

# Pacific Judicial Development Program (PJDP) Newsletter

Pacific Judicial Development

June 2007

## PJDP Thanks

PJDP has been implementing as many of the activities as were proposed under the 2006-07 Annual Plan as possible over the condensed period of six months from January to June this year which has meant a relatively full timetable of activities. These activities could not have been implemented without the continued support and assistance of the Program Executive Committee, the Chief Justices, the National Coordinators and the judicial and court officers in each of the 15 Pacific Islands Countries participating in the Program. The successful outcomes of these activities would also not have been possible without the dedicated support and commitment of the National Coordinators and Educators. We thank you for all your continued support and assistance to the program.

The PJDP has also received significant support from several key programs and organisations in developing the Program's activities to ensure they respond appropriately and effectively to the expressed needs of the specific countries. The team's thanks go particularly to representatives from; UNICEF, UNIFEM, the RRRT, the Commonwealth Secretariat, and the World Health Organisation (WHO) who were involved in the development of the Family and the Law workshop together with experts from Australia and New Zealand.

The PJDP newsletter is now available online through a link on the Pacific Islands Legal Information Institute (PacLII) website: [www.paclii.org](http://www.paclii.org). The website is an initiative promoting access to Pacific law.

## Partnerships and Linkages with other Programs

Both NZAID and AusAID have a number of other programs in the Pacific region which have a direct or indirect impact on various PIC law and justice sectors. Where possible PJDP seeks to work in a coordinated and cooperative way with existing programs to ensure the most effective use of resources that is mutually beneficial for the accomplishment of shared goals and objectives.

We look forward to collaboration with the following regional and bilateral programs over the next financial year; Pacific Prevention of Domestic Violence Program (PPDVP), Pacific Regional Policing Initiative (PRPI), and the Regional Rights and Resources Team (RRRT). Bilateral programs that have been identified include: Samoa Ministry of Justice and Courts Administration Institutional Strengthening Programme, Australia-Fiji Law and Justice Sector Program, PNG Law and Justice Sector Program, Solomon Islands Law and Justice Strengthening Program, Libraries Twinning Project and Commonwealth Secretariat. We look forward to the continued collaboration with all of these programs.

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## PJDP: the past three months

The Program has successfully implemented a number of activities over the past three months:

- ◆ **Benchbooks for Kiribati:** The translation and editing of the benchbook is complete. Several Magistrates have worked hard to ensure that the translation was completed on time, and the National Coordinator, Erite Awira, also worked hard to ensure that the quality of the translation through a rigorous editorial process and we thank them for their contribution to ensuring the wider access of their benchbooks. The translation was piloted at the **Orientation Workshop** which took place in June for outer island judicial officers. We look forward to finalising the translation and printing sufficient copies for all Magistrates across Kiribati.
- ◆ **Benchbooks for Tuvalu:** The translation of the Tuvalu Benchbook is complete and undergoing an independent editorial process before being printed for all judicial officers.
- ◆ **Benchbooks for all:** The PJDP has completed a scoping study of the immediate and ongoing needs of all Pacific Island Countries and developed a process for responding to each countries needs over the life of the Program. The PJDP team looks forward to working with several countries over the coming year to achieve this aim.
- ◆ **Alternative Dispute Resolution FSM and Samoa:** Enoke Puni and Dave Robson were joined by an ADR expert from Australia to consult broadly across Pohnpei and Kosrae about the most appropriate forms of ADR to meet the needs of both states and the National Courts. Implementation plans were developed and brief mediation training was provided. The PJDP proposes to continue support over the next year to the Steering Committees established in FSM and Samoa to assist in translating their plans and for the implementation of ADR into a reality.
- ◆ **Developing systems and processes Kiribati and Niue:** Recognising the importance of court registry systems and processes in facilitating access to justice and good governance, consultations took place in both Kiribati and Niue to review the status quo and priorities for the enhancement of the systems and processes used in registries on both countries. Detailed plans were developed in both countries for improvements which will, over time, streamline the work of the registry and assist in increasing efficiency, transparency and effectiveness. The PJDP will, with the help of Pat Christie, continue to support both Kiribati and Niue to implement the changes contained in their plans. These changes and their impact will be shared with other PICs so they are able to take advantage of the gains made in Kiribati and Niue and adapt them to the circumstances of their own courts if they choose to do so. Court registry scoping
- ◆ **Orientation workshop Kiribati:** An orientation workshop was undertaken in early June in Kiribati. The workshops was delivered by National Coordinator, Erite Awira, and Boutu Bou, both of whom have successfully completed courses to become national judicial educators for Kiribati. This is the first time that an orientation workshop has been delivered entirely by local educators, an exciting step.
- ◆ **Family and the Law:** This workshop was piloted in the Federated States of Micronesia in mid June. The combined work of UNICEF, UNIFEM, UNAIDS, judicial officers from the Pacific and the Commonwealth Secretariat has seen the development of an in-depth program covering a multitude of family law issues. This program is participatory and practical so participants can institute changes to their working practice. The workshop was delivered by Enoke Puni, Justice Mere Pulea from the Fiji Family Court and Sophie Harvey

