



Pacific Judicial Development Programme Newsletter - Issue 9

Welcoming Remarks

Happy New Year and Welcome Back!

PJDP has had a very busy 2014. In the last year we have implemented a total of: seven regional activities; one sub-Regional activity; 19 bilateral/in-country visits; as well as 13 Responsive Fund activities in 12 PICs.

One of our key achievements has been the publication and distribution of eight toolkits as a hard-copy resource to our partner courts. In addition, we have developed a further five new toolkits in recent months. All of the programme's toolkits are available as an online resource to our partner courts at: <http://www.fedcourt.gov.au/pjdp/pjdp-toolkits>.

It was a busy year! The Team would like to thank all of our Partner Courts for their contributions and commitment to the Programme.

We look forward to continuing this work with you in this new year.

Dr. Livingston Armytage, PJDP Team Leader



Deputy Chief Justice Sir Gibbs Salika - reading a newly published PJDP Toolkit

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9th Programme Executive Committee Meeting - Cook Islands: 23-24 October, 2014

From 23-24 October, 2014 the Programme Executive Committee (PEC) discussed PJDP's progress and endorsed 'Additional Activities' in the 2014/15 financial year, subject to available budget. An evaluation strategy for the End-of-Programme was also endorsed and will be determined by available resources, and the ability to receive support/information remotely. In addition, the PEC endorsed the need for a 6-month Interim Programme between the end of the PJDP (30 June, 2015) and the commencement of a new programme the Pacific Judicial Support Initiative (PJSI). The recently published Toolkits were also distributed to the PEC members, each member was happy to see this resource being made available to the courts and for future Toolkits to be published.



9th Programme Executive Committee Meeting, Rarotonga, Cook Islands: 23-24 October, 2014

Back Row (left to right): Ms Anna Pasikale, Mr Lorenz Metzner, Mr John Kenning, Dr Livingston Armytage

Front Row (left to right): Ms Regina Sagu, Hon. Chief Justice Lunabek, Hon. Chief Justice Sapolu (Chair), Ms Ranmali Fernando, Hon. Chief Justice Ngiraklsong

6th National Coordinators' Workshop - Cook Islands: 20-22 October, 2014

13 National Coordinators or their representatives discussed and reviewed activities under the PJDP. National Coordinators or their representatives from FSM, Marshall Islands, Vanuatu, Tuvalu, Samoa and Kiribati provided updates to their colleagues about progress being made in relation to the various Adviser activities conducted in their courts.



Each participant present at the workshop were provided with one set of the 8 published Toolkits. Overall, satisfaction with the workshop was rated very highly (at over 88%) with the participants reporting that: *'It was a good opportunity to be sharing their experiences and learning about the achievements being made in each court.'*

Participants also valued the opportunity to learn more about the toolkits and how they can use them within their courts.

Participants at the National Coordinators' Workshop - Rarotonga, Cook Islands: 20-22 October, 2014

Court Annual Reporting Workshop - Cook Islands: 23-24 October, 2014

Participants from Tonga, Niue, FSM, Vanuatu, Cook Islands, Palau and Papua New Guinea came together to discuss the progress made in developing their respective Annual Report. The workshop also included practical training in the use of the 'Chart Creator' and other tools developed by the PJDP as part of the Court Annual Reporting Toolkit.

The challenges being faced were discussed in the group and each country's participants were able to work intensively with the PJDP facilitators to develop a strategy of what was still required in coming months for them to produce their next Annual Report. The workshop resulted in participants gaining substantially increased confidence in gathering data and developing their court's Annual Report.



Participants at the Court Annual Reporting Workshop - from left to right: Deputy Chief Justice Sir Gibbs Salika; Mr Gregory Lay, Mr Kapilly Capelle; Sister Bernadette Eberi; and PJDP Adviser Ms. Cate Sumner



Tālofoa from the Island Court and Lands Court of Funafuti!

We have been working with Kerin from PJDP to develop and upgrade public information in the Island Courts and Land Courts.

The aim of this work is to build on PJDP's Access to Justice Assessment by identifying information the court can produce for the public, identifying projects for immediate commencement and planning their realisation.

We worked hard to produce signs, notices, and leaflets in Tuvaluan language to be displayed in the court house and on the court notice board. I believe the public will be better informed as to where the courts are and what they do. The courts look more professional.

The best part for me was to see my fellow magistrates becoming enthusiastic and contributing to make things work; we have paved the way for us magistrates to fulfil the aim of the public information project.

Best wishes,

*Sala Tapu
President of the Island Court Funafuti*



Family Violence and Youth Justice Project

Since our last newsletter a new partner court - the High Court of Niue - has become actively involved in the Family Violence and Youth Justice Project.

Under the direction of Judge Boshier; His Excellency Mr Ross Ardern - New Zealand's High Commissioner to Niue, Justice Sarah Reeves of the Niue High Court, Mr Tony Edward - Niue's Police Commissioner, and Mr Cam Ronald of the PPDVP facilitated an interactive and well received workshop involving a wide-range of Niuean court, government and community counterparts. Additionally, two 'follow-up visits' were held - one in Palau in September and a second in the Cook Islands in October.



