

INITIATIVE EXECUTIVE COMMITTEE MEETING - RESOLUTIONS

Auckland, New Zealand

19 April, 2018

The IEC resolved the following matters during the 4th PJSI Initiative Executive Committee Meeting held in Auckland, New Zealand (19 April, 2018):

Resolution 1:

The IEC **accepted** the PJSI Team's Progress Report and acknowledged the progress made under the PJSI to-date.

Resolution 2:

The IEC **accepted** the PJSI Team's Financial Report. The IEC **approved** the following additional activities (subject to availability of funds) to enable the PJSI Team to:


1. Hold one additional 3-day Regional Workshop - tentatively scheduled for 19-21 September, 2018 in Auckland, for up to 2 participants per PJSI partner court.
2. Develop the ICT Options Paper and selected ICT support to partner courts.
3. Develop and pilot a Mentoring Toolkit, including training.
4. Undertake a visit to Wellington (TBC) to give a presentation to the Minister on PJSI and opportunities to develop and extend MFAT's support of law and justice across the region.
5. Provide additional support to selected Chief Justices' Leadership Forum endorsed activities, including:
 - performance and data gathering strategy;
 - the remote delivery strategy;
 - training on public and media relations and/or harassment; and
 - selected additional support to the PNG CJE.
6. Any balance of underspends to be allocated to contingency or additional LIF activities (as appropriate).

While a level of flexibility with regards to allocation of funds between approved activities is to be maintained, fees will remain in-line with the approved unit amounts in the PJSI budget.

Resolution 3:

The IEC **endorsed** and **confirmed** PJSI's focus and approach in particular with regards to the balance between, and focus given to:

- a) subordinate courts and superior courts; and
- b) substantive justice and procedural justice issues.


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Resolution 3:

The IEC **noted** the 'Chief Justices' Recommendations' (attached in the **Annex**). The meeting endorsed all recommendations and the updated scheduling sheet.



Resolution 4:

The IEC Pacific Members **noted** the MFAT Representative's indication that the new New Zealand Government is undergoing a process of reprogramming its development policy approach. It was further **noted** that this change in focus may have an impact on the timing and nature of the planned Mid-term Review of PJSI, which is now expected to be completed by the end of 2018, to ensure sufficient time for the PJSI Team to develop implementation plans for years 4 and 5 in a timely manner (early in 2019).


This postponement may also have some impact on existing contractual arrangements, inter alia: milestones relating to the development of a transition and exit strategy; and the development of and indicative 24-month implementation plan. These matters will be discussed and adjusted between MFAT and the Federal Court of Australia in due course.

Resolution 5:

The IEC **approved** the publication of PJSI materials developed, on the website.

Resolution 6:

The IEC **confirmed** that the next meeting of the IEC will be held remotely on Thursday 27 September, 2018 (3:00pm Samoa and Wellington; 4:00pm Tonga; and 1pm Sydney/Brisbane-time) / Wednesday 26 September, 2018 (5:00pm Cook Islands).

A handwritten signature in black ink, consisting of a stylized 'J' followed by a horizontal line.

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ANNEX: CHIEF JUSTICES' LEADERSHIP FORUM RECOMMENDATIONS

PACIFIC JUDICIAL STRENGTHENING INITIATIVE

Third Chief Justices' Leadership Forum Recommendations

Auckland, New Zealand - 16-18 April, 2018

We, the Chief Justices and Chief Justices' Representatives of the Pacific Judicial Strengthening Initiative (PJSI) - in the absence of Tuvalu - comprising 13 Pacific Island Countries (PICs) being Cook Islands, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, and Vanuatu - have convened at the Chief Justices' Leadership Forum held in Auckland, New Zealand (16-18 April, 2018), make the following recommendations for the consideration of the Initiative Executive Committee (IEC) of the PJSI.

