



PACIFIC JUDICIAL STRENGTHENING INITIATIVE

Annual Report

July 2018 – June 2019



FEDERAL COURT
OF AUSTRALIA



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Abbreviations

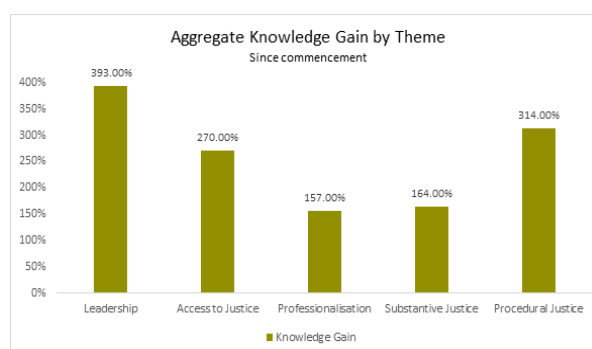
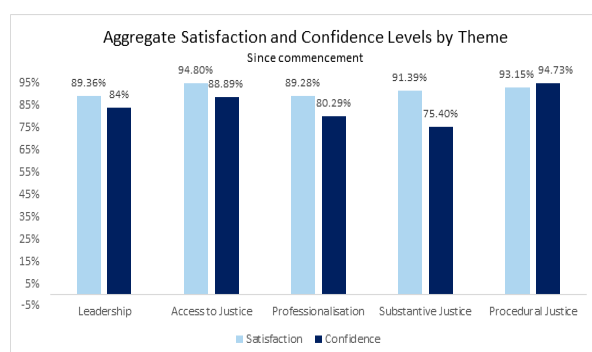
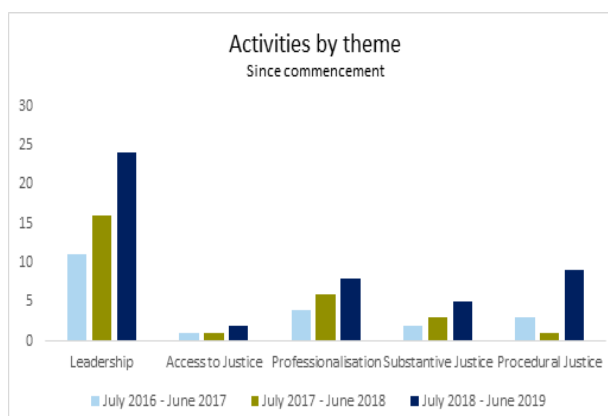
AUD	-	Australian Dollar
CII	-	Cook Island Indicators
CJE	-	Centre for Judicial Excellence
CJLF	-	Chief Justices' Leadership Forum
CTS	-	Case Tracking System
FCA	-	Federal Court of Australia
FSM	-	Federated States of Micronesia
GFV	-	Gender & Family Violence
ICT	-	Information Communications and Technology
IEC	-	Initiative Executive Committee
LIF	-	Leadership Incentive Fund
MFAT	-	New Zealand Ministry of Foreign Affairs and Trade
MSC	-	Most Significant Change
OECD-DAC	-	Organisation for Economic Cooperation & Development–Development Assistance Committee
PacLII	-	Pacific Islands Legal Information Institute
PICs	-	Pacific Island Countries
PAX	-	Participants
PJDP	-	Pacific Judicial Development Programme
PJSI	-	Pacific Judicial Strengthening Initiative
PNG	-	Papua New Guinea
RMI	-	Republic of the Marshall Islands (Marshall Islands)
SDGs	-	Sustainable Development Goals
TA	-	Technical Adviser
TBC	-	To be confirmed
ToT	-	Train-the-Trainer Workshop
UNESCAP	-	United Nations Economics and Social Commission for Asia and the Pacific
UNFPA	-	United Nations Population Fund
USP	-	University of the South Pacific

This Annual Report is submitted in satisfaction of Milestone 9 of the contract, as varied on 5 June 2019, between the New Zealand Ministry of Foreign Affairs and Trade (MFAT), and the Federal Court of Australia (FCA) for the management and delivery of the Pacific Judicial Strengthening Initiative (PJSI).



Executive Summary

This Annual Report provides a summary of PJSI's Activities and Outputs between July 2018 and June 2019. It also provides a formative evaluation of progress towards and the achievement of Short-Term Outcomes. During the reporting period, PJSI delivered 31 activities and funded 17 locally-led activities on time and within budget. Since PJSI's commencement, 62 activities have been delivered to 1,680¹ people (42% female), and 34 locally-led activities have been funded.²



With Leadership Plans in place, progressed and reviewed; the capacity of judicial leadership to assess needs, plan, own and lead judicial development locally has improved in 12 PICs.

Outreach through the Access to Justice Project has equipped 1,200 marginalised and vulnerable individuals to be able to access justice in and through courts in four PICs. And with documented progress against Access to Justice Plans, accessibility to those PIC courts and justice is also increasing.

As a result of training by PJSI and its partners conducting locally tailored, regional and university level training, judicial and court officers in 12 PICs operate with a higher level of professionalism.

Following the introduction of a significant number of victim-centric policies, processes and

approaches, four PICs are exhibiting more responsive and just behaviour, and treatment that is fair and reasonable. As a result of ongoing support across the region, capacity (both human and systemic) to collect, interpret, apply and report on court performance data has increased incrementally and continuously since 2016.

A full summary of progress and outcomes is provided in **Annex B.1** and a breakdown of activities by theme is available in **Annex B.2**.³ A global view of outputs achieved since PJSI's inception is provided at **Annex B.3**.

¹ Total number of individuals engaged through all PJSI activities. It does not though include several hundred more people have been part of PJSI's services, including those who participated in the various Access to Justice (Enabling Rights) consultations.

² Please see **Annex B.5** for a full outlook of locally-led, PJSI-led and related donor activities.

³ For a breakdown of data by Project, please see **Annex A**.



Summary of Progress

Below is a snapshot of progress made by each Project during the reporting period. For full details please see **Annex B**.

Project 1 – Regional Leadership

All PIC -- 46 participants, 44% female --
93% satisfied

Two Initiative Executive Committee Meetings and a **Chief Justices Leadership Forum** reviewed and approved PJSI's progress, Mid-Term Review, and Phase II design.

A **Judicial Leadership Workshop** reviewed progress against Leadership Action Plan objectives and discussed strategies to address challenges. Participants valued peer interaction/learning and applying new knowledge to implementing a priority reform.

The most useful [experience] was when we shared experiences and ideas, [and] discussed different cases across Pacific countries.

Participant, Vanuatu

Project 2 – National Leadership

FSM, PNG, Vanuatu -- 48 participants,
48% female -- 96% satisfied -- 522%
knowledge gain

Three Project Management and Planning Workshops built capacity to manage and evaluate activities. Participants valued discussing innovations to improve access to justice for marginalised individuals and their role. They also developed comprehensive session plans for subsequent, planned training/activities.

My officers are now running projects based on PJSIs Project Management Toolkit. [This includes] doing budget management, which prior to the workshops they never did before.

John Carey, Director PNGCJE

Project 3 – Leadership Incentive Fund

10 PIC⁴ -- 155 participants, 37% female
-- 85% satisfied

Seventeen activities were delivered, with 34 activities implemented since 2016. See **Annex B.9** for further information.

Project 4 – Access to Justice

Cook Island, Vanuatu -- 50
participants, 52% female -- 97%

Two Access to Justice Consultations/Workshops took place. In the Cook Islands: 10 meetings with 75 court users in four locations highlighted the need for increased public awareness of the role and functions of the courts, basic education on legal rights and responsibilities. Officers received training about treatment of unrepresented

⁴ Kiribati, Samoa, FSM, Vanuatu, PNG, Tonga, Niue, RMI, Palau and Solomon Islands.



satisfaction -- 100% confidence
increase -- 259% knowledge gain

litigants, appropriate judicial conduct, natural justice and procedural fairness, criminal and civil procedure, 'vulnerable' and/or those with a 'disability'. In Vanuatu: 45 group consultations took place in five locations; 75% of the 650 people (40% female) who attended, consider the courts to be independent, honest, competent, and to act with integrity. Two-thirds suggest the courts are fair and provide access to justice/remedies, while half consider the courts to be efficient. Blending public/judicial and court officers in the workshop supported holistic consideration of the issues highlighted during consultations. Since the activity, a Working Group has been established and the first Criminal Offences Guidance is being finalised and translated into Bislama.

FSM translated PJSI's **Enabling Rights & Unrepresented Litigants Toolkit** and provided training about it to judicial and court officers from national, state and local courts across all four States (through the LIF).

Project 5 – Professional Development

Kiribati, Solomon Islands, Vanuatu --
43 participants, 42% female -- 92%
satisfaction -- 82% confidence increase
-- 111% knowledge gain

A **Magistrates Orientation Course** in Kiribati was preceded by a **Train-the-Trainer Workshop** (ToT) for faculty members. A **Regional Decision-Making Workshop** took place in Solomon Islands and the **Judicial Mentoring Toolkit** is being piloted in Vanuatu.

Project 6 – Localising Professional Development

Regional -- 48 participants, 56%
female -- 81% satisfaction &
confidence increase -- 141%
knowledge gain

Our first **Live Webinar** offered cost-effective and participatory learning. It focused on gender and family violence issues, and has been published on PJSI's website. Limited technological capacity and connectivity issues will be addressed for future webinars. A **Regional Court Data Workshop** was held in PNG exploring data fields, systems/processes and planning required to monitor, manage and report on court performance.

Before the webinar, I did not focus on the victim in gender and family violence cases. This has now changed...a judge must have a victim focus in order to achieve a just result.
Witten Philippo, Associate Justice, RMI High Court

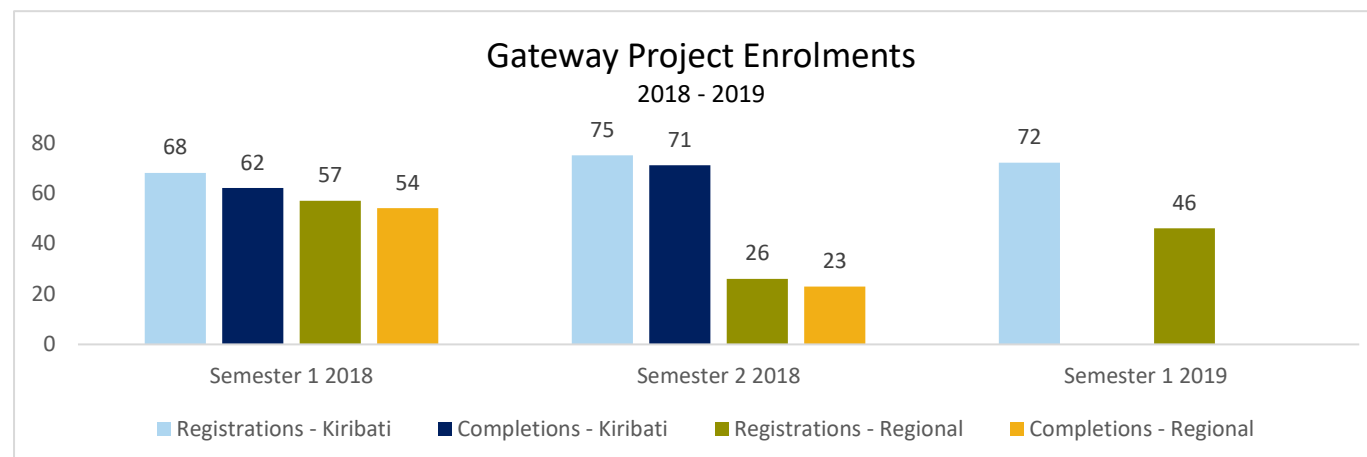
Project 7 – Institutionalising Professional Development

Regional -- 40% female -- 87%
satisfaction -- 72% confidence

Through the **Gateway Project**, PJSI anticipates that 85-90 students will successfully complete the Certificate of Justice by the end of 2019. Participants are currently drawn from eight PIC who report that the courses are accessible and useful. The Diploma of Justice, which provides a second year of study is currently being developed, and is intended as a pathway into degree-level study, and eventually, legal practice. The **Pathway Project** continues to build capacity within PNG's Centre for Judicial Excellence to deliver ongoing education. It has



developed and now offers 10 courses. A Director and small team have been appointed and a Train-the-Trainer workshop for newly appointed staff was conducted to better assess needs, design, deliver and evaluate activities.



Project 8 – Human Rights

Tonga -- 26 participants, 54% female --
90% satisfaction -- 87% confidence
increase -- 137% knowledge gain

Human Rights Workshops in Tonga considered how human rights standards can be applied to deliver both substantive and procedural justice, accountability of and access to justice. Strong demand for orders under the Family Protection Act, 2013 requires the courts to be accessible and responsive to efficiently and effectively deliver appropriate outcomes. A number of practical strategies were developed that apply to suspects, victims or witnesses. Participants valued insight into many new perspectives on human rights and peer sharing approaches to different kinds of human rights issues. A follow-up to PNG to progress previous PJSI assistance, was funded by an LIF grant.

Project 9 – Gender & Family Violence

Vanuatu, Palau, FSM, Samoa -- 165
participants, 34% female -- 88%
satisfaction -- 86% confidence increase
-- 197% knowledge gain

Four Gender and Family Violence (GFV) Workshops took place in Vanuatu, Palau, FSM and Samoa. Each grounded in the normative framework, approaches and methodologies articulated in PJSI's GFV Toolkit, participants discussed the gender inequality at the source of GFV. The input of local civil society was critical to understanding the context/realities of GFV. The strengths and weaknesses of extant court's approaches were considered, along with how those weaknesses can be addressed. All locations requested more training on better responses to victims, acknowledgment and referral, and how to ask questions that did not imply blame or responsibility on victims. A number of changes in attitude, approach and procedures were made as a result of the workshop.



Project 10 - Efficiency

PNG, RMI, Nauru, Tokelau, Niue -- 83 participants, 51% female -- 95% satisfaction -- 100% confidence increase -- 239% knowledge gain

Six in-country visits have taken place in Nauru, Tokelau, PNG, RMI and Niue (two activities) comprising support to: define and implement processes and procedures to ensure case efficiency and control; generate, interpret and use court performance reports to manage caseloads, plan, and take responsive actions including allocating resources. Efficiency Reviews were conducted in all PICs to inform the content of, or refinements to Efficiency Improvement Plans.

Detailed responses to PJSI's **Regional Information Communication Technology Baseline Survey** were received from 11 PICs, and **two Data System Assessments** were conducted in PNG that assessed current/desired information captured and reported on, systems functionality and human capacity required to achieve the latter. The second was with RMI, where it was assessed as being positioned to move towards a Case Tracking System.

Project 11 – Accountability

Samoa, Palau -- 9 participants, 33% female

The **Third Court Performance Trend Report (2011-2018)** updates and analyses progress since the Court Performance Baseline Report of 2011. Its main finding is that excellent Annual Reports are constantly evolving, reflective of the dynamism and innovations being introduced by the courts overtime. Chief Justices and their colleagues in the Cook Islands, RMI, Palau, PNG and Tokelau contributed to many of the tools and checklists forming part of the Court Reporting Toolkit.

In Palau, the **Promoting Accountability in Family & Family Violence Courts** reviewed and assessed current and desired data to be collected, analysed and reported on about the work of the Family Court and the Family Violence Court.



Outcomes

Development goal: building fairer societies.

Programmatic goal: supporting Partner Courts to lead and manage change locally; and develop more accessible, just, efficient and responsive court services.

Short-Term Outcomes

1. Improved capacity of judicial leadership to assess needs, plan, own and lead judicial development locally;
2. Marginalised & vulnerable groups better able to access justice in and through courts;
3. PICs operate with a higher level of professionalisation;
4. PICs exhibit more responsive and just behaviour and treatment that is fair and reasonable (substantive justice); and
5. Cases are disposed of more efficiently (procedural justice).

Leadership

The capacity of judicial leadership to assess needs, plan, own and lead judicial development locally has improved in 12 PICs

Continual increases in collegiality and sharing between PICs, has reportedly promoted confidence among leaders to embark on priority changes.⁵ There has been a 200% increase in approved LIF applications since 2016. Consistent, incremental improvement in PICs capacity to conceive of, design, deliver, evaluate and manage LIF activities has resulted in the PJSI Team providing significantly less support. Objectives have been achieved by 85% of completed, acquitted and evaluated activities.⁶ Further, more and stronger partnerships with other justice and cross-sectoral agencies is yielding beneficial results for courts and court users.⁷

Access to Justice

1,200 marginalised and vulnerable individuals are better equipped and able to access justice in and through courts in four PICs

PJSI collaborated with 123 court staff in four PICs (Vanuatu, FSM, Cook Islands and RMI) to promote understanding and confidence among those vulnerable groups, particularly those outside urban centres. All participants were trained in the content and application of the Enabling Rights Toolkit, which FSM has also translated into four other languages and socialised across those locations.

Approximately 1,210 prospective court users were consulted in four PICs and informed of their rights and how to access them. Courts now better understand these users' informational and access needs. Five PICs (including Kiribati) have developed and/or are implementing a number of strategies to promote outreach and education.

⁵ As identified by respondents to interviews about the Most Significant Change they have perceived as a result of PJSI's interventions.

⁶ See **Annex B.4** for further details about LIF activities.

