



PACIFIC JUDICIAL STRENGTHENING INITIATIVE

Fourth Six-Monthly Progress Report

July - December 2019



FEDERAL COURT
OF AUSTRALIA



Table of Contents

Abbreviations	iii
Executive Summary	1
Summary of Progress	2
Project 1 – Regional Leadership	2
Project 2 – National Leadership	2
Project 3 – Leadership Incentive Fund	3
Project 4 – Access to Justice	3
Project 5 – Institutionalising Legal Aid	4
Project 6 – Professional Development	4
Project 7 – Bar Associations: Professionalising & Regulatory Roles	5
Project 8 – Localising Professional Development Capacity	5
Project 9 – Institutionalising Professional Development	6
Project 10 – Human Rights	6
Project 11 – Gender and Family Violence	7
Project 12 – Efficiency	7
Project 13 – Accountability	8
Project 14 – Sustainable Development Goals	8
Conclusion	9
Annex A: Activities by Project	A-1
Annex B: Detailed Summary of Progress	A-9
Annex C: Monitoring and Evaluation Framework (MEF)	A-26
Annex D: Activities since Commencement	A-31
Annex E: Leadership Incentive Fund (LIF) Activities Overview	A-32
Annex F: LIF Activities during Reporting Period	A-35
Annex G: 36 Month Activity Schedule	A-40
Annex H: Expenditure Projection Summary (as at 31 December 2019)	A-43
Annex I: Costed Workplan – Actual Expenditure Summary (as at 31 December 2019)	A-44



Abbreviations

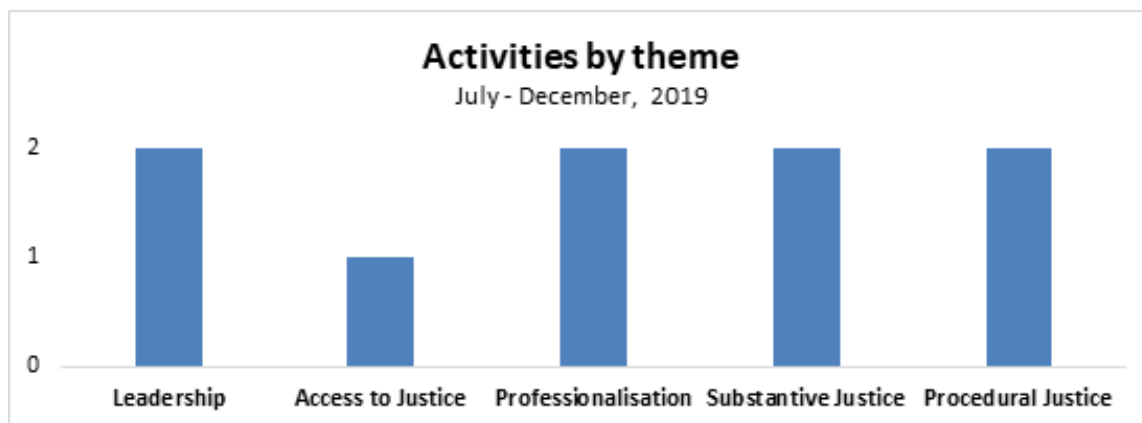
A2J	-	Access to Justice
CJE	-	Centre for Judicial Excellence
CJLF	-	Chief Justices' Leadership Forum
CoJ	-	Certificate of Justice
DoJ	-	Diploma of Justice
FCA	-	Federal Court of Australia
FFC	-	Faamasino Fesoasoani Court
FSM	-	Federated States of Micronesia
GFV	-	Gender & Family Violence
ICT	-	Information Communications and Technology
IEC	-	Initiative Executive Committee
LIF	-	Leadership Incentive Fund
MEF	-	Monitoring and Evaluation Framework
MFAT	-	New Zealand Ministry of Foreign Affairs and Trade
MLSC	-	Micronesian Legal Services Corporation
NGO	-	Non-government Organisation
PICs	-	Pacific Island Countries
PJDP	-	Pacific Judicial Development Programme
PJSI	-	Pacific Judicial Strengthening Initiative
PNG	-	Papua New Guinea
RMI	-	Republic of the Marshall Islands
SDGs	-	Sustainable Development Goals
UN	-	United Nations
USP	-	University of the South Pacific

This Six-Monthly Progress Report is submitted in satisfaction of Milestone 10 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).

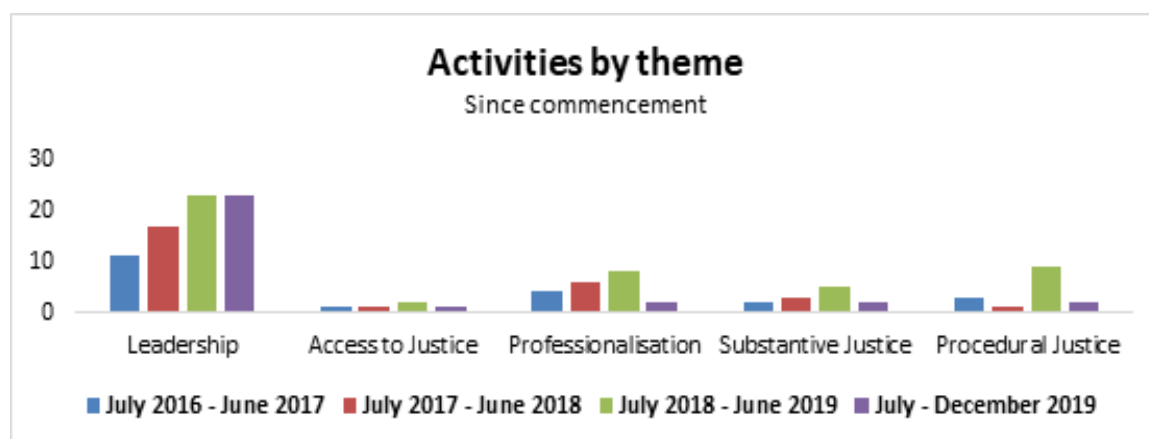


Executive Summary

This Six-Monthly Progress Report provides a summary of PJSI's activities and outputs between July and December, 2019. During the reporting period, nine¹ activities were delivered on time and within budget and 21 locally-led activities were approved.²



Since its commencement, PJSI has delivered 71 activities³ to nearly 3,000⁴ people (30% female), with an additional 55 locally-led activities approved/delivered.⁵



Since the last workshop, I don't just warn perpetrators anymore. I treat it as a crime, and I've reflected that in sentencing. I put them on probation with correctional services. For cases that have significant injuries, those matters I refer to the Supreme Court. It doesn't end in my court.

Female Magistrate, Gender and Family Violence Workshop

¹ Assessment & Support Design Visit, Fiji; IEC, Remote; Local Human Rights Visit, Solomon Islands; Regional Court Data Management Workshop, Vanuatu; ICT Visit, Nauru; Gender and Family Violence Visit, Vanuatu; Career Pathway Visit, PNG; Court Data Management Follow-up Webinar, Remote; and Access to Justice Visit, Kiribati.

² During the reporting period, 8 large and 13 small LIFs were approved. Please see **Annex E** for a full list of Leadership Incentive Fund activities.

³ Since PJSI's commencement, 64 capacity-building activities have been delivered, in addition to seven Initiative Executive Committee Meetings, totalling 71 activities. Please see **Annex A** for a full overview of activities delivered by project and **Annex G** for the 36-month activity schedule.






⁴ Total number of individuals engaged through all PJSI activities. It does not though include several hundred more people who have been part of PJSI's services, such as those who participated in the various Access to Justice (Enabling Rights) consultations.

⁵ Since commencement, 55 locally-led activities have been approved, with 36 activities implemented and acquitted (63.2%) at the time of reporting. Please see **Annex E** for a full list of Leadership Incentive Fund activities. A global view of outputs achieved since inception is provided in **Annex C**.




Summary of Progress


Below is a summary of progress made against each Project. A detailed summary of progress is located in **Annex B**, and the current *Monitoring and Evaluation Framework* is located in **Annex C**.


<p>PROJECT 1: REGIONAL LEADERSHIP</p> <p> Solomon Islands, Niue, Kiribati, Tonga, Cook Islands</p> <p> 5 attendees</p> <p> 40% female</p>	<p>The region's Chief Justices are in the process of determining a number of priority changes that they wish to accomplish by the end of PJSI's term. These are articulated under the specific projects below and included in national improvement plans. Twelve Chief Justices have developed such plans, and/or objectives against PJSI's goal of three (see Annex C).</p> <p>On 30 August, 2019 the seventh Initiative Executive Committee (IEC) Meeting convened remotely. Three Chief Justices representing Melanesia, Polynesia and Micronesia, in addition to representatives from the region's Lay Judicial Officers, Court Officers and MFAT, attended. Attendees were briefed about and discussed PJSI's progress, the publication of its online materials, re-engagement with the Supreme Court of Fiji, and proposed additional activities.</p> <p>Preparations are underway for the fifth Chief Justices' Leadership Forum (CJLF) and eighth Initiative Executive Committee (IEC) Meeting. Both activities will take place in Honiara, Solomon Islands from 23-26 March, 2020.</p>
<p>PROJECT 2: NATIONAL LEADERSHIP</p> <p> Fiji</p> <p> Consultations</p>	<p>Following direction of the region's Chief Justices and approval by MFAT to re-engage with the Fijian Judiciary, a senior judicial officer attended the fourth CJLF in Palau (April, 2019). In July, PJSI's Technical Director and Team Leader visited the Acting Chief Justice of Fiji to further discuss collaboration. His Honour expressed interest in the areas of judicial education, court management (including efficiency), and performance data. Further discussion will take place at the upcoming CJLF in Honiara (March 2020).</p> <p>Planning is underway for a joint Project Management and Gender & Family Violence (GFV) workshop in the Federated States of Micronesia from 10-14 February, 2020. The visit will further assist the Judiciary to lead, manage and deliver GFV and enabling rights/access to justice related activities.</p>



PROJECT 3: LEADERSHIP INCENTIVE FUND

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

 22 applications approved

 10 projects delivered


22 Leadership Incentive Fund (LIF) applications (9 large and 13 small) have been approved since the start of PJSI Phase II. The cost of funding these projects totals AU\$266,000.⁶ 10 activities have been delivered in the reporting period:


- client services and judicial protocol training for court staff in PNG
- an annual reporting workshop for Niue court staff
- additional attendees at the court data management workshop from FSM (x 1 additional attendee) and PNG (x 5 additional attendees)
- review of progress against Vanuatu's strategic plan and development of the next iteration, and subscription to Lexis Advance for the Tonga judiciary.


