



**PILON Sexual and Gender Based Violence (SGBV) Working Group**

**“Quality Evidence without Re-Victimisation: Promoting Special Measures for Vulnerable SGBV Complainants”**

**Monday 25<sup>th</sup> March 2019- TANOVA TUSITALA HOTEL**

<b>8:30</b>	<b>Arrival and Registration</b>
<b>9:00</b>	<b>Opening and Welcome</b> <i>Honourable Prime Minister of Samoa - Tuilaepa Dr. Sailele Malielegaoi</i>
<b>10:10</b>	<b>Group photo and morning tea</b>
<b>10:45</b>	<b>Welcome from PILON SGBV Working Group Chair</b> <i>Lemalu Hermann Retzlaff, Attorney-General of Samoa</i> Overview of the work of the PILON SGBV working group - the way ahead
<b>11:15</b>	<b>Overview of International Obligations</b> <i>Ane Iati, Assistant Attorney General, Samoa</i> Exploring International Obligations relevant to SGBV.  <i>Neomai Maravuakula, Regional Rights Resource Team (RRRT)</i> How can implementing special measures help fulfil international obligations, with reference to specific treaties.
<b>12:30</b>	<b>Lunch</b>
<b>13:30</b>	<b>Pacific perspectives</b> <i>Chair: Lemalu Hermann Retzlaff, Attorney General of Samoa</i> Each jurisdiction to provide a 5 minute overview of their experiences prosecuting SGBV offences, including use of special measures.
<b>14:45</b>	<b>Responses to SGBV: counter-intuitive evidence</b> <i>Dr Julia Ioane, Auckland University of Technology</i> An examination of some of the responses to SGBV, including some that might be unexpected or counter-intuitive.
<b>15:30</b>	<b>Afternoon tea</b>
<b>15:45</b>	<b>Cultural impact of responses to SGBV</b> <i>Associate Professor Khylee Quince, Auckland University of Technology</i> How can the Law appropriately recognise and respond to SGBV in the courtroom? A Maori Women’s Perspective from Aotearoa/New Zealand.

<b>16:30</b>	<b>Panel discussion - a psychological perspective on responses to SGBV</b> <i>Facilitator – Lemalu Hermann Retzlaff, Attorney General, Samoa</i>  <i>Moana Solomona, Ministry of Justice, Samoa</i> <i>Associate Professor Khylee Quince, Auckland University of Technology</i> <i>Dr Julia Ioane, Auckland University of Technology</i>  The panel will discuss how special measures can help a SGBV complainant and the importance of treating the person with dignity and respect.
<b>17:15</b>	<b>Summary and wrap up</b> <i>Janine McFarlane, Senior Law Officer, Australian Attorney-General’s Department</i>
<b>17:30 Close</b>	
<b>19:00 OPENING DINNER – TANOVA TUSITALA HOTEL</b>	

<b>Tuesday 26<sup>th</sup> March 2019 - TANOVA TUSITALA HOTEL</b>	
<b>9:00</b>	<b>Recap of previous day and outline of day ahead</b> <i>Lemalu Hermann Retzlaff, Attorney General, Samoa</i>
<b>9:15</b>	<b>Challenging Mindsets and Bias: Gender and Violence</b> <i>Ofa Guttenbeil-Likiliki, Tongan Women’s Crisis Centre</i>  Explore the prevailing attitudes towards and causes of SGBV and why SGBV complainants should be given special consideration when preparing for and appearing in Court.
<b>11:15 Morning Tea</b>	
<b>11:30</b>	<b>Challenging Mindsets and Bias: Gender Issues &amp; the Law</b> <i>Stephanie Dunn, Fiji Women’s Crisis Centre</i>  Historical justice system bias in responding to SGBV.
<b>12:30 Lunch</b>	
<b>13:30</b>	<b>Perspectives from the Bench of the Application of Special Measures</b> <i>Judge Jane Farish, District Court, New Zealand</i> <i>Justice Judy Ryan, Family Court of Australia</i>  Balancing the concerns for SGBV’s complainants (re-victimisation) with ensuring a fair trial for defendants.
<b>14:30</b>	<b>Statutory amendments to support the use of special measures.</b> <i>Charlotte Brook, NZ Crown Law</i>  Outline of Statutory provisions for special measures applications: Providing legislative support towards the presumption for granting special measures.
<b>15.00 Afternoon Tea</b>	