⁷ Palau, Cook Islands, Solomon Islands, Samoa, PNG, RMI, FSM, Vanuatu, Niue, Tokelau, Tonga and Kiribati.



This includes the formation of court stakeholder committees, court user forums, and community information sessions including in schools and churches. Officers are also taking responsibility for building awareness about access to justice and human rights among communities. Court referral lists are now being developed/updated. Staff are being held accountable for being available to the public, giving equal time and respect to women and children court users. Officers are also better assisting people from remote area to complete their business at the court within the day. Staff are being allocated to assist people with disabilities and accommodate their needs – visiting them at home; making special arrangements to attend court; and ensuring they follow and understand court proceedings.

Through PJSI's promotion of the availability of fee waivers and legal aid: 12 PICs are presenting data on the percentage of civil cases that were granted a court fee waiver. Three PICs presented this data in 2011. In 2018, eight PICs calculate percentage of legal aid cases up from two Courts in 2011.

Professionalisation

Judicial and court officers in 12 PICs operate with a higher level of professionalism

PJSI strengthened competence directly among 266 judicial and court officers, and indirectly among 90 officers.⁸ Increases in competence are reportedly producing visible and positive improvements in professionalism.⁹

We have also continued to build capacity for training to be conducted by local/regional trainers. Among the 123 qualified trainers across all PIC,¹⁰ the quality of local training varies. Anecdotal evidence suggests that trainers are more capably addressing competence needs than before, but PJSI recognises that while excellent capacity exists in several PICs, capacity elsewhere remains nascent. However, systems of training now exist in some PICs, along with discernible improvements in the processes, approaches and judgments of (particularly) lay judicial officers.

In addition PJSI has supported the provision of cost-effective and sustainable in-region professional education for judicial and court officers. Assessments of PNGs CJE suggest that subject to funding, the foundations of institutional-capacity have been laid.

Substantive Justice

Four PICs exhibit more responsive & just behaviour & treatment that is fair & reasonable

By adapting international human rights law and integrating it with local customary values and practices, local codes have been formulated to improve substantive justice outcomes. PJSI addressed misconceptions about the root causes of gender and family violence, and elevated the focus on victims and their safety; perpetrator accountability; preventing harm; and sectoral collaboration. Documented in surveys, interviews and meetings with various stakeholders, the workshops were catalytic for many actions and changed behaviours.

⁸ Anticipated number of people to have completed the PJSI/USP Certificate of Justice by the end of 2019.

⁹ 85% of respondents to the Most Significant Change interviews referenced increases in professionalism as a significant change.

¹⁰ Regional trainers: 50 in 13 PICs, National trainers: 74 in 14 PICs.



Action taken	Kiribati	PNG	Solomon Islands	Tonga
Seeking funding for legal aid services for their courts			✓	✓
Defending position of court not to implement the death penalty				✓
Allocating more resources for circuit courts to increase access to justice	✓		✓	
Developing plans to assist court users who have disabilities	✓			✓
Ordering the release of unlawfully detained persons		✓		✓
Allocation of additional judges to hear human rights cases		✓		
Providing greater notice to parties of court listings			✓	
Referring cases of alleged police mistreatment for investigation		✓		✓
Taking torture and/or mistreatment into account to exclude confessions		✓		✓
Pilot programs of 'circle sentencing' of juvenile offenders				✓
Ordering 'release on bail' with police response to grant bail more often		✓	✓	
Using human rights treaties and constitutional provisions more frequently in decision making; coronial inquests and court judgments	✓	✓	✓	✓
Judicial officers referring human rights complaints to judicial processes	✓	✓	✓	✓
Enabling institutional oversight mechanisms through parallel entities like the ombudsman, police internal investigations, prisons oversight bodies	✓	✓	✓	✓
Simplifying procedures for service, DNA testing, counselling, referral for welfare services		✓		
Providing greater assistance in applying for protection orders	✓	✓	✓	✓
Ensuring unrepresented juveniles understand their choices, rights and the legal implications	✓	✓	✓	✓
Judicial offices inspecting places of detention		✓	✓	✓
Providing information sessions on rights and complaints processes for detainees		✓		
Advocating for improved detention conditions and referring detainees to complaints mechanisms in instances of mistreatment		✓		
Judicial officers liaising with Village Courts when a case is overturned on appeal on human rights grounds – so they do not repeat the same mistakes		✓		
Establishing family/children's courts with changes to use of space in courts (including separate victim waiting areas and entrances)			✓	✓
Emphasis on a victim-centric approach in gender and family violence cases	✓		✓	

Several respondents to the Most Significant Change interviews noted attitudinal changes to human rights and GFV cases. This includes awareness, sensitivity, application of appropriate norms, respect for rights, restorative approaches, community outreach and progress tracking. The responses and documented changes indicate that the myth-culture and taboos around human rights and GFV have been pierced. Equipping committed judicial and court officers with capacity, systems, tools and processes to approach issues differently, has produced measurable differences to how PIC courts consider and treat related issues.

Procedural Justice

Capacity (both human and systemic) to collect, interpret, apply and report on court performance data has increased incrementally and continuously since 2016.

PJSI supported the development and implementation of management/administrative tools and mechanisms to improve efficiency in the disposal of cases among six PICs. This was complemented



by support to internally monitor and evaluate court performance, collecting and externally publishing annual court performance data. The most significant results include:

Sustained Increase in Transparency of Annual Reporting by PJSI Partner Judiciaries: an increase from two, to 11 PICs are now publishing Annual Reports. Five PIC noted that accountability for court performance has been the Most Significant Change, as previously they were delayed, inaccurate and incomplete.

Smaller PICs Maintain Commitment to Annual Reporting: all six not producing reports in 2011, are now publishing Annual Reports.

More In-depth Analysis and Increased presentation of Trend Data in Annual Reports: All PICs have improved the depth of analysis and quality of Annual Reports since 2011. Many judiciaries are now able to present data in a more user-friendly manner incorporating charts and narrative explaining changes.

Some PICs present Sex, Age and Disability Disaggregated Data: sex (seven PICs¹¹), age (six PICs¹²) and disability (one PIC¹³) disaggregated data is now contained in their Annual Reports.

Commitment to Court User Surveys: Three PICs are conducting court user surveys and including the results in their Annual Report. PICs are increasingly using insights from the Annual Report data to better understand priorities. Eight Chief Justices and respondents from five PICs noted improvements in efficiency and accountability are the Most Significant Change PJSI contributed to.

Greater Ability to Report on more Cook Island Indicators:

Red 0-5 PICs reporting on indicator
 Orange 6-9 PICs reporting on indicator
 Green 10+ PICs reporting on indicator

#	Indicator	2011	2018
1	Clearance rate	9	11
2	Average duration of a case from filing to finalisation	2	9
3	The percentage of appeals	8	9
4	Overturn rate on appeal	3	8
5	Percentage of cases that are granted a court fee waiver	3	12
6	Percentage of cases disposed through a circuit court	7	8
7	Percentage of cases where a party receives legal aid	2	8
8	Documented process for receiving & processing a complaint, publicly available	3	6
9	Percentage of complaints received concerning a judicial officer	3	7
10	Percentage of complaints received concerning a court staff member	2	7
11	Average number of cases per judicial officer	8	11
12	Average number of cases per member of court staff	6	10
13	Court produces/contributes to an Annual Report, publicly available in the next year	1	6
14	Information on court services is publicly available	4	9
15	Court publishes judgments on the Internet (court website or PacLII)	13	12

¹¹ Cook Islands, FSM, Kiribati, Palau, Marshall Islands, Tokelau, Tonga.

¹² Cook Islands, FSM, Kiribati, Palau, Marshall Islands, Tokelau.

¹³ Marshall Islands.



Conclusion

Since PJSI commenced, a number of outcomes are becoming evident. These include improved capacity of the region's judicial leaders to assess needs, plan, own and lead judicial development locally. PICs are now operating with a variously higher level of professionalisation and exhibit more responsive and just behaviour. The PJSI Team is grateful for the ongoing direction, support and partnership of the region's leadership.



Annex A: Activities by Project

Theme: Judicial Leadership

Project 1: Regional Leadership

Highlight: The Leadership Action plans were further developed and refined in the Second Judicial Leadership Workshop in Auckland 2018.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
7-9 Sep, 2016	1 st Chief Justices' Leadership Forum	PNG	14	1			
10 Sep, 2016	1 st Initiative Executive Committee Meeting	PNG	4	2			
3-5 Apr, 2017	2 nd Chief Justices' Leadership Forum	Samoa	13	2			96.97%
6 Apr, 2017	2 nd Initiative Executive Committee Meeting	Samoa	5	2			
5-7 Sep, 2017	Leadership Workshop	Tonga	14	6	85.71%		88.10%
28 Sep, 2017	3 rd Initiative Executive Committee Meeting (Remote)	Remote	5	2			
16-18 Apr, 2018	3 rd Chief Justices' Leadership Forum	Auckland	13	0			
19 Apr, 2018	4 th Initiative Executive Committee Meeting	Auckland	6	3			
19-21 Sept, 2018	Judicial Leadership Workshop #2	Auckland	28	13	96.30%		96.30%
15-Oct, 2018	5 th Initiative Executive Committee Meeting	Remote	6	3			
1-3 Apr, 2019	4 th Chief Justices' Leadership Forum	Palau	6	1			88.89%
4-Apr, 2019	6 th Initiative Executive Committee Meeting	Palau	6	3			

Project 2: National Leadership

Highlight:

- Project Management and Planning Workshops took place in Chuuk and Pohnpei, FSM 2018; and
- A further Project Management and Planning Workshop took place in PNG 2018.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
20-24 Feb, 2017	Project Management and Evaluation Workshop	Vanuatu	18	11	78%	842%	92.95%
29 Apr-14 May, 2017	Local Project Management and Planning Visit #1	Tokelau	5	5	80%	640%	93.33%



23 Jul-3 Aug, 2018	Local Project Management and Planning Visit Large LIF #2	FSM	31	13	88%	947%	91.03%
15-19 Oct, 2018	Local Project Management and Planning Visit Large LIF #3	PNG	10	5	100%		90.00%
4-15 Feb, 2019	Local Project Management and Planning Visit Large LIF #4	Vanuatu	7	5	100%	97%	95%

Project 3: Leadership Incentive Fund

Highlight: *Enabling Rights & Unrepresented Litigants Toolkit translated into four local FSM languages.*

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
Dec, 2016	FSM Judicial Conference	FSM	77	19			
15 Feb, 2017	Enhanced capacity building of Tokelau Judiciary	Tokelau	19	6	88%		76%
22 Feb, 2017	Workshop on the law of evidence and criminal sentencing	Samoa	9	4			
16 May, 2017	Attendance at PJSI Regional Certificate Level Training of Trainers Workshop in Rarotonga, Cook Islands (Item Note)	RMI	1	1			
16 May, 2017	Attendance at PJSI Regional Certificate Level Training of Trainers Workshop in Rarotonga, Cook Islands (Ronna Helkena)	RMI	1	1			
6 Oct, 2017	Orientation of Island Court Justices	Vanuatu	19	5		403%	
23 Nov, 2017	Registry Manual (Toolkit for Court Registry Officers)	PNG	1	0			
24 Oct, 2017	Mediation Skills Training	Tonga	6	3			
17 Nov, 2017	Lay Magistrates Training Workshop at Line Islands	Kiribati	20	8			
1 Nov, 2017	Attendance at the PJSI Regional Lay Judicial Officer Orientation Course (Travis Joe)	RMI	1	0			
24 Jan, 2018	Attendance at PJSI Substantive ToT Workshop (France Apera)	Cook Islands	1	1			
24 Jan, 2018	Attendance at PJSI Substantive ToT Workshop (Hainrick Moore)	RMI	1	0			



24 Jan, 2018	Attendance at PJSI Substantive ToT Workshop (Item Note)	RMI	1	1			
11 Mar, 2018	Certificate of Justice - Semester 1	Vanuatu	8	3			
23 May, 2018	Court Video Conferencing, Efficiency Follow-up Visit	Palau	25	17	71.93%	122%	80.70%
10 May, 18	Translation of Enabling Rights & Unrepresented Litigants Toolkit into 4 FSM Languages	FSM	119	54		34.25%	
28 Jun, 2018	Judicial Case Management	Vanuatu	6	0			
5 Jul, 2018	Semester 2 - Certificate of Justice Course 1	Kiribati	18	9			
5 Jul, 2018	Semester 2 - Certificate of Justice Course 2	Kiribati	18	9			
13 Jul, 2018	Presentation at PJC & ICT Summary	Samoa					
27 Sept, 2018	Human Rights Workshop (Judges)	Papua New Guinea	36	7	66%	59%	76.67%
27 Sept, 2018	Human Rights Workshop (Magistrates)	Papua New Guinea	35	15	77%	36%	92.98%
14 Sept, 2018	Implementation of Video Conferencing in the Courts	FSM	19	12			
26 Oct, 2018	Judiciary Awareness on the Leadership Change Plan in Tonga - the Checklists	Kiribati					
25 Oct, 2018	Attendance at Regional Development Workshop (PNG)	Vanuatu	1	0			
27 Nov, 2018	Legal Research Foundation Conference	Tonga	1	0			
06 Dec, 2018	Legal Research Foundation Conference	Samoa	1	0			
14 Feb, 2018	Additional Participant to attend the PJSI Lay Judicial Officer Decision Making Workshop (Rumatiki Alapaki)	Niue	1	0			
17 Jan, 2019	Additional Participant to attend the PJSI Lay Judicial Officer Decision Making Workshop (Judge Lucky)	RMI	1	0			
12 Feb, 2019	Additional x2 Outer Island Participants to attend the PJSI Lay Judicial Officer Decision Making Workshop (Ellen Konare & Tuke Panaskai)	Solomon Islands	2	1			
5 Mar, 2019	Certificate of Justice - Semester 1 2019	Palau	5	4			



18 Apr, 2019	Scoping Paper: Preparing to adjudicate SOV disputes	RMI					
10 Apr, 2019	Certificate of Justice (Semester 1)	Kiribati	17				
12 Jun, 2019	Implementation of Case Tracking System in Marshall Island courts	RMI					

Theme: Access to Justice

Project 4: Access to Justice

Highlight: 650 people participated in 45 group consultations around five locations in Vanuatu. The result of these consultations were important in understanding how the community views the independence, honesty, competency and integrity of the courts.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
15-26 May, 2017	Local Visit #1	FSM	59	21		294.00%	90.00%
5-16 Mar, 2018	Local Visit #2	Marshall Islands	14	6	77.87%		94.44%
1-12 Oct, 2018	Local Visit #3	Cook Islands	19	5		384.00%	100.00%
18-29 Mar, 2019	Local Visit #4	Vanuatu	31	21	100.00%	134.00%	94.87%

Theme: Professionalisation

Project 5: Professional Development

Highlights:

- A Magistrate Orientation Course took place in Kiribati in January 2019;
- Regional Decision-Making Workshop was held in February 2019; and
- A pilot of the Judicial Mentoring Toolkit has commenced in Vanuatu.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
9-18 Aug, 2017	Local Orientation Visit #1	Marshall Islands	26	7		396%	94.4%
Pre-workshop TOT (18-19 Nov) 20-24 Nov, 2017	Regional Lay Judicial Officer Orientation Workshop	Solomon Islands	28	12	78.21%	96%	92.31%
9-18 May, 2018	Local Orientation Visit #2	Samoa	22	3	76.67%	90%	96.30%



20-29 June, 2018	Local Orientation Visit #3	Solomon Islands	21	5	87.88%	22%	90.91%
17-25 Jan, 2019	Local Orientation Visit #4	Kiribati	26	9	79%	90%	89.52%
Pre-workshop TOT (18-19 Feb, 2019) 20-22 Feb, 2019	Regional Training Workshop (Topic: <i>Decision-Making</i>)	Solomon Is.	15	8	85%	133%	95.24%
Late April 2019	Pilot Mentoring Toolkit	Vanuatu	2	0			

Project 6. Localising Professional Capacity

Highlight: In November, PJSI conducted its first remote Webinar on Gender and Family Violence.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
12-23 Jun, 2017	Regional Certificate-level Training-of-Trainers Workshop	Cook Islands	18	12		330%	84.44%
12-16 Feb, 2018	Substantive / Capacity Development Training-of-Trainers Workshop (Topic: <i>A2J, GFV & HR</i>)	Vanuatu	22	12	82.35%	117%	90.20%
1 Nov, 2018	Gender & Family Violence Webinar	Remote	13	6	74%		68%
26-30 Nov, 2018	Substantive / Capacity Development ToT Workshop (Topic: <i>Data management</i>)	PNG	35	21	87.50%	141%	93.75%

Project 7: Institutionalising Professional Development

Highlights:

- On the completion of the Pilot phase of the newly launched Certificate in Justice in February 2018, it is expected that 85-90 students will successfully completed the course at the end of 2019;
- A Diploma of Justice, providing a second year of study following the Certificate, is currently being developed and is expected to be launched in 2020; and
- Through the Pathway Project, the PNG Centre for Judicial Excellence has developed 20 courses which it is delivering to local judicial and court officers.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
31 Oct-4 Nov 2016	Career Pathway: Local Visit #1	PNG	5	1			
30 Jan-3 Feb, 2017	Career Gateway: Local Visit #1	Vanuatu	3	1			



4-9 June, 2017	Career Gateway: Local Visit #2	Vanuatu	3	1			
4-8 Dec, 2017	Career Pathway: Local Visit #2	PNG	2	0			
2-6 July, 2018	Career Gateway: Local Visit #3	Vanuatu	2	0			
4-8 Mar, 2019	Career Pathway: Local Visit #3	PNG	18	8	72.22%		87.04%
20-24 May, 2019	Career Gateway: Local Visit #4	Vanuatu	1	0			

Theme: Substantive Justice

Project 8: Human Rights

Highlight: *The Human Rights Toolkit was piloted and implemented across several countries.*

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
24 Apr-5 May, 2017	Piloting of HR resource / toolkit	Solomon Islands	39	13		348%	83.33%
20 Nov-1 Dec, 2017	Local Visit #1	PNG	82	22		44.50%	93.50%
4-15 June, 2018	Local Visit #2	Kiribati	51	31	85.95%	70.50%	93.06%
4-15 Feb, 2019	Local Visit #3	Tonga	26	14	90.00%	88.50%	93.75%

Project 9: Gender and Family Violence

Highlights:

- *The Gender and Family Violence Toolkit was piloted and implemented across the region; and*
- *Enabled by the local visit, the Draft Palau Court Family Violence Action Plan 2018-20 has been approved by Senior Judge Rudimch and submitted to the Chief Justice for approval.*

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
12-23 June, 2017	Piloting of GFV resource / toolkit	Tonga	41	24	77.78%	71.00%	94.44%
19-26 Nov, 2017	Local Visit #1	Nauru	33	18	69.70%	77.00%	75.00%
6-17 Aug, 2018	Local Visit #2	Vanuatu	18	13	92.59%	60.00%	93.75%
12-23 Nov, 2018	Local Visit #3	Palau	49	23	76.92%	212.00%	89.74%
7-18 Jan, 2019	Local Visit #4	FSM	38	20	88.00%	350.00%	96.49%
20-31 May, 2019	Local Visit #5	Samoa	60	43	100.00%	414.00%	95.83%



Theme: Procedural Justice

Project 10: Efficiency

Highlight: Chief Justice in PNG established a task force to investigate further actual levels and causes of delay nationwide in the National Court.