See **Annex F** for further details about the status, objectives and outcomes of LIF projects.


PROJECT 4: ACCESS TO JUSTICE


 Kiribati

 41 participants (workshop)

 120 participants (consultations)

 94.2% satisfaction

 84.7% confidence

 108% knowledge gain

At the start of PJSI Phase II, four Pacific Island Countries (PICs) - Kiribati, FSM, Cook Islands and Vanuatu - acknowledged the importance of and had developed plans to improve access to justice. Community outreach strategies had been developed and implemented. Two PICs - Kiribati and Vanuatu - are continuing to collaborate with PJSI to implement priority changes of increased public outreach and awareness (Kiribati), and the inclusion of access to justice as a strategic priority in 2020 (Vanuatu).⁷

A follow-up visit to Kiribati took place from 1-12 December, 2019, comprising of consultations with 120 community members in South and North Tarawa, and Maiana, and a follow-up workshop with 41 court personnel. Participants perceived there to have been improvements in court performance over recent years, and the court's endeavours implementing its earlier A2J Plan 2015+ are encouraging. A visit to Vanuatu is planned for later in the phase with a focus on the development, publication and distribution in local language of a number of *Court Guidance's for Unrepresented Litigants*. A follow-up visit to the Cook Islands has been tentatively reallocated to the Republic of the Marshall Islands (RMI) for later in Phase II.

⁶ As approved at the seventh IEC Meeting, an additional AU\$120,000 was reallocated from activity savings due to the significant demand for LIFs.

⁷ See **Annex C** for further details.



PROJECT 5: INSTITUTIONALISING LEGAL AID



Desk review, survey development
and interviews

This project is in its research phase. Preliminary findings indicate that despite the critical roles of legal aid in protecting and securing citizens' rights across the Pacific, there is a lack of data and literature about the wide range of legal aid systems/models in operation. Major global studies on legal aid systems do not cover any Pacific countries.

Most states' legal aid services do not meet the known demand. While legal aid for victims of family violence is now provided in some states, often by non-government organisation (NGO) providers, capacity remains limited. Further, the Family Protection Laws, which have now been enacted in most PICs, do not include a right to legal assistance. Even where legal aid is available, salaries and employment conditions do not compete with salaries paid by government and the private sector, thereby thwarting attraction of the best candidates. The full situational analysis and recommendations will be presented at the CJLF in March 2020.

PROJECT 6: PROFESSIONAL DEVELOPMENT



Vanuatu



Pilot and finalisation of the
Mentoring Toolkit

Following peer review,⁸ refinement, and successful piloting of the [Mentoring Toolkit](#), it has now been finalised and published on the PJSI website. Three expressions of interest were received from FSM, RMI, and Vanuatu for the pilot. Two of these new judicial appointments were delayed, resulting in the pilot being undertaken in Vanuatu. The Chief Justice of Vanuatu confirmed that newly appointed Supreme Court Justice Trief⁹ would be suited and available to participate in the mentor programme. Justice Gustaaf Andree Wiltens - a highly experienced New Zealand Judge sitting as a full-time Supreme Court Judge in Vanuatu assumed the role of mentor. The pilot ran for 5 months. Justice Wiltens reported that as a result of the pilot, the new judge better understood her judicial role and responsibilities, and her rights related to the terms, conditions and administrative requirements related to her appointment.

⁸ By Chief Justice Sir Hugh Williams, Chief Justice of the Cook Islands.

⁹ Appointed 15 July, 2019.



PROJECT 7: BAR ASSOCIATIONS



Desk review, survey development
and interviews

This project aims to review the regulatory and wider justice-system roles of lawyers' professional associations (law societies/bar associations) across the region. While in its research phase, preliminary findings indicate that bar associations and law societies are a neglected part of the justice system, despite their importance as the 'incubator' for producing each nation's judges, magistrates, prosecutors, and lawyers.

Despite being led by motivated individuals, bar associations and law societies are typically poorly resourced. Most have only annual fees as their source of support. All are heavily reliant on volunteers and often do not have resources to fulfil their statutory roles (including disciplining lawyers). They also struggle to provide crucial services to members, such as regular programs of continuing professional development. Most lack any administrative support and must rely on members of the executive providing meeting space and secretariat functions at their private expense. While several law societies/bar associations have reached out to donors for support, little has been forthcoming, even within large bilateral justice programs. The full situational analysis report with recommendations will be presented at the CJLF in March, 2020.

PROJECT 8: LOCALISING PROFESSIONAL CAPACITY BUILDING



Cook Islands, FSM, Kiribati, Nauru,
Palau, PNG, RMI, Samoa, Tonga and
Vanuatu



31 participants



63.3% female



75% satisfaction




58.3% confidence

In November, a 1.5 hour Court Data Management Webinar was presented to PICs. The Webinar was a remote follow up to the recent regional Court Data Management Workshop (in October 2019) to refresh key concepts and support counterparts to review progress and address challenges implementing their *Data Management Plans*. It was designed and facilitated by PJSIs Accountability, Efficiency, ICT and Webinar Advisors, with support from the PJSI Team Leader.

Following a request by the IEC Representative for Lay Judicial Officers, a second regional webinar is being developed for rollout in February. The webinar will focus on understanding the needs and challenges currently faced by Lay Judicial Officers in the region. Discussion will focus on experiences and challenges, as well as potential assistance required to build their skills.


PROJECT 9: INSTITUTIONALISING PROFESSIONAL DEVELOPMENT


 Kiribati, Fiji, RMI, Nauru, Tonga,
Samoa, Palau, Vanuatu, FSM

For the 2020 cohort, PJSI has approved LIF-support to fund 40 DoJ and 27 CoJ students. In addition to these 67 PJSI-supported students, it is anticipated that up to another 30 students may receive funding through alternative sources. Final enrolment figures for 2020 will be reported on once finalised by USP.


The Pathway Project has continued collaborating with PNGs Centre for Judicial Excellence (CJE). An assessment in November notes that in addition to a new training facility with capacity for 50 trainees, its capacity has been substantially built over the past three years, notably in the recruitment of an expanded team (3 to 17 officers) and an increase in productivity from 5 to 25+ activities annually. While activities have to date been predominantly directed at senior judges, the CJE intends to extend its offering to a broader spectrum of domestic stakeholders.


PROJECT 10: HUMAN RIGHTS

 Solomon Islands

 51 participants

 47.1% female

 100% satisfaction

 90.5% confidence

At the start of PJSI Phase II, three PICs - Solomon Islands, Tonga and Kiribati - understood the human rights norms applicable to court practices, were demonstrably enthusiastic and had begun implementing changes aligned with Action Plans developed during Phase I. Two PICs have reported progress and the Human Rights Adviser agrees that their plans, actions, outputs and progress are sufficient to achieve their goals.¹⁰

Workshops for Magistrates and High Court judges in the Solomon Islands in September/October, sought to enable participants to apply international and constitutional rights/standards. The visit also facilitated the Chief Justice determine the priority changes he wishes to institute in the coming 12 and 24 months. These comprise; developing and implementing Human Rights Rules, and reducing the number of people on remand, and the duration of remand.







A follow-up visit scheduled for Tonga in April 2020 identifies the priority changes to be accomplished by the Tongan Judiciary include progress made towards initiation of a legal aid service for criminal defendants, implementation of a court action plan for people with disabilities, and establishing and maintaining a court referral list.

Kiribati's priority changes include developing sentencing guidelines and checklists for bench books that provides guidance in cases involving family or sexual violence, juvenile offenders and people with disabilities.

¹⁰ See **Annex C** for further details.



PROJECT 11: GENDER AND FAMILY VIOLENCE




-  Vanuatu
-  9 participants
-  66.6% female
-  100% satisfaction
-  88.9% confidence
-  32% knowledge gain

At the start of this phase, three PICs - Vanuatu, FSM and Samoa - had Action Plans with goals related to prevention, victim-centred access, safety and fairness, perpetrator accountability, and sectoral collaboration. All three PICs have identified a specific priority change they wish to achieve and are taking actions to achieve it.¹¹

A follow up visit to Vanuatu took place in November to review progress and further support the Magistracy to implement its 2019 Domestic Violence Action Plan, developed during the 2018 visit. The visit supported Magistrates to progress the four key outcome areas of their Plan: awareness/prevention, collaboration, victim-centred approaches, and perpetrator accountability. Guidelines for Magistrates and staff dealing with domestic violence cases were drafted, the Magistrates brochure on Domestic Violence and Protection Orders was refined, and a pilot Court User Forum for Domestic Violence Cases was attended by 29 people.¹²

Planning is underway for a joint Project Management and Gender & Family Violence (GFV) workshop in the Federated States of Micronesia between 10-14 February, 2020.¹³ A follow up visit to assess progress in Samoa towards their priority change is scheduled for mid-2020. Their objective is to address the challenges associated with cases being mediated at a community level and women accessing police and the courts.