The Forum:

1. **Approved** the proposal that the PJSI Chair communicate with the Chief Justice of Fiji to inform him of the next PJSI Chief Justices' Leadership Forum, to seek his participation in that Forum and to welcome the participation of judicial and court officers of the courts of Fiji in PJSI's activities.
2. **Approved** the proposal that the PJSI Chair communicate with the Chief Justice of Tuvalu to express the Forum's interest in engaging further with the Tuvaluan judiciary in upcoming PJSI Fora so that interaction and engagement across the region is maximised.
3. **Noted** the importance of PacLII as an important resource to the operational effectiveness of courts in the Pacific. The Forum **acknowledged** the generous support of the judiciaries and governments that have contributed to the ongoing operations of PacLII.
4. **Noted** that Chief Justices' Leadership Fora are intended to be meetings principally for Chief Justices. Where a Chief Justice is not able to attend, s/he may nominate a senior judicial officer to represent them at the Forum. In the case of Kiribati or Tuvalu, if the Chief Justice is not available s/he has the discretion to nominate a non-judicial officer to enable a PJSI partner court to participate, however, non-judicial officers only have observer status at the Forum. All non-Chief Justice nominations will be submitted to the PJSI Chair for final endorsement.
5. **Accepted** the Judicial Population data presented, and **noted** that Chief Justices will provide the PJSI Team with any necessary updates or corrections within two weeks of the end of the Forum.
6. **Noted** the matter of sabbatical leave and requested the PJSI Team to re-distribute the available data on the regions' judges' terms and conditions.
7. **Endorsed** the draft Efficiency Toolkit and the strategies and approach developed to implement the toolkit.



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8. **Endorsed** the updated Court Annual Reporting Toolkit and the strategies and approach relating to disaggregated data collection.
9. **Endorsed** the strategy developed in the *Court Performance Planning & Measurement Strategy Paper*.
10. **Endorsed** the strategy developed in the *Remote Delivery of PJSI Services* and further **endorsed** the approach that PJSI explore options for providing further support under this activity.
11. **Endorsed** the strategy developed in the *Information and Communication Technology Concept Paper* and further **endorsed** the approach that PJSI explore options for providing further support under this activity.
12. **Endorsed** the concept of a *Mentoring Toolkit* and further **endorsed** the approach that PJSI explore options to enable this new toolkit to be developed and to pilot mentoring support under this activity.
13. **Noted** the positive progress made under the Career Gateway activity (with USP Law School) and development of a *USP Certificate of Justice*. The Forum **unanimously expressed its appreciation** to the USP Vice Chancellor and the USP Law School for developing the Certificate of Justice, which is seen by Chief Justices as being of significant value in the professionalisation of the courts across the region. Chief Justices further **endorsed** requesting USP to build the 1-year Certificate into a 2-year Diploma of Justice.
14. **Endorsed** the proposed next steps for the *Career Pathways* activity as presented by CJ Injia and the Executive Director of the PNG Centre for Judicial Excellence (CJE). The Forum **endorsed** the approach that PJSI explore options for providing further support under this activity subject to an assessment of progress in December 2018 to ensure that the five 'red lines' identified in the *Career Pathways Concept Paper*, are fully met. Further to the successful completion of the assessment, the Forum further **endorsed** that discussions are initiated with CJE on partnering and transitional arrangements in the regional delivery of training, including to develop an appropriate regional governance structure, and robust financing arrangements.
15. **Endorsed** the scheduling of activities as presented to the Forum and the further **endorsed** the approach that PJSI explore the feasibility of implementing additional activities, including:
 - A Regional 3-day Workshop (including two participants per interested partner court).
 - Development of a Judicial Mentoring Toolkit and mentoring support.
 - Subject to availability of funding support the CJLF endorsed activities, including:
 - o performance and data gathering strategy;
 - o the ICT strategy;
 - o the remote delivery;
 - o training on public and media relations and/or harassment; and
 - o selected additional support to the PNG CJE.
 - Reallocation of any remaining underspends to additional LIF activities or contingency, as appropriate.