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
12-22 Jun, 2017	Local Visit #1	Palau	33	24	68.34%	858.00%	86.25%
23-24 July, 2018	ICT Support #1	PNG	5	1			
16-19 Oct, 2018	ICT Support #2	Marshall Islands	9	4			
18-26 Jan, 2019	Local Visit #2	Nauru	23	10	100.00%	112.00%	90.20%
Mar, 2019	Local Visit #4	Tokelau	5	4	100.00%	175.00%	100.00%
29 Apr-10 May, 2019	Local Visit #3	PNG	23	11	100.00%	263.00%	95.40%
24-28 June 2019	Local Efficiency Visit #1	Niue	18	12	100.00%	407.00%	92.59%
24-28 June	Local ICT Visit #1	Niue					

Project 11: Accountability

Highlight: In July, PJSI returned to Samoa to deliver an activity to 'Promote Accountability: Family & Family Violence Courts'.





Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
20-24 Feb, 2017	M&E Visit #1	Vanuatu	20	8			
19-Jun-17	M&E Visit #2	Niue	10	6			
21-25 August, 2017	Accountability Visit #1	Palau	43	27	100.00%	74.00%	94.44%
23-27 July, 2018	Accountability Visit #2	Samoa	9	3			
5-6 Apr, 2019	M&E Visit #3	Palau					



Annex B: Full Summary of Progress

Annex B.1 Summary of Progress and Outcomes

Project 1 – Regional Leadership







PROJECT 1: REGIONAL LEADERSHIP	
	All PICs
	46 participants
	43.5% female
	92.6% satisfaction

A second **Judicial Leadership Workshop** took place in Auckland in September, which was attended by 28 judicial and court officers (46% female). Progress made against Leadership Action Plans developed during the first workshop was reviewed and Plans refined. The workshop provided strategies to address challenges in implementing the Plans from judicial and administrative perspectives. Of the participants, 95% found the workshop useful and relevant to their courts' ongoing development activities.

Participants particularly valued the opportunity to interact and learn from their peers; share stories, challenges, experiences, and solutions relevant in the Pacific; and apply the knowledge they had gained on a reform that was strategically important to their court.

The **Fifth and Sixth Initiative Executive Committee Meetings** took place in October (remotely) and April (Palau), respectively. The **Fourth Chief Justices Leadership Forum** also took place in April in Palau. Attendees were briefed on, and discussed PJSI's progress, the Mid-Term Review, the proposed design of PJSI Phase II, and the agreement of (then) Chief Justice Gates for Fiji to be re-included in PJSI's cohort of partner countries.

Project 2 – National Leadership

PROJECT 2: NATIONAL LEADERSHIP	
	FSM, PNG and Vanuatu
	48 participants
	47.9% female
	92% satisfaction
	96.2% confidence
	522% knowledge gain

In support of a large Leadership Incentive Fund (LIF) grant to the Federated States of Micronesia (FSM), **Project Management and Planning Workshops** took place in Chuuk and Pohnpei in July/August. Out of the 31 participants, 91% (50% female) were satisfied with the workshops and reported an 88% increase in confidence to manage Access to Justice training they planned to deliver. They valued the opportunity to discuss the Court's innovations to improve access to justice for marginalised individuals and their roles in the endeavour.

To that end, they developed comprehensive session plans for the access to justice training. At the request of the PNG Centre for Judicial Excellence (CJE), a further **Project Management and Planning Workshop** took place in October. Focussing on the CJE's capacity to manage and evaluate its activities, 90% of the 10 participants (50% female) were satisfied with the workshop and reported a 100% increase in confidence.





My officers are now running projects based on PJSI's Project Management Toolkit. [This includes] doing budget management, which prior to the workshops they never did before.

John Carey, Director PNGCJE



A final **Project Management and Planning Workshop** was held in Vanuatu in February for seven participants (71% female). Of the participants, 95% reported the workshop to be useful, relevant and effective, and learning gain was assessed at 97%. Three participants who attended PJSI's previous project management training¹⁴ demonstrated significant retention of learning. These participants correctly answered almost three times more questions in the pre-workshop assessment as those with no prior exposure to this type of training.

Project 3 – Leadership Incentive Fund







PROJECT 3: LEADERSHIP INCENTIVE FUND	
	Kiribati, Samoa, FSM, Vanuatu, PNG, Tonga, Niue, RMI, Palau and Solomon Islands
	155 participants
	36.7% female
	84.8% satisfaction

Seventeen Leadership Incentive Fund (LIF) applications have been approved in the past 12 months, taking the total since PJSI's commencement to 34. Fifteen activities required small grants and two were awarded large grants.

The table at **Annex B.4** provides a whole-of-Initiative overview of the LIF grants by PIC, theme, title and completion date.

Where related to a capacity building activity, gender disaggregated participant numbers are also included.

Project 4 – Access to Justice

PROJECT 4: ACCESS TO JUSTICE	
	Cook Islands and Vanuatu
	50 participants
	52.0% female
	97.4% satisfaction
	100% confidence
	259% knowledge gain

During the **Access to Justice Consultations/Workshop** held in the Cook Islands, in October, discussion focused on responding to the key issues raised during 10 meetings with 75 court users in four locations – three of which were outside of Aitutaki.

The consultations highlighted the need for increased public awareness of the role and functions of the courts, and basic-level education on legal rights and responsibilities.

Justices of the Peace, registry staff and court officers were also trained on fundamental aspects of the justice system and court process including: treatment of unrepresented litigants, appropriate judicial conduct, natural justice and procedural

fairness, criminal and civil procedure, and classes of people appearing before the courts who may be 'vulnerable' or suffer a 'disability' who may in the interests of fairness require appropriate support. All of the 19 participants were satisfied with the workshop and reported that the knowledge they gained was practical and useful to their roles.

In an **Access to Justice Consultations/Workshop** held in Vanuatu in March, 45 group consultations took place in five locations – four of which were in remote locations outside of Port Vila. Of the 650 people who attended, 75% (40% female) consider the courts to be independent, honest, competent, and to act with integrity. Two-thirds suggest the courts are fair and provide access to justice/remedies, while half consider the courts to be efficient.







¹⁴ In particular the: *Project Management and Evaluation Workshop* (20-24 February, 2017); and *Judicial Leadership Workshop II* (19-21 September, 2018).



The subsequent Workshop was attended by 31 people (68% female), blending members of the public, with judicial and court officers. It addressed the issues highlighted during the consultations. Of the participants, 95% reported that they were satisfied with the workshop and 72% reported feeling more confident to pursue the Court's Access to Justice goals and their contributing role. Pre and post-activity testing established that participants had gained an increase in knowledge of 134%. Since the activity, a Working Group has been established and the first Criminal Offences Guidance is being finalised and translated into Bislama.

With a large LIF, **FSM translated PJSIs Enabling Rights & Unrepresented Litigants Toolkit** and provided training about it to judicial and court officers from national, state and local courts across all four States. The training was attended by 119 staff from across the four states (26: Yap, 34: Chuuk, 23: Kosrae, 36: Pohnpei). Of these, 45% were female. Participants in each state demonstrated significant learning gains: Yap = 51%, Chuuk = 18%, Kosrae = 39%, Pohnpei = 29%.

Project 5 – Professional Development

PROJECT 5: PROFESSIONAL DEVELOPMENT	
	Kiribati, Solomon Islands and Vanuatu
	43 participants
	41.5% female
	92.4% satisfaction
	81.9% confidence
	111% knowledge gain

A **Magistrates Orientation Course** took place in Kiribati in January. It was preceded by a **Train-the-Trainer Workshop** (ToT) for faculty members. The ToT focused the six (17% female) faculty members on PJSI's Trainer's Toolkit, adult learning techniques and finalising the Course. Under guidance from PJSI Advisers, the faculty comprised three local, qualified trainers and a retired, Australian judicial officer. The Orientation Course was attended by 20 judicial officers (40% female, 10 from outer islands), with 17 Court Clerks observing (59% female). 89% of participants were satisfied with the workshop and 97% found it useful. Aggregate knowledge gain was assessed at 90%.

To further support the capacity of the region's judicial officers to arrive at, and render decisions, a **Regional Decision-Making Workshop** was held in February. Of the 15 participants, 85% (53% female) from seven PICs found the workshop relevant, useful and effective and 85% reported increased confidence. Learning gain was measured at 133%.







There was a noticeable gap between participants with some doing very well, and others unable to answer most post-activity questions. There could be two possible explanations for this:

1. Some participants were much less fluent in the English language than anticipated. Even though body language and facial expressions signalled comprehension, this may have been the result of politeness rather than understanding. This will in future be addressed by engineering the learning environment to accommodate those with English as a second/third language.
2. All participants involved in this workshop come from a primarily oral culture, which may account for a differing approach to jurisprudence as well as difficulties in completing written post-activity questions. In future workshops this can be addressed by balancing the written and oral expectations and discussing them further.



Further to completion of a **Judicial Mentoring Toolkit**, a pilot has commenced. A newly appointed Supreme Court judge in Vanuatu will be mentored by PJSI and an expatriate judge from New Zealand who sits on the Supreme Court. The pilot will be reviewed on completion and the results used to refine the Toolkit and approach for adaptation to other PICs.

Project 6 – Localising Professional Development Capacity

PROJECT 6: LOCALISING PROFESSIONAL CAPACITY BUILDING	
	PNG, remote webinar
	48 participants
	56.3% female
	80.8% satisfaction
	80.75% confidence
	141% knowledge gain

In November, PJSI conducted its first **Live Webinar**. It was joined by 13 people in five PICs.

The purpose of PJSI's webinars is to provide cost-effective, participatory learning opportunities for PICs on a range of subjects.

The first webinar focused on handling gender and family violence cases, the recording of which will soon be published on PJSI's website for broader consumption. In addition to hearing a live presentation, participants were also able to ask questions, and have them answered.

While 74% of participants reported feeling confident to use the platform, the pilot usefully demonstrated the limits in technological capacity among some participants and perennial connectivity issues. These will be addressed prior to subsequent webinars.





Turning to court performance data, a **Court Data Workshop** was held in PNG, in November. Attended by 35 participants (60% female), the workshop focused on the data fields, systems/processes and planning required to monitor, manage and report on court performance. Overall, 94% of participants were satisfied with the workshop, 93% of participants found the workshop relevant and useful, and 87% considered themselves to be more confident to pursue related objectives. Review by the four participating Advisers along with assessment of pre and post-activity surveys, demonstrates a learning gain of 141%.

Before the webinar, I did not focus on the victim in gender and family violence cases. This has now changed...a judge must have a victim focus in order to achieve a just result. I gained important knowledge without leaving work! This technology suits Pacific Islanders.

**Witten Philipppo, Associate Justice
High Court of the Marshall Islands**



Project 7 – Institutionalising Professional Development

PROJECT 7: INSTITUTIONALISING PROFESSIONAL DEVELOPMENT	
	Vanuatu and PNG
	40.0% female
	87.0% satisfaction
	72.2% confidence

This Project comprises two components – creating a **Gateway** into legal education; and a **Pathway** to continued advancement.¹⁵

The **Gateway Project** launched a Certificate in Justice in February 2018. It was designed, and is delivered, in partnership with the University of the South Pacific (USP).

The Certificate provides an introduction to law, courts and their processes, criminal and civil law.

It has been delivered on a country basis for Kiribati, owing to substantial interest and local participants; and regionally to all other participating PICs. On completion of the pilot phase, it is expected that 85-90 students will successfully complete these four courses in the Certificate of Justice at the end of semesters 1 and 2 of 2019. Participants were drawn from eight PIC. In 2018, 26 participants (12 female, 46%) were funded by PJSIs LIF granted to Kiribati and Vanuatu. In 2019, five students from Palau were funded by PJSIs LIF (four female, 80%).¹⁶

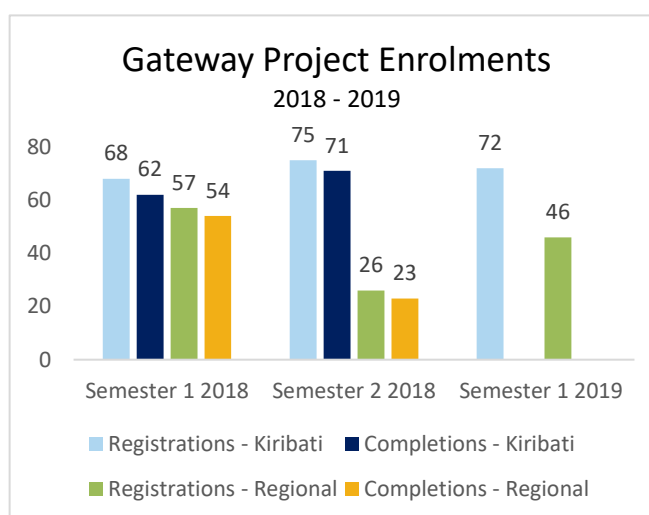
The most useful [experience] was when we shared experiences and ideas, [and] discussed different cases across Pacific countries.

Participant, Vanuatu

Participants reportedly found the courses accessible and useful. Post-course anecdotal evidence from both Kiribati and Vanuatu – where participation levels have been the greatest, suggests that judicial officers who completed the course are more confident now on the bench compared to before when they could not understand the court processes/ rules.

A Diploma of Justice, providing a second year of study following the Certificate, is currently being developed following approval from USP Senate.

It is intended to provide a pathway into degree-level study, and eventually, legal practice. It will comprise courses on Law and Society, Professionalism and Communication in Court Practice and Judicial Administration. We anticipate that the Diploma will be launched in 2020.



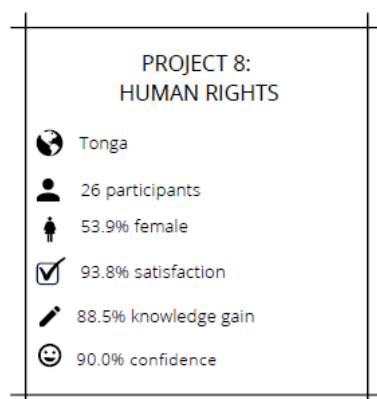
¹⁵ Less than half of the regional participants continued with semester two on account of some failures which prevented them continuing and some participants not ably managing the combination of work, familial responsibilities, and study requirements.

¹⁶ The drop in Semester 2 registrations is attributable to: 27 students who did not pass either of the Semester 1 prerequisite courses and were unable to progress; and some students 'dropping out' of the Certificate due to family or work commitments.



Through the **Pathway Project**, PJSI continues collaborating with the PNG Centre for Judicial Excellence (CJE) to build the institutional and human capacity for it to deliver ongoing education to judicial and court officers in PNG and across the Pacific. To date, the CJE has developed 10 courses which it is delivering to local judicial and court officers. As recommended by PJSI and agreed by PNG, CJE has appointed a Director and small team to manage the development and delivery of training. In March, a Train-the-Trainer workshop was conducted for newly appointed CJE staff to better assess needs, design, deliver and evaluate judicial training activities. 87% of participants were satisfied with the workshop, and 85% found the workshop useful and relevant to their roles. They also reported a 72% increase in confidence.

Project 8 – Human Rights



Human Rights Workshops for judges, magistrates, court staff and other justice sector actors took place in PNG in November (funded under a LIF grant) and Tonga in February. The Workshops aimed to increase knowledge of human rights standards and how to apply them in their daily roles. Court leaders in both countries actively engaged in and supported the participation of their courts in human rights training and committed to directing greater resources and efforts to protecting human rights through their efforts.