PROJECT 12: EFFICIENCY

-  Samoa, PNG, Cook Islands, FSM, Fiji, Kiribati, Nauru, Niue, Palau, RMI, Solomon Islands, Tonga and Vanuatu
-  53 participants
-  54.7% female

At the start of this phase, four PICs – Palau, PNG, Tokelau and Nauru - had identified a priority change and have plans to achieve it. Nine PICs have case disposal time-standards, four have moved beyond manual/excel case tracking and four PICs have electronic case management systems. All PIC's understand the importance of efficiency indicators and court performance reporting, and five have introduced or improved their periodic court performance reporting practices during the reporting period. Capacity to periodically review efficiency is emerging in Vanuatu, Palau, RMI, Nauru, Tokelau and PNG, with the latter having established an Efficiency Task Force Team to improve efficiency and reduce outstanding reserve decisions.

PJSI hosted its largest regional workshop in Port Vila, Vanuatu from 14-18 October, 2019. Focusing on Court Data Management, the workshop built on the first workshop delivered in PNG, 11 months prior. It enabled participants to better plan, manage and analyse cases and court data; develop strategies to better report on courts' activities and performance; understand their needs to progress towards using case tracking and case management systems to collect accurate data and produce quality reports; develop and present *Court Data Management Plans*; and to integrate data and reporting needs into current court organisational development activities.




¹¹ See **Annex C** for further details.

¹² See **Annex B** for further details.

¹³ See Project 2 (above) for further details.





PROJECT 12: EFFICIENCY

-  95.7% satisfaction
-  94.8% confidence
-  95% knowledge gain

A five-day visit to Nauru in October 2019 analysed the 2018 ICT baseline and quality of existing, Excel-stored data; implemented a Case Tracker; trained staff to use the Dashboard and to produce Quarterly Reports; and advised the Court about website development. As a result, the judiciary now have the ability to record, track and manage their caseload efficiently and effectively, and present this information visually and statistically.


PROJECT 13: ACCOUNTABILITY

-  Publication of the 2018 Court Trend Report
-  Research and development for strategy paper

The [2018 Court Trend Report](#) has been finalised, published, printed and circulated at the regional Court Data Management Workshop in Port Vila, Vanuatu. It demonstrates significant improvements over the past seven years including: sustained increase in transparency of annual reporting; smaller PICs maintaining their commitment to annual reporting; more in-depth analysis and increased presentation of trend data; some PICs presenting sex, age and disability disaggregated data; and PICs are committing to court user surveys.

As approved at the seventh IEC Meeting, an Adviser was recruited in December to consider global indicator sets in terms of feasible short/long term enhancements to data collection to: better inform court management decision-makers on how to progress positive change that is most important, relevant, meaningful or challenging for them; explore how a regionally homogeneous set of indicators can remain relevant and meaningful to a disparate collection of countries; and explore the mechanism that may be developed to ensure continued relevance of the suite of indicators over time. A draft strategy paper with recommendations will be presented at the fifth CJLF in March 2020.

PROJECT 14: SUSTAINABLE DEVELOPMENT GOALS

-  Research and development for strategy paper

This Project is in its research phase. It considers how PIC courts might contribute to the achievement of the United Nations (UN) Sustainable Development Goals (SDG) and targets. Cross referencing the 244 SDG targets against the courts' and PJSIs remit, along with an assessment of the data collected through PJSIs activities, initial findings suggest that: PIC Courts are already undertaking related activities and collecting relevant data that may be repurposed for reporting against relevant SDGs; and there are additional activities PIC Courts could undertake and additional data they might collect to bolster their contribution to relevant SDGs. Any extensions in data collection and activities must however be measured by pragmatism and what realistically can be achieved. The full assessment and recommendations will be presented at the CJLF in March 2020.



Conclusion

Twelve Chief Justices have developed national improvement plans and/or objectives against PJSI's goal of three, with many of these Chief Justices committing to accomplishing specific priority changes throughout Phase II. In particular: two PICs are continuing to work with PJSI to implement priority changes identified within Access to Justice; two PICs have reported significant progress towards their Human Rights priority change goals; three PICs have identified priorities changes relevant to Gender and Family Violence and plans to achieve it; and four PICs have identified an Efficiency-related priority change, with all PICs understanding the importance of efficiency and court performance reporting.

These priority changes reflect objectively identified priorities, in light of views expressed during consultations with court users, and a deeper understanding of and connection with the human and civil rights underpinning the court's role. Academic and practice-based courses for serving officers are available through USP and PNG CJE, respectively; and the capacity of each, along with the region's capacity to avail itself of those provisions, is growing. While all PICs continue to present the results of their priority change agenda and performance publicly through annual reports, four are on track to present information against all Cook Island Indicators.

The PJSI Team is grateful for the ongoing direction and support of the region's leadership in directing and guiding these projects. Without this high-level support, it would not be possible for the PJSI Team to implement the Initiative.



Annex A: Activities by Theme and Project

Theme: Judicial Leadership

Project 1: Regional Leadership

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
7-9 Sep, 2016	1 st Chief Justices' Leadership Forum	PNG	14	1	87.5%	NA	91.67%
10 Sep, 2016	1 st Initiative Executive Committee Meeting	PNG	4	2	NA	NA	NA
3-5 Apr, 2017	2 nd Chief Justices' Leadership Forum	Samoa	13	2	90.91%	NA	96.97%
6 Apr, 2017	2 nd Initiative Executive Committee Meeting	Samoa	5	2	NA	NA	NA
5-7 Sep, 2017	Judicial Leadership Workshop	Tonga	14	6	85.71%	NA	88.10%
28 Sep, 2017	3 rd Initiative Executive Committee Meeting	Remote	5	2	NA	NA	NA
16-18 Apr, 2018	3 rd Chief Justices' Leadership Forum	Auckland	13	2	NA	NA	NA
19 Apr, 2018	4 th Initiative Executive Committee Meeting	Auckland	6	3	NA	NA	NA
19-21 Sept, 2018	Judicial Leadership Workshop #2	Auckland	28	13	96.30%	NA	96.30%
15-Oct, 2018	5 th Initiative Executive Committee Meeting	Remote	5	3	NA	NA	NA
1-3 Apr, 2019	4 th Chief Justices' Leadership Forum	Palau	12	1	NA	NA	88.89%
4-Apr, 2019	6 th Initiative Executive Committee Meeting	Palau	6	3	NA	NA	NA
30 Aug, 2019	7 th Initiative Executive Committee Meeting	Remote	6	2	NA	NA	NA

Project 2: National Leadership

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
20-24 Feb, 2017	Project Management and Evaluation Workshop	Vanuatu	18	11	74.07%	842%	93.75%
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	15	88%	847%	91.03%
15-19 Oct, 2018	Local Project Management and Planning Visit Large LIF #3	PNG	10	5	100%	NA	90.00%
4-15 Feb, 2019	Local Project Management and Planning Visit Large LIF #4	Vanuatu	7	5	91.67%	97%	94.44%
8-9 Jul, 2019	Assessment and Support Design Visit	Fiji	1	0	NA	NA	NA

Project 3: Leadership Incentive Fund

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
Dec, 2016	FSM Judicial Conference	FSM	77	19	NA	NA	90.5%
15 Feb, 2017	Enhanced capacity building of Tokelau Judiciary	Tokelau	19	6	88%	NA	76%
22 Feb, 2017	Workshop on the law of evidence and criminal sentencing	Samoa	9	4	NA	NA	NA
16 May, 2017	Attendance at PJSI Regional Certificate Level Training of Trainers Workshop in Rarotonga, Cook Islands (Item Note)	RMI	1	1	NA	NA	NA
16 May, 2017	Attendance at PJSI Regional Certificate Level Training of Trainers Workshop in Rarotonga, Cook Islands (Ronna Helkena)	RMI	1	1	NA	NA	NA
6 Oct, 2017	Orientation of Island Court Justices	Vanuatu	19	5	NA	403%	NA
23 Nov, 2017	Registry Manual (Toolkit for Court Registry Officers)	PNG	1	0	NA	NA	NA
24 Oct, 2017	Mediation Skills Training	Tonga	6	3	NA	NA	NA
17 Nov, 2017	Lay Magistrates Training Workshop at Line Islands	Kiribati	20	8	NA	NA	NA
1 Nov, 2017	Attendance at the PJSI Regional Lay Judicial Officer Orientation Course (Travis Joe)	RMI	1	0	NA	NA	NA
24 Jan, 2018	Attendance at PJSI Substantive ToT Workshop (France Apera)	Cook Islands	1	1	NA	NA	NA
24 Jan, 2018	Attendance at PJSI Substantive ToT Workshop (Hainrick Moore)	RMI	1	0	NA	NA	NA



