

Pacific Judicial Development Program Newsletter

Pacific Judicial Development

September 2007

National Coordinators Conference

National Coordinators (NCs) from the 15 Pacific Island Countries (PICs) met in Sydney between 18 and 20 July 2007. The aim of the workshop was to strengthen relationships with and between NCs, improve understanding of regional priorities and enhance appreciation of the importance of the role of NCs in PJDP.

The program provided an opportunity for NCs to raise and address issues which are of particular importance to their roles under the PJDP. As the primary point of contact with PJDP for the implementation of activities, the conference sought to address and clarify any concerns that NCs might have in fulfilling their role as coordinators and primary points of information and contact with the Program.

Building upon the aims and outcomes achieved at the workshop, NCs have now submitted individual action plans specifically related to the implementation and development of the PJDP within their home jurisdictions. The 'action plans' were the collective initiative of all of the NCs in attendance. They are seen as a critical plank in achieving the objectives and outcomes of the PJDP across participant countries.

The majority of NCs have since arranged meetings with their National Judicial Development Committees to report on the workshop and to discuss in detail the upcoming PJDP activities to take place in their countries, or be participated in by their jurisdictional delegates in the upcoming year. The Sydney workshop addressed important issues and empowered the NCs to review and discuss cross cutting issues, communications and review the current annual plan.

Questionnaires have also been sent to the NCs seeking their input and reflection on the significant outcomes achieved during the NCs meeting.

Most NCs commented on the level of conviviality at the workshop, which resulted in all 15 NCs signing a memorandum concerning their roles and responsibilities. To achieve the goals set, NCs began work on the development of implementation plans for activities, considered national vision and mission statements and discussed means of improving communications between the PJDP, NCs, and within their own countries. NCs also reviewed their baseline data for relevance and methods of collection.

Overall, it is considered that the NC workshop was a success. A second workshop prior to preparing for the next annual plan will be beneficial to allow NCs a meaningful opportunity to share their progress and suggest ways forward into the next Annual Plan. Their participation will greatly assist the PJDP team develop the Annual Plan and will complement the consultations with Chief Justices.

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PJDP: the past three months

♦ **Staffing and Partnership Development**

Over the past three months, the PJDP team have been working hard to finalise the annual plan and begin planning and implementing the activities that are to take place in the coming financial year. As such, the PJDP team would like to welcome Kathleen Richards, who has been appointed the Logistics and Finance Officer of the Program.

♦ **Activities**

Kiribati will have completed translation from English to i-Kiribati, editing, review and publication of its benchbook this month which will mean that it is now in a language which is accessible to the lay magistrates on the outer islands.

♦ **Technical Advisors**

A number of Technical Advisors have also been appointed to assist with the activities. They include Dave Robson (ADR), Mere Pulea (Family & the Law and Professional Standards), Peter Seccombe (Court Registry), Nic Soni (Finance & Asset Management) and Trevor Kleise (Judicial Development Officer). The Technical Advisors will work with countries to develop country specific programs in their appointed area of expertise.

♦ **Institutional Linkages**

The PJDP has been developing position outlines for Australian Youth Ambassadors for Development (AYAD) and Volunteering for International Development from Australia (VIDA) who will be recruited to assist with projects throughout the Pacific. These volunteers will provide added support to the PJDP from various PIC countries including Vanuatu, the Solomon Islands, Papua New Guinea, Kiribati and Samoa. The focus of the PJDP, the AYAD & VIDA placements will be to enhance and support capacity building in the registries and courts of the host countries. The intention of the positions is to share the experiences of Australians and Pacific Islander countries in a mutual effort aimed at building capacity within the region.

PJDP has also been communicating with the International Development Law Institute (Asia Pacific Regional Centre) which has prepared a 3 year project proposal that aims to enhance the rule of law and good governance in the Pacific by designing and implementing legal and judicial capacity building programs as envisioned in the Pacific Plan and complementary to the work of PJDP in the Pacific.

Upcoming Activities

Over the next three months the following activities will be taking place:

Activities

- ♦ Kiribati will have completed translation from English to i-Kiribati, editing, review and publication of its benchbook this month which will mean that it is now in a language which is accessible to the lay magistrates on the outer islands.
- ♦ A Judicial Leadership course will be held in Tonga from 5-6 November 2007.
- ♦ The Pacific Judicial Conference (PJC) will be held in Tonga from 7—9 November 2007.
- ♦ Dave Robson travelled to the Federated States of Micronesia early in September to support the implementation of plans for court-annexed ADR systems with the participation of key stakeholders in the FSM. He will then travel to Samoa to conduct similar work to support the implementation of the plans in Samoa for court annexed ADR returning to Australia in the last week of this month.
- ♦ Peter Seccombe will visit the Registry's in Kiribati and Niue to continue the implementation of registry systems and data collection techniques that was begun in 2007/08.

In Brief: Non-PJDP activities occurring across the Region

The following activities are taking place in the pacific region:

- ♦ Cook Islands— are reviewing laws regarding absentee landowners and juvenile justice procedures.
- ♦ Fiji— Engaging in managing courts in crisis.
- ♦ FSM— A special prosecutors office is being set up.
- ♦ Kiribati- A juvenile justice task force is being established.
- ♦ Nauru— In process of establishing a Magistrates Court.
- ♦ Palau— Judicial Restructuring.

In Brief: Non-PJDP activities occurring across the Region (Cont.)

- ◆ PNG– ADR, creating Judicial Training Faculty.
- ◆ Tonga- Establishing juvenile diversion, resolving conflict between courts and filling systems.
- ◆ Tokelau– consolidation of laws and improving access to justice.
- ◆ Vanuatu– Training is being implemented for island court clerks.
- ◆ Kiribati- A juvenile justice task force is being established.
- ◆ Nauru– In process of establishing a Magistrates Court.

National Coordinators Contributions

Samoa—*Developments in Juvenile Justice*

- ◆ After extensive consultations with community groups and representatives, the *Young Offenders Act (2007)* was passed by the Samoan Parliament. The legislation focuses on Mediation and Diversion with a strong emphasis on community. Local Chiefs will be undertaking training and community responsibilities will be highlighted through media campaigns and public consultations.

Niue– *Swearing in of new Judges on the High Court*

- ◆ Two new Judges are scheduled to be sworn onto the High Court bench in Niue. Both individuals are from New Zealand and are of Maori descent, they currently preside in the Maori Land Court.
- ◆ Niue is also in the process of appointing new Justices of the Peace. The new JPs will be sworn in by a Judge in either late September or early October 2007. The new JPs will be provided with an Orientation program organised.

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:

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