

## Family Courts plan

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Pai Mulitalo 'Ale

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LEGAL TALK: Chief Justice Patu Tiava'asue Sapolu, Justice Vui Clarence Nelson, Judge Vaepule Vaemoa Vaai were among the participants yesterday.

**The country's top legal minds are gathering at Mulinu'u this week to discuss the establishment of a Family Court and a Family Violence Court.**

Held at the conference room of the Ministry of Justice and Courts Administration, the four-day workshop, which started yesterday, is funded by the Pacific Judicial Development Programme.

Among the participants yesterday was Chief Justice, His Honour Patu Tiavaasu'e Falefatu Sapolu and other Court judges.

According to Justice Vui Clarence Nelson, the immediate benefit from the workshop is the establishment of a Family Violence Court.

So the workshop is looking at how to go about it, the rules that should apply, practices and rehabilitation programmes for offenders.

Justice Vui said discussion to establish the two Courts has been made possible because the Government has taken the lead to pass the Family Act 2013.

"One of the things that we're doing in the workshop is analysing legislation, learning more about how the legislation works and how it will be put into action."

Justice Vui admitted that the idea of a Family Court that is separate from a Family Violence Court is new to Samoa.

“But it’s time for it,” he said.

“We have a huge range of family problems that we see every day. You read about it in your newspaper, on TV, we see it day in and day out in Court so there is a huge family problem.”

During the discussion yesterday, one of the facilitators, Ian McCambridge spoke about ways to stop offenders from reoffending once they are released.

For this to happen, he said the villages have a vital role to play.

Chief Justice Patu agrees.

“We may have to work on changing attitudes first,” he said. Once attitudes have changed, the village leaderships will then be able to assist, he said.

Justice Vui said one of the problems in Samoa is the lack of services to rehabilitate offenders.

Which is why one of the aims of the workshop is to explore what services can be set up, need to be set up and who can set them up to provide such services.

The workshop heard that the Family Court would deal with all matters involving family law including custody battles, adoption applications, cases involving matrimonial property among other matters.

The Family Violence Court on the other hand will specifically deal with issues of violence.