC SC [here](#).

National Judicial Orientation Program March, Brisbane



In March 2024, 25 newly appointed judges from across Australia gathered together in Brisbane 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.

Program participants were honoured to hear from Justice Robert Beech-Jones who delivered an engaging and thought provoking keynote address, *‘Seven Random Points about Judging.’* His Honour spoke to a variety of things which impact judges from judgment writing to vexatious litigants through secondary trauma. We thank his Honour for sharing his invaluable insights and wisdom.

Participant feedback, given at the close of each day, was positive. We value the feedback as we are constantly evaluating the NJOP to ensure judicial learning outcomes are optimised.

As outlined in the NJOP *Learning Judge* session delivered by Justice Martin Burns, the NJCA look forward to welcoming these newly appointed judges to future programs as they consider and implement their individual judicial education pathways.

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

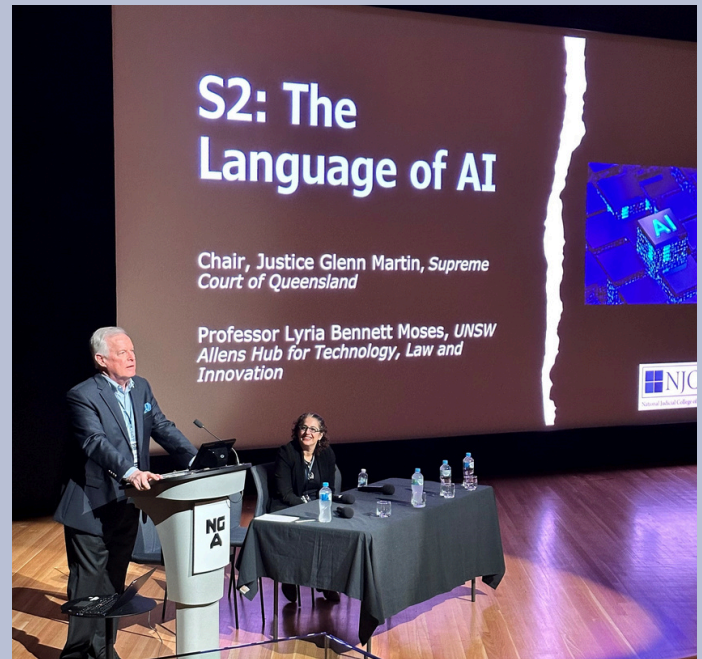
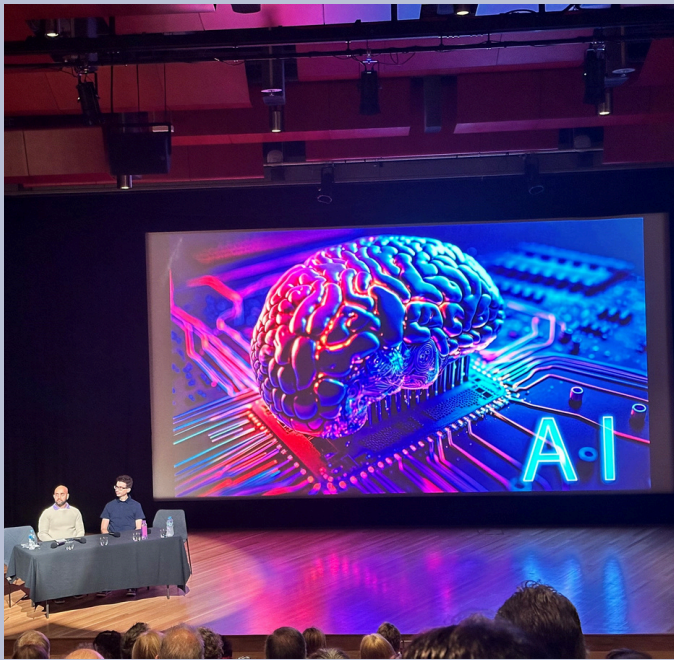
‘Fabulous and thoughtful program taught by committed and knowledgeable instructors’

‘Fantastic program and very rewarding all round, loved every session’