This includes:

- The allocation of an additional judge to hear human rights cases (PNG);
- Proactively seeking resources for additional human rights training (PNG);
- Adding human rights training as a compulsory part of induction of new judges and magistrates (PNG);
- Seeking funding for legal aid services (Tonga);
- Resisting implementation of the death penalty (Tonga and PNG);
- Planning to provide access to courts for people with disabilities (PNG and Tonga);
- Relocating use of court room space to accommodate needs of women and children (Tonga);
- Working to appoint more female Magistrates (Tonga).







A three day workshop was held with 35 District Court Magistrates and 36 National Court Judges in PNG. As this was the second human rights visit to PNG, it was possible to assess the changes that had occurred in the behaviours of participants since the last human rights visit. Judges and magistrates gave many examples, such as releasing people held unlawfully in detention, inspecting conditions of police cells and prisons, and implementing procedures to help victims of gender based violence give their evidence without intimidation such as arriving at court through separate entrances and in separate waiting areas, using screens in court rooms to avoid eye contact between victims and suspects and directing questions from unrepresented suspects to the victim via the judge and not directly, and many other measures. This visit was funded under a LIF grant.

The two workshops in Tonga were attended by seven judicial officers (14% female), six Ministry of Justice staff and two lawyers (87% female). Discussions included: how human rights standards can be applied in both substantive and procedural justice, accountability of and access to justice.



Strong demand for orders under the Family Protection Act, 2013 is requiring the courts to create equally accessible and responsive mechanisms to efficiently and effectively deliver appropriate outcomes in protection cases. In the Adviser's view, participants developed a number of practical strategies to deliver a better experience for people who come before the Court, whether they be suspects, victims or witnesses. Feedback indicates that participants found the workshops to be a valuable introduction to many new perspectives on human rights and also provided a much needed space for participants to share their experiences and approaches to dealing with different kinds of human rights problems experienced in Tonga in practice. 98% of court staff/lawyers and 90% of judicial officers were satisfied with the workshops. Aggregate knowledge gain among court officers/lawyers was assessed to be 106%, and among Magistrates; 71%.

Project 9 – Gender and Family Violence

PROJECT 9: GENDER AND FAMILY VIOLENCE	
	Vanuatu, Palau, FSM and Samoa
	165 participants
	50.5% female
	93.9% satisfaction
	89.4% confidence
	259% knowledge gain

Between August and March, four **Gender and Family Violence Workshops** took place in Vanuatu (18 participants, 61% female), Palau (49 participants, 47% female), FSM (37 participants, 54% female) and Samoa (60 participants, 71% female).

The workshops aimed to foster understanding of the gender inequality at the source of gender and family violence, identify strengths and weaknesses in the court's approach to related cases, and to determine how the weaknesses will be addressed.

In all locations, the workshops were grounded in the normative framework, approaches and methodologies articulated in PJSIs Gender and Family Violence Toolkit. They also included the vital input of local civil society closely connected to the realities of those who have experienced gender/family violence. In all locations more training was requested to focus on better responding to victims, particularly listening, acknowledgment and referral skills, as well as how to ask questions that did not imply blame or responsibility on victims.

PIC	Satisfaction	Knowledge gain
Vanuatu	91%	60%
Palau	90%	212%
FSM	97%	350%
Samoa	95%	414%

In **Vanuatu** Participants identified a range of improvements to increase both the accessibility and responsiveness of the Magistrates Courts to the victims of family violence.

These include issuing ex-parte temporary protection orders; including review dates in those orders; requiring proof of order service; requesting the assistance of civil to undertake awareness raising with key stakeholders including chiefs; and, ensuring victim safety is addressed in the construction of new court premises. Chief Justice Lunabek publicly released Vanuatu's Magistrates Court Family Violence Action Plan.

As a result of the workshop in **Palau**, many participants reported thinking differently about gender equality. Their Action Plan comprises, regularising court-community engagement; translating key documents in to Palauan; conducting access to justice assessment and court user surveys; ongoing training and professional development; monthly peer debriefing for court staff, to promote









wellbeing; quarterly sentencing reviews and publication of trial sentences and judgements on PacLII.

Participants attending the workshops in **FSM** determined that training for judicial and court officers on the other two islands is a priority, along with coordinating and discussing family violence awareness messaging with churches, government departments to produce a shift from victim blaming to ensure responses are sensitive and prioritise victim safety. A lack of judicial participants prevented discussion and inclusion of plans to strengthen the Court's response to perpetrator accountability, or to review sentencing in family violence cases.

The workshop in **Samoa** resulted in the drafting of a Family Violence Action Plan. The toolkit training allowed court staff and stakeholders to gain exposure to basic concepts of gender relations as well as the underlying causes and dynamics of family violence. Whilst existing parallel programs offered by other service providers, the workshop sought to provide the Family Violence Court with a consistent message on the issue and clear confusions about the root causes of family violence. The Court aims to continue its therapeutic approach to family violence matters, focusing specifically on encouraging victims to access formal law and justice services, and perpetrator accountability.

Project 10 – Efficiency

PROJECT 10: EFFICIENCY	
	PNG, RMI, Nauru, Tokelau and Niue
	83 participants
	50.6% female
	94.5% satisfaction
	100% confidence
	239% knowledge gain

Six efficiency related activities have taken place since July 2018.

The purpose of the activities was to continue to support Nauru, Tokelau, PNG, RMI and Niue to achieve their objective of disposing of cases in a reasonable time. This has continued to comprise support to: define and implement processes and procedures to ensure case efficiency and control, and to generate, interpret and use court performance reports to manage caseloads, plan, and take responsive actions including allocating resources.

The activity with **Nauru** took place in January 2019 and comprised the development and conduct of an Efficiency Self-assessment, along with refinements to the Nauru judiciary's Improvement Plan to sustainably address identified areas for improvement. Among the 23 participants who attended a workshop (39% female), the aggregate knowledge gain was assessed as 112%, with 90% of participants being satisfied with the workshop. Based on Nauru's objectives, the Adviser suggested the priority activities for the judiciary include: conducting a complete case audit; updating the case registers; creating an Excel case register and training staff how to correctly input, interpret and report the resultant information; upgrading the document filing systems and reducing the currently significant absenteeism levels.

The activity with **PNG** occurred in May 2019, to support the National Court and Supreme Court of PNG to identify strategies to manage and dispose of cases in a way that is just, timely, efficient and fair. An Efficiency Self-Assessment was conducted and an Efficiency Improvement Plan development. Across the two workshops, 23 participants attended (48% female) and demonstrated an average overall increase in knowledge gained of 263%. The overall satisfaction



for the workshop was 95%. The input also resulted in the Chief Justice establishing a Task Force to investigate further the actual levels and causes of delay nationwide in the National Court, specifically including the areas of reserve judgments and pre-trial persons in custody.

During the in-country work with **Tokelau** (in Samoa) an Efficiency Review was conducted, the results of which were used to inform an Efficiency Improvement Plan. All outstanding data for the 2016/2017 and 2017/2018 Annual Reports was collated, and two procedures developed: a Draft Standard Operating Procedure for caseload and a Draft Complaints Procedure. Finally, and importantly for benchmarking future performance, Time Goals were established. All four participants (all female) demonstrated an average increase in knowledge of 175% and were 100% satisfied with the workshop.

After yesterday's Efficiency Review workshop, I understand that regular performance evaluation is important and necessary to show us the areas where we may be on the right track, and areas where we may need to look at other ways that we can improve.

Efficiency workshop participant, Palau

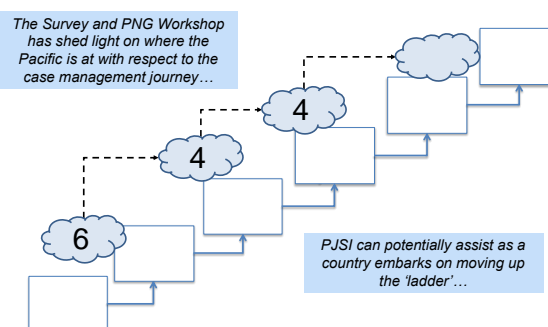
Further support to **Palau** was enabled through a LIF grant. The purpose of the activity was to embed the culture of continuous improvement by introducing the use of periodic Efficiency Reviews and the use of its results to inform actions to address ongoing deficiencies in performance against time goals. 32 (75% female) court staff were trained, 81% of whom were satisfied with the workshop. Through pre and post-activity assessments learning gain was established at 122%. As a result of the Efficiency Review, it was possible to measure that since the baseline activity in June 2017, the following progress has been achieved:

- Land Court: 31% delay reduction and disposal of all cases older than 2010 (totalling 98 cases, dating back to 1998);
- Supreme Court Trial Division: 200% clearance rate, disposal of 87% filed before 2017, and 71% filed before 2016, and 50% reduction in significantly delayed cases;
- Court of Common Pleas: 84% reduction in age of pending cases;
- Performance data against the Cook Island Indicators is significantly more reliable; routinely collected, analysed and reported on; and used to monitor caseload and inform plans to address inefficiencies.

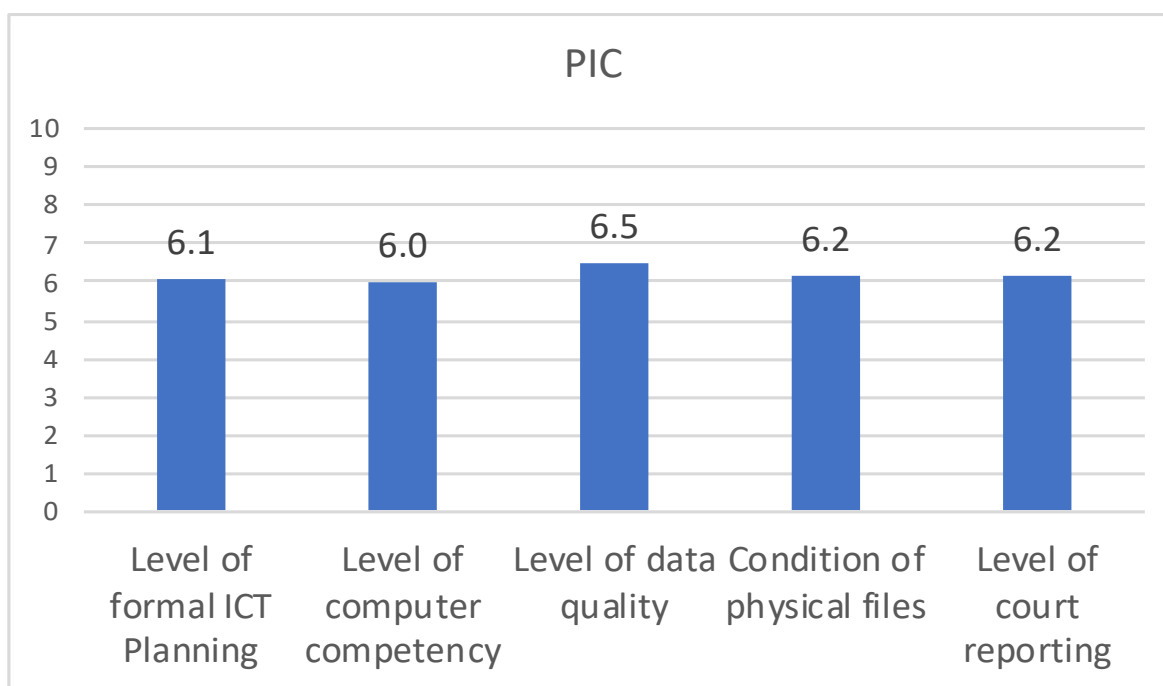
Niue: Conduct of an Efficiency Review, informed an Efficiency and Performance Plan, and ICT Plan. Following procedures developed: excel case tracking workbooks, Court Performance Dashboard, Niue Court Performance Indicators (7), Quarterly Report Template, Court Roster, Checklist for completed action for criminal matters, Caseload Audit Guidelines.

Detailed responses to PJSIs **Regional Information Communication Technology Baseline Survey** were received from 11 PICs. On analysis by the Adviser, the status quo in each PICs is as follows:

- 11 PIC completed the Survey;
- 30 'components' of technology were assessed in terms of their availability, usage and impact across technologies 'inside' the



- courtroom, 'around' the court, 'outside' the court, and 'under' the court (infrastructure);
 - Of the 30 components:
 - Email and desktops/network are in use in 2 PIC;
 - Court recording is in use in 1 PIC; and
 - Case tracking systems, publishing judgments, and infrastructure systems – HR and Finance – are used in 8 PIC;
 - From a maximum score of 330 (11 countries * 30 components) – PIC have implemented 148 'components' of technology, or 45%;
 - Some 'components' have yet to be tried, e.g. use of SMS, e-courtrooms, e-search, e-service and speech recognition software (for judgments etc.);
 - 'Usage' of the technology, varies depending on whether the court was looking at the result on behalf of the WHOLE PIC versus by jurisdiction;
 - For those technologies not installed (over 50%) – there were very few plans either under consideration or in progress;
 - In terms of 'impact' of the technology installed, 8 PIC rated 80% or higher that if removed, the impact would be significant. This suggests that investments have been on the important aspects of operation/service delivery e.g. court recording (of proceedings) and publishing of judgments;
 - In most cases – with the technology installed – there was close alignment with 'high impact' if removed. Some notable exceptions include; video conferencing for personal use, and the infrastructure systems such as asset management;
- When asked about 5 key aspects of the use and management of technology, the responses were consistently around 6 to 7 out of 10;
- The number of ICT support staff:
 - 8 of the 11 countries had on average 2 ICT staff;
 - 2 countries had no dedicated ICT staff;
 - 1 country had a significant number of ICT staff.






Overall grading:

Band	TOTAL	Installed	Not installed but planned	Deployment	Business Impact
1	< 20%	Minimal investment and installation of technologies	Very little planned or under development	Technologies are deployed in only a few areas of the Court.	Technologies not yet contributing fully or adding value to the operation of the court.
2	20 - 39%	Limited investment and installation of technologies	Some technologies under consideration	Technologies are deployed in only some key areas of the Court.	Very few technologies clearly adding value to the operation of the court, that if removed, or unavailable, court operations would be impacted. Many technologies not yet contributing fully.
3	40 - 59%	Moderate investment and installation of technologies	Court looking to a moderate introduction of new technologies	Technologies are deployed in a most key areas of the Court.	Some technologies clearly adding value to the operation of the court, that if removed, or unavailable, court operations would be impacted. Many technologies not yet contributing fully.
4	60 - 79%	Significant investment and installation of technologies	Court has plans for substantial investment in new technologies	Technologies are deployed in all key areas of the Court and are used consistently by all levels.	Most technologies clearly adding value to the operation of the court, that if removed, or unavailable, court operations would be impacted. Several technologies not yet contributing fully.
5	80 - 100%	Substantial investment and installation of technologies	Court has a very aggressive plan for the introduction of new technologies	Technologies are deployed in all areas of the Court and are used consistently by all levels.	Technologies installed clearly adding value to the operation of the court, that if removed, or unavailable, court operations would be severely impacted.
		45%	14%	72%	82%
		Of the surveyed technologies (30) are available within the court environment	Of those technologies NOT installed - what % are being planned or considered	Of those technologies installed, what % deployment is there across the court	Of those technologies installed, what benefit are they providing as measured by what impact if removed

Support to PNG was bolstered by a **Data System Assessment** that took place in July. The aim of the assessment was to plans for improvements to the breadth and quality of available and reported court performance data. To that end, an assessment was made of the information currently captured and reported on, versus the information the judiciary wishes to capture and report on; along with the systems functionality and human capacity required to achieve the latter.

A further **Data Systems Assessment** was conducted in RMI in October. The assessment focused on the quality of data maintained within extant online records, and readiness to move towards a Case Tracking System (CTS). The Adviser noted that reliable data dating back 10 years, positions the RMI Courts to move towards a CTS.

Project 11 – Accountability

PROJECT 11: ACCOUNTABILITY	
	Samoa and Palau
	9 participants
	33.3% female

PJSI has continued to support the collection, analysis and reporting of court performance data; providing remote support to 10 PICs during the reporting period and communicating with all 14 PICs. With this Report, PJSI publishes the **Third Court Performance Trend Report** updating the Court Performance Baseline Report of 2011 against the 15 Cook Island indicators agreed upon by PJSI Chief Justices in 2011.

It presents a picture of significant improvements in court annual reporting over the last seven years. The Chief Justices and their colleagues in the Cook Islands, RMI, Palau, PNG and Tokelau contributed to many of the tools and checklists forming part of the Court Reporting Toolkit (also updated in 2018). One of the most striking observations since 2011 is that excellent Annual Reports are constantly evolving, reflective of the dynamism and innovations being introduced by the courts overtime. The 2018 PJSI Court Performance Trend Report also shows a number of jurisdictions that do not publish data each year against the 15 Cook Island court performance indicators and the PJSI Annual Reporting Adviser works remotely with Chief Justices and court staff to build the capacity of those jurisdictions.



In July, PJSI returned to Samoa to **Promote Accountability: Family & Family Violence Courts**. The visit focused on reviewing the available and requisite data to be collected, analysed and presented to internal and external stakeholders concerning the work of the Family Court and the Family Violence Court. Both courts commenced operation in August 2013 and are working toward producing a Trend Report showing data from the first five years of their operation from 2013 to 2018.

