

Pacific Judicial Development Program Newsletter

Pacific Judicial Development Program

December 2007

The PJDP Executive Committee and Team would like to thank you all for your support for the Program this year. We wish you all health and happiness this Christmas and look forward to a prosperous New Year working with you.

Many people from within and outside the Pacific islands have dedicated significant amounts of time and energy making a contribution to the Pacific under the auspices of the PJDP, we thank you. We would like to extend a special thanks for the support we have received from the Chief Justices, National Coordinators and Educators from around the region who have generously given their time and expertise. We look forward to working with you all in 2008 and beyond—Merry Christmas.

Tonga's Been Busy!

Tonga last month hosted the Pacific Judicial Conference, the PJDP Leadership Workshop, week-long strategic planning consultations and training for bailiffs and probation officers. Tonga also managed to fit in Law Week, send 3 people to Samoa to undertake mediation training and finalise a TV and radio production to increase awareness about mediation. This is all on top of the judiciary being honoured by the World Bank as being the world top reformer in reducing the length on time it takes in the courts to enforce contracts. Congratulations Tonga—we hope you enjoy a well earned break over the holidays!



Court staff celebrating the fruits of their hard work in improving case management

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Mediation is here...

The establishment of **court-annexed mediation** systems in Samoa and Kosrae, FSM came a big step closer last month with 37 people being trained as mediators. Those who participated in the training said they learnt a lot and look forward to practising their new skills. Mediators now have until February, as that is when pilot mediation will be launched in both places to hone their skills. Mediators will be accredited by filming themselves



The genesis of mediation in Kosrae

and sending it to the trainer for review—good luck everybody! Both places have established the systems and processes they require to conduct mediations under legislative schemes to support and protect them.

The ability of courts to refer matters to mediation will save the courts and parties money and time and is hoped to be a useful tool in the resolution of disputes, using means more akin to traditional dispute resolution mechanisms. Tonga is also piloting mediation now that the courts have 5 trained mediators. We look forward to following the progress of these jurisdictions and to working with other Pacific islands to make mediation a reality for them.

Who is running the show?

During a recent meeting in Tonga the PJDP Executive Committee realised that not everyone in the region knows who is directing the Program. They asked us to tell you that the Committee members are your representatives. They want to know what you think of the PJDP and what it can provide for you. If you have any comments you would like to make about PJDP activities in your country please feel free to contact the relevant Executive Committee member. The Committee is responsible for managing the strategic direction of the PJDP. From the Pacific, the Committee comprises: three Chief Justices, who represent judicial officers in their sub-region; a representative for the lay judiciary; and a representative for court officials.

Chief Justice, Sir Mari Kapi, PNG (permanent Chairperson) and represents senior judicial officers from across **Melanesia**. You can contact Sir Mari at: cj@pngjudiciary.gov.pg.

Chief Justice Vincent Lunabek, Vanuatu is currently taking the place of Sir Mari, and will in the meantime represent Micronesia. The Chief Justice can be contacted on: Vincent@vanuatu.gov.vu.

Chief Justice Patu F. M. Sapolu, Samoa (temporary Chairperson) and represents senior judicial officers across **Polynesia**. You can contact Chief Justice Sapolu at: cj@samoa.ws

Chief Justice Andon Amaraich, FSM represents senior judicial officers across **Micronesia**. You can contact Chief Justice Amaraich at: fsmcupcourt@mail.fm

Mr. John Kenning, Snr Justice of the Peace, Cook Islands and represents the **lay judiciary** and magistracy across all participating Pacific Island countries. You can contact JK at: johnk@oyster.net.ck.

Ms. Manakovi Pahulu, Chief Registrar, Tonga and represents all court officials across all participating Pacific Island countries. You can contact Manakovi at: chief_reg@hotmail.com

Mr. Steve Dowall / Ms. Ranmali Fernando, NZAID & Mr. Timothy Gill, AusAID represent the donors who are funding the PJDP, and **Ms. Natalie David**, is the **Program Director**. You can contact Natalie at: natalie.david@optusnet.com.au



The
PEC Meeting
June 2007
Brisbane, Australia
L-R Ranmali Fernando, Chief Justice
Lunabek, Steve Dowall, John Kenning,
Natalie David, Chief justice Amaraich,
Chief justice Sapolu, Helen Burrows,
Manakovi Pahulu, Tim Gill

Funding opportunity



The Executive Committee approved the inclusion of a Responsive Fund in the Annual Plan this year, which provides individual Pacific Islands with the opportunity to implement activities that respond to existing or emerging needs specific to their country, which are not otherwise being provided for in the Annual Plan. PJDP has NZD\$60,000 and can make grants of up to NZD\$10,000. A country can receive up to 2 grants per financial year. The training provided to bailiffs and probation officers in Tonga last month was the first successful Responsive Fund activity, and we look forward to many more.

