

Pacific Judicial Development Program Newsletter

Pacific Judicial Development Program

March 2008

Inside this issue:

Mediation— Kosrae and Samoa	1
Leadership Workshop— Auckland NZ	2
National Coordinator Forum	2
Family and the Law	3
Financial Management	3
Codes of Judicial Conduct	3
Interagency Communication in Vanuatu & Samoa	4
Criminal and Civil Law/ Procedure Training Workshop	4
Educators' Level 2 Course	4
Pacific Legal Information Institute (PacLII)	5
Regional Training Team	5
Annual Plan 2008/09	5
Feedback	5

From the PJDP Executive Committee and Team we hope you had a pleasant Easter!

The Team has been busy since our last newsletter supporting developments in several activities across the region including; mediation, financial management, human resource management, professional standards, leadership, family and the law, registry systems, and inter-agency communication. We are in the process of developing the next Annual Plan which will commence in July this year, and which will focus on building on many bilateral pilots to develop regional approaches and frameworks for adaptation and implementation in individual countries.

Mediation—Kosrae and Samoa

Intensive refresher training was provided in January and February to all those who underwent mediation training at the end of 2007. As part of the accreditation process each mediator was recorded conducting mock mediations. The mediations are currently being assessed, and the results will be known soon. Three mediators from Tonga included in the initial training also had the opportunity to be accredited supported by additional funds provided by AusAID through the Federal Court of Australia.

These visits also provided the opportunity to assist in developing pilots of both systems along with means of evaluation. Following this, the systems will be formally launched with a public awareness campaign, which will draw on expertise from Tonga following their successful public awareness campaign conducted in November last year.

We look forward to watching mediation grow and for those involved in Samoa, FSM and Tonga to share the process, substance and outcomes of their hard work with other Pacific islands interested in establishing systems of court-annexed mediation.



Mediation training session by Dave Robson in Kosrae

Leadership workshop - Auckland New Zealand

With judicial officers from 12 Pacific Islands in attendance, a Leadership Workshop was conducted in Auckland, New Zealand from the 21 - 25 January for the Heads of Lower Courts. The workshop focused on areas of importance to these leaders which were articulated as governance, access to justice, cross-cutting concepts, problem solving and management. Discussion during the workshop identified ways in which these important leaders can build robust and sustainable teams with their courts and across the region with each other. In order to maximise the success of the workshop, participants drew up actions plans outlining the steps they and others will take to implement what they learned in the workshop together with timelines and follow up processes.

It is planned that the group will meet again in 12 months to review their progress, refresh what they have learnt and take the next steps in building their leadership skills. In the interim the group resolved to keep in touch with one another in order to share experiences and advice regarding the implementation phase and to check in with each other. The level of collegiality built during the workshop left participants feeling part of a greater whole, whose members are there to support each other in their endeavours.



In Auckland, New Zealand with the Heads of Lower Court Benches

National Coordinator Forum—Brisbane

From 12 – 14 February, the Programme held a Forum for National Coordinators in Brisbane bringing together 13 coordinators from 12 Pacific islands. National Coordinators discussed the progress that has been made in their countries since the last meeting (July 2007), the outcomes and lessons they had learned. The Forum was an opportunity to welcome new National Coordinators, to re-affirm the role and responsibilities document signed at the last meeting, consider future priorities and activities in each country and to provide some project management training. The latter focussed on report writing, Responsive Fund applications, communication and how to integrate cross-cutting concepts into activities.

*National
Coordinators Forum,
Brisbane*

*12 - 14
February 2008*



Family and the Law

The Programme conducted a workshop to discuss draft policies and procedures developed to improve the judiciaries' response to victims, witnesses, women and children in relation to juvenile justice and domestic violence. The workshop included topics on juvenile justice, the Mission Statement of the Youth Court, best practices for child witnesses, the National Plan of Action, juvenile and adult systems and law and procedures for domestic violence. Participants have drafted material for inclusion in the Domestic Violence Manual, which has now been submitted to the Chief Justice for review and consideration. All these policies and procedures, along with the process followed to develop them, will be shared with the region.

Financial Management—Marshall Islands

The Marshall Islands recently hosted a visit by the Programme's Financial Management Advisor to assist in strengthening the High Court's financial management processes. The commitment shown to these changes has seen a momentum towards the modernisation and reform of budgeting, financial and asset management plans. There is now an established asset register and the level of computerisation and reporting is considered high. The Court maintains excellent paper records, particularly given the significant amounts held in trust – a credit to the diligence and commitment of the local staff. Such efforts have been complemented by significant local support that has improved the capacity for and structures for enhancing efficiency and demonstrating transparency and accountability within the jurisdiction. Remote and in-country support will continue to be provided over the next few months to continue this important work.