Participant feedback ‘National Judicial Orientation Program’, March 2024

AI and the Courts Symposium

April, Canberra

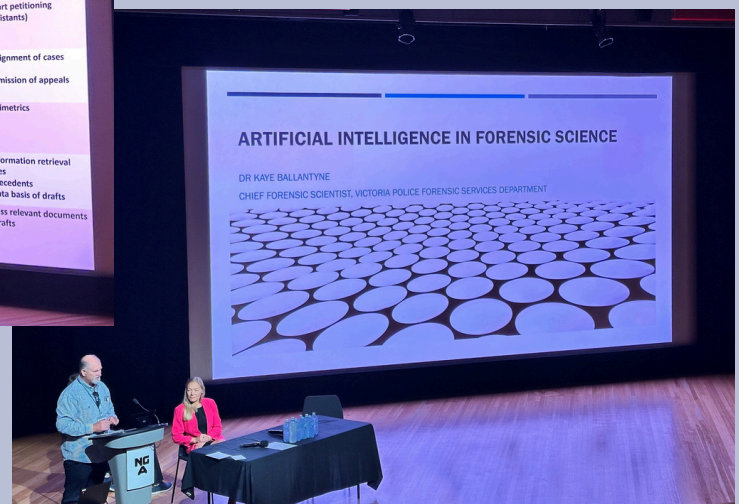


This two-day symposium was held at the National Gallery of Australia and focussed primarily on the possibilities for, and challenges of, the use of artificial intelligence in the justice system. Delivered by judges, academics, and other experts, sessions included 'AI, the Justice System and Ethics', 'AI in Private Practice, the Bar and the Bench' and 'AI and the International Approaches to Regulation of AI.'

Over 80 participants joined us from around the world to hear from a myriad of presenters from across Australia, Europe, South and North America who delivered both inspiring and thought provoking content about the future of AI and the justice system. Our sincere thanks to symposium chair, Justice Glenn Martin and to committee members, Justice Helen Rofe, Special Magistrate Gregor Urbas and Professor Lyria Bennett Moses.



113 AI Systems	Tasks
Registered	
Chatbots	Smart petitioning (assistants)
Classification of cases for procedural tasks	Assignment of cases Admission of appeals
Predictive systems	Jurimetrics
Intelligent search engines	Information retrieval Fees Precedents Data basis of drafts
Document Generation	Less relevant documents Drafts
GPT	?



Writing Better Judgments III - Train the Trainer, April, Sydney

The NJCA are committed to judgment writing excellence and in maintaining this standard. Moreover, we aim to build on our intellectual capital by continually supporting our judicial officer volunteers with judicial learning and development opportunities.

In April, we held a *'Train the Trainer'* program in preparation for the delivery of our *Writing Better Judgments III* program in April/May 2025. Participants from across Australian jurisdictions were privileged to learn from the University of Ottawa's, Professor Virginia McRae, who travelled to Australia. Professor McRae teaches judges in Canada for the NJI and CIAJ as well as at the University where she is the co-director of the Legal Writing Academy. Professor McRae is internationally renown for her expertise and experience in delivering legal writing training for judges and we were honoured to welcome her to Australia.



The *Writing Better Judgments III* program is designed for experienced judges and magistrates only. Registrations will be limited. Further information is available on the NJCA website.



