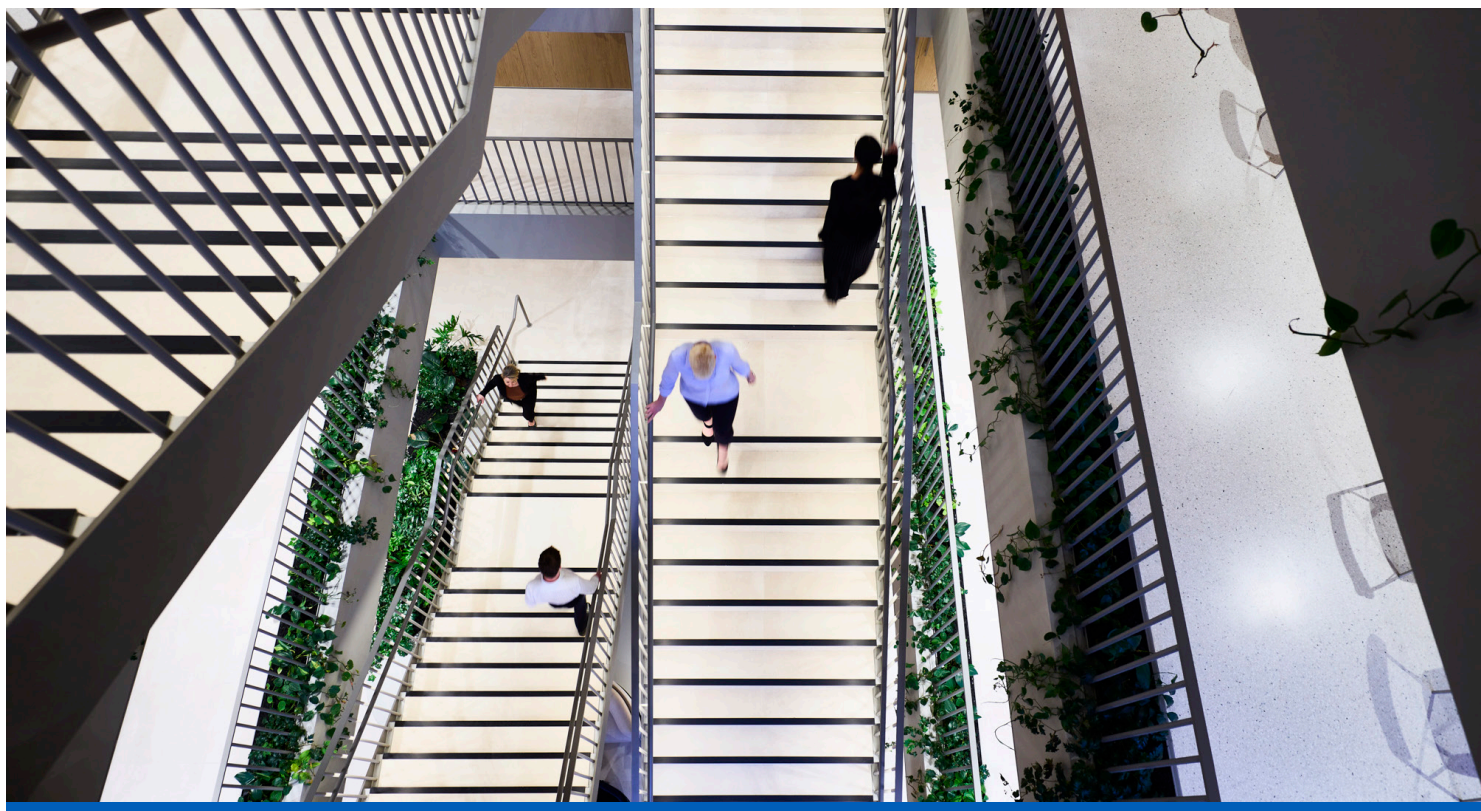


Advanced Government Investigations The Next Level





Government investigations have different purposes and take many different forms.

There are investigations into criminal offences, complaints about professional misconduct, workplace investigations and regulatory investigations which may result in an administrative decision to take a particular action, such as cancelling a licence.

This advanced training is designed to help investigators further develop the necessary skills to exercise regulatory powers confidently and in a way that ensures the evidence gathered is admissible in any subsequent proceeding.

It is an in-depth workshop style program that takes the fundamentals of an investigation to the next level.

Who is this training for?

Our advanced training program is aimed at government investigators of all types who want to further develop their skills and gain a deeper understanding of their role within regulatory investigations.

This includes all investigators conducting or overseeing criminal, administrative and regulatory investigations.

Our advanced program is suitable for investigators of all levels of experience, even those who have completed the Certificate IV in Government Investigations.

Practical and focused

Get exclusive access to real life practical expertise and examples from experienced, senior lawyers.

Our advanced training program will be presented by senior lawyers with years of experience in acting for government in its regulatory and compliance functions.

Our experience as regulatory and compliance legal advisors, prosecutors and trained investigators enables us to deliver a practical and focused investigations program.

This advanced program also includes a day on the fundamentals of administrative law and good decision making.