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Annex One - Regional and Local Activities Schedule

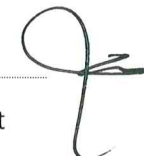
Activity	Location	Tentative Timing	Output
2016			
1 st Chief Justices' Leadership Forum	PNG	7-9 Sep, 2016	Regional Leadership Output
1 st Initiative Executive Committee Meeting	PNG	10-Sep, 2016	Regional Leadership Output
Career Pathway: Local Visit #1	PNG	31-Oct-4 Nov 2016	Institutionalising Prof. Dev't Output
2017			
Career Gateway: Local Visit #1	Vanuatu	30-Jan-3 Feb 2017	Institutionalising Prof. Dev't Output
Project Management and Evaluation Workshop	Vanuatu	20-24 Feb, 2017	National Leadership Output
M&E Visit #1	Vanuatu	20-24 Feb, 2017	Accountability Output
Local Project Management and Planning Visit #1	Tokelau	29-Apr-14 May, 2017	National Leadership Output
2 nd Chief Justices' Leadership Forum	Samoa	3-5 Apr, 2017	Regional Leadership Output
2 nd Initiative Executive Committee Meeting	Samoa	6-Apr, 2017	Regional Leadership Output
Piloting of HR resource / toolkit	Solomon Islands	24-Apr-5 May, 2017	Human Rights Output
Local Visit #1	FSM	15-26 May, 2017	Access to Justice Output
Career Gateway: Local Visit #2	Vanuatu	4-9 June, 2017	Institutionalising Prof. Dev't Output
Regional Certificate-level Training-of-Trainers Workshop	Cook Islands	12-23 Jun, 2017	Prof. Development Output
Piloting of GFV resource / toolkit	Tonga	12-23 June, 2017	G&FV Output
Local Visit #1	Palau	12-22 Jun, 2017	Efficiency Output
M&E Visit #2	Niue	19 June, 2017	Accountability Output
Local Orientation Visit #1	Marshall Islands	9-18 Aug, 2017	Prof. Development Output
Accountability Visit #1	Palau	21-25 August, 2017	Accountability Output



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Leadership Workshop	Tonga	5-7 Sep, 2017	Regional Leadership Output
3 rd Initiative Executive Committee Meeting (Remote)	Remote (2pm Honiara; 3pm Majuro & Wellington; 4pm Nuku'alofa; 1pm Sydney time)	28 Sep, 2017	Regional Leadership Output
Local Visit #1	Nauru	19-26 Nov, 2017	G&FV Output
Regional Lay Judicial Officer Orientation Workshop	Solomon Is.	Pre-workshop TOT (18-19 Nov) 20-24 Nov, 2017	Prof. Development Output
Local Visit #1	PNG	20 Nov-1 Dec, 2017	Human Rights Output
Career Pathway: Local Visit #2	PNG	4-8 Dec, 2017	Institutionalising Prof. Dev't Output
2018			
Substantive / Capacity Development Training of Trainers Workshop (Topic: A2J, GFV & HR)	Vanuatu	12-16 Feb, 2018	Localising Prof. Capacity Output
Local Visit #2	Marshall Islands	5-16 Mar, 2018	Access to Justice Output
3 rd Chief Justices' Leadership Forum	Auckland	16-18 Apr, 2018	Regional Leadership Output
4 th Initiative Executive Committee Meeting	Auckland	19 Apr, 2018	Regional Leadership Output
Local Orientation Visit #2	Samoa	9-18 May, 2018	Prof. Development Output
Local Visit #2	Kiribati	4-15 June, 2018	Human Rights Output
Local Visit #2	Niue	11-22 June, 2018 (TBC)	Efficiency Output
Local Orientation Visit #3	Solomon Islands	20-29 June, 2018	Prof. Development Output
Local Visit #2	Vanuatu	6-17 Aug, 2018	G&FV Output
Local Visit #3	Tokelau	13-24 Aug, 2018 (TBC)	Efficiency Output
Leadership Workshop (TBC)	Tonga	3-5 Sept, 2018	Regional Leadership Output
Local Orientation Visit #4	Kiribati	12-21 Sept, 2018	Prof. Development Output



