



**WEBINAR REPORT FOR
PACIFIC COUNTRIES CENTRE FOR JUDICIAL EXCELLENCE 2021**

1) Introduction:

The webinar was held by the PCCJE on the 5th October 2021 and titled:

“Economic Duress”

2) Program Objective (s)

The webinar was designed to:

The purpose of this webinar is to discuss the term Economic Duress and in more particular define the term in the context of the case of *Times Travel (UK) Ltd v PIACorpn (SC(E) [2021] 3 WLR*.

3) Targeted Audience

The target audience for this presentation was Court Officials. In total there were at least 10 participants that logged on to the webinar.

We were privileged to have the Acting Chief Justice of FSM Honorable Beaulen Carl-Worswick Supreme Court of Federated States of Micronesia in attendance.

4) Venue

The webinar was presented by Mr Richard Samuel, Barrister and hosted by PNGCJE. The presenter logged in from the London where he is based. Invitations were issued to the following countries: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tonga, Tokelau, Tuvalu, and Vanuatu.

5) Presenter

Mr Richard Samuel practices in commercial litigation and arbitration. His work has a strong international dimension. Richard is instructed directly by law firms abroad and in England. Richard is frequently invited around the world to train disputes lawyers on common law advocacy and the examination of witnesses in arbitrations.

6) Highlights from Webinar

The webinar focused on the discussion on the case of *Times Travel (UK) Ltd v PIACorpn (SC(E) [2021] 3 WLR*. Richard Samuel led the in-depth discussion into the context that the Supreme Court took into reaching its decision and largely basing that on the argument of Economic Duress and in particular the use of the term “illegitimate threat” economic duress as opposed to an “unlawful threat”. With the former having a broader meaning to include behavior.

Richard highlighted the three elements of Economic Duress:

- 1) Threat or Pressure exerted by the Defendant is illegitimate
- 2) The illegal threat or pressure caused the Claimant to enter into the contract
- 3) Claimant must have had no reasonable alternative to giving in to the threat

7) Methodology

The method used in the webinar was a lecture based with Mr Richard Samuel providing a narrative of the case:

8) Conclusion

The topic is of extreme interest to the participants who also expressed their views during the discussion. Richard Samuel was able to dissect the judgement and present an explanation in relation to the context of the ruling with explaining the reasoning behind the route taken to derive a fair and just ruling.

. Attachments

i. Webinar Flyer

Attach the copy of the webinar flyer

ii. Case Material

Times Travel (UK) Ltd v PIA Corpn (SC(E) [2021] 3 WLR

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