24 Jan, 2018	Attendance at PJSI Substantive ToT Workshop (Item Note)	RMI	1	1	NA	NA	NA
11 Mar, 2018	Certificate of Justice - Semester 1	Vanuatu	8	3	NA	NA	NA
23 May, 2018	Court Video Conferencing & Efficiency Follow-up Visit	Palau	32	24	71.93%	122%	80.70%
10 May, 18	Translation of Enabling Rights & Unrepresented Litigants Toolkit into 4 FSM Languages	FSM	119	54	NA	34.25%	NA
28 Jun, 2018	Judicial Case Management	Vanuatu	6	0	NA	NA	NA
5 Jul, 2018	Semester 2 - Certificate of Justice Course 1	Kiribati	18	9	NA	NA	NA
5 Jul, 2018	Semester 2 - Certificate of Justice Course 2	Kiribati	18	9	NA	NA	NA
13 Jul, 2018	Presentation at PJC & ICT Summary	Samoa			NA	NA	NA
27 Sept, 2018	Human Rights Workshop (Judges)	PNG	36	7	65.56%	59%	76.67%
27 Sept, 2018	Human Rights Workshop (Magistrates)	PNG	35	15	77.19%	36%	92.98%
14 Sept, 2018	Implementation of Video Conferencing in the Courts	FSM	19	12	NA	NA	NA
26 Oct, 2018	Judiciary Awareness on the Leadership Change Plan in Tonga - the Checklists	Kiribati	1003	NA	NA	NA	NA
25 Oct, 2018	Attendance at Regional Development Workshop (PNG)	Vanuatu	1	0	NA	NA	NA
27 Nov, 2018	Legal Research Foundation Conference	Tonga	1	0	NA	NA	NA
06 Dec, 2018	Legal Research Foundation Conference	Samoa	1	0	NA	NA	NA
14 Feb, 2018	Additional Participant to attend the PJSI Lay Judicial Officer Decision Making Workshop (Rumatiki Alapaki)	Niue	1	0	NA	NA	NA
17 Jan, 2019	Additional Participant to attend the PJSI Lay Judicial Officer Decision Making Workshop (Judge Lucky)	RMI	1	0	NA	NA	NA
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	NA	NA	NA
5 Mar, 2019	Certificate of Justice - Semester 1 2019	Palau	5	4	NA	NA	NA
18 Apr, 2019	Scoping Paper: Preparing to adjudicate SOV disputes	RMI	NA	NA	NA	NA	NA



10 Apr, 2019	Certificate of Justice (Semester 1)	Kiribati	17	10	NA	NA	NA
12 Jun, 2019	Implementation of Case Tracking System in Marshall Island courts	RMI	NA	NA	NA	NA	NA
4 Jul, 2019	Client Service and Judicial Protocol Training for Court Staff	PNG	99	40	NA	NA	NA
12 Sep, 2019	Annual Court Reporting Workshop	Niue	4	2	NA	NA	NA
1 Oct, 2019	Court Data Management Workshop: Sandy Albert	FSM	1	1	NA	NA	NA
4 Oct, 2019	PNG Task Force Team: attendance at the Court Data Management Workshop (Judge Dingake)	PNG	1	0	NA	NA	NA
4 Oct, 2019	PNG Task Force Team: attendance at the Court Data Management Workshop (Celinia Lualu)	PNG	1	1	NA	NA	NA
4 Oct, 2019	PNG Task Force Team: attendance at the Court Data Management Workshop (David Gonol)	PNG	1	0	NA	NA	NA
4 Oct, 2019	PNG Task Force Team: attendance at the Court Data Management Workshop (Doris Joseph)	PNG	1	1	NA	NA	NA
4 Oct, 2019	PNG Task Force Team: attendance at the Court Data Management Workshop (Theresa Hani)	PNG	1	1	NA	NA	NA
7 Nov, 2019	Computerised database and network system for Kiribati Judiciary	Kiribati	NA	NA	NA	NA	NA
7 Nov, 2019	Computerised database and network system for Kiribati Judiciary	Kiribati	NA	NA	NA	NA	NA
7 Nov, 2019	Diploma of Justice (DOJ01 & DOJ02 & LW110)	Tonga	5	5	NA	NA	NA
8 Nov, 2019	Lexis Advance Subscription	Tonga	1	0	NA	NA	NA
19 Nov, 2019	Judicial Management Improvement Plan	Vanuatu	2	1	NA	NA	NA
12 Dec, 2019	Orientation Training for Lay Judges in Ambryn and Pamma Islands	Vanuatu	20	TBC	NA	NA	NA



12 Dec, 2019	Certificate of Justice - 7 students in Malekula	Vanuatu	7	1	NA	NA	NA
12 Dec, 2019	Certificate of Justice: Ivan Kadannged	FSM	1	0	NA	NA	NA
12 Dec, 2019	Diploma of Justice x2 & Certificate of Justice x1 2020	RMI	3	2	NA	NA	NA
13 Dec, 2019	Orientation Training for FFC Judges	Samoa	NA	TBC	NA	NA	NA
17 Dec, 2019	Certificate of Justice	Samoa	3	TBC	NA	NA	NA
12 Dec, 2019	Diploma of Justice (DOJ01 & DOJ02 & LW110)	Kiribati	33	TBC	NA	NA	NA
18 Dec, 2019	Certificate of Justice (Semesters 1 & 2)	Solomon Islands	15	TBC	NA	NA	NA

Theme: Access to Justice

Project 4: Access to Justice

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
15-26 May, 2017	Local Visit #1	FSM	59	21	NA	294.00%	90.00%
5-16 Mar, 2018	Local Visit #2	Marshall Islands	14	6	77.87%	NA	94.44%
1-12 Oct, 2018	Local Visit #3	Cook Islands	19	8	NA	384.00%	100.00%
18-29 Mar, 2019	Local Visit #4	Vanuatu	31	21	71.79%	134.00%	94.87%
2-12 Dec, 2019	Local Access to Justice Visit #1 and Community Awareness Raising Project (Workshop)	Kiribati	41 ¹⁴	NA	84.72%	108%	94.20%
	Local Access to Justice Visit #1 and Community Awareness Raising Project (Consultations)		120	NA	NA	NA	NA

¹⁴ This visit comprised of a workshop with 41 court personnel and community consultations with 120 members of the local community. Pre and post-workshop surveys were only undertaken with the workshop for court personnel. A gender breakdown was not provided for the workshop nor the consultations.



Theme: Professionalisation

Project 6: Professional Development

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
9-18 Aug, 2017	Local Orientation Visit #1	Marshall Islands	26	7	NA	396%	92.46%
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	23	3	76.67%	90%	96.30%
20-29 June, 2018	Local Orientation Visit #3	Solomon Islands	14	4	87.88%	22%	90.91%
17-25 Jan, 2019	Local Orientation Visit #4	Kiribati	36	18	78.79%	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	76.92%	133%	95.24%
2019	Pilot Mentoring Toolkit	Vanuatu	2	0	NA	NA	NA

Project 8. Localising Professional Capacity Building

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
12-23 Jun, 2017	Regional Certificate-level Training-of-Trainers Workshop	Cook Islands	18	11	NA	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%	117%	74%
26-30 Nov, 2018	Substantive / Capacity Development ToT Workshop (Topic: <i>Data management</i>)	PNG	35	21	87.50%	141%	93.75%
28 Nov, 2019	Webinar #1: Court Data Management Follow-up	Remote	31	19	58.33%	NA	75.00%



Project 9: Institutionalising Professional Development

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
31 Oct-4 Nov 2016	Career Pathway: Local Visit #1	PNG	5	1	NA	NA	NA
30 Jan-3 Feb, 2017	Career Gateway: Local Visit #1	Vanuatu	3	1	NA	NA	NA
4-9 June, 2017	Career Gateway: Local Visit #2	Vanuatu	3	1	NA	NA	NA
4-8 Dec, 2017	Career Pathway: Local Visit #2	PNG	18	7	NA	NA	NA
2-6 July, 2018	Career Gateway: Local Visit #3	Vanuatu	2	0	NA	NA	NA
4-8 Mar, 2019	Career Pathway: Local Visit #3	PNG	18	8	72.22%	NA	87.04%
20-24 May, 2019	Career Gateway: Local Visit #4	Vanuatu	1	0	NA	NA	NA
11-15 Nov, 2019	Career Pathway Visit #1	PNG	11	3	NA	NA	NA

Theme: Substantive Justice

Project 10: Human Rights

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
24 Apr-5 May, 2017	Piloting of HR resource / toolkit	Solomon Islands	39	13	NA	348%	83.33%
20 Nov-1 Dec, 2017	Local Visit #1	PNG	85	24	NA	44.50%	84.06%
4-15 June, 2018	Local Visit #2	Kiribati	58	31	85.95%	70.50%	93.06%
4-15 Feb, 2019	Local Visit #3	Tonga	26	14	NA	88.50%	95.15%
23 Sep-4 Oct, 2019	Local Human Rights Visit #1	Solomon Islands	51	24	90.50%	14.00%	100.00%

Project 11: Gender and Family Violence

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%	91.67%
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	74.51%	350.00%	96.49%
20-31 May, 2019	Local Visit #5	Samoa	60	43	91.67%	414.00%	95.83%
4-8 Nov, 2019	Local GFV Visit #1	Vanuatu	9	6	88.9%	32.00%	100.00%

Theme: Procedural Justice

Project 12: Efficiency

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	NA	NA	NA
16-19 Oct, 2018	ICT Support #2	Marshall Islands	9	4	NA	NA	NA
18-26 Jan, 2019	Local Visit #2	Nauru	23	10	68.75%	112.00%	90.20%
Mar, 2019	Local Visit #4	Tokelau	5	4	75.00%	175.00%	100.00%
29 Apr-10 May, 2019	Local Visit #3	PNG	23	11	80.95%	263.00%	95.40%
24-28 June 2019	Local Efficiency Visit #1	Niue	18	12	77.78%	407.00%	92.59%
24-28 June	Local ICT Visit #1	Niue					
14-18 Oct, 2019	Court Data Management Workshop	Vanuatu	42	25	94.87%	95.00%	95.73%
21-25 Oct, 2019	Local ICT Visit #2	Nauru	11	4	NA	NA	NA

Project 13: Accountability

Date	Activity Name	Location	PAX	Female	Confidence	Knowledge	Satisfaction
20-24 Feb, 2017	M&E Visit #1	Vanuatu	20	8	NA	NA	NA
19-Jun-17	M&E Visit #2	Niue	10	6	NA	NA	NA
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	NA	NA	NA
5-6 Apr, 2019	M&E Visit #3	Palau	-	-	NA	NA	NA






Annex B: Detailed Summary of Progress

Below is a detailed summary of progress made by each Project during the reporting period. The current *Monitoring and Evaluation Framework* is located in **Annex C**.