Register your interest [here](#) for *Writing Better Judgments III*



Managing Sexual Assault Hearings

April, Melbourne

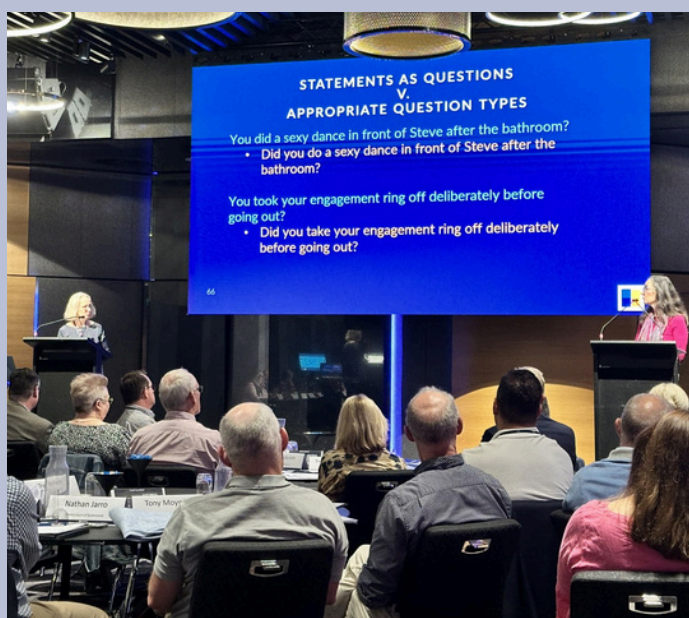
May, Brisbane



Already delivered this year in Canberra and Adelaide, Part One of the *Managing Sexual Assault Hearings* program was delivered in Melbourne in April and in Brisbane in May to full conference rooms of engaged participants.

Part One will next be delivered in Sydney on 21 September and in Perth in October. October registrations are full. In 2025, programs are planned for Hobart in March and Darwin in July. Please see the NJCA website for further information and to secure your registration.

The *Managing Sexual Assault Hearings* program committee are currently finalising Part Two of what will be a three part program series. Those courts interested in the delivery of Part Two are encouraged to register interest now for 2025 and 2026.



Family Violence in the Court May, Perth

The NJCA *Family Violence in the Court* program was delivered in Perth in May. The judicial learning outcomes of the program have evolved so as to expressly link social context training with immediately practical and useable court-craft skills. As well as defining the socio-cultural facets of coercive control, the potential signs and indicative risk factors, such as prior strangulation, in a court setting, participants workshop best practice judge-craft skills.

Our guest speakers, educator Jess Hill and academic, Professor Heather Douglas both delivered powerful contemporary sessions. These are complimented by skills based sessions such as *Using Judicial Narrative and Voice*, aimed at helping maintain the focus for judicial officers on perpetrator accountability to others, as well demonstrating how to recognise and avoid invitations to collude.

Importantly, the program leads judicial officers through the efficient use of the *National Domestic and Family Violence Bench Book* to maximise judicial productivity. The program also explores intra-personal and extra-personal tools to identify and combat vicarious and cumulative trauma providing specific strategies to adopt so as to maintain judicial well-being and longevity on the bench.

The *Family Violence in the Court* program will be delivered a further three times this year.



‘The timing of the FV program was exceptional. The content is excellent and useful from a court craft and academic excellence perspective. Thank you for coming to Perth!’

‘This session was excellent. I did not come to this session ignorant on this topic but I learnt so much useful/practical information from Professor Douglas.’

Participant feedback ‘Family Violence in the Court’, May 2024

Oral Decisions May, Sydney

In May, the NJCA delivered our *Oral Decisions* program to 28 judicial officers from across Australia. Critical to the program design and differentiate learning outcomes, this intensive two day program is delivered by over 16 judicial presenters, facilitators and voice coaches.

Participants are guided through the 5C's of oral decision making, templates, note taking, voice coaching, as well as targeted experiential judicial learning workshops. The NJCA is committed to maintaining the judicial learning outcomes of the program - enhancing judge-craft skills - as evidenced by the ratio of experienced judicial officer facilitator to judicial officer participants. The captivating nightscapes of Vivid Sydney were an added bonus!

Oral Decisions will be delivered twice next year, in Sydney in April and again in Perth in October.

Registrations for both programs are currently open on the NJCA Website.

***‘Great program, good speakers and facilitators who were positive and collegial’
‘It was such a wonderful opportunity to meet other judicial officers and get ideas about
how others approach oral decisions’***

Participant feedback ‘Oral Decisions’, May 2024



Writing Better Judgments I

June, Perth

In late June the NJCA's flagship program, *Writing Better Judgments I* program was delivered to a large and highly engaged group of judicial officers in Perth. A special thank you to Chief Justice Peter Quinlan who was able to join us to give the opening keynote address.