To apply for funding call, email or fax Helen Burrows (contact details are at the end) and ask for an application form.

What else has been happening?

In October Enoka Puni visited the **Cook Islands** to review the progress made by Justices of the Peace since the **decision-making** workshop held earlier in the year. Enoka remarked that significant progress had been made and that the decisions of nearly all JPs had markedly improved. Enoka also reviewed progress made in Samoa and the FSM since the workshops he conducted there earlier in the year.

Steve Agnew from the Australian Federal Magistrates' Court spent time consulting with a range of people in **Tonga** with the purpose of assisting the Magistrates Court develop and implement a **strategic plan** which will assist them in articulating their needs to the Ministry of Justice.

Leadership Workshop, Tonga 5-6 November

During the 5th and 6th November, Enoka and Dr Rowan Barnsley conducted a **leadership workshop** for Chief Justices across the region. This was the first opportunity for the Chief Justices of the participating Pacific Island countries to meet under the auspices of the PJDP since the inception of the Program. Nine of the participating Pacific Island countries were represented and although the two days may not have been sufficient, it provided an opportunity to air issues of relevance for the regions' Chief Justices, engage in collegiate discussion of some of those issues, as well as identifying priorities for focus in future activities. The workshop has allowed participants to devise practical strategies and action plans appropriate to their relevant jurisdictions.



Leadership Workshop,
Tonga, November 2007
L-R Enoka Puni
Chief Justice Williams (Cook
Islands)
Chief Justice Ingram
(Marshall Islands)
Chief Justice Sapolu (Samoa)
Chief Justice Amaraich
(FSM)
Chief justice Millhouse
(Kiribati/Nauru)
Chief Justice Ford (Tonga)
Chief Justice Palmer
(Solomon Islands)
Chief Justice Alikxa (Kosrae,
FSM)
Chief Justice Lunabek
(Vanuatu)
Helen Burrows
Ranmali Fernando

What is coming up?

1. A Leadership Workshop for the Heads of Lower Court benches will be held in Auckland between 21-24 January to address specific challenges faced by lower courts.
2. Financial Management, Marshall Islands—January: PJDP will assist the Marshall Islands establish a sound financial management system appropriate to their jurisdiction.
3. Court officers from Kiribati and Niue will visit the Maori Land Court, New Zealand in January.
4. Steve Agnew from the Federal Magistrates' Court will visit Vanuatu in January to undertake Strategic Planning work similar to that which was undertaken in Tonga recently.
5. The National Coordinators will meet again in Brisbane between 12-14 February to discuss the next annual plan along with ways PJDP can continue to support this important role in each PIC.
6. Mere Pulea will visit Niue in January to continue to work with the judiciary in developing Professional Standards.
7. Those who undertook mediation training in Samoa and FSM, including those from Tonga will undertake an accreditation process in advance of the launch of mediation pilots in February.
8. The Programme Coordinator will visit Samoa and Vanuatu in February to work with each jurisdiction to develop a mechanism for inter-agency communication and coordination.
9. Watch this space for more...

Annual Planning

Enoka has also been busy working with educators and National Coordinators in all Pacific Islands to undertake needs analyses for judicial and court officers. PJDP is considering what each Pacific Island provided, which will assist in developing the Annual Plan to begin from 1 July 2008.

Natalie and Helen will also be speaking with Chief Justices and National Coordinators respectively to discuss their judiciaries' aspirations for 2008-2009 and how PJDP might be able to support those aspirations.

Feedback

We welcome feedback from everyone involved in the PJDP. We are continually seeking ways to identify what each Pacific Island Country wants to achieve and the best ways of achieving those objectives. We also seek contributions of photos and other material to be used for future editions of the newsletter. Please ensure these are in JPEG format so we can print them. Please provide all comments and photos to:

One piece of feedback we would really like—is for someone to name the Newsletter. Please send all your ideas and we will announce the winner when the next Newsletter is distributed:

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