Evaluation

PJSI evaluated the extent to which its short-term outcomes have been achieved. Using **Kirkpatrick's Evaluation Model** PJSI has continually collected data about Levels 1 and 2.

The results of these assessments is included in the aforementioned narrative about each Project. PJSI also assessed the extent to which behavioural change (Level 3) is evident and linked to PJSI's various projects. Our evaluative approach explores change across PJSI's five themes, triangulating quantitative (where available) and qualitative data.

Data was gathered from each PIC relative to the activities each has been involved in to answer the evaluation questions about the extent to which:

1. Change is driven locally
2. Those in need understand, and are confident to exercise their rights
3. Officers deliver excellent service
4. Courts deliver fair results
5. Delay continue to impede justice

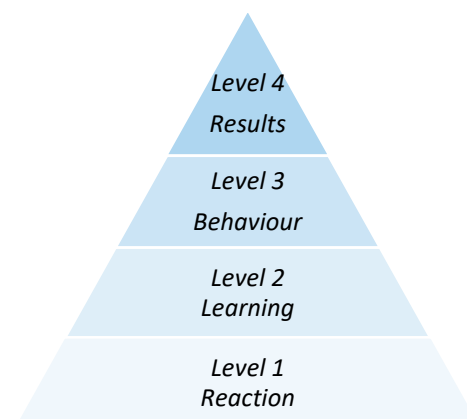
Complimentary qualitative data was gathered through 45 semi-structured interviews incorporating a modified **Most Significant Change** technique (MSC) with respondents in all PICs. The MSC comprises questions about behavioural changes as perceived by respondents, to which PJSI contributed. This data comprises responses to questions about changes in individual behaviour and 'stories' from PJSI activity participants.

Outcomes

PJSI contributes to the broader development goal of *building fairer societies* by supporting *Partner Courts to lead and manage change locally; and develop more accessible, just, efficient and responsive court services*.¹

Around the thematic priorities comprising those Long-Term Outcomes, PJSI aimed to achieve five Short-Term Outcomes through the delivery of 11 projects:

1. Improved capacity of *judicial leadership* to assess needs, plan, own and lead *judicial development locally*;
2. Marginalised & vulnerable groups better able to *access justice* in and through courts;
3. PICs operate with a higher level of *professionalism*;



4. PICs exhibit more responsive & just behaviour & treatment that is fair & reasonable (*substantive justice*); and
5. Cases are disposed of more efficiently (*procedural justice*)

Given the inextricable link between PJSIs projects and that change is universally predicated on attitudinal and behavioural changes, many visible changes are connected and span more than one thematic area. Examples of this are evident from responses to the MSC in **all** PICs which noted a **significant increase in motivation, confidence, collegiality and commitment** to all aspects of PJSIs interventions they have been involved in. Coupled with increased competence, systems, processes and tools, PICs have embarked on projects to improve access and efficiency, as well as to improve responses to human rights and gender and family violence issues.

Court staff are investing more time, effort and patience to explain and assist court users, particularly those who may be disadvantaged (FSM and Kiribati – Enabling Rights, PNG and Vanuatu – Human Rights). Managers have been empowered to make change, and their staff are taking the initiative to improve the court environment to make it more welcoming and responsive, particularly among disadvantaged court users (Tonga, PNG Kiribati, FSM, Cook Islands, Palau). Managers also report that the staff who attended PJSIs workshops were now performing their duties differently and showed greater acceptance of change, staff less likely to turn people away or tell them they need a lawyer (Solomon Islands, Kiribati).

Leadership

The capacity of judicial leadership to assess needs, plan, own and lead judicial development locally has improved in 12 Partner Courts: *Palau, Cook Islands, Solomon Islands, Samoa, PNG, RMI, FSM, Vanuatu, Niue, Tokelau, Tonga and Kiribati*

At the outset of PJSI, PICs self-assessed their capacity to lead change as low or moderate.¹⁷ Less than a fifth of development activities delivered in each PIC were being designed and delivered without external expertise. To assess whether leaders are more capable of assessing needs, planning, owning and leading judicial development locally, PJSI measured the extent to which regional leaders demonstrate more active leadership and guidance of regional and local activities. Since 2016, PJSI has witnessed continual increases in collegiality between PICs, and sharing of challenges and solutions. Respondents to the MSC said that this promoted confidence among leaders to embark on priority changes (Palau, Cook Islands, Solomon Islands, PNG, RMI, FSM).

¹⁷ PICs completed a self-assessment during the PJSI Activity Design Consultation Workshop, Auckland, February 2016 which asked them to rate capacity against the following criteria: *Human Capability*: breadth and depth of the 'human quotient' within a partner court, namely; extent of operational and financial independence, succession capabilities, number of key positions occupied by skilled personnel; *Professionalism*: number of people with legal education and at which level; *Existence of institutionalised court development frameworks*; *Capacity to Drive and Manage Locally*: assessment of partner courts' 'proactivity' and project management capacity; *Equity / Fairness*: Levels of support/funding available either from jurisdiction's own government or other donor initiatives; and *Sustainability*: potential autonomy and self-reliance once donor support ends. Pacific Judicial Strengthening Initiative, *Final Activity Design Document*, 2016, Sydney, p24. All PICs considered their capacity as medium, but for Tokelau, Niue, Nauru and Tuvalu who considered their capacity to be low.



During an inauguration speech, the Chief Justice of PNG put as his top priority, the removal of delayed reserve decisions.

His statements made headline local news and demonstrate strong leadership in this critically important area.

MSC respondent, PNG

Commitment to achieving local objectives is also evident in the 200% increase in the number of approved LIF applications. Since 2016 there has been consistent, incremental improvement in each PICs capacity to conceive of, design, deliver, evaluate and manage LIF activities. The PJSI Team provides significantly less support to PICs through the application, implementation and reporting phases of their projects. 29 LIF activities (85%) were completed, acquitted evaluated and considered to have achieved their objectives.¹⁸ Three PICs noted in MSC interviews that internal capacity to plan, design, deliver and evaluate local projects is the most significant change to have occurred as a result of the PJSI (PNG, Palau, Cook Islands).

Also evident as a result of several PJSI projects – particularly access to justice and both substantive justice projects – is greater willingness to, and effectiveness in, partnering with other justice sector agencies. Cross-sectoral relationships have enabled the Courts to socialise their objectives and work in partnership to achieve specific objectives (Vanuatu, FSM, Cook Islands, RMI, Palau).

Demonstrative of PICs commitment to gender balance in the appointments of judicial officers is emerging. Several female appointments have been made and more applications from women to be judicial officers have been received (Kiribati, Solomon Islands, Tonga).

While these appointments were not made by PIC judicial leaders, their repeated call for gender equality on the bench may have been influential in those decisions. PJSI and respondents to MSC interviews have also witnessed better respect for and interaction with female staff in the court (Solomon Islands, Vanuatu). In light of this analysis, PJSI considers that the Outcome of the Leadership thematic area has been achieved.

As a result of participating in PJSI's leadership, two willing and able champions have emerged.

Deputy Registrar, Federal Court of Australia, comments from a DFAT report about the development of a model of self-administration in the Solomon Islands

Access to Justice

Some members of marginalised & vulnerable groups are better equipped & able to access justice in and through courts in four PICs: FSM, RMI, Cook Islands & Vanuatu.

Vulnerable groups and those living outside urban centres in the Pacific (55% of the population, or 5.5 million people)¹⁹ do not readily access formal courts or legal representation. There are also low levels of knowledge of the law, bound up with low levels of education among a number of PIC populations, and poor understanding of formal courts processes. The latter is in part a result of continuing recourse to informal mechanisms. There are also scant resources dedicated to

¹⁸ See **Annex B.4** for further details about LIF activities.

¹⁹ United Nations Population Fund estimate 2014, http://countryoffice.unfpa.org/pacific/drive/web_140414_UNFPAPopulationandDevelopmentProfiles-PacificSub-RegionExtendedv1LRv2.pdf.



increasing legal literacy.²⁰ The cost of going to court (including a lack of fee waivers)²¹ and capacity to access courts are also reasons why courts are inaccessible across PICs. Even in the courtroom, a lack of legal representation jeopardises fairness either through an imbalance of adversarial power or errors of law or procedure. Further, the subjugation of cultural values, particularly related to gender-based violence demonstrates a deleterious impact of lacking knowledge. This disproportionately impacts women.²²

The United Nations Population Fund (UNFPA) confirmed that those particularly vulnerable to abuses of their rights and most marginalised from the formal justice system are youth (34% of PIC populations), the elderly (7% of PIC populations), those with disabilities (17% of PIC populations), those living in rural areas (55% of PIC population), foreign workers, refugees, women (24% of PIC populations) including those who fear reprisal from their husbands, and people who are trafficked.²³

The Enabling Rights project is the biggest community initiative we have ever taken as a court.

MSC Respondent, Kiribati

To address this, PJSI's objective was to collaborate with a cross-section of PICs to promote understanding and confidence among those vulnerable groups, particularly those outside urban centres.

Since 2016, 123 court staff in four PICs (Vanuatu, FSM, Cook Islands, RMI) have been trained in the content and application of the Enabling Rights Toolkit (43% female). The Toolkit has been translated by FSM into four other languages, which also socialised it across those locations.

Approximately 1,210 prospective court users in those four PICs were consulted during the process, enabling the courts to better understand their informational and access needs. As a result, five PICs (including Kiribati that PJSI has continued to support remotely) have developed and implemented a number of strategies to promote outreach and education.

Court outreach now exists where it did not before PJSI. This is evident through the formation of court stakeholder committees, court user forums, community information sessions including in schools and churches, and information about human rights and responsibilities (Cook Islands, FSM, RMI, Tonga, Solomon Islands, PNG, Kiribati). Local justices are also beginning to take responsibility for providing awareness on access to justice and human rights in communities, and are now able to better articulate how human rights and custom work together. (Solomon Islands, Kiribati, Cook Islands, FSM).

²⁰ UN Women. *Women and Children's Access to Formal Justice in Vanuatu* pp5, 25; Pacific Judicial Development Programme. Federal Court of Australia. *Enabling Rights Project Completion Report* by Dr. Livingston Armytage. Sydney, 2014, p5; Vanuatu Report, p107 and p109.

²¹ Ibid p25.

²² 60% of women surveyed in Vanuatu had no knowledge of the law (compared to 27% of men and 5% of chiefs); Vanuatu Report, p109 and further discussed at p135.

²³ All figures cited in this paragraph are drawn from the United Nations Population Fund estimate 2014, http://countryoffice.unfpa.org/pacific/drive/web_140414_UNFPAPopulationandDevelopmentProfiles-PacificSub-RegionExtendedv1LRv2.pdf.



Court referral lists are also now being developed and staff members are allocated to keep it updated and distribute it to staff and the public (Kiribati, Tonga). Managers are now also holding staff accountable for being available to the public, giving equal time and respect to women and children court users (Tonga, Kiribati). They are also ensuring staff are always available to assist the public during open court hours (Tonga, Solomon Islands, PNG, Kiribati).

Two years ago people thought justice wasn't fair and that it was disrespectful. Thousands and thousands of people are positively impacted by the Enabling Rights Project. Public trust in court – is the biggest change. They now see that it is not a scary place, but a place that can provide help to them.

MSC respondent, FSM

After publicising court fee waiver provisions in 2018, the court received 15 fee waiver applications, 11 of which were granted. 9 were in family law matters, representing 23% of the 40 family law cases filed. 10 female and 1 male applicant benefited from receiving the fee waiver.

Excerpt: Palau Supreme Court Annual Report, 2018

And court officers are better assisting people from remote area to complete their business at the court within the day so they do not have to incur expense to stay over night (Solomon Islands). Staff are also now being allocated responsibility to assist people with disabilities and accommodate their needs. This has included visiting them at home or their vehicle; making advance arrangements enabling them to come to court; enabling the use of court facilities (eg bathrooms); and ensuring they follow and understand court proceedings (PNG, Kiribati, Tonga).

PJSI has also continued to promote the availability of fee waivers and legal aid to promote access to justice. In 2011, three PIC courts could present data on the percentage of civil cases that were granted a court fee waiver for one or more jurisdictions. In 2018, 12 courts could present data on the percentage of civil cases that were granted a court fee waiver for one or more jurisdictions. In 2018, eight Courts could calculate the percentage of cases in which parties received legal aid (FSM, Kiribati, RMI, Niue, Palau, Samoa, Tokelau, Tonga), up from two Courts in 2011. The table at **Annex B.7** provides insight into how many fee waivers have been granted by PIC courts.

Following this analysis, PJSI considers that the Outcome for the Access to Justice thematic area has been *partially achieved*. PJSI has equipped Partner Courts with the capacity and tools to execute their own plans to improve access to justice. It will take time for Partner Courts to conduct adequate outreach and to alter internal practices and facilities to enable this outcome to be fully achieved.



Professionalisation

Some judicial and court officers in some PICs operate with a higher level of *professionalisation*.

Approximately 80% of discussants participating in PJSIs Needs Assessment expressed confidence in officers within their apex courts, but much less confidence in lower court judges, particularly where they are not legally qualified and/or well trained. They also considered court officers to be less professional in these courts. The identified needs ranged from understanding the role of the justice system - and their role within it - to fundamental aspects of law and procedure, generic judicial skills and the precepts of judicial independence, ethical standards and the principles of procedural justice or fair trial. Improving the competence of judicial and court officers ranked as the highest priority need (at 47% of responses received).

To address this, PJSI continued support for fundamental competence increases; further devolution of responsibility for conducting training to local and regional trainers/training; and the development of cost-effective and sustainable in-region option/s to professionalise officers.

PJSI replenished, extended and embedded training expertise to conduct legal and procedural training. The cadre of in-PIC trainers currently stands at 123 people in 14 PICs.²⁴ While the quality of local training delivery varies across the region, capacity is forming and anecdotal evidence from MSC respondents suggest it is more capably addressing competence needs than before (Vanuatu, Cook Islands, RMI).

After participating in the ToT, I know we can do it ourselves.

MSC respondent, RMI

Further, as several other MSC respondents noted, a system of training exists that was not there before, along with discernible improvements in the processes, approaches and judgments of (particularly) lay judicial officers (Vanuatu, Cook Islands).

Continuing also to focus directly on addressing priority aspects of knowledge, judicial skills and ethical attitudes, PJSI supporting 266 judicial and court officers to administer and deliver justice competently. Several PICs noted that PJSIs most significant change is in the domain of professionalisation through increases in confidence and competence delivered by PJSIs activities and a number of PJSI-inspired, local activities (Cook Islands, Vanuatu, RMI).

Following PJSI/USPs review of the Certificate of Justice and its administration were recently some useful refinements to maximise its benefit, sustainability and impact, were identified. These comprise:

1. *Acknowledging that most participants already work in courts.* The courses will be reoriented to include the fundamentals of law participants need in their operating environments, and maximising practical examples/exercises to assist them.
2. *Ensuring the course and materials are accessible.* This will be achieved by considering the use of podcasts to deliver lectures, given the proclivity of oral culture in the region. Terminology will also be simplified to account for English being many participants' second language, and the selection criteria requiring proficiency in English will be re-clarified.

²⁴ Regional trainers: 50 in 13 PICs, National trainers: 74 in 14 PICs.



3. *Ensuring the course is manageable by working participants.* Course materials will be reduced and the assessment structure will be revised to minimise stress caused by examinations which make up the majority percentage of participants' marks.
4. *Measuring learning, behavioural change and impact.* Pre and post course assessments are critical to determine the baseline from which learning gain can later be measured. Pre-course assessments were not undertaken during the pilot year, but will be in future. Following successful completion of the Certificate, Chief Justices, Registrars and others who routinely observe participants 'at work' will be surveyed to identify changes in behaviour resulting from increased knowledge. To assess the impact on the legal community interacting with the courts, the local bar will be surveyed to identify any changes/improvements in participants' performance.
5. *Increasing sustainability.* This can be achieved by closing the gap between national endorsements of the Certificate and actual enrolments. To date, the Certificate has been viable because large cohorts from two PICs enrolled into it. Closing the gap will require funding, the sources of which are to be determined. It also requires commitment on the part of the region's Chief Justices – such as that demonstrated by Chief Justice Muria from Kiribati who has mandated completion of the Certificate as a prerequisite to recruitment to the Court.

I anticipate that the Certificate & Diploma will ultimately support the appointment of Kiribati's first indigenous judicial officers and in due course, Chief Justice.

MSC Respondent, Kiribati

Following its support to the PNG CJE, post-activity assessments evince the foundations of institutional-capacity having been laid. However, this capacity is both formative and fragile; and does not yet extend to CJE being able to provide courses for judicial and court officers across the region and PNG have not yet confirmed that they have secured funding to the CJE's operations over the coming three years.

Our presenters for our decisions programme for lay judicial officers have seen a clear benefit from participants doing the Certificate of Justice first. They report a greater ability in participants who have completed this study to identify, for example, elements of the offence and understand and apply other legal concepts.

Tina Pope, Administrator, Judicial Pacific Participation Fund

While only a peripheral indicator of improved competence, PJSI also collected data about the rate of decisions overturned on appeal. In 2011 no court presented 3-5 year trends on this indicator. In 2018 five PIC courts (FSM, Kiribati, Niue, RMI, Tonga) presented trends over 3-5 years on the overturn rate on appeal. This allows judicial leadership, court stakeholders and the public to see whether the percentage of the original court decisions affirmed or overturned on appeal is changing or not and provide reasons for these trend changes. Court leadership can implement appropriate judicial education programmes if there is a significant percentage of first instance decisions being overturned on appeal. Further



details about overturn on appeal rates is provided in **Annex B.8**.

