

## Chief Justice re-emphasizes appeal for new courts

By Rob Makin

**NEW ZEALAND FUNDING** and the Federal Court of Australia manage a regional cooperation programme called the Pacific Judicial Development Programme and this - along with a new court building - became a key topic in the speech of Chief Justice Vincent Lunabek for the 2013 official opening of the court year.

Justice Lunabek spoke of the component of this programme devoted to Strategic Improvement following an assessment by Jennif-

er Ehmann of the Vanuatu courts and registry. These improvements fall into four distinct categories which will be the subject of a Memorandum of Understanding between the Federal Court of Australia and the Supreme Court of Vanuatu.

The first area of improvement is Case Management. There is seen to be a need for greater efficiency and effectiveness as regards cases under Supreme Court management. The introduction of new technology may well be able to improve proce-

dures for both criminal and civil matters and workshops for judges should be able to lead to a consistency of case management which can be the subject of a Guide to Case Management in the Supreme Court of Vanuatu.

Court and Prosecutions staff will also be involved in their own workshops and registry tasks will possibly be re-allocated. There were judicial observations of shortcomings in the prosecutions service during 2012 and the involvement of Prosecutions staff in the Strategic Improvement

plan may reduce such complaints. Technology use will be based on a sector wide approach, and technology is seen as being important by all the participating agencies.

Probably most important in Chief Justice Lunabek's address were his references to access to justice. These started by his speaking of remote and disadvantaged communities and how important it is to identify the needs, priorities and costs of equipping distant communities or island centres.

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The foundation stone laid June 2008 (photo by BJ Stone)

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There have to be more court buildings in the islands, and the Chief Justice wanted to see the judiciary and government more concerned with maintenance of facilities already in place.

And then there is the need for the new Supreme Court Hall of Justice. Chief Justice Lunabek did not mention the

recent public and media criticism of a new government project for a conference centre, something which is considered by commentators as of little benefit to the public in general. However, the Hall of Justice has been a key element in his Opening of the Courts speech every year since the old court house was burned down. The Chief

Justice is also possibly concerned that with the recent sale of publicly owned land in the vicinity of the court house, the judiciary may lose control of the superb site still existing for the administration of justice.

The Chief Justice said: "It is imperative that the Vanuatu government commit itself to the new Supreme Court Hall

of Justice building project. It is an important national project that will require the continuous commitment and leadership of the government in partnership with the judiciary and the development partners' assistance. This is a call to the government of Vanuatu to drive the project and a call to Vanuatu's development partners to assist the government of Vanuatu in this project."

Also important for Lunabek - more judges to deal with the ever increasing Supreme Court workload. Positions have been advertised, but little interest shown from members of the local Bar. This suggests the government will need to review the terms and conditions for judges in order to retain quality personnel who are competent.

Vanuatu is able to take

pride in its acceptance of the rule of law which has, even recently, avoided possible violent conflict. In this writer's opinion, the words of the head of the judiciary to the administration on an important occasion merit a response from the rulers of the Republic. Chief Justice Lunabek seeing the court house as an imperative surely requires an answer from Prime Minister Kilman.