## **Upcoming Activities**

The PJDP will over the next three months design and implement the following activities:

- ◆ In order to continue promote the Pacific region's Access to Justice, PJDP aims to continue its implementation and support of Alternative Dispute Resolution in FSM. Dependent on the success of the Family in the Law workshop in Chuuk, similar programs will be developed and implemented for Cook Islands and Kiribati in collaboration with other organisations. The PJDP will also look into developing and implementing inter-agency communication and coordination mechanisms to address common justice sector problems, primarily by increasing available information to judicial and court officers.
- ◆ PJDP will aim to increase good governance within the Pacific region by providing a forum for National Coordinators to build their capacity to efficiently and effectively undertake their roles of responsibility within their respective regions or respective PIC's.
- ◆ This program will continue to pilot other court registry processes in the Pacific, and examine new opportunities for wider regional uptake. Support will also be given to the current conduct of registry and data diagnostic studies in these countries.
- ◆ The next three months will see a continuation of professional development within Pacific region countries. PJDP aims to implement initiatives to enhance the competence and technical skills of Court Clerks. Also, this program will look to enhance the substantive and procedural knowledge of judicial officers by assisting in-country Judicial Educators to conduct needs analyses and developing programs to address the core skills and expertise required by Judicial Officers. There will also be a continued initiative to develop and distribute benchbooks for various courts.
- ◆ PJDP will be working to establish Regional Training Teams (RTT) using representatives from various Pacific countries. By developing a training delivery capacity for Pacific countries to administer their own programs, PJDP will enable the Pacific to become more self-sufficient in meeting their own development needs.
- ◆ The PJDP also aims (subject to the approval of the Program Executive Committee) to put together a Flexible Fund Mechanism to provide assistance and small grants to fund PIC judicial sector initiatives aligned with the objectives of the PJDP. This will provide for PIC judiciaries or related civil society agencies that are genuinely pursuing PJDP goals with a way to fund their activities. The Flexible Fund Mechanism, along with RTT, aims at improving the Pacific's self-sustainability in judicial reform.

## The Program Executive Committee Summary

The Program Executive Committee (PEC) of PJDP provides steering and governance to the program is made up of 3 Chief Justices, 2 representatives of the lower judiciaries including court staff, a representative of NZAID, a representative of AusAID and the Program Director as a non-voting member. The current membership is as follows:

Sir Mari Kapi, Chief Justice, Papua New Guinea (Chairperson)  
Chief Justice Patu F Sapolu, Samoa  
Chief Justice Andon Amaraich, Federated States of Micronesia  
Mr. John Kenning, Senior Justice of the Peace, Cook Islands  
Mrs. Manakovi Pahulu, Chief Registrar, Supreme Court Tonga  
Mr. Steve Dowall (NZAID)  
Ms. Stephanie Copus-Campbell (AusAID)  
Ms. Natalie David, Program Director.

It was proposed that the PEC have a telephone conference in February 2007 and meet in May 2007 to discuss implementation of the Program to date and to consider the draft Annual Plan for the next year 2007-8. The first telephone conference was held in March as a result of unforeseen circumstances, a second teleconference was held in May and the first meeting of the PEC took place in Brisbane on 25 and 26 June. Due to the extended ill health of the Chairperson, Sir Mari Kapi, Chief Justice Sapolu has been acting as temporary Chairperson for all meetings of the PEC to date and Chief Justice Lunabek has kindly agreed as the nominee of Sir Mari Kapi to attend the Brisbane PEC meeting at short notice. The Program would like to recognise Chief Justice Lunabek's strong commitment to the PJDP and extend its sympathies to the Supreme Court of Vanuatu in the wake of the recent fire. The Program would further like to thank all the PEC members, and particularly the temporary Chairperson, Chief Justice Sapolu, for their continued support and commitment to the Program as well as their flexibility in responding to unexpected events.

The Annual Meeting in Brisbane discussed the strategic direction of the Program and reviewed the next Annual Plan of activities for 2007-2008. The Annual Plan of activities was conditionally approved on the basis that there will be some augmentation of the professional development activities and judicial educators training as a result of the availability of funds from the under-spend from 2006-2007.

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## Feedback

We are welcoming 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:

Helen Burrows

Email: [helen.burrows@fedcourt.gov.au](mailto:helen.burrows@fedcourt.gov.au)

Phone: +612 9230 8040

Fax: +612 9230 8989