This program, designed for experiential judicial learning, sees participants submit a written judgment for critiquing by experience judicial facilitators, writers and peers in structured workshops. Judgments are rewritten, reviewed, and refined over the three days, importantly allowing time for individual judicial reflection and peer discussion.

Participants leave this program able to prepare and plan for an issues-based written judgment, underpinned by the 5Cs. They are able to identify, frame and resolve the factual and legal issues and structure an of issues-based judgment and then confidently take the next step in judgment structure. They learn how to prepare a powerful introduction which signposts the whole judgment and learn the importance of language use, sentence and paragraph structure.

The NJCA and the WBJ I program committee look forward to returning to Perth next year.



‘How lucky we are to be able to gather and have these learning opportunities. I am grateful for the support of the Heads of Jurisdictions to enable us to be able to participate in these programs.’

‘This is an excellent program. I am actually looking forward to writing a judgment and employing these skills.’

‘The power of our words means they need to be chosen with great care.’

Participant feedback ‘Writing Better Judgments’, June 2024

Writing Better Judgments II

June, Sydney

In June, the *Writing Better Judgments II* program was delivered in Sydney to 30 participants. This program is the second step in the NJCA judgment writing pathway and has been carefully design to provide an opportunity not only for participants to revisit the principles of issues-based judgment writing, but to enhance the production of timely, well-crafted legal writing and reasoning.

The objective of timeliness remains both fundamental to the judicial function and to societal expectations and public confidence in the courts. Our sincere thanks to Justice Julie Ward and Chief Judge Sarah Huggett for joining us to share their invaluable insights about judgment writing and judicial productivity.

Writing Better Judgments II will delivered again next year in August in Brisbane. Registrations are now open.



“The rewriting task was really valuable. I have been applying the issues-based approach since doing WBJ I some years ago, but realised that I could take it up another step. It was very satisfying to take a knife to an OK judgment and make it both shorter and better, without too much extra effort. The group session at the end was well handled and really affirming for the whole group.”

Participant feedback ‘Writing Better Judgments II’, June 2024



Interim Decision-Making June, Sydney

In June, the NJCA was delighted to design, develop and deliver a bespoke *Interim Decision-Making* program for Senior Judicial Registrars of the Federal Circuit and Family Court of Australia in Sydney.

Topics addressed by presenters Judge Dina Lioumis, the Honourable Anne Rees and the Honourable Judy Ryan included *Fundamentals of the role of an SJR as a Decision Maker*, *Unconscious Bias*, *Effective Oral Decision Making* along with workshops in *Courtroom Presence and Control*.

If you would like the NJCA to design a bespoke program for your court, please do not hesitate to email us at njca@anu.edu.au.



“It was absolutely fantastic”

“Really liked the one-on-one feedback in the short delivery”

“I thought the program was very informative and most helpful to me moving in the space of SJR work”

Participant feedback ‘Interim Decision-Making’, June 2024

Click program
dates to
register

Forthcoming Programs

National Magistrates and Local Courts Orientation Program 25 – 30 August 2024, Brisbane



For newly appointed magistrates, this program offers 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.

National Judicial Orientation Program 10-15 November 2024, Perth – FULL 30 March – 4 April 2025, Hobart



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.

Heads of Jurisdiction - Leadership 15 - 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 and how they can lead most effectively, using power to drive innovation and to manage change in the dynamic court environment.

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.

Forthcoming Programs

Managing Sexual Assault Hearings

21 September 2024, Sydney

25 October 2024, Perth - Full

7 March 2025, Hobart



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.

Family Violence in the Court

4 October 2024, Melbourne

1 November 2024, Canberra

29 November 2024, Adelaide



The Australian community and judiciary are still on the path to understanding the prevalence of domestic and family violence. But the social context cadence has accelerated and our judicial footprint matters. This intensive program will enable judicial officers and tribunal members to build their competence in addressing and managing coercive and violent behaviour in the court room.