In light of this analysis, PJSI considers that the Professionalisation Outcome has been *partially achieved*. It has not been fully achieved as access to foundational and periodic training is emerging and not yet available to all judicial and court officers in all PICs. PJSI has however, made significant inroads to building local and in-region capacity to deliver ongoing professionalization opportunities among peers.

Substantive Justice

Four PICs exhibit more responsive & just behaviour & treatment that is fair & reasonable: *Tonga, Solomon Islands, PNG, Kiribati*

More than two thirds of women and girls in the Pacific experience Gender and Family Violence (GFV) - *twice* the global average.²⁵ Patriarchal norms along with the breakdown of matriarchal norms, gender stereotypes, and custom have embedded structural gender discrimination within many Pacific societies. This has eroded avenues for justice, redress, and protection. These barriers allow perpetrators to evade accountability. As a result, women are vulnerable and have little faith in the justice system.²⁶

Customary reconciliation remains prevalent in many PICs, often regardless of the age or consent of the survivor. Even within PIC courtrooms, there are deeply entrenched social and cultural biases which have fused with law and undermine the capacity of survivors to seek and obtain redress in formal courts. In addition, there is limited infrastructure, inadequate policies and rules among PIC courts to ensure the safety and privacy of women and children survivors and witnesses of violence, and to avoid their re-traumatisation.²⁷

Judicial officers often reduce sentences in GFV based on factors which unjustly privilege the perpetrator over the survivor, through gender stereotyping, rape myths and the consideration of

²⁵ Ibid; UN Women Pacific. *Ending Violence against Women and Girls: Evidence, Data and Knowledge in Pacific Island Countries*, by Jenny Ryan and Lina Abirafeh. Suva, 2011, available from: <http://www2.unwomen.org/~media/field%20office%20eseasia/docs/publications/2011/ending%20violence%20against%20women%20and%20girls.pdf?v=1&d=20160810T043145>; 20% of women reporting being sexually abused before the age of 15: Secretariat of the Pacific Community. *Kiribati Family Health and Support Study: A study on violence against women and children*, by Emma Fulu. Noumea, New Caledonia, 2010. Available from: <http://countryoffice.unfpa.org/pacific/drive/KiribatiFamilyHealthandSafetyStudy.pdf>; 37% of women reporting being sexually abused before the age of 15: Secretariat of the Pacific Community, *Solomon Islands Family Health and Support Study* 2009.

²⁶ 58% of cases involved a child under the age of 18, 40% involved a child under the age of 15 and 28% involved a child aged between 12 and 15: International Centre for Advocates Against Discrimination, *An Analysis of Judicial Sentencing Practices in Sexual and Gender-Based Violence Cases in the Pacific Islands Region*, 2015 (hereafter referred to as the ICAAD Report) available from <http://www.pacii.org/other/general-materials/ICAAD-Analysis-of-Judicial-Sentencing-Practices-in-SGBV-Cases.pdf>.

²⁷ UN Women. *Women and Children's Access to Formal Justice in Vanuatu*, by Leisha Lister, Indira Rosenthal and Cate Sumner. Fiji, 2016 Available from: http://www2.unwomen.org/~media/field%20office%20eseasia/docs/publications/2016/07/women_childrens_access_formal_justice_vanuatu_web.pdf?v=1&d=20160803T095212, p25.



customary practices.²⁸ Mitigating factors are raised in the majority of GFV cases,²⁹ leading in 50% of cases to a reduction in sentence.³⁰

In 2016 there was very little knowledge or awareness among judicial and court officers across PICs about how Human Rights are relevant to the work of courts. Human rights were seen as something remote, abstract, Western and non-essential to the roles of court actors.

During PJSIs needs assessment 27% of discussants considered the courts to be responsive, just, fair and reasonable. To address this PJSI adapted and integrated norms of international human rights law with local customary values and practices for the courts to formulate local codes of human rights for use by court officers and members of the community to deliver improved substantive justice outcomes. It also worked with several PICs to address misconceptions about the root causes of gender and family violence and elevate the focus on: victims and their safety; perpetrator accountability, preventing harm and sectoral collaboration.

PJSIs human rights and GFV workshops were catalytic for many actions and changed behaviours. Documented in surveys, interviews and meetings with the different stakeholder groups who participated in related activities, there are a number of visible performance changes.

Court leaders are more actively and directly address human rights issues presenting in their courts, and allocating more resources regarding human rights. Documented examples include:

Papua New Guinea	Solomon Islands	Tonga
<ul style="list-style-type: none"> • Allocation of additional judges for human rights cases; • Seeking human rights training; • Mandating human rights training in induction process for new judges and magistrates. 	<ul style="list-style-type: none"> • Ordering release of juveniles from detention; • Changing processes regarding transfer and detention of juveniles while at Court; • Reallocating resources to set up a juvenile/family court; • Use of court room spaces to accommodate needs of women and children. 	<ul style="list-style-type: none"> • Investigating complaints of abuse in prisons; • Providing counsel for unrepresented persons facing lengthy sentences; • Use of court room spaces to accommodate needs of women and children; • Prioritising GFV cases.

PJSI has also observed changes in the approach to unrepresented defendants in cases involving juveniles or victims of family/sexual violence. This includes courts prioritising these cases, (Tonga, Solomon Islands, PNG Kiribati) and judges are requesting parties direct their questions for witnesses/victims to the bench to convey; rather than asking them directly (PNG, Tonga, Kiribati).

Increased time and attention is also being paid by judicial officers to explain and assist disadvantaged court users, including victims of gender-based violence, juveniles and people with disabilities, their rights (PNG, Solomon Islands, Tonga, Kiribati) and how to make complaints and

²⁸ Ibid p11.

²⁹ 90% of domestic violence cases, 76% of murder cases and 73% of sexual assault cases, Ibid p22.

³⁰ 66% in domestic violence cases, 45% in murder cases and 51% in sexual assault cases.



enforce their rights. An example of this is more time is being spent supporting GFV victims to complete applications for protection orders, information if they seek to withdraw their complaint (Tonga). Lay officers are also using their position to protect women suffering from domestic violence (Solomon Islands).

PJSI has also observed more active engagement in human rights advocacy and processes implemented by Partner Courts. Documented examples include:

Action taken	Kiribati	PNG	Solomon Islands	Tonga
Seeking funding for legal aid services for their courts			✓	✓
Defending position of court not to implement the death penalty				✓
Allocating more resources for circuit courts to increase access to justice	✓		✓	
Developing plans to assist court users who have disabilities	✓			✓
Ordering the release of unlawfully detained persons		✓		✓
Allocation of additional judges to hear human rights cases		✓		
Providing greater notice to parties of court listings			✓	
Referring cases of alleged police mistreatment for investigation		✓		✓
Taking torture and/or mistreatment into account to exclude confessions		✓		✓
Pilot programs of 'circle sentencing' of juvenile offenders				✓
Ordering 'release on bail' with police response to grant bail more often		✓	✓	
Using human rights treaties and constitutional provisions more frequently in decision making; coronial inquests and court judgments	✓	✓	✓	✓
Judicial officers referring human rights complaints to judicial processes	✓	✓	✓	✓
Enabling institutional oversight mechanisms through parallel entities like the ombudsman, police internal investigations, prisons oversight bodies	✓	✓	✓	✓
Simplifying procedures by developing court forms and processes regarding service requirements, DNA testing, counselling process, referral for welfare services		✓		
Providing greater assistance in applying for protection orders	✓	✓	✓	✓
Ensuring unrepresented juveniles understand their choices, rights and the legal implications	✓	✓	✓	✓
Judicial offices inspecting places of detention		✓	✓	✓
Providing information sessions on rights and complaints processes for detainees		✓		
Advocating for improved detention conditions and referring detainees to complaints mechanisms in instances of mistreatment		✓		
Judicial officers liaising with Village Courts when a case is overturned on appeal on human rights grounds – so they do not repeat the same mistakes		✓		
Establishing family/children's courts with changes to use of space in courts (including separate victim waiting areas and entrances)			✓	✓
Emphasis on a victim-centric approach in gender and family violence cases	✓		✓	

Counterparts in several PICs noted during the MSC interviews that the most significant change observable among their peers their attitude and approach to human rights and GFV cases (Solomon Islands, Samoa, Palau, FSM). They noted in particular; changes in awareness, sensitivity, application of appropriate norms, respect for rights, restorative approaches (juvenile justice),



community outreach and progress tracking. These changes are becoming evident in some protection orders (Vanuatu).

They attribute these changes to PJSI having broken through the myth-culture and taboos associated with abuses, while also equipping them with the capacity, systems, tools and processes to approach associated issues and people, differently.

Following this analysis, PJSI considers that the Outcome for the Substantive Justice component has been *partially achieved*. This Outcome has not been fully achieved as there are a considerable number of macro and micro changes required to ensure the adoption of holistic treatments and entrenched behaviours that can be considered responsive, just, fair and reasonable. PJSI has however, laid significant foundations through attitudinal change and changes to approaches that if continued will produce measurable changes for court users.

Procedural Justice

Cases are disposed of more efficiently in one PIC, Palau

While some PICs established time goals and increased the efficiency with which cases are disposed of in courts prior to PJSI, delay was cited by 16% of respondents to the PJSI needs assessment survey as the most significant impediment to justice.³¹ Also, while some PICs were able to report on some key court performance indicators (the Cook Islands Indicators) prior to PJSI, no PIC was reporting comprehensively against all indicators.

PJSI has therefore assisted PICs to develop and implement management and administrative tools and mechanisms to improve efficiency in the disposal of cases. PJSI also supported PICs to internally monitor and evaluate court performance, collecting and externally publishing annual court performance data. Since 2016, a number of positive changes have occurred. The most notable changes in the area of efficiency include:

Demonstrable improved understanding and application of case management and caseload practices: Through the PJSI Efficiency Project, PICs (Palau, Tokelau, PNG, Nauru and Niue) completed an Efficiency Self-Assessment which examined, analysed and ranked seven efficiency areas: Current Performance, Leadership, Procedures, Judicial Management, Caseload Control, Delay Management and Court Personnel Participation. This assessment process resulted in the production of a detailed Efficiency Improvement Plan, which will be used to guide ongoing improvements in procedural justice, and assist courts meet obligations to conduct a fair trial in a reasonable time. As evidenced in the case of Palau, this process can be the catalyst for transformative and extensive improvements. The process and development/deployment of a performance data dashboard, also provides a baseline from which improvements can be monitored and measured.

Increased ownership and visibility of court performance and delay reporting: In each PIC where the Efficiency Project interacted current performance data was obtained and presented. In each

³¹ 16% of respondents cited delay as the key impediment to justice: Pacific Judicial Strengthening Initiative, *Needs Assessment Report and Indicative Design Concept*, 2016, Sydney p6. Delay is contributed to by variable capacity among judicial and court officers, inefficient case listing, management and disposal processes along with a lack of agreed time standards and/or non-adherence to them.



PIC it was for most participants the first time they had been provided an insight into the levels of delay and numbers of outstanding reserve judgments. PNG provides a powerful example of the impact of the focus of the Efficiency Project on court performance reporting as the input resulted in the creation of a National Court Task Force to specifically investigate delay nationwide, including in the delivery of unduly delayed reserve judgments. The work of the Task Force will help assure procedural justice and strengthen public trust and confidence in the court.

Increased use of technology to support efficiency and accessibility:

In RMI and PNG, data system assessments demonstrated the functional and informational gaps between actual and desired data standards; both qualitative and quantitative. In Palau, the data dashboard has transformed efficiency in performance reporting and responses. In FSM and Palau; where the use of video conferencing technology was installed, the pilots indicate significant time, cost and convenience saving made from not transporting judges, officers, parties and witnesses.

My Chief Justice would not let me attend this conference unless I met my time goals.

MSC Respondent, Palau

The most notable changes in the area of transparency and accountability include:

Sustained Increase in Transparency of Annual Reporting by PJSI Partner Judiciaries:

In 2011, only the judiciaries of the RMI and Vanuatu published an annual report each year and only the RMI produced an Annual Report that was publicly available through the court's website or PacLII. In 2018, judiciaries in 13 PICs produce or contribute to an Annual Report. Nine PICs (64%) produced or contributed to an Annual Report that is publicly available in the year immediately following the reporting period. Six PICs (43%) make this Annual Report publicly available in the year immediately following the reporting period. 6 PICs (43%) make this Annual Report publicly available in the year immediately following the reporting period.

Previously the courts were closed in terms of transparency and accountability. There has been noticeable and visible change with how information is shared internally and externally. That behavioral reality demonstratively shows that court leaders have benefited from exposure, training, interaction with PJSI and other court leaders in the Pacific, to improving access to justice.

John Carey, Director PNGCJE

PICs reported that most significant change instigated by PJSI relates to accountability for court performance (Palau, Cook Islands, PNG, RMI, Vanuatu). Interviewees reported that their Court Annual Reports were previously delayed, inaccurate and incomplete. PJSI's interventions have bolstered understanding of the importance of data insights, built the capacity (including human and systemic) to accurately capture relevant data, and the collegiality/commitment to do so.

Smaller PICs Maintain Commitment to Annual Reporting: In 2011, the judiciaries of the Cook Islands, FSM, Kiribati, Niue, Palau and Tokelau did not produce an Annual Report. In 2018, three of these six jurisdictions have produced an Annual Report every year since 2011, while the remaining three PICs have produced at least three Annual Reports since this time.



More In-depth Analysis and Increased presentation of Trend Data in Annual Reports: In 2011, the Annual Reports that were produced would often present a single year's court data without analysis of how the year's performance compared with the previous years' accomplishments. By creating, and supporting uptake of a tool to collect data over a number of years, recent Annual Reports from a number of PICs include trend data presented in clear charts and tables. All PJSI partner judiciaries have improved the depth of analysis and quality of Annual Reports over the last seven years. Many judiciaries are now able to present data in a more user-friendly manner incorporating charts and clear narrative text that explain the reasons for changes in court performance to a wide range of court stakeholders.

Some PICs present Sex, Age and Disability Disaggregated Data: In 2018, PJSI further developed its tool to allow courts to present data disaggregated by sex and age. The systemic capacity to collect this data is emerging, but already, several PICs are presenting sex (7 PICs³²), age (6 PICs³³) and disability (1 PIC³⁴) disaggregated data in their Annual Reports.

Greater Ability to Report on more Cook Island Indicators:

Red 0-5 PICs reporting on indicator
Orange 6-9 PICs reporting on indicator
Green 10+ PICs reporting on indicator

#	Indicator	2011	2018
1	Clearance rate	9	11
2	Average duration of a case from filing to finalisation	2	9
3	The percentage of appeals	8	9
4	Overturn rate on appeal	3	8
5	Percentage of cases that are granted a court fee waiver	3	12
6	Percentage of cases disposed through a circuit court	7	8
7	Percentage of cases where a party receives legal aid	2	8
8	Documented process for receiving & processing a complaint, publicly available	3	6
9	Percentage of complaints received concerning a judicial officer	3	7
10	Percentage of complaints received concerning a court staff member	2	7
11	Average number of cases per judicial officer	8	11
12	Average number of cases per member of court staff	6	10
13	Court produces/contributes to an Annual Report, publicly available in the next year	1	6
14	Information on court services is publicly available	4	9
15	Court publishes judgments on the Internet (court website or PacLII)	13	12

Commitment to Court User Surveys: From 2011–2018, both the Marshall Islands and Palau undertook four court user surveys and the results are included in their Annual Reports. The Supreme Court of FSM also undertook a survey, the results of which are included in its 2018 Annual Report.

Further, it is evident that PICs are using the insights from the data analysis process to better understand where they need to prioritise their attention, plans, change, and allocate/seek resources (RMI). Several PICs noted that the most significant change PJSI has contributed relates to efficiency and accountability (8 Chief Justices, Palau, Cook Islands, PNG, RMI, FSM). Through the

³² Cook Islands, FSM, Kiribati, Palau, Marshall Islands, Tokelau, Tonga.

³³ Cook Islands, FSM, Kiribati, Palau, Marshall Islands, Tokelau.

³⁴ Marshall Islands.



sophistication of data systems and the accuracy of data collection and analysis, PIC Courts have been able to understand how they are performing and use that insight to respond to deficits.