The region's Chief Justices are in the process of determining a number of priority changes they wish to accomplish by the end of PJSI's term in mid-2021. These are articulated under the specific projects below and included in national improvement plans. Twelve Chief Justices have developed such plans, and/or objectives against PJSI's goal of three. Please see **Annex C** for further details on these outputs. Examples of the national improvement plans developed include:

- **Video Link in the Court and Development of a New Land Court Bench Book (Cook Islands)** - progress underway, waiting on updated report.
- **Human Resource Improvement Plan (FSM)** - the 5-year Supreme Court of FSM Strategic Plan incorporates specific action areas to:
 - Promote professionalism in the Judiciary and the Legal Profession;
 - Complete regular performance evaluations to review productivity of Court staff and make recommendations for awards and other incentives; and
 - Develop effective communications among Court personnel.
- **Implementation of the Separation Decision (Kiribati)** – this refers to splitting the Judiciary into three divisions: the High Court, Magistracy and the Judicial Technical Unit. Progress is currently underway.
- **Electronic Filing (Nauru)** – worked with the ICT Adviser to migrate to an Excel Case Tracker.
- **Increase Efficiency with All Court Functions (Niue)** - progress underway, waiting on updated report.
- **ICT Plan (Palau)** - worked with the ICT Adviser to develop ICT & Video Conference capacity.
- **Execution & Enforcement of Bench Warrants (PNG)** – establishment of the PNG Task Force. Further progress underway, waiting on updated report.
- **Judiciary Radio Program and Meeting the Legal Needs of the Outer Islands (RMI)** - progress underway, waiting on updated report.
- **Judicial Planning and Support Program (Samoa)** - progress underway, waiting on updated report.

PROJECT 1: REGIONAL LEADERSHIP	
	Solomon Islands, Niue, Kiribati, Tonga, Cook Islands
	5 attendees
	40% female



- **National Judiciary Autonomy (Solomon Islands)** – currently being implemented with wider support from the Federal Court of Australia.
- **Providing Quality Justice for the People (Tokelau)** - progress underway, waiting on updated report.
- **Adoption of Legitimate Children (Tonga)** - progress underway, waiting on updated report.
- **Fair, Just & Timely Disposition of Cases (Vanuatu)** - progress underway, waiting on updated report.



On 30 August, the seventh Initiative Executive Committee (IEC) Meeting convened remotely. Three Chief Justices representing Melanesia, Polynesia and Micronesia, in addition to representatives from the region's Lay Judicial Officers, Court Officers and MFAT, attended. Attendees were briefed about and discussed PJSI's progress, the publication of its online materials, re-engagement with the Supreme Court of Fiji, and proposed additional activities.

Preparations are underway for the fifth Chief Justices' Leadership Forum (CJLF) and 8th Initiative Executive Committee Meeting. Both activities will take place in Honiara, Solomon Islands between 23-26 March, 2020.

Following direction by the region's Chief Justices and approval by MFAT to re-engage with the Fijian Judiciary, a senior judicial officer attended the last Chief Justices' Leadership Forum in Palau (April, 2019). In July, the PJSI Technical Director and Team Leader visited the Acting Chief Justice of Fiji to further discuss collaboration. His Honour expressed interest in the areas of judicial education, court management (including efficiency), and performance data. Further discussion will take place at the CJLF in Honiara.


Planning is underway for a joint Project Management and Gender & Family Violence (GFV) workshop in the Federated States of Micronesia from 10-14 February, 2020. The 1-week visit will further assist the Judiciary to lead, manage and deliver GFV and enabling rights/access to justice related activities. The workshop will:


- Familiarise participants with the gendered nature of domestic violence and its underlying causes;
- Refresh/support local FSM faculty to apply effective techniques of adult learning;
- Support participants to develop content for locally-held GFV/access to justice awareness-raising activities; and
- Develop self-reliance and confidence in leading, designing, delivering, monitoring, and assessing GFV/access to justice engagement activities.


PROJECT 2: NATIONAL LEADERSHIP	
	Fiji
	Consultations



PROJECT 3: LEADERSHIP INCENTIVE FUND

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


 22 applications approved


 10 projects delivered


22 Leadership Incentive Fund (LIF) applications (9 large and 13 small) have been approved since the start of PJSI Phase II, with approved applications totalling approximately AU\$266,000.¹⁵ 10 activities have been delivered in the reporting period, comprising of: client services and judicial protocol training for court staff in PNG, an annual reporting workshop for Niue court staff, additional attendees at the court data management workshop from FSM (x 1 additional attendee) and PNG (x 5 additional attendees), review of progress against Vanuatu's strategic plan and development of the next iteration, and subscription to Lexis Advance for the Tonga judiciary. See **Annex F** for further details about the status, objectives and outcomes of LIF projects.


PROJECT 4: ACCESS TO JUSTICE


 Kiribati

 41 participants (workshop)

 120 participants (consultations)

 94.2% satisfaction

 84.7% confidence

 108% knowledge gain

At the commencement of this phase of the PJSI, four PICs - Kiribati, FSM, Cook Islands and Vanuatu - appreciated the importance of and had developed plans to improve access to justice. Community outreach strategies had been developed and implemented in those four PICs. Two PICs - Kiribati and Vanuatu - are continuing to collaborate with PJSI to implement priority changes as identified during Phase I. Such priority changes include: increased public outreach and awareness-raising (Kiribati); and the inclusion of access to justice (A2J) as a strategic priority in 2020 (Vanuatu).

A second visit to Kiribati took place from 1-12 December, comprising consultations with 120 community members (new to engage with PJSI) in South and North Tarawa, and Maiana, and a follow-up workshop with 41 court personnel to review progress against Kiribati's 2014 A2J Plan and provide a forum for further A2J planning.

Community consultation suggests that some progress has been made against the Judiciary's 2014 A2J Plan.¹⁶ Feedback from the community consultations indicates that the courts are generally perceived more positively than the police.

Further, stakeholders reported an observed improvement in court and court staff performance over the past five years, which they attribute to recent training initiatives (including USP's Certificate of Justice program). These improvements in Magistrates include: more confidence and competence to control court proceedings; and better structured and more timely decisions that reveal methodical analysis of key issues, leading to few appeals and fewer reversal of those

¹⁵ As approved at the seventh IEC Meeting, an additional AU\$120,000 was reallocated from activity savings due to the significant demand for LIFs.

¹⁶ See *Kiribati Access to Justice Completion Report, December 2019*.



decisions. Improvements in Court Officers and registry staff include: more professionally dressed; more respectful communications with parties and witnesses; and more efficient administration of court procedures.

While it is premature to yet assess any outcomes of this visit, it is anticipated that these will become measurable in terms of raised levels of community awareness of and satisfaction of the courts' performance, and increased levels of competence and confidence of court actors in due course. It is pleasing to find evidence of stakeholders' perceptions of improvements in court performance over recent years, building on PJSI's support for the court's earlier access to justice activities, as well as support for very active participation in piloting USP's Certificate of Justice since 2018.

The court's endeavours in implementing its earlier A2J Plan are both impressive and encouraging. While much more needs to be done, it is realistic to expect the court to continue moving forward with its planning and implement of activities in 2020.

A visit to Vanuatu is planned for later in the phase with a focus on the development, publication and distribution in local language of a number of *Court Guidance's for Unrepresented Litigants*. A follow-up visit to the Cook Islands has been reallocated to the RMI for later in Phase II.

PROJECT 5: INSTITUTIONALISING LEGAL AID



Desk review, survey development
and interviews

While this project is still in its research phase, preliminary findings indicate that despite the critical roles of legal aid in protecting and securing citizens' rights across the Pacific, there is a dearth of knowledge about the wide range of legal aid systems in operation across the region. Major global studies on legal aid systems do not cover any Pacific countries, and a literature review revealed a scarcity of documented descriptions and comparisons of existing legal aid models across the Pacific.

A review of legal environments indicates that the majority of PICs have some constitutional or legislative provision for some legal aid, usually in relation to criminal defence. Most PICs with ties to the US have high functioning and well-resourced legal aid systems for criminal defence through public defender services, and also for civil law matters through the innovative multi-jurisdictional Micronesian Legal Services Corporation (MLSC). For example, Palau has the highest ratio of legal aid lawyers per capita. Further, constitutional provisions requiring the state to adequately resource legal aid is an innovative provision which has enabled the Fiji Legal Aid Commission to greatly expand the coverage and quality of legal aid services.

Most states' legal aid services are incapable of meeting the known demand for legal aid services. The lack of effective legal representation seriously impedes a fair trial in several jurisdictions. In addition, the need for legal aid exists well



before the court door, and is often not available to suspects during questioning at the police station, when they are most vulnerable to mistreatment or forced confessions.