<b>15:15</b>	<b>The use of inherent jurisdiction to grant special measures</b> <i>Kathy Bell, Deputy Solicitor-General, Cook Islands</i> Making an application to the court for special measures where there are no (or limited) applicable statutory provisions.
<b>15:45</b>	<b>Prosecution Perspective: Application to the Court for a Mode of Evidence:</b> <i>Natalie Walker, DPP South Auckland</i> Preparing, advancing grounds for, and understanding why the prosecution must seek special measures (i.e. Modes of Evidence) for SGBV offences.
<b>16:45</b>	<b>Q &amp; A session – making applications for special measures</b> <i>Facilitator – Lemalu Hermann Retzlaff, Attorney-General, Samoa</i>  <i>Charlotte Brook, NZ Crown Law</i> <i>Judge Jane Farish, District Court, New Zealand.</i> <i>Kathy Bell – Deputy Solicitor-General, Cook Islands.</i>
<b>17:15</b>	<b>Summary and wrap up</b> <i>Janine McFarlane, Senior Law Officer, Australian Attorney-General’s Department</i>
<b>17:30 Close</b>	
<b>19:00 DINNER - TANOVA TUSITALA HOTEL</b> <i>Launch of RRRT Law Digest</i>	

## Wednesday 27<sup>th</sup> March 2019 - TANOVA TUSITALA HOTEL

<b>9:00</b>	<b>Recap of previous day and outline of day ahead</b> <i>Lemalu Hermann Retzlaff, Attorney-General, Samoa</i>
<b>9:15</b>	<b>The defence perspective</b> <i>Kieran Raftery, QC, New Zealand Bar.</i> The response of defence counsel to applications for special measures.
<b>10:00</b>	<b>The medical perspective</b> <i>Associate Professor David Wells, Victorian Institute of Forensic Medicine</i> Understanding medical and forensic findings and opinions – SGBV offences
<b>10:45</b>	<b>Morning tea</b>
<b>11:00</b>	<b>Obtaining statements from SGBV complainants</b> <i>Ross Elwood - NZ Police</i> Techniques for interviewing SGBV complainants.
<b>11:45</b>	<b>Police, prosecutors and defence counsel – a justice system response to SGBV</b> <i>Facilitator – Lemalu Hermann Retzlaff, Attorney General, Samoa</i>  <i>Ross Elwood – NZ police</i> <i>Charlotte Brook – NZ Crown Law</i> <i>Inspector Efo – Samoa Police</i> <i>Kieran Raftery, QC, New Zealand Bar</i>

	An exploration of how police and prosecutors can work together, including through interactions with defence counsel, to provide a coordinated justice system response to SGBV.
<b>12:30</b>	<b>Lunch</b> <i>Trip to Robert Louis Stevenson museum</i>
<b>14:30</b>	<b>The justice system response to SGBV</b> <i>Justice Judy Ryan, Family Court of Australia</i> <i>Justice Shane Gill, Family Court of Australia</i> The role of the courts in addressing SGBV.
<b>15:15</b>	<b>Holding perpetrators of SGBV offending accountable</b> <i>Judge Jane Farish, District Court, New Zealand</i> Examination of mitigating and aggravating factors in the sentencing of SGBV offenders and the role of victim impact statements.
<b>16:00</b>	<b>Afternoon tea</b>
<b>16:15</b>	<b>Putting special measures into practice</b> <i>Facilitator – Lemalu Hermann Retzlaff, Attorney General, Samoa</i>  <i>Natalie Walker – NZ DPP, South Auckland</i> <i>Ross Elwood – NZ police</i> <i>Inspector Efo – Samoa Police</i> Special measures that can easily and quickly be implemented by police and prosecutors in the court room.
<b>17:00</b>	<b>Secondary Trauma – looking after yourself</b> <i>Facilitator – Lemalu Hermann Retzlaff, Attorney General, Samoa</i>  <i>Moana Solomona, Ministry of Justice, Samoa</i> <i>Dr George Tuitama, Ministry of Health, Samoa</i> <i>Dr Julia Ioane, Auckland University of Technology</i> Tips for looking after yourself to avoid vicarious trauma.
<b>17:30</b>	<b>Summary and wrap up – Completion of feedback surveys</b> <i>Janine McFarlane, Senior Law Officer, Australian Attorney-General’s Department</i>
<b>17:45 Close</b>	
<b>19:00 FAREWELL DINNER - SAILS RESTAURANT</b> <i>Please meet in reception at 18:30pm</i>	