Jury Management

24-25 July 2025, Canberra



This program shares and explores the skills and judicial techniques connected with managing a jury. Delivered by a team of highly experienced trial judges, each session explores the adoption of best practice tools, performance measures, processes and practices to address the complex issue of managing juries within the judicial function.

Forthcoming Programs

Click program
dates to
register

Writing Better Judgments I
[23 -25 October 2024, Sydney](#)
[12-14 March 2025, Perth](#)
[22-24 October 2025, Melbourne](#)



This 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.

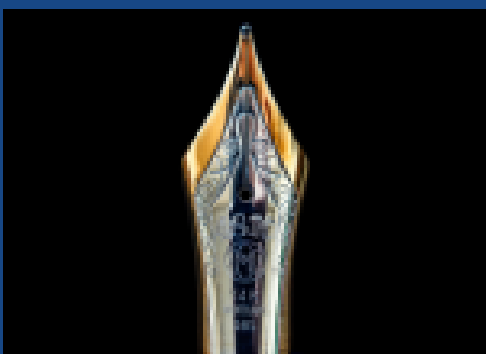
Writing Better Judgments II
[6-8 August 2025, Brisbane](#)



Our WBJ II program is the second step in the NJCA judgment writing pathway. This program provides an opportunity not only for participants to revisit the principles of issues based judgment writing, but to enhance production of timely, well-crafted legal writing and reasoning.

The program gives practical and readily usable knowledge and skills to participants so as to improve judicial officer confidence and writing ability and in turn, productivity.

Writing Better Judgments III
[30 April - 2 May 2025, Sydney](#)



This program is designed to enhance participants' judgment writing skills through analysis, discussion and rewriting of judgments in small groups. The guided workshops groups are led by professional writers and senior judicial officers.

Forthcoming Programs

Oral Decisions

10-11 April 2025, Sydney

16-17 October 2025, Perth



This program provides a theoretical foundation which leads into the larger, practical component giving participants the opportunity to practice delivering oral decisions. This is a 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.

Children and the Court

5-6 June 2025, Sydney



Using professionals with a range of expertise and experienced judicial officers, this programs aids in understanding issues across child and juvenile justice. The program is applicable to judicial officers working across all areas from family law, criminal matters and even child care and protection matters. The program combines judicial knowledge with enhanced court craft skills, and strategies to apply child friendly procedures through a rights of the child lens.

Judicial Officers with Leadership Responsibilities

10 - 12 September 2025, Sydney



This thought-provoking program is focused on practical outcomes and designed especially for court leaders facing complex environments, contemporary changes and pressures of external scrutiny.

The focus of this program is on the qualities that a judge, magistrate or tribunal member with leadership responsibilities needs to develop and on their practical application.

New NJCA Programs - Coming 2025

Writing Better Judgments III

30 April - 2 May 2025, Sydney

As judges gain more experience they usually find they have to deal with cases of greater complexity and difficulty - cases in which there is a multitude of issues.

The program rationale has been created by judicial officers who will lead you through experiential learning sessions that address skills and techniques required by senior judicial officers who preside over long trials and who prepare, manage, decide and produce large and complex judgments and /or have specific audience needs.

Advanced Judicial Skills and Techniques

29-30 May 2025, Sydney

This program has been designed by the NJCA as a response to ongoing participant feedback seeking a court-craft, skills based program for judges who have been on the bench for 3-5 years.

The program will explore discretion and fact finding, managing high conflict courtrooms, best practice court-craft strategies of the fast but fair trial as well as expert evidence and forensic issues.

Indigenous Justice Program

8-9 September 2025, Sydney

Delivering justice for Indigenous Australians requires an understanding of and training in cultural humility and cultural competency. This program is designed to enable participants to learn and reflect as judicial officers on how the past effects the present, how lived experiences impact upon intergenerational trauma and how celebrating strength and resilience is the key to building better justice outcomes for Indigenous Australians. The program seeks to not only provide an understanding of the role of traditional Indigenous law, sentencing options, the importance of community, connection to country, communication, and health considerations, but also to explore the duty of the Australian judicial officer to listen and to act.



National Judicial College of Australia