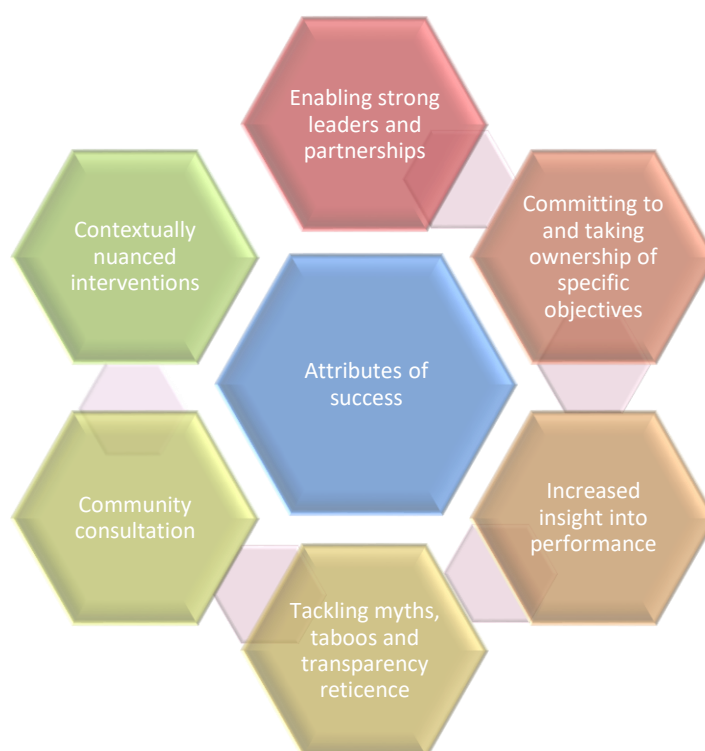
In Palau a MSC respondent noted that the most significant change observed nationally has been the systematic collection and analysis of GFV data which has informed the courts about the barriers which it has prioritised to remove.

The legislature and congress are responding more positively to funding our needs because they have confidence in our work.

MSC respondent, FSM

In light of this analysis, PJSI considers that the Efficiency Outcome has been achieved in 1 Partner Courts. While efficiency goals remain an ongoing challenge to establish and adhere to, capacity (both human and systemic) to collect, interpret, apply and report on court performance data has increased incrementally and continuously since 2016.

Attribution



PJSI attributes the successful achievement of its various outcomes to a collection of interrelated factors:

Sustainability

PJSI continues to build strong professional relationships with key stakeholders and between counterparts in different Partner Courts. Once built, these relationships are then maintained through a combination of in-person and remote activities. By continuing to engage and support

these individuals is how further changes will be identified and implemented over the Extension Phase.

Across the region's leadership it is now accepted that courts should be transparent and accountable to the public for the work that they do – a prerequisite to sustainability of outcomes and ongoing progress. PJSIs support to planning, capacity building and implementation of changes is translating that commitment into results. There is increased ownership by PIC leadership, and the capacity to identify and rectify court performance deficiencies. The PJSI team have also observed a change in mindset and approach of the region's leaders in acknowledging and addressing efficiency gaps.

The combination of PJSI activities has bolstered sustained progress in access to justice, gender and family violence; and human rights through the establishment of a 'community of practice' bringing court actors together at a regional level to: present related court developments and case law from their countries; discuss common challenges and practical approaches to address them; and identify common projects to work on such as implementing measures to ensure courts are physically and procedurally accessible; agree on some common indicators, and sharing materials/templates that could be adapted and used for court outreach efforts.

Relevance

PJSI ensures the relevance of the Initiative by being responsive to positively changing attitudes towards access to justice, gender and family violence, human rights, efficiency, transparency/accountability. Train-the-Trainer activities are consistent with our objective of developing responsibility for local training to local actors/partner courts.

PJSI maximises engagement with non-court actors, both institutional and community, which has informed a better understanding of the specific local access to justice, gender/family violence and human rights challenges. This in turn, enabled the tailoring of nuanced and contextually relevant training for court actors about how they can better respond to community justice needs.

Through targeted advocacy among justice sector agency heads, PJSI has enabled discussion about particular laws, access to justice, gender and family violence, and human rights issues, as well as options/appetite for change.

The Cook Island indicators on court performance were developed in 2011 with Chief Justices. For the majority of PICs this began a process of collecting and analysing court performance data in order to (i) reflect internally on areas that could be improved and (ii) publish certain court performance to engage with the public on the efficient and effective use of resources in the delivery of justice.

The Efficiency Project responds directly to quantified delay or lack of visibility/knowledge about court performance. Both of which remain high priorities for most PICs and PJSI-supported Efficiency Improvement Plans in all PICs with which we have worked, demonstrates ongoing relevance.

Effectiveness

PJSI ensures effectiveness through the approach and delivery of its activities. For example, the delivery of the remote webinar allowed for cost and time effective means of reaching a significant



number of people, while not compromising on participatory/interactive approach. The webinar activity did require a significant amount of before/after input by multiple Advisers.

The Train-the-Trainer activity produced a large number of trained people. However, this has not necessarily translated into a large amount of training and professional development occurring locally.

Impact

PJSI has successfully impacted upon partner courts, for example the 2018 Annual Report for the Tonga Family Protection Legal Aid Centre together with the 2018 Courts of Tonga Annual Report presents a picture of the significant improvements that have occurred in Tonga in terms of transparency of court and legal aid data. It also shows the critical role of leadership from a Chief Justice on the importance of legal aid and court fee waiver for clients facing financial hardship to enable them to bring their family law matters to court.

In addition, as a result of the Efficiency Project there is:

- Increased knowledge of procedural justice, case management and caseload management that supports the achievement of the conduct of a fair trial in a reasonable time;
- A pathway to improve efficiency in the processes and procedures that support efficient case disposal; and
- Increased visibility, transparency and knowledge of the necessity to manage and monitor court performance-reporting systems.

Efficiency

PJSI's approach to blend regional, local and remote activities has maximized time and resources and the necessary intensity of bilateral assistance.

Risks, Mitigation & Opportunities

Risk 1: Devolution of technical and managerial responsibility for ongoing judicial / court development may not align with counterparts' expectations, resulting in an inability to effectively transfer responsibility to partner courts. To mitigate this risk, the Extension Plan ensures that support to Partner Courts, and the outcomes to be achieved, will be tailored in accordance with Partner Court's identified needs, capacities, and progress made to-date.

Risk 2: Partner courts may have insufficient capacity, resources or commitment to assume responsibility for their own development resulting in ongoing 'donor dependence'. PJSI mitigated this risk by maximising engagement as well as building capacity and commitment to sustain in-country momentum. Furthermore, the Extension Plan proposes a 'follow-up' approach to the implementation of activities as a way to further embed learning and change.

Risk 3: Inaccessibility and non-responsiveness of Partner Courts will impact on PJSI's ability to meet medium and long term Initiative outcomes. To mitigate this risk, the Extension Plan focuses on continuing to build relationships with Partner courts to engage and seek commitment, as well as providing flexibility to work through any barriers to accessibility. This engagement will commence



at the 4th Chief Justice Leadership Forum in Palau, where sign-off by Chief Justices will be sought for both the Extension Plan; and for the activities proposed to be held in each jurisdiction.

Risk 4: The diversity of Partner Court needs may stretch PJSI resources too thinly, lacking the strategic focus of a regional initiative resulting in limited change at the partner court-level. To mitigate this risk, the Extension Plan will focus on embedding previous support provided to address priority Partner Court needs, while ensuring that all support falls within the strategic framework defined for PJSI.

Risk 5: Sustainability of building fairer societies through accessible, just, efficient and responsive court services may be limited when PJSI activities cease in 2021 as the Initiative often plays a catalytic role in the change process. Once again, the 'follow-up' approach proposed in the Extension Plan will provide an opportunity to further embed learning and change - and hence strengthen sustainability. PJSI will also seek MFAT's direction on future funding to enable a collaborative and sustainable handover is undertaken and proposes a number of 'bridging' activities (Output 1: Sustainable Development Goals; and Output 5: Institutionalising Bar Associations and Legal Aid) to facilitate a transition to future support post-PJSI.



Annex B.2 Breakdown of Activities

Theme	July 2016 – June 2018	July 2018 – June 2019	Total
Judicial Leadership	27	24	51
Access to Justice	2	2	4
Professionalisation	10	8	18
Substantive Justice	5	5	10
Procedural Justice	4	9	13
Total	48	48	96

Theme	July 2016 – June 2017	July 2017 – June 2018	July 2018 – June 2019	Total
Judicial Leadership	11	16	24	51
Access to Justice	1	1	2	4
Professionalisation	4	6	8	18
Substantive Justice	2	3	5	10
Procedural Justice	3	1	9	13
Total	21	27	48	96



Annex B.3 Outputs

Over the past three years, PJSI has achieved the following with respect to the agreed outputs for each of its 11 Projects.

Project 1 – Regional Leadership

Objective: Chief Justices trained in leadership & associated tools provided.	
Activity outputs as designed	Actual activity outputs
6 regional activities attended by 1 person from 14 PICs	6 regional activities attended by representatives from an average of 13 PICs. Full participation at every regional activity was not attained, as several PICs did not nominate anyone to attend, and/or had to withdraw their attendance.
Mean activity satisfaction rating of 80%	Mean activity satisfaction rating of 92.4%. All activities had a satisfaction rating above 80%.
Chief Justice trained/supported in to lead change within their courts/judiciaries	Across the 6 regional activities, Chief Justices were trained in: <ul style="list-style-type: none"> • Judicial leadership across the Pacific and globally; • The drivers of change facing the courts across the Pacific, and the impact these may have on the court core values and operations; • Leadership approaches and tools to guide the judiciary successfully through turbulent times; • Key concepts of judicial/court leadership; and • Strategies to address challenges in implanting leadership action plans and developing/refining Leadership Action Plans.
5 inter-court linkages established	Solomon Islands and Papua New Guinea have developed a Memorandum of Understanding.

Project 2 – National Leadership

Objective: National judicial leaders trained in leadership & change management & associated tools provided.	
Activity outputs as designed	Actual activity outputs
1 regional activity attended by 1 person from 14 PICs	1 regional activity attended by representatives from 13 PICs. Tuvalu did not nominate a representative to attend.



8 local activities each training/supporting 10 people	4 local activities delivered (Tokelau, FSM, PNG and Vanuatu) each training an average of 14 people. These local activities were dependent on large LIFs being submitted/requiring support. Only 4 LIFs required a Project Management and Planning Visit.
Mean activity satisfaction rating of 80%	Mean activity satisfaction rating of 91.7%. All activities had a satisfaction rating above 80%.
People trained in leadership and change management	74 people across five activities trained in leadership and change management. An average learning gain of 485.2% was demonstrated, and an average increase in confidence of 89.2%.

Project 3 – Leadership Incentive Fund

Objective: Local activities conducted through training & funding provided.	
Activity outputs as designed	Actual activity outputs
35 grants provided over 5 years	34 grants approved between 2016-June 2019.
All activities implemented	29 activities implemented and acquitted. 5 activities are yet to be finalised and acquitted, due to delays in PIC reporting.

Project 4 – Access to Justice

Objective: PICs courts committed to improving access to justice, people trained & relevant tools provided.	
Activity outputs as designed	Actual activity outputs
1 regional activity attended by 1 person from 14 PICs	1 regional activity delivered in Vanuatu, attended by 1 person from an average of 13 PICs.
4 local activities each training/supporting 10 people	4 local activities (FSM, RMI, Cook Islands and Vanuatu) were delivered to an average of 31 participants. All activities were delivered to more than 10 people.
Mean activity satisfaction rating of 80%	Mean activity satisfaction rating of 94.8%. All activities had a satisfaction rating above 80%.
Development and use of supporting resources	Development and use of the <i>Enabling Rights Toolkit</i> .

Project 5 – Professional Development

Objective: Judicial / Court Officers trained in priority areas of knowledge skill & attitude	
Activity outputs as designed	Actual activity outputs



5 regional activities attended by 1 person from 14 PICs	2 regional activities delivered, attended by at least one representative from an average of at least 7 PICs. Full participation at every regional activity was not attained, as several PICs did not nominate anyone to attend, and/or had to withdraw their attendance. At the first regional activity, it was decided by regional leadership that the funding for the remaining 3 activities would be reallocated to other projects.
4 local activities each training/supporting 10 people	4 local activities (RMI, Samoa, Solomon Islands and Kiribati) delivered training/supporting an average of 33 participants.
Mean activity satisfaction rating of 80%	Mean satisfaction rating of 92.8%. All activities had a satisfaction rating above 80%.
Development and use of supporting resources	Use of <i>Trainers' Toolkit</i> and development of the <i>Judicial Mentoring Toolkit</i> .

Project 6 – Localising Professional Capacity Building

Objective: PICs judicial / court officers trained to address needs locally.	
Activity outputs as designed	Actual activity outputs
3 regional activities attended by 1 person from 14 PICs	3 regional activities delivered, attended by at least one representative from an average of at least 10 PICs. Full participation at every regional activity was not attained, as several PICs did not nominate anyone to attend, and/or had to withdraw their attendance.
5 remote inputs each training/supporting 5 people	5 remote inputs delivered by 4 Technical Advisers across the contract period.
Mean activity satisfaction rating of 80%	Mean satisfaction rating of 89.5%. All activities had a satisfaction rating above 80%.
Development and use of supporting resources	Development and conduct of a GFV Webinar to 20 participants in 7 PICs.

Project 7 – Institutionalising Professional Development

Objective: A modality to institutionalise cost-effective / sustainable in-region training.	
Activity outputs as designed	Actual activity outputs
Options paper completed/approved	A Preliminary Assessment was developed and approved by PIC Chief Justices in September, 2016. A follow on Assessment and Transition Strategy was developed and approved by PIC Chief Justices in April, 2017.



Inter-agency linkages established	Formal inter-agency linkages were considered unnecessary, but informal linkages have been established with the IJS, Federal Court of Australia Education Committee, National Judicial College of Australia and the NSW Judicial Commission. The linkages were established to support CJE to develop, offer and/or deliver further curricula/courseware.
Development and use of supporting resources	Use of the <i>Trainers' Toolkit</i> and development of the options paper.
Linkages with NGOs/CBOs	Linkages developed with the Papua New Guinea Centre for Judicial Excellence (CJE) and the University of the South Pacific (USP).

Project 8 – Human Rights

Objective: PIC courts are committed, trained and equipped with the tools to deliver justice aligning with human rights.	
Activity outputs as designed	Actual activity outputs
2 regional workshops, each attended by 28 people from 14 PICs	1 regional activity delivered in Vanuatu, attended by 1 person from an average of 13 PICs.
4 local activities each training and supporting 10 people	4 local activities delivered each training and supporting an average of 51 people. All activities were attended by at least 10 people.
Mean activity satisfaction rating of 80%	Mean satisfaction rating of 90.91%. All activities had a satisfaction rating above 80%.
Development and use of supporting resources	Piloting, development and use of the <i>Human Rights Toolkit</i> .
Linkages with NGOs/CBOs	Linkages created in each country with external institutional actors (legal aid service, prosecution, specialised policing units, Ministry of Justice, social services, law societies), NGOs/CBOs, service providers and religious organisations supporting victims of gender-based violence, children and people with disabilities.

Project 9 – Gender and Family Violence

Objective: PICs courts committed, trained & equipped with tools to better respond to gender & family violence issues.	
Activity outputs as designed	Actual activity outputs
1 regional workshops, each attended by 28 people from 14 PICs	1 regional activity delivered in Vanuatu, attended by 1 person from an average of 13 PICs.



5 local activities each training and supporting 10 people	6 local activities were delivered, each supporting and training on average 35 people. All activities had at least 10 participants.
Mean activity satisfaction rating of 80%	Mean satisfaction rating of 88.09%. All activities had a satisfaction rating above 80%.
Development and use of supporting resources	Development, piloting and use of <i>Gender and Family Violence Toolkit</i> .
Linkages with NGOs/CBOs	Linkages created with the Vanuatu Department of Women's Affairs, Vanuatu Women's Centre and Wan Smol Bag, among others.

Project 10 – Efficiency

Objective: PICs courts equipped with the tools and capacity to improve efficiency in the administration of justice.	
Activity outputs as designed	Actual activity outputs
5 local activities each training and supporting 10 people	4 local activities were delivered, each supporting and training an average of 21 people.
Mean activity satisfaction rating of 80%	Mean satisfaction rating of 91.1%. All activities had a satisfaction rating above 80%.
Development and use of supporting resources	Development of <i>Efficiency Toolkit</i> and Efficiency Improvement Plan template.
PICs implementing new policies, standards, systems and processes to improve efficiency	Palau, Nauru, Tokelau and PNG have developed and are implementing an Efficiency Improvement Plan. Nauru has developed a draft Notice of Pending Court Case/Fine Enforcement.

Project 11 – Accountability

Objective: Court performance monitored, evaluated & reported on to improve accountability.	
Activity outputs as designed	Actual activity outputs
5 local activities each training and supporting 10 people	2 local activities were delivered. These were technical assistance visits, based around discussions and a review of court data. Remote assistance to: develop Annual Report/Trend Report and User Perception Surveys
Mean activity satisfaction rating of 80%	No satisfaction data was obtained, as no workshops were delivered.
Routine production of Court Annual Reports	In 2011, 4 PICs routinely published Court Annual Reports (only 1 available online). In 2016, 7 PICs published their Court Annual Reports. The most recent baseline (2017) saw 6 PICs publishing their Court Annual Reports.
PICs developing systems/methods to expand data collection	Use of data trend analysis tools, for instance the chart creator and the <i>Annual Reporting Toolkit</i> .