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5 th Initiative Executive Committee Meeting	Remote	Sep, 2018	Regional Leadership Output
Local Visit #3	Cook Islands	1-12 Oct, 2018	Access to Justice Output
Local Visit #5	Palau	Nov, 2018 (TBC)	G&FV Output
Substantive / Capacity Development ToT Workshop (Topic: ICT TBC)	PNG	26-30 Nov, 2018	Localising Prof. Capacity Output
Career Gateway: Local Visit #3	Vanuatu	July-Sep 2018 (TBC)	Institutionalising Prof. Dev't Output
M&E Visit #3	TBC	TBC	Accountability Output
Accountability Visit #2	TBC	TBC	Accountability Output
2019			
Local Visit #4	Nauru	28 Jan – 8 Feb, 2019	Efficiency Output
Local Visit #3	Cook Islands	4-15 Feb, 2019 (TBC)	G&FV Output
Regional Training Workshop (Topic: Decision-Making, TBC)	Solomon Is.	Pre-workshop TOT (18-19 Feb, 2019) 20-22 Feb, 2019	Prof. Development Output
Local Visit #3	Tonga	4-15 Feb, 2019	Human Rights Output
Local Visit #4	TBC	11-22 Mar, 2019	G&FV Output
4 th Chief Justices' Leadership Forum	Palau	1-3 Apr, 2019	Regional Leadership Output
6 th Initiative Executive Committee Meeting	Palau	4 Apr, 2019	Regional Leadership Output
Local Visit #4	Vanuatu	29 April-10 May, 2019	Access to Justice Output
Local Project Management and Planning Visit Large LIF #2	PNG	August, 2018 (TBC)	National Leadership Output
Local Project Management and Planning Visit Large LIF #3	FSM	TBC	National Leadership Output
Local Project Management and Planning Visit Large LIF #4	TBC	TBC	National Leadership Output
Local Project Management and Planning Visit Large LIF #5	TBC	TBC	National Leadership Output
Local Project Management and Planning Visit Large LIF #6	TBC	TBC	National Leadership Output

Leadership Incentive Fund Activities:



Activity	Deadline
<i>LIF Applications available for all PICs (depending on availability of funds - assessed on a 'first-in-first served' basis)</i>	Round 6: 1 May-30 June, 2018

Remote activities:

Activity	Location	Tentative Timing	Output
2016-2017			
Remote Delivery Facilitation #1	Remote / Regional	Sept 2016-May 2017	National Leadership Output
Mentoring / resource sharing with local trainers	Remote / Regional	Sept 2016-May 2017	Localising Prof. Capacity Output
2017-2018			
Remote Delivery Facilitation #2	Remote / Regional	Jun 2017-May 2018	National Leadership Output
Mentoring / resource sharing with local trainers	Remote / Regional	Jun 2017-May 2018	Localising Prof. Capacity Output
2018-2019			
Remote Delivery Facilitation #3	Remote / Regional	Jun 2018-May 2019	National Leadership Output
Mentoring / resource sharing with local trainers	Remote / Regional	Jun 2018-May 2019	Localising Prof. Capacity Output
ICT Scoping Paper	Remote / Regional	TBC	Efficiency Output
Ongoing			
Collection, analysis & publication of court performance data	Remote	Ongoing	Accountability Output
Expand collection of data	Remote	Ongoing	Accountability Output
Court User Perception Surveys	Remote	Ongoing	Accountability Output
Data Management: collection, collation, analysis & reporting (IFCE)	Remote	Dec 2017- April 2019	Accountability Output

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