Aid in civil matters is generally less available than in criminal matters, and this has a disproportionate negative effect on women's rights, who are more likely to bring civil cases to secure their basic rights. While legal aid for victims of family violence is now provided in some states, often by NGO providers, capacity remains limited. Further, the Family Protection Laws, which have now been enacted in most PICS, do not include a right to legal assistance. Even where legal aid is available, salaries and employment conditions prevent legal aid services from maturing, as they cannot compete with salaries paid by government and the private sector. The full situational analysis and recommendations will be presented at the CJLF in March, 2020.

PROJECT 6: PROFESSIONAL DEVELOPMENT



Vanuatu



Pilot and finalisation of the
Mentoring Toolkit

Following peer review,¹⁷ refinement, and successful piloting of the [Mentoring Toolkit](#), this latest PJSI toolkit has now been finalised and published on the PJSI website.

Three expressions of interest were received from FSM, RMI, and Vanuatu for the pilot. Two of these new judicial appointments were delayed, resulting in the pilot being undertaken in Vanuatu.

The Chief Justice of Vanuatu confirmed that the newly appointed Supreme Court Justice Trief (appointed 15 July, 2019) would be suited and available to participate in the mentor programme. Justice Gustaaf Andree Wiltens - a highly experienced New Zealand Judge currently working full-time as a Supreme Court Judge in Vanuatu - was identified as the 'mentor'.

The pilot ran for 5 months. Justice Wiltens reported that as a result of the pilot, the new judge better understood her judicial role and responsibilities and her rights related to the terms, conditions and administrative requirements related to her appointment.

¹⁷ By Chief Justice Sir Hugh Williams, Chief Justice of the Cook Islands.



PROJECT 7: BAR ASSOCIATIONS



Desk review, survey development
and interviews

This project aims to review the regulatory and wider justice-system roles of lawyers' professional associations (law societies/bar associations) across the region. While it is in its research phase, preliminary findings suggest that bar associations and law societies are a very neglected part of the justice system, despite their importance as the 'incubator' for producing each nation's judges, magistrates, prosecutors, and lawyers.

Despite being led by highly motivated individuals, bar associations and law societies typically are very poorly resourced, with most having only annual fees as their sole source of support. All are heavily reliant on volunteers and often do not have resources to fulfil their statutory roles including discipline of lawyers. They also struggle to provide crucial services to their members, such as regular programs of continuing professional development, which generally only occur on an ad hoc basis.

Only one or two have an office, and most lack any administrative support and must rely on members of the executive providing meeting space and secretariat functions at their private expense. While several law societies/bar associations have reached out to donors for support, little has been forthcoming even within large bilateral justice programs. The full situational analysis report with recommendations will be presented at the CJLF in March, 2020.

PROJECT 8: LOCALISING PROFESSIONAL CAPACITY BUILDING



Cook Islands, FSM, Kiribati, Nauru,
Palau, PNG, RMI, Samoa, Tonga and
Vanuatu



31 participants



63.3% female



75% satisfaction




58.3% confidence

In November, a 1.5 hour Court Data Management Webinar was presented to PICs. The Webinar was a remote follow up to the recent regional Court Data Management Workshop (in October, 2019) to refresh key concepts and support counterparts to review progress and address challenges implementing their *Data Management Plans*. It was designed and facilitated by PJSIs Accountability, Efficiency, ICT and Webinar Advisers, with support from the PJSI Team Leader.

A second regional webinar, focused on understanding the needs and challenges currently faced by Lay Judicial Officers in the region is being developed for broadcast in February, 2020. Discussion will focus on experiences and challenges, as well as potential assistance required to build their skills.



PROJECT 9: INSTITUTIONALISING PROFESSIONAL DEVELOPMENT

 Kiribati, Fiji, RMI, Nauru, Tonga,
Samoa, Palau, Vanuatu, FSM

For the 2020 cohort, PJSI has approved LIF-support to fund 40 DoJ and 27 CoJ students. In addition to these 67 PJSI-supported students, it is anticipated that up to another 30 students may receive funding through alternative sources. Final enrolment figures for 2020 will be reported on once finalised by USP.

Semesters 1 and 2, 2019 was the second time the Certificate of Justice was delivered. Completion of COJ01 and COJ02 were prerequisite subjects for further completion of COJ03 and COJ04. In the initial cohort (Semester 1, 2018), 54 students successfully passed COJ01, and 52 passed COJ02. The second cohort (Semester 2, 2018) saw 31 students successfully passing COJ01, and 35 passing COJ02. These students then continued on to study COJ03 and COJ04 in Semester 2, 2018 and 2019.

As detailed in the table below, the large proportion of Kiribati students who completed COJ01/COJ02 in Semester 2, 2018 and carried over to study COJ03/COJ04 in Semester 1, 2019 accounts for the difference in student numbers.¹⁸

Country	Semester 1, 2018		Semester 2, 2018				Semester 1, 2019		% Continuing to Advanced Courses
	COJ01	COJ02	COJ01	COJ02	COJ03	COJ04	COJ03	COJ04	
Kiribati	31	29	31	35	0	0	33	33	52.4%
Fiji	7	7	0	0	4	5	0	0	64.3%
RMI	3	3	0	0	1	1	1	1	66.6%
Niue	3	2	0	0	2	2	0	0	80.0%
Tonga	4	4	0	0	4	4	0	0	100%
Vanuatu	6	7	0	0	0	0	4	5	69.2%

The Pathway Project has continued collaborating with PNGs Centre for Judicial Excellence (CJE). An assessment in November, 2019 notes that in addition to a new training facility with capacity for 50 trainees, its capacity has been substantially built over the past three years, notably in the recruitment of an expanded team (3 to 17 officers) and an increase in productivity from 5 to 25+ activities annually. While activities have to date been predominantly directed at senior judges, the CJE intends to extend its offering to a broader spectrum of domestic stakeholders.

¹⁸ This data was provided by the University of South Pacific in their *Report on Certificate of Justice: Pilot Stage, Jan 2018 – May 2019*.



At the commencement of PJSI Phase II, three PICs - Solomon Islands, Tonga, Kiribati – had a good understanding of the human rights norms applicable to court practices, were demonstrably enthusiastic and had begun implementing changes aligned with Action Plans developed during Phase I. Two PICs have reported progress and the Advisor agrees that their plans, actions, outputs and progress are sufficient to achieve their goals.

Following activities in May, 2017, Workshops were conducted for Magistrates and High Court judges in Solomon Islands in September/October, 2019 to apply international and constitutional rights/standards. The visit also provided the opportunity for the Chief Justice to determine the priority changes he wishes to institute in the coming 12 and 24 months. These focus on:


1. **Developing and implementing Human Rights Rules** – inspired by PNG’s 2011 Rules, this will comprise a similar and accessible mechanism to activate High Court powers under the Constitution for citizens and subordinate courts to make or refer complaints of breaches of constitutionally protected human rights to the High Court.
2. **Reducing the number of people on remand and the duration of remand** - According to the most recent available statistics over 60% of the prison population consists of remandees, which is almost three times the global average.


The Human Rights Adviser will require additional resources than currently allocated to support the Chief Justice to address these issues.

The priority changes to be accomplished by Tonga are: progress made towards initiation of a legal aid service for criminal defendants; implementation of a court action plan for people with disabilities; establishing and maintaining a court referral list; further piloting of ‘circle sentencing’ principles in sentencing of juveniles; and Magistrates/Judges to conduct regular visits to prisons/police cells.


For Kiribati the priority changes include: developing sentencing guidelines and checklists for bench books that provide simple and clear guidance in accordance with relevant laws in relation to cases involving family or sexual violence, juvenile offenders or cases involving people with disabilities (as parties or as witnesses).


PROJECT 10: HUMAN RIGHTS

 Solomon Islands

 51 participants







 47.1% female

 100% satisfaction

 90.5% confidence



PROJECT 11: GENDER AND FAMILY VIOLENCE

-  Vanuatu
-  9 participants
-  66.6% female
-  100% satisfaction
-  88.9% confidence
-  32% knowledge gain

At the outset of this phase, three PICs - Vanuatu, FSM and Samoa - had Action Plans with goals related to prevention, victim-centred access, safety and fairness, perpetrator accountability and sectoral collaboration. All three PICs had identified a specific priority change they wish to achieve and are taking actions to achieve it. No PIC have, however, reported on progress.

A follow up visit to Vanuatu took place in November, 2019. The purpose was to review progress and further support the Magistracy to implement its 2019 Domestic Violence Action Plan developed during the initial 2018 visit. The objective of the in-country visit in November, 2019 was to provide technical support to the Magistrates Court in Vanuatu in implementing the four key outcome areas of the Magistrate Court Domestic Violence Action Plan 2019: awareness/prevention work, collaboration, focusing on victim/victim centred approaches and perpetrator accountability.

The Action Plan was developed after support from PJSI during the in-country visit conducted in August, 2018. The Plan was endorsed by the Chief Justice in August 2019.

The visit comprised of one day of planning and four days of collaborative training with Magistrates. During the visit: Guidelines for both Magistrates and staff dealing with Domestic Violence Cases were drafted; the Magistrates brochure on Domestic Violence and Protection Orders was refined; and a pilot Court User Forum for Domestic Violence Cases was attended by 29 people.

