

Visual concept saves time & money in court

by Tony Bell

The tedious, drawn-out waffle that causes so many court hearings to drag on is likely to become less prevalent with the arrival of Visual Summaries of Evidence, a concept unique to Australia and developed in Melbourne by Robert J Perry and Associates.

Robert Perry first hit upon the idea in 1984 when he served as a Senior Detective with the Victoria Police.

Frustrated by the task of preparing a large brief of evidence in a case involving over 130 stolen cars, he decided to use a large chart to help the court keep track of the thefts and how each vehicle was converted and sold.

The chart showed each car's history, who owned it, who stole it and how it was resold.

The chart turned what had been an extremely messy legal brief into a clear pictorial diagram that the judge later called "a remarkable production."

Mr Perry realised that there was a market for this type of service and resigned from the police to form his own company.

He was joined by his former boss, retired Detective Senior Sergeant Don Lines, and myself.

Like most good ideas, the concept is simple.

A Computer Aided Drafting (CAD) system is used to do the drawing after the firm receives a brief and examines it thoroughly.

The idea is to use a layout that illustrates the facts in the simplest way without insulting the intelligence of the court.

Once the layout has been visualised, a cost estimate is submitted.

From there, the brief is painstakingly transformed into a series of simplified images and symbols and incorporated into a single-page draft.

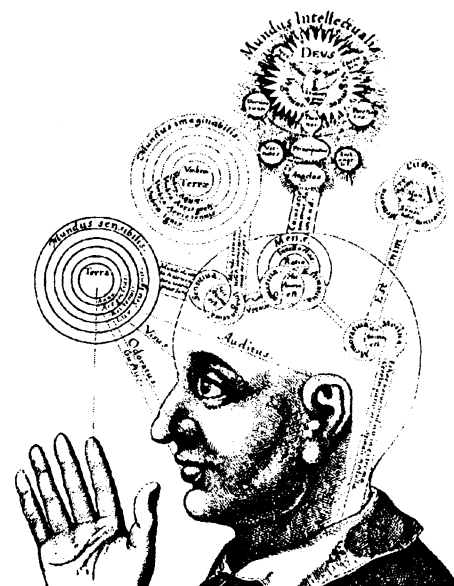
The CAD system has a large library of stock symbols such as people, cars, buildings, etc. Customised symbols

such as a particular make of car can be produced.

When the client approves the production, multiple copies are made for the judge and jury.

Visual summaries are not evidence. They are best described as an *aide memoire* for the court.

The beauty of this technique is that it is flexible and can make even the most complex cases easy to understand.



The charts reduce the need for lengthy pre-trial negotiations and protracted explanations in court.

The charts can illustrate all sorts of situations, from criminal charges and civil litigation through to insurance fraud, white collar crime and taxation disputes.

A recent criminal trial was reduced from an expected three months to four days.

The accused pleaded guilty to six of 19 charges on the assumption that the prosecution could not prove the remaining 13 charges.

Using a chart, the prosecution showed that there was enough similar fact

evidence to prove that if the accused committed the six offences, he would have to have committed the remaining 13.

The accused was given a copy of the chart and, after examining it with his counsel, changed his plea in relation to the 13 charges.

Robert J Perry & Associates claim that by using charts in complicated cases, hearings are reduced by about 75 per cent on average.

The charts do not contain anything which may be prejudicial (no blood-stained axes in a murder trial, for instance).

The charts illustrate and clarify the evidence. If the known facts change, the charts are altered immediately to portray the new evidence.

The potential benefits of this approach are enormous.

The charts' costs are minimal, ranging from about \$1000 for a reasonably simple case to more for top level work.

The technique saves on public and client expenditure, bridges the communication gap between client and counsel and reduces the need for lengthy trials.

Among our clients are the Commonwealth DPP, the ASC, the Federal Police and insurance companies. We've also produced material for a couple of matters in the Northern Territory.

Recently *2IC*, the journal of the Commission for the Future, said: "As a solution to the problems of the high cost of justice, the technique is visionary and eminently practical, making access to the law easier. And certainly, for the smart would-be Rumpoles, the concept could mean winning more cases."

* Tony Bell is a computer specialist employed by Robert J Perry and Associates. Anyone who wants further information should contact the Law Society.