Participants at the Cook Islands Family Violence and Youth Justice Follow-up activity

Palau Family Violence and Youth Justice Follow-up - session Facilitated by Judge Rudimich



Piloting the Judicial Complaints Handling Toolkit - Vanuatu: 30 June -18 July, 2014

Written by Judge Oliver Saksak, Senior Magistrate Nesbeth Wilson and Magistrate Hannaline Nalau Ilo

The 'Procedures for Handling Complaints about the Conduct of Judicial Officers', 'The Users' Guide' and 'The Guidelines on Conduct for Island Court Justices of Vanuatu' are the product of three meetings of a small committee made up of a judge and two magistrates. Our main source of assistance was the draft Toolkit developed by PJDP without which the committee would have found it difficult to begin their work.

During three working meetings, the judge chaired and welcomed comments and ideas from the other two members in order to formulate the first draft. The committee is indebted to the assistance of Ms Kerin Pillans who was responsible for drafting provisions as directed by the committee. All drafts were discussed and changes were made prior to an agreed draft being circulated to our fellow judges and magistrates for feedback.

Responsive Fund Activity - Time Goals, FSM: 7-27 May, 2014



Participants at the FSM Time Goals Workshop

Front Row (left to right): CJ Hon. Cyprian Manmaw (Yap), CJ Hon. Martin G. Yinug (FSM), PJDP JAA Jennifer Ehmann, CJ Hon. Camillo Noket (Chuuk), CJ Hon. Alikxa B. Alikxa (Kosrae); note: (CJ Hon. Rodriguez and Mr. Elias of Pohnpei participated but not in photo)

Back Row (left to right): Mr Libuw Pongliyap (Yap), Mr. Kapilly Capelle (FSM), Mr. Kohsak Keller (FSM), Mr. Marciano Wakuk (Kosrae), Mr. Isauo Kuenta (Chuuk), Mr. Atarino Helieisar (FSM). Photographer- participant, Mr. Belan Yoma.

Written by: Mr Kapilly Capelle, Director FSM Supreme Court and National Coordinator

The aim of the activity was to introduce PJDP Time Goals Toolkit with the objective of promoting its adoption to each court in the FSM. The workshop covered the subtopics of timeliness obligation, reasonable time concept, case management and timeliness, monitoring and reporting of Time Goals.

What I found most interesting was observing how perspectives and views could change when one becomes well informed and educated about a particular subject matter.

It is rewarding to see that all the Chief Justices' are now working hard toward implementing Time Goal policies in their courts. FSM Supreme Court implemented its policy on July 12, 2014, Yap on August 1, 2014 and Chuuk October 1, 2014. Others will follow suit soon.

Regional Orientation Workshop - Solomon Islands: 7-12 July, 2014

The Regional Orientation Workshop was held in Honiara for 32 lay (non-law trained) judicial and court officers from 10 PJDP partner courts. The workshop was officially opened by the Hon. Chief Justice, Sir Albert Palmer, and facilitated by a core team of trainers including both members of the Regional Training Team and judicial and adviser expertise.

The majority of participants had only between 1-3 years of experience. The workshop built professional competence by introducing participants to practices and procedures that will enable them to better undertake their roles within the court.



Feedback received was very positive with participants indicating that the topics and sessions were: *'very clear and precise... appropriate and helpful to new judicial officers'*. The sharing of professional experience was described as particularly beneficial for the participants to apply in their home courts.

Participants at the Regional Orientation Workshop - Justice Bessie Bongvivi (Vanuatu); Magistrate David Surongo (Solomon Islands); Mrs Rheumatic Alapaki (Niue); Mr Eria Bubutei (Kiribati); Mrs Tokouea Tokoia (Kiribati) & Mrs Carmen Temata (Cook Islands); Mrs Moyra McBirney (Cook Islands)

Judicial Decision-making Toolkit Pilot Project - Marshall Islands: 1-4 September, 2014

Professor James Raymond, with the assistance of Regional Training Team member Judge Leonard Maina, facilitated a local Decision Making Workshop and piloted the new Judicial Decision-making Toolkit.

The workshop worked closely with 14 counterparts in the Marshall Islands, and built the capacity of local counterparts by developing their skills with respect to the basic elements structure, style and patterns of analysis of judgment writing. Participants included members of the Traditional Courts, District Courts and the High Court.



Additionally, five local faculty members were co-facilitated sessions to build local training capacity to provide peer-based support and training on local level decision making.

Participants commented that the mix of judges and counsel from different court strata was beneficial, as it was provided an opportunity to exchange experiences and enhanced the development of group morale in the justice sector.

Decision-making Local Peer Review Project - Chief Justice Carl Ingram and Professor James Raymond handing out certificates upon completion of the workshop

Schedule of Regional activities to June 2015

Below is a brief summary of the regional activities scheduled up until June 2015:

- *Regional Capacity Building Training-of-Trainers Workshop*: Auckland, New Zealand, 9-20 February, 2015
- *7th Chief Justices' Leadership Workshop*: Apia, Samoa, 20-22 April, 2015
- *10th Programme Executive Committee Meeting*: Apia, Samoa, 23-24 April, 2015

PJDP Website

The PJDP website is available both through: PaCLII - <http://www.paclii.org/pjdp/> and Federal Court of Australia - <http://www.fedcourt.gov.au/pjdp/>;

The following reports have been recently uploaded to the PJDP website.

- Eight revised or new Toolkits
- Updated 'schedule of activities' to the end of the current period (as at November 2014)
- PJDP 9th Quarterly Report (Jul-Sep 2014)
- PEC Meeting Resolutions (March, 2014)
- PJDP Six-monthly Progress Report (Jan-Jun 2014)

Comments and feedback

We welcome and appreciate comments or contributions from everyone involved in the PJDP.

If you have any feedback or require further information please contact our PJDP Project Officer, Ms. Krystle Praestiin on:

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