Outcomes of this visit include:

- **A continued re-examination of victim focused practice and perpetrator accountability**
Strengthening court responses to being victim focused, and pursue perpetrator accountability, remain some of the most challenging areas for judicial strengthening in the Pacific. Vanuatu magistrates are embarking on a journey of change in these two areas. They demonstrate reflection and the willingness to examine their own attitudes and behaviours on these two areas.
- **Increasing perpetrator accountability**
Magistrates, both male and female, shared experiences of cases where they have become more direct when talking to perpetrators of domestic violence about their use of violence, that there are no excuses, and to refrain from blaming the victim. This approach is rare in the sense that warnings from magistrates about not perpetrating violence and not provoking violence is often given to both the perpetrator and victim. These experiences indicate that there is a shift in attitudes with how the magistrates are responding to perpetrators. In instances where the



perpetrator has been fined for breaching the order, or for the offence of domestic violence and has defaulted in payment, the magistrates have imprisoned perpetrators until the outstanding fine is settled.

Magistrates also discussed the challenges towards custodial sentencing for perpetrators of domestic violence. While it was agreed that custodial sentences should be the last resort for less serious offences, the magistrates also discussed how “lighter” penalties contribute towards the widely held belief that domestic violence is not a crime. Many awareness programs and information, education and communication material emphasise that domestic violence is a crime and is punishable by law.

During discussions around sentencing of perpetrators, the challenge that is often highlighted is that most women do not proceed with the case or express their intention to withdraw in the courts. There are a few women who have accessed the police or the court, and have some form of support from their family to live without the perpetrator. However, even for those cases where the woman is not withdrawing the case, perpetrators are not given any sentence, including custodial sentences. During the visit, it was discussed how a breach of protection orders was equivalent to a breach of bail conditions, but often a breach of protection orders was treated as a situation where the perpetrator could be given another final warning. One of the questions raised to magistrates to reflect on during the workshop was: are you sentencing offenders found guilty of domestic violence or breaching court orders? If yes, how and if no, why?

There is also continued distinction between sexual violence and domestic violence. The former is seen as more serious. This perception is also shaped by law where sexual offence penalties are higher than common assault. However, domestic violence is not limited to common assault. It is common for domestic violence to include more serious forms of assault. There are serious forms of assault throughout the Pacific legislations - for example assault causing grievous bodily harm, assault causing actual bodily harm and unlawful wounding – these offences also carry higher penalties. Despite the higher penalties provided for in law for more serious types of assaults, domestic violence perpetrators often receive less or lighter sentences in the Pacific.

As a result of the review and training, the Adviser suggests that:

- i) Participating Magistrates have a better knowledge/understanding of gender relations and domestic violence that will improve their response to victims/perpetrators;



- ii) Magistrates and court staff have increased information available to improve responses to domestic violence victims and perpetrators;
- iii) More victims have information about the Courts, the Family Protection Act and Protection Orders as a result of the services who support them (including organisations that use the court and those who represent victims) being better informed about the role of the court; and
- iv) Magistrates Court has increased capacity to assess levels of user satisfaction of those who access the courts for domestic violence cases.

Further, the Adviser acknowledges that the Magistrates Court has increased capacity, skills and knowledge to implement the Vanuatu Magistrates Court Domestic Violence Action Plan 2019.

Preparations are currently underway for a joint Project Management and Gender & Family Violence Follow-up visit to the Federated States of Micronesia between 10 and 14 February, 2020. The purpose of this visit is to strengthen the staff capacity in community engagement and victim-centred approaches, and how data is captured for Gender and Family Violence cases.







A follow up visit to assess progress in Samoa with respect to their identified priority change is scheduled to take place later in the phase. The identified priority change in Samoa is to try and increase victims' access to the courts and police through an 'Access to Justice Initiative'. The purpose of the initiative is to address the issue of cases being mediated at community level, address the challenges that prevent women from accessing the police and the courts and ultimately increasing women's access to the police and the courts for domestic violence cases.

Since the last workshop, I don't just warn perpetrators anymore. I treat it as a crime, and I've reflected that in sentencing. I put them on probation with correctional services. For cases that have significant injuries, those matters I refer to the Supreme Court. It doesn't end in my court.

Female Magistrate, Gender and Family Violence Workshop



PROJECT 12: EFFICIENCY

-  Samoa, PNG, Cook Islands, FSM, Fiji, Kiribati, Nauru, Niue, Palau, RMI, Solomon Islands, Tonga and Vanuatu
-  53 participants
-  54.7% female
-  95.7% satisfaction
-  94.8% confidence
-  95% knowledge gain

At the outset of this phase, four PICs – Palau, PNG, Tokelau and Nauru - had identified a priority change and have plans to achieve it. Nine PICs have case disposal time-standards.¹⁹ Four PICs have moved beyond manual/excel case tracking²⁰ and four PICs have electronic case management systems.²¹ All PIC's understand the importance of efficiency indicators and court performance reporting, and five have introduced or improved their periodic court performance reporting practices during the reporting period.²² Whilst no PICs periodically review efficiency, in PICs where PJSI worked on efficiency previously, they continue to refine and improve court efficiency (although not undertaking the formal Efficiency Review). Further, PNG have established an Efficiency Task Force Team, in order to effect change in the priority areas of efficiency, and the reduction of reserve decisions. Please see **Annex C** for further details on these outputs.

Following significant interest, PJSI hosted its largest regional workshop in Port Vila, Vanuatu from 14-18 October. Focusing on Court Data Management, the workshop built on the first Data Management Workshop in PNG, 11 months prior. It enabled participants to better plan, manage and analyse cases and court data; develop strategies to better report on courts' activities and performance; understand their needs to progress towards using case tracking and case management systems to collect accurate data and produce quality reports; develop and present *Court Data Management Plans*; and to integrate data and reporting needs into current court organisational development activities.

A five-day visit to Nauru in October, 2019 analysed the 2018 ICT baseline and quality of existing, Excel-stored data; implemented a Case Tracker; trained staff to use the Dashboard and to produce Quarterly Reports; and advised the Court about website development. As a result, the judiciary now have the ability to record, track and manage their caseload efficiently and effectively, and present this information visually and statistically.

The best part of the workshop for me was being able to see and hear from other jurisdiction on what they are doing differently, how it is working for them, and how we can incorporate it into our court. We do not have to reinvent something that has already been working for other courts.

Ivan Kadannged, IT Manager, FSM

¹⁹ RMI, Palau, Tonga, Kiribati, PNG, Samoa, Solomon Islands, FSM and Tokelau (*Time Goals Report, October 2019*).

²⁰ Tonga, Tuvalu, Tokelau and Cook Islands (*ICT Wrap Up, Court Data Management Workshop, October 2019*).

²¹ Palau, PNG, Solomon Islands, Vanuatu. (*ICT Wrap Up, Court Data Management Workshop, October 2019*).

²² Tonga (Superior Courts), Tokelau and Vanuatu (*2018 Court Trend Report, June 2019*); FSM and PNG (*Court Data Management Follow-Up Webinar, November 2019*).



PROJECT 13: ACCOUNTABILITY



Publication of the 2018 Court
Trend Report

The [2018 Court Trend Report](#) has been finalised, published, printed and circulated at the regional Court Data Management Workshop in Port Vila, Vanuatu. It demonstrates significant improvements over the past seven years including: sustained increase in transparency of annual reporting; smaller PICs maintaining their commitment to annual reporting; more in-depth analysis and increased presentation of trend data; some PICs presenting sex, age and disability disaggregated data; and PICs are committing to court user surveys.

As approved at the seventh IEC Meeting, an Adviser was recruited in December to consider global indicator sets in terms of feasible short/long term enhancements to data collection to: better inform court management decision-makers on how to progress positive change that is most important, relevant, meaningful or challenging for them; explore how a regionally homogeneous set of indicators can remain relevant and meaningful to a disparate collection of countries; and explore the mechanism that may be developed to ensure continued relevance of the suite of indicators over time. A draft strategy paper with recommendations will be presented at the fifth CJLF in March 2020.

PROJECT 14: SUSTAINABLE DEVELOPMENT GOALS



Research and development for
strategy paper

This Project, still in its research phase, considers how PIC courts might contribute to the achievement of the United Nations (UN) Sustainable Development Goal (SDG) targets. Cross referencing the UNs 244 SDG targets against the courts' and PJSIs remit, along with an assessment of the data collected to through PJSIs activities and application of the Cook Island Indicators, initial findings suggest that: PIC Courts are already undertaking related activities and collecting relevant data that may be repurposed for reporting against relevant SDGs; and there are additional activities PIC Courts may undertake and additional data they might collect to bolster their contribution to relevant SDGs. The full assessment and recommendations will be presented at the CJLF in March, 2020.



Attribution and Risk

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



Sustainability

PJSI continues to build strong professional relationships with key stakeholders and between counterparts in different PICs. Once built, these relationships are maintained through in-person and remote activities.

Among the region's leaders it is accepted that courts should be transparent and accountable to the public for the work that they do – a pre-requisite 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 an increased ownership by PIC leadership, and the capacity to identify and rectify court performance deficiencies. The PJSI team have also observed a change in mindsets and approaches 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 Initiative's relevance by being responsive to positively changing attitudes towards access to justice, gender and family violence, human rights, efficiency, transparency/accountability. Through the cohort of PJDP/PJSI-trained local trainers, local actors are being trained by local people about locally relevant issues in a locally nuanced manner.

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 these issues 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 remote webinars provides a cost and time effective means of reaching a significant number of people, while not compromising on participatory/interactive approach.

The Train-the-Trainer program produced a large number of trained people. This has not however translated into a large amount of high quality training and professional development occurring locally.

Impact

The 2018 Annual Report for the Tonga Family Protection Legal Aid Centre together with the 2018 Courts of Tonga Annual Report for example, presents a picture of significant improvement 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. These changes are directly attributable to PJSI's interventions.