PICs collecting gender/family violence disaggregated data	Currently, 6 PICs are collecting and presenting sex disaggregated data. 6 PICs are collecting and presenting juvenile disaggregated data. 1 PIC (RMI) is collecting and presenting disability disaggregated data.
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Annex B.4 LIF (locally-led) Activities

Dec 2016 – June 2018

July 2018 – June 2019

Theme	PIC	Title	Participants	% female	Completion
Leadership	FSM	Judicial Conference	80	24%	Dec 2016
	Kiribati	Judiciary Awareness on the Leadership Change Plan	³⁵	-	Oct 2018
	Tonga	Attendance at Legal Research Foundation Conference NZ	1	0%	Nov 2018
	Samoa	Attendance at Legal Research Foundation Conference NZ	1	0%	Nov 2018
Access to Justice	RMI	Scoping Paper: Preparing to adjudicate crypto-currency disputes	NA	NA	April 2019
	FSM	Translation of & training on the Enabling Rights Toolkit (4 languages)	119	45%	May 2018
	Tokelau	Court Clerks workshop and Orientation workshop	21	33%	Feb 2017
	Samoa	Evidence & Criminal Sentencing workshop	9	44%	Feb 2017
	RMI	Attendance at PJSIs Regional TOT workshop	1	100%	May 2017
	RMI	Attendance at PJSIs Regional TOT workshop	1	100%	May 2017
	Vanuatu	Island Court Justices Orientation workshop	19	26%	Oct 2017
	Tonga	Mediation Skills Training	6	50%	Oct 2017
	Kiribati	Outer Island Lay Magistrates Training	20	40%	Nov 2017
	RMI	Attendance at PJSIs Regional Lay Orientation workshop	1	0%	Nov 2017
Professionalisation	Cook Islands	Attendance at PJSIs Substantive (Court Plans) TOT	1	100%	January 2018
	RMI	Attendance at PJSIs Substantive (Court Plans) TOT	1	0%	January 2018
	RMI	Attendance at PJSIs Substantive (Court Plans) TOT	1	100%	January 2018
	Vanuatu	Participants in Certificate of Justice - Semester 1	8	38%	March 2018
		Participants in Semester 2 - Certificate of Justice Course 1	18	50%	July 2018
	Kiribati	Participants in Semester 2 - Certificate of Justice Course 2	18	50%	July 2018
		Participants for Certificate of Justice - Semester 1	17	-	April 2019
	Palau	Participants for Certificate of Justice - Semester 1	5	80%	March 2019
	RMI	Participant attended PJSIs Lay Judicial Officer Decision Making Workshop	1	0%	January 2019
	Niue	Participant attended PJSIs Lay Judicial Officer Decision Making Workshop	1	0%	January 2019
	Solomon Islands	Participants attended PJSIs Lay Judicial Officer Decision Making Workshop	2	50%	Feb 2019

³⁵ This activity comprised a judicial awareness for court users. Participant numbers were not captured.



**Substantive
Justice: Human
Rights**

PNG	Human Rights Workshop (Judges)	36	19%	Sept 2018
PNG	Human Rights Workshop (Magistrates)	35	43%	Sept 2018
PNG	Developing a Registry Procedures Manual	NA	NA	Nov 2017
Palau	Implement Video-Conferencing capability	22	77%	May 2018
Palau	Efficiency follow up visit	32	75%	May 2018
Vanuatu	Judicial Case Management training	6	0%	June 2018
Samoa	Presentation at PJC & ICT Summary	NA	NA	July 2018
FSM	Implementation of Video Conferencing in the Courts	17	59%	Sept 2018
Vanuatu	Attendance at PJSIs 'Building Capacity in Managing Court Data Workshop'	1	0	Oct 2018
RMI	Implementation of Case Tracking System	-	-	June 2019

**Procedural Justice:
Efficiency**



Annex B.5 Locally-Led, PJSI and Related Donor Activities

PIC	Locally led activities ³⁶	PJSI/other donor-led interventions	% locally-led activities
Cook Islands	The Registry has introduced data collected about court hearing in the land court area	Local Visit #1: Access to Justice	57.1%
	Introduction of a new chapter on decision-making in the JPs benchbook		
	Introduction of mentoring opportunities for new JPs	Leadership Incentive Fund: Attendance at PJSI Substantive ToT Workshop	
	File management in the Land Division has been colour-coded to enable improved access to customers accessing and identifying their files	Regional Certificate Level Training of Trainers Workshop	
FSM	Delivering training across all four States on case management	Local Visit #1: Access to Justice	45.5%
	Training in Access to Justice principles extended to State and Municipal Courts, NGOs, women and MLS	Local Project Management and Planning Visit	
		Leadership Incentive Fund: FSM Judicial Conference	
	Upgraded to high-speed wifi on a cost-sharing basis with the Executive to enable continued use of video conferencing facilities	Leadership Incentive Fund: Translation of Enabling Rights & Unrepresented Litigants Toolkit	
	Applied for capital improvement funding to remodel the Pohnpei Court to include a victim's safe room and disability access to all four State Courts	Leadership Incentive Fund: Implementation of Video Conferencing in the Courts	
	Pohnpei and Kosrae have adopted the Family Protection Act at a state level	Local Visit #4: G&FV	
Kiribati		Local Visit #2: Human Rights	0%
		Leadership Incentive Fund: Certificate of Justice Semester 2/Course 1	
		Leadership Incentive Fund: Certificate of Justice Semester 2/Course 1	
		Leadership Incentive Fund: Judiciary Awareness on the Leadership Change Plan in Tonga-the Checklists	
		Local Orientation #4: Prof Development	
		Leadership Incentive Fund: Lay Magistrates Training Workshop at Line Islands	

³⁶ Locally-led activities in this section are those initiated, designed, implemented, managed, monitored and evaluated by the PIC.



Marshall Islands		Local Orientation Visit #1: Prof. Development	0%
		Leadership Incentive Fund: Attendance at PJSI Regional Cert. Level ToT Workshop	
		Leadership Incentive Fund: Attendance at PJSI Regional Cert. Level ToT Workshop	
		Leadership Incentive Fund: Attendance at the PJSI Regional Law Judicial Officer Orientation Court	
		Leadership Incentive Fund: Attendance at the PJSI Substantive ToT Workshop	
		Leadership Incentive Fund: Attendance at the PJSI Substantive ToT Workshop	
		Local Visit #2: Access to Justice	
		Local Visit #2 (ICT Support): Efficiency	
Nauru		Local Visit #1: G&FV	0%
		Local Visit #2: Efficiency	
Niue		M&E Visit #2: Accountability	0%
		Local Efficiency Visit #1: Efficiency	
		Local ICT Visit #1: Efficiency	
Palau	<p>Working on the Rules of Civil Procedures to allow for filing of requests for protective orders (GFV) over the phone, specifically to assist out-lying states</p> <p>Outreach program implemented, where the Judges visited outlying states and schools, speaking about the assistance the court can provide</p> <p>Implementing a court-user survey in order to improve access to the courts of survivors of GFV</p>	Local Visit #1: Efficiency	27.3%
		Local Visit #1: Accountability	
		Local Visit #3: G&FV	
		4 th Chief Justices Leadership Forum	
		Leadership Incentive Fund: Court Video Conferencing	
		Leadership Incentive Fund: Efficiency Follow-up visit	
		6 th Initiative Executive Committee Meeting	
		M&E Visit #3: Accountability	
PNG		Local Visit #1: Human Rights	0%
		Local Visit #1 (ICT Support): Efficiency	
		Local Project Management and Planning Visit #3	



		Local Visit #3: Efficiency 1st Chief Justices Leadership Forum 1st Initiative Executive Committee Meeting Career Pathway: Local Visit #1 Career Pathway: Local Visit #2 Substantive/Capacity Development ToT Workshop (Data Management) Career Pathway: Local Visit #3 Leadership Incentive Fund: Registry Manual (Toolkit for Court Registry Officers) Leadership Incentive Fund: Human Rights Workshop (Judges) Leadership Incentive Fund: Human Rights Workshop (Magistrates)	
Samoa		Local Orientation Visit #2: Prof. Development Local Visit #2: Accountability Local Visit #5: G&FV 2nd Chief Justices' Leadership Forum 2nd Initiative Executive Committee Meeting Leadership Incentive Fund: Workshop in the Law of Evidence and Criminal Sentencing Leadership Incentive Fund: Presentation at PJC and ICT Summary Leadership Incentive Fund: Legal Research Foundation Conference	0%
Solomon Islands	Establishment of a new Juvenile and Family Court (which is accessible to disabled and marginalised individuals)	Piloting of HR resource/toolkit Local Orientation Visit #3: Prof. Development Regional Lay Judicial Officer Orientation Workshop Regional Training Workshop (Decision-Making)	20%
Tokelau		Local Project Management and Planning Visit #1 Leadership Incentive Fund: Enhanced Capacity Building of Tokelau Judiciary Local Visit #4: Efficiency	0%
Tonga		Piloting of G&FV resource/toolkit	0%



		Local Visit #3: Human Rights	
		Leadership Incentive Fund: Mediation Skills Training	
		Leadership Incentive Fund: Legal Research Foundation	
		Regional Leadership Workshop	
Tuvalu			0%
Vanuatu	Conducted training on case management with staff	M&E Visit #1: Accountability	
		Local Visit #2: G&FV	
		Local Project Management and Planning Visit #4	
		Local Visit #4: Access to Justice	
		Pilot Mentoring Toolkit	
	Producing a staff development improvement plan (including monitoring effectiveness)		
	Conducted training for the Island Court Justices for the Sanma Island Court on Civil Procedure	Career Gateway: Local Visit #1	
		Project Monitoring and Evaluation Workshop	
		Career Gateway: Local Visit #2	
		Substantive/Capacity Development Training of Trainers Workshop (A2J, GFV & HR)	
		Career Gateway: Local Visit #3	
		Leadership Incentive Fund: Orientation of Island Court Justices	
		Leadership Incentive Fund: Certificate of Justice Semester 1	
		Leadership Incentive Fund: Judicial Case Management	
		Leadership Incentive Fund: Attendance at the Regional Development Workshop (Data Management)	
	Producing a public information pamphlet about access to justice (draft criminal pamphlet created and translated into Bislama language)		
		Career Gateway: Local Visit #4	
			21.1%



Annex B.6 36 Month Activity Schedule

Activity	Location	Date	Project
2016			
1 st Chief Justices' Leadership Forum	PNG	7-9 Sep, 2016	Regional Leadership
1 st Initiative Executive Committee Meeting	PNG	10 Sep, 2016	Regional Leadership
Career Pathway: Local Visit #1	PNG	31 Oct-4 Nov 2016	Institutionalising Prof. Dev't
2017			
Career Gateway: Local Visit #1	Vanuatu	30 Jan-3 Feb 2017	Institutionalising Prof. Dev't
Project Management and Evaluation Workshop	Vanuatu	20-24 Feb, 2017	National Leadership
M&E Visit #1	Vanuatu	20-24 Feb, 2017	Accountability
Local Project Management and Planning Visit #1	Tokelau	29 Apr-14 May, 2017	National Leadership
2 nd Chief Justices' Leadership Forum	Samoa	3-5 Apr, 2017	Regional Leadership
2 nd Initiative Executive Committee Meeting	Samoa	6 Apr, 2017	Regional Leadership
Piloting of HR resource / toolkit	Solomon Islands	24 Apr-5 May, 2017	Human Rights
Local Visit #1	FSM	15-26 May, 2017	Access to Justice
Career Gateway: Local Visit #2	Vanuatu	4-9 June, 2017	Institutionalising Prof. Dev't
Regional Certificate-level Training-of-Trainers Workshop	Cook Islands	12-23 Jun, 2017	Localising Prof Capacity Building
Piloting of GFV resource / toolkit	Tonga	12-23 June, 2017	G&FV
Local Visit #1	Palau	12-22 Jun, 2017	Efficiency
M&E Visit #2	Niue	19 June, 2017	Accountability
Local Orientation Visit #1	Marshall Islands	9-18 Aug, 2017	Prof. Development
Accountability Visit #1	Palau	21-25 August, 2017	Accountability
Leadership Workshop	Tonga	5-7 Sep, 2017	Regional Leadership
3 rd Initiative Executive Committee Meeting (Remote)	Remote	28 Sep, 2017	Regional Leadership
Local Visit #1	Nauru	19-26 Nov, 2017	G&FV
Regional Lay Judicial Officer Orientation Workshop	Solomon Is.	18-24 Nov, 2017	Prof. Development
Local Visit #1	PNG	20 Nov-1 Dec, 2017	Human Rights
Career Pathway: Local Visit #2	PNG	4-8 Dec, 2017	Institutionalising Prof. Dev't
2018			
Substantive / Capacity Development Training-of-Trainers Workshop	Vanuatu	12-16 Feb, 2018	Localising Prof. Capacity



Local Visit #2	Marshall Islands	5-16 Mar, 2018	Access to Justice
3 rd Chief Justices' Leadership Forum	Auckland	16-18 Apr, 2018	Regional Leadership
4 th Initiative Executive Committee Meeting	Auckland	19 Apr, 2018	Regional Leadership
Local Orientation Visit #2	Samoa	9-18 May, 2018	Prof. Development
Local Visit #2	Kiribati	4-15 June, 2018	Human Rights
Local Orientation Visit #3	Solomon Islands	20-29 June, 2018	Prof. Development
Career Gateway: Local Visit #3	Vanuatu	2-6 July, 2018	Institutionalising Prof. Dev't
ICT Support #1	PNG	23-24 July, 2018	Efficiency
Accountability Visit #2	Samoa	23-27 July, 2018	Accountability
Local Project Management and Planning Visit Large LIF #2	FSM	23 Jul-3 Aug, 2018	National Leadership
Local Visit #2	Vanuatu	6-17 Aug, 2018	G&FV
Judicial Leadership Workshop #2	Auckland	19-21 Sept, 2018	Regional Leadership
Local Visit #3	Cook Islands	1-12 Oct, 2018	Access to Justice
5 th Initiative Executive Committee Meeting	Remote	15 Oct, 2018	Regional Leadership
Local Project Management and Planning Visit Large LIF #3	PNG	15-19 Oct, 2018	National Leadership
ICT Support #2	Marshall Islands	16-19 Oct, 2018	Efficiency
Gender & Family Violence Webinar	Remote	1 Nov, 2018	Localising Prof. Capacity
Local Visit #3	Palau	12-23 Nov, 2018	G&FV
Substantive / Capacity Development ToT Workshop (Topic: <i>Data mgmt</i>)	PNG	26-30 Nov, 2018	Localising Prof. Capacity
2019			
Local Visit #4	FSM	7-18 Jan, 2019	G&FV
Local Orientation Visit #4	Kiribati	17-25 Jan, 2019	Prof. Development
Local Visit #2	Nauru	18-26 Jan, 2019	Efficiency
Local Visit #3	Tonga	4-15 Feb, 2019	Human Rights
Local Project Management and Planning Visit Large LIF #4	Vanuatu	4-15 Feb, 2019	National Leadership
Regional Training Workshop (Topic: <i>Decision-Making</i>)	Solomon Is.	18-22 Feb, 2019	Prof. Development
Career Pathway: Local Visit #3	PNG	4-8 Mar, 2019	Institutionalising Prof. Dev't
Local Visit #4	Vanuatu	18-29 Mar, 2019	Access to Justice
Local Visit #4	Tokelau	Mar, 2019 (TBC)	Efficiency
4 th Chief Justices' Leadership Forum	Palau	1-3 Apr, 2019	Regional Leadership
6 th Initiative Executive Committee Meeting	Palau	4 Apr, 2019	Regional Leadership



M&E Visit #3	Palau	5-6 Apr, 2019	Accountability
Local Visit #3	PNG	29 Apr-10 May, 2019	Efficiency
Pilot Mentoring Toolkit	Vanuatu	Late April	Prof. Development
Career Gateway: Local Visit #4	Vanuatu	20-24 May, 2019	Institutionalising Prof. Dev't
Local Visit #5	Samoa	20-31 May, 2019	G&FV
Local Efficiency Visit #1	Niue	24-28 June, 2019	Efficiency
Local ICT Visit #1	Niue	24-28 June, 2019	Efficiency
Leadership Incentive Fund (LIF) – see previous Annex			



Annex B.7 Fee Waivers

PIC	Statistics on Fee Waivers Provided
Cook Islands	0%: High Court does not have a formal court fee waiver policy
FSM	100%: There are no fees for cases in the Supreme Court, except Bankruptcy matters
Kiribati	14%: Court of Appeal
Marshall Islands	No applications received
Niue	0%
Palau	0%
PNG	6%: all cases in the Human Rights track are filed without a court fee)
Samoa	0%
Solomon Islands	2%: Court of Appeal
Tokelau	100%
Tonga	0%: no statutory authority for the Superior Court to grant fee waivers
Vanuatu	40%: all Magistrate Court cases. All family protection orders issued by the Magistrates Court had their fee waived



Annex B.8 Overturn on Appeal Rates

PIC	Overturn rate
Cook Islands	50%
FSM	0%
Kiribati	High Court – 14%
	Magistrates Court - < 1%
Palau	20%
Tokelau	0%
Tonga	Supreme Court – 29%
	Land Court – 25%
	Magistrates Court – 71%
Vanuatu	Supreme Court – 29%

Tonga is one of the few PJSI partner courts to show trends over the previous three years in the rate at which cases are overturned on appeal. The Supreme Court's 2017 Annual Report that: *It will be observed that in the two previous reporting periods the percentages of cases overturned on appeal had remained steady at 34% but in this reporting period it has reduced to 29%.*



Annex B.9 Expenditure Projection Summary (as at 31 May, 2019)

Commercial-in-confidence, supplied to MFAT separately.



Annex B.10 Costed Workplan – Actual Expenditure Summary (as at 31 May, 2019)

Commercial-in-confidence, supplied to MFAT separately.