A basic understanding of administrative law principles and good decision making is essential to all investigators working in government and especially those that conduct both regulatory and criminal investigations. Procedural fairness applies when some administrative powers are exercised, even during a criminal investigation, and this can often be overlooked.

Your Russell Kennedy hosts and presenters

The advanced program will be hosted by Kylie Walsh and Daniel Silfo.

- Kylie is a trained investigator, a previous member of the Victoria Police and lawyer with over 14 years' litigation experience acting for regulators at State and Local government levels.
- Daniel has over a decade of experience in providing legal services to local government and specialises in all matters to do with local government prosecutions and enforcement

Other senior lawyer presenters include Elizabeth Flanagan (Principal as at 1 July 2024), Michael Tsiavlis (Special Counsel) and Marcus Heath (Special Counsel).



Kylie Walsh



Daniel Silfo

What you will learn over four days

Day 1

The course will begin with exploring the importance of understanding the purpose of an investigation and planning an investigation. We will then look at practical tips on how to interpret legislation during an investigation and the importance of the elements of the statutory provision being investigated. We cover the importance of understanding from the start of an investigation who is liable for the statutory provision being investigated and how to navigate complex corporate structures. We will then finish off with a detailed look at how the admissibility of evidence (and the provenance of evidence) guides an investigation, with practical tips on how to gather specific types of evidence investigators can expect to encounter in a modern investigative context.

Topics we will cover on Day 1:

Planning the investigation:

- Purpose of the investigation
- Planning and co-ordinating an investigation
- Delegations and authorisations
- Statutory interpretation 101
- Identifying who is liable for statutory provisions: navigating complex ownership structures and investigating companies

Gathering evidence:

- Admissibility of evidence: criminal and administrative proceedings
- Provenance / probity
- Evidence types and tips to ensure admissibility / provenance: social media, open source collection, documentary, photos and videos
- Chain of custody

Day 2

On day 2, we move to the next phase of the investigation which is the exercise of powers that enable entry to a premises and we provide practical guidance on commonly used powers such as powers of entry and search warrants. We continue with exercising investigative powers with a focus on powers that are administrative in nature. These powers often attract procedural fairness requirements which are often overlooked in criminal investigations. We will provide practical tips about exercising these powers in an efficient but defensible way. We will also discuss the potential impacts of coercive powers (especially compulsory examination powers) on witnesses and the benefits of internal policies which should also address witness welfare.

Topics we will cover on Day 2:

Exercising investigative powers of entry:

- Powers of Entry
- Search Warrants

Exercising administrative investigative powers:

- Procedural fairness in enforcement and disciplinary investigations
- Issuing notices and orders
- Coercive information gathering powers
- Potential impacts of coercive powers on witnesses
- Policy considerations and witness welfare

What you will learn over four days (cont.)

Day 3

We now move to the final phases of the investigation and provide in-depth and practical training on investigative interviewing. Attendees will leave with a practical framework for conducting interviews and ensuring its admissibility. We will then apply the framework to taking witness statements and give practical guidance on taking statements. The final session of day 3 will focus on preparing the evidence in both a criminal proceeding and an investigation that may be the basis for an administrative decision.

Topics we will cover on Day 3:

Investigative interviewing

- PEACE model of investigative interviewing
- Using the PEACE model to take witness statements

Preparing the evidence - criminal investigations

- Preparing briefs of evidence - full briefs and preliminary briefs
- Disclosure obligations and certificates
- Redactions
- Drafting charges
- Prosecutorial discretion and other duties (criminal)

Preparing the evidence - regulatory investigation

- Briefing decision makers
- Section 49 material
- Drafting allegations

Day 4

Our final day of the program will discuss information management processes and the sharing and use of information during government investigations. We will then provide an in-depth overview of the general administrative law principles to deepen all investigator's knowledge of administrative law and review a practical framework for making defensible decisions. Many investigators may be responsible for drafting briefing papers and proposed decisions for administrative decision makers and a thorough understanding of relevant principles is important. We will discuss the types of challenges that can be made during an investigation, of an administrative decision and after a criminal proceeding, highlighting the importance of conducting investigations thoroughly and properly. We will end with a discussion about the benefits of having investigation policies.

Topics we will cover on Day 4:

Information management

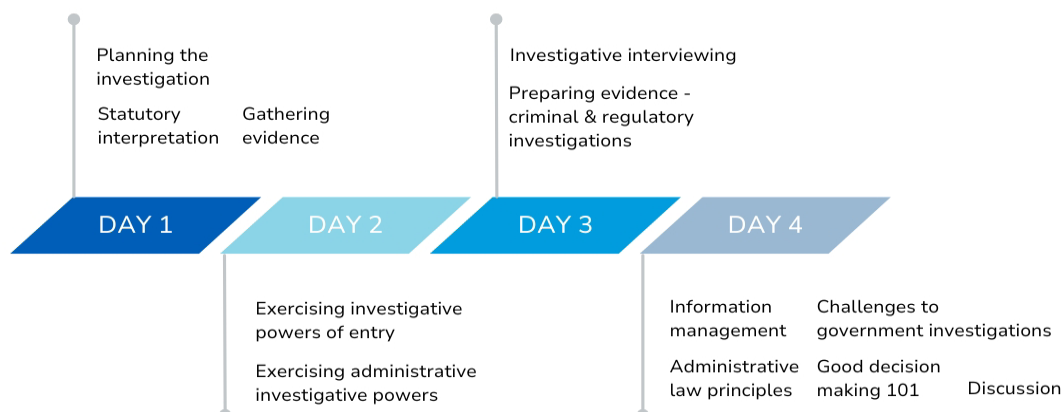
Administrative law principles

Good decision making 101

Challenges to government investigations

Discussion - challenges & issues

Course journey



Training details

When

Four in-person sessions over two consecutive weeks:

[Wednesday 26 February 2025](#)

[Thursday 27 February 2025](#)

[Wednesday 5 March 2025](#)

[Thursday 6 March 2025](#)

9:30am - 3:30pm (with lunch break and short breaks throughout).

Attendance for all four days is required.

Where

Russell Kennedy, Level 18, 500 Bourke St,
Melbourne VIC 3000

Cost

\$2,800 (inc. GST)

Includes all four days of training.

Fully catered.

FAQ

[I don't have a Certificate IV in Government Investigations - should I attend?](#)

Yes, you will learn all the relevant information, and, importantly, you will receive practical advice and insights based on real life examples that will ensure your investigations are appropriate and legally sound.

[I already have a Certificate IV in Government Investigations - why should I attend?](#)

Our advanced training offers a step up from the fundamentals. It will build and develop your existing skills and help you exercise regulatory powers confidently.

[Special Pricing](#)

There are special pricing offers available for:

- Early bird
- Group booking
- Early bird and group booking
- Existing Russell Kennedy clients

For more information, contact Nirel from our Business Development team:

nhardjosewoyo@rk.com.au

+61 3 8637 9486

[Why in-person only?](#)

As part of the training module, various activities will take place. This includes breakout groups, interactive workshop, and discussions.

Having the training in-person helps maximise these activities, as it encourages interactivity, networking and sharing experiences.

[Tailored training](#)

If your organisation is interested in holding a tailored investigation training, please reach out to Nirel from our Business Development team to discuss further.

nhardjosewoyo@rk.com.au

+61 3 8637 9486

[EOI to join our training in 2025 is now open!](#)

We would love to hear from you about what you would like to get out of this training to better tailor the course for you and your organisation.

Click the link [here](#) or scan the QR code to submit your EOI and respond to our questionnaire.



Exclusive access to years of experience within the government investigation sector



Kylie Walsh
Principal
(03) 9609 1551
kwalsh@rk.com.au

Experience:

- Kylie was previously a member of Victoria Police and spent two years as a police prosecutor prosecuting summary and indictable offences. Kylie was dux of her prosecutors course and is trained in investigations and brief preparation.
- Advising on investigations, decision-making and exercising enforcement powers and functions.
- Kylie currently represents state government clients and national agencies in court and tribunals in prosecutions, enforcement hearings, disciplinary hearings and reviews of administrative decisions (merits and judicial review).



Daniel Silfo
Principal
(03) 9609 1506
dsilfo@rk.com.au

Experience:

- Over a decade of practical experience in providing legal services to local government, with a focus on prosecutions and enforcement.
- Obtains great results for clients for breaches in relation to building, planning and environment, public health, parking, domestic animals and local laws.
- A very strong understanding and application of general legal principles relating to local government enforcement.



Elizabeth Flanagan
Principal
(03) 9609 1524
eflanagan@rk.com.au

Experience:

- Prosecution, enforcement and compliance for local government - Building Act, Planning & Environment Act, Public Health and Wellbeing Act, Domestic Animals Act and Local Laws.
- Providing advice and training to local government in relation to all aspects of carrying out a prosecution (from evidence gathering to the process through the courts).
- Providing general advice and training to local government.

Exclusive access to years of experience within the government investigation sector



Michael Tsiavlis
Special Counsel
(03) 8602 7214
mtsiavlis@rk.com.au

Experience:

- Representing government clients in courts and tribunals in prosecutions and disciplinary hearings.
- Advising on the operation and interpretation of new legislation, legal policy and preparing regulatory guidance and enforcement manuals.
- Advising on and drafting information gathering notices, infringement notices and other investigative powers.



Marcus Heath
Special Counsel
(03) 8602 7234
mheath@rk.com.au

Experience:

- Prosecutions, enforcement and compliance - various legislation.
- Legal education services to client and industry groups.
- Preparing guidance and training materials for government including the 'Stronger Planning Enforcement Framework'.
- Conduct of proceedings in the Magistrates' Court of Victoria, Victorian Civil and Administrative Tribunal, County Court of Victoria, Supreme Court of Victoria (including Court of Appeal) and the High Court of Australia.

As experts in government investigations, Russell Kennedy regularly distributes information and hosts seminars and webinars on topical issues.

To subscribe to our mailing list please visit russellkennedy.com.au

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