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

- Increased knowledge of procedural justice, case management and caseflow 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 maximised the efficient use of 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 PICs. To mitigate this risk, the Extension Plan ensures that support and outcomes are tailored in accordance with the identified needs, capacities, and progress to-date of Partner Courts.

Risk 2: PICs may have insufficient capacity, resources or commitment to assume responsibility for their own development resulting in ongoing 'donor dependence'. To mitigate this risk, PJSI has developed the need for leaders to identify priority changes to focus on for the duration of PJSI. These changes are 'follow-ups' to achievements previously accomplished, to embed learning and change. This approach bolsters local ownership and investment, focuses on an issue that matters to them. This is complemented with engagement among PJSI team members and a focus on capacity building to sustain in-country momentum.

Risk 3: Inaccessibility and non-responsiveness of PICs impacts on PJSI's organise and deliver activities. To mitigate this risk, PJSI continues to build relationships and strengthen commitment and channels of communication within PICs.

Risk 4: The diversity of needs among PICs could stretch PJSI resources too thinly and impact upon its strategic focus. This could result in limited change among PICs. To mitigate this risk, PJSI will build on prior accomplishments that address priority needs within PJSI's strategic framework, including the supply of LIF grants.

Risk 5: With the increased prevalence of contagious diseases in the region – particularly measles and the Corona Virus, there is a risk of PJSI Team Members and/or participants travelling to PICs, to contract these illnesses or be affected by travel restrictions. To mitigate the risk, all those travelling for the purpose of PJSI activities will be made aware of the current situation and required to take appropriate precautions. For example, all those attending the CJLF in Honiara in March are required to present evidence of having had the measles vaccination more than two weeks prior to travel. We will continue to monitor these and other health risks, taking appropriate action to ensure the health and wellbeing of our team and other stakeholders.

Financial Management

Expenditure Summary: An expenditure summary to 31 December, 2019 is available at **Annex H**. Please see **Annex I** for the Expenditure Projection Summary.



Annex C: Monitoring and Evaluation Framework (MEF)

End Of Initiative Outcome (EOI)	EOI Target	Intermediate Outcome (IO)	IO Target	Baseline (at June, 2019)	As at December, 2019	Indicators	Data Source	Responsibility for Data Collection
1 - Judicial leaders are leading & managing change locally	1 priority change achieved its goal in each PIC.	1.1 - leadership - priority change, as agreed to by each Chief Justice, progressed.	1 priority change progressed by each PIC.	3 Chief Justice have court improvement plans inclusive of priority reforms they wish to implement.	12 Chief Justice have court improvement plans inclusive of priority reforms they wish to implement.	Identification of a change, committed to by each Chief Justice.	Documented commitment from each Chief Justice.	Technical Director supported by the Team Leader / Program Manager
						#, nature & sufficiency of actions taken by each PIC to progress each change.	Reports from each Chief Justice and TA expert analysis.	
						Progress towards achieving the objectives of each change reported.		
2 - Court services are more accessible, professional, responsive, just, efficient & transparent	1 priority change achieved its goal in 3 PICs.	2.1 – accessibility – priority change, as agreed to by 3 Chief Justices, progressed.	1 priority change progressed by 3 PICs.	4 PICs appreciate the importance of & have developed plans to improve access to justice. Community outreach strategies developed & implemented in 4 PICs. 3 PICs are planning &/or taking steps to implement priority changes as identified during Phase I.	4 PICs appreciate the importance of & have developed plans to improve access to justice. Community outreach strategies developed & implemented in 4 PICs. 2 PICs are planning &/or taking steps to implement priority changes as identified during Phase I.	Identification of a change, committed to by each Chief Justice.	Documented commitment from each Chief Justice.	Access to Justice Adviser
						#, nature & sufficiency of actions taken by each PIC to progress each change.	Reports from each Chief Justice and TA expert analysis.	
						Progress towards achieving the		



<p>2 in-region training providers are sustainable & offer 6 foundational and/or advanced courses to judicial & court officers in all PICs. 17 LIF grants are awarded, associated activities implemented & achieve their objectives.</p>	<p>2.2 – professionalism – Judicial & court officers can access ‘in-region’ training. Those participating in PJSI/partner/local capacity building activities, perform their roles more competently than before participating.</p>	<p>PNGCJE confirms funding for yrs1-3 & conducts / evaluates 10 local activities. 3 additional PICs enrol participants in the USP Certificate & the Diploma is launched. 7 LIF grants awarded, associated activities implemented & achieve their objectives.</p>	<p>PNG CJE appointed a Director, management & training capacity has improved & is adequate to manage the Centre & local activities. It is not yet ready to offer training regionally as it is unclear whether it has committed, ongoing, adequate funding. Also, it has not established its regional training capacity/offering. 10 courses / resources have been developed & delivered to local judicial/court officers. 85-90 people are anticipated to complete the USP Certificate of Justice. The Diploma of Justice is currently being designed and its launch is anticipated in early 2020. In the past 12 months, 25 LIF grants have awarded & the activities completed. 85% of MSC respondents cited improved competence as the most significant change.</p>	<p>PNG CJE appointed a Director, management & training capacity has improved & is adequate to manage the Centre & local activities. It is not yet ready to offer training regionally as it is unclear whether it has committed, ongoing, adequate funding.</p> <p>For the 2020 cohort, PJSI has approved LIF-support to fund 40 DoJ and 27 CoJ students. In addition to these 67 PJSI-supported students, it is anticipated that up to another 30 students may receive funding through alternative sources. Final enrolment figures for 2020 will be reported on once finalised by USP.</p> <p>In the past 6 months, 22 LIF grants have awarded & 10 of the activities completed.</p>	objectives of each change reported.		
					PNG CJE has sufficient funding, management & training capacity & quality/range of courseware to expand its local portfolio of training services & to contemplate offering courses to the region.	Reports of TA expert analysis.	<p>Career Pathway/Gateway Adviser with M&E Adviser leading on LIF activities.</p>
					# people enrolled & successfully completing the USP Certificate & Diploma courses.	USP reports.	
					# local qualified trainers & training activities delivered by local trainers.	NC reports.	
					% increase in learning following PJSI / partner / local training activities.	NC reports, pre/post-activity competence assessments incl. in PJSI TA (follow-up) reports / PNG CJE report / LIF completion reports.	



	1 priority change achieved its goal in 3 PICs.	2.3 – substantive justice - human rights – priority change, as agreed by each Chief Justice, progressed	1 priority change progressed in 3 PICs	3 PICs understand human rights norms applicable to court practices, are demonstrably enthusiastic & have begun implementing changes aligned with Action Plans during Phase 1. 2 PICs have reported progress towards the achievement of their goals, with the TA suggesting their actions/outputs are sufficient to achieve their goals.	3 PICs understand human rights norms applicable to court practices, are demonstrably enthusiastic & have begun implementing changes aligned with Action Plans during Phase 1. 2 PICs have reported progress towards the achievement of their goals, with the TA suggesting their actions/outputs are sufficient to achieve their goals.	Identification of a change, committed to be each Chief Justice	Documented commitment from each Chief Justice.	Human Rights Adviser
						#, nature & sufficiency of actions taken by each PIC to progress each change.	Reports from each Chief Justice and TA expert analysis.	
	1 priority change achieved its goal in 3 PICs.	2.3 – substantive justice - gender & family violence priority change, as agreed by each Chief Justice, progressed	1 priority change progressed in 3 PICs	3 PICs have Action Plans with goals related to prevention, victim-centred access, safety & fairness, perpetrator accountability & sectoral collaboration. 3 PICs have identified a specific priority change they wish to achieve. 3 PICs are actively taking actions to achieve the change, no PICs are reporting on their progress.	3 PICs have Action Plans with goals related to prevention, victim-centred access, safety & fairness, perpetrator accountability & sectoral collaboration. 3 PICs have identified a specific priority change they wish to achieve. 3 PICs are actively taking actions to achieve the change, no PICs are reporting on their progress.	Identification of a change, committed to by each Chief Justice.	Documented commitment from each Chief Justice.	Gender & Family Violence Adviser
						#, nature & sufficiency of actions taken by each PIC to progress each change.	Reports from each Chief Justice and TA expert analysis.	



	1 priority change achieved its goal in 5 PICs.	2.4 – procedural justice - efficiency priority change, as agreed to by each of the 3 Chief justices, progressed.	Incremental progress made towards 1 priority change in 3 PICs	4 PICs have identified a priority change & have plans to achieve it (as appraised by the TA). 9 PICs have case disposal time-standards. 11 PICs have implemented 45% of available technologies to improve efficiency/reliability. 8 PICs have moved beyond manual/excel case tracking & 7 PICs have electronic case management systems. No PICs periodically review efficiency. PIC's understand the importance of efficiency indicators & court performance reporting and 3 have introduced regular court performance reporting practices.	4 PICs have identified a priority change & have plans to achieve it (as appraised by the TA). 9 PICs have case disposal time-standards. 4 PICs have moved beyond manual/excel case tracking & 4 PICs have electronic case management systems. No PICs periodically review efficiency. All PIC's understand the importance of efficiency indicators & court performance reporting and	Identification of a change, committed to by each Chief Justice. #, nature & sufficiency of actions taken by each PIC to progress each change. Progress towards achieving the objectives of each change reported.	Documented commitment from each Chief Justice. Reports from each Chief Justice and TA expert analysis.	Efficiency Adviser Efficiency Adviser & ICT Adviser
	7 PICs annually presenting information publicly about court performance against the CII,	2.4 - procedural justice - accountability - PIC presenting information publicly about court performance	4 PIC annually presenting information publicly about court performance against all the CII, including 2	11 PICs presented