

# CRIMINAL LAW JOURNAL

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## EDITORIAL

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## ARTICLES

### **Misconduct in public office and directors of public entities in Victoria** – *Dr Marco Bini*

The offence of misconduct in public office is an important offence that seeks to hold public officials accountable for their exercise of public power or duty. Although courts have found that a wide range of officials are covered by the offence, there is surprisingly little case law around whether directors of public entities are as well. This article examines whether directors of public entities in Victoria might meet the key criterion for commission of the offence, namely being “public” officers. The article examines this question for three types of director: directors of statutory non-commercial public entities, directors of commercialised public entities, and directors of non-statutory entities. ....

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### **Towards coherent co-presentation of expert evidence in criminal trials: Experiences of communication between forensic scientists and legal practitioners** – *Loene Howes*

Science and law have been described as a marriage of opposites. This article outlines some difficulties in the communication about forensic science in the criminal justice system and reports a study that explored Australian legal practitioners’ and forensic scientists’ perceptions of the effectiveness of such communication. Participants reportedly concurred that pre-trial discussion was an essential part of preparation for criminal trials, although defence barristers often preferred to discuss contentious findings with an independent expert. Participants saw the responsibility for relevant, clear, and coherent expert evidence to be shared between forensic scientists and legal practitioners because it was co-presented to the jury. Implications from the study include approaches to professional development to further improve cross-disciplinary communication, both in and out of the courtroom. Overall, the findings suggest that the relationship between forensic scientists and legal practitioners in serious cases is one of mutual respect and developing understanding. ....

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## PHILLIPS’ BRIEF

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