Court Staff of the High Court of the Republic of Marshall Islands

Codes of Judicial Conduct

The Programme has been working with the Chief Justice, judicial officers, court staff and other stakeholders of Niue, Marshall Islands and Solomon Islands to assist with the development of codes to regulate judicial conduct. Marshall Islands has made significant progress with its code, and has finalised the draft which is being discussed locally following feedback from the Programme, its stakeholders and others. The Programme continues to provide support to Niue and is able to provide support to Solomon Islands which confirmed that the development of such a code is a priority need. The Programme is supporting the identification of the core elements and principles for a national code of judicial conduct (building on the generic code contained in the court's benchbook in Niue). Codes which are culturally and contextually appropriate and which are effectively implemented are intended to build confidence in the judiciary through the enhancement of transparency and accountability. To assist this process in Niue, Solomon Islands and across the region, the Programme has obtained permission from a number of jurisdictions across the Commonwealth to publish their Codes of Conduct on the Pacific Legal Information Institute (PacLII) website to provide external examples of practices and procedures for comparative analysis and consideration.

See the codes: http://pacii.org/PJDPI/Code_of_Conduct.html

Interagency Communication in Vanuatu and Samoa

The Programme is working with Vanuatu and Samoa to assist the development of interagency groups to communicate and coordinate efforts to implement reform agendas. The Programme has worked with both jurisdictions to clarify the judiciaries' objectives, how they could best be achieved, who would be involved and how to secure and sustain participation within the group. Various agencies from across the public, private and community law and justice sector were consulted and invited to attend the inaugural meetings of each group in February. The groups are now undertaking the organic process of designing the goals, structure, governance arrangements and functions of the group and will brief other Pacific Islands at relevant regional opportunities about their experiences and how others might adopt the models they have used for their own benefit.

Criminal and Civil Law / Procedure Training



In late February the Programme delivered a criminal and civil law workshop in Niue to assist in the continuation of learning. To foster sustainability and to integrate follow-on steps, action plans will be prepared by the participants focusing on setting out practical outcomes with the knowledge they will gain. In this way the Programme can assist the judiciary in Niue in integrating skills and knowledge into practice following the workshop.

Educators' Level 2 Course

The Programme this month conducted a level 2 workshop for educators from across the region who have demonstrated use of their level 1 training and who are committed to designing and delivering training locally. It is hoped that these participants will be successful in their level 2 assessments and are able to proceed to level 3 quickly. Recognising the need to sustain a pool of judicial educators across the region which can develop and deliver training when the Programme is gone; it is the Programme's intention that all educators who have commenced the educators course complete it and are accredited educators in their own jurisdiction.



Educators Level 2 Course, Port Vila, Vanuatu

Pacific Legal Information Institute (PacLII)

The PJDP has been working closely with PacLII to increase awareness of the Programme's activities and to facilitate sharing of information to make the Programme's materials more accessible. Following the successful trial of publishing the Cook Islands benchbook in PacLII, the benchbooks of other PIC's have been sent to be published in the very near future. In addition, codes of judicial conduct from various Commonwealth countries are now available online to assist with comparative analysis. The Programme is also in the process of collating further materials used during various workshops to increase access and availability of these sources across the region. By doing so, we hope to provide an online repository of useful data and sources related to judicial development.

Regional Training Team (RTT)

The Programme has commenced the recruitment process for the establishment of a Regional Training Team (RTT) in the Pacific. The pilot initiative will employ accredited judicial educators to participate in the design, delivery and evaluation of professional development activities for judicial and court officers. The Programme will continue to build the skills of certified judicial educators across the region by mentoring and assisting RTT members with their work as they travel and train across each PIC over the coming year from July.

The aim of the RTT is to reinforce skills learned during the three-level judicial educators' course whilst providing Pacific regional training to enhance the ability and confidence of RTT members. At the end of the Programme it is anticipated that there will be an established team of skilled and experienced judicial educators within the Pacific who will provide ongoing training in and beyond their own PIC jurisdictions, minimising reliance upon external sources of expertise and ensuring sustainability.

The deadline for receipt of applications for this year's RTT was 1 April. The Programme received several applications which are now being considered. Good luck to everyone who applied.

Annual Plan 2008-09

The Programme is now in its final stages of drafting the Annual Plan for 2008-2009. The direction of PJDP will continue in its focus on strengthening regional activities and generating national outcomes by implementing lessons learned from bilateral and regional progress to date, enhancing intra-regional links, building regional capacity for judicial education and developing regional foundations for bilateral activities. The Annual Plan will be submitted for approval in early April 2008.

Feedback

Send any feedback along with anything you wish to include in the next newsletter to:

Helen Burrows

Programme Coordinator, Pacific Judicial Development Programme

Email: helen.burrows@fedcourt.gov.au

Phone: +612 9230 8040

Fax: +612 9230 8989