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ARTICLES

How Might the Jury Function in the Future in Australia? – *Andrew Hemming and Kirstie Smith*

The nature of a jury trial in criminal proceedings has evolved over time from jurors being exclusively drawn from within a class of all male property owners to the emergence of majority verdicts and the abandonment of jury unanimity. In some Australian jurisdictions, cases dealing with defendants who have a diagnosed mental condition are routinely referred to Mental Health Courts which comprise a judge assisted by one or two clinicians. In addition, there would appear to be growing support for an expansion of trials by judge alone. This article examines how the operation of the jury might alter in the future in Australia, particularly considering the rapid changes in technology, the prevalence of social media, the level of understanding by juries of judicial directions, and the prospect of greater interrogation in jury selection through a voir dire. Such an examination of the role of the jury is complicated by the legislated secrecy surrounding the deliberations and verdicts of juries, which increases the difficulty in assessing the accountability and effectiveness of the jury an historic legal institution that lies at the heart of the Australian criminal justice system. 3

Understanding Trauma and Identifying Its Impacts, Including on Giving Evidence – *Amanda-Jane George and Vicki Lowik*

The Pacific Island Law Officers' Network (PILON) brings together senior legal officials from 19 Pacific nations to advance key regional law and justice priorities for a safer, more secure region. This article was first presented at a PILON Workshop in March 2024. The workshop supported member countries in adopting new trauma-informed prosecution guidelines, a multi-year collaborative project driven by PILON's Sexual and Gender-Based Violence Working Group with support from the Australian government. Focusing on the widespread issue of sexual violence in the Pacific, the article outlines barriers to reporting and introduces key concepts of trauma – its psychological, emotional, physical, and social effects, and its impact on memory. It highlights that trauma-informed principles are essential to achieving just outcomes for victim-survivors. By examining these principles and their application in prosecution practice, the article contributes to a vital regional conversation about building legal systems that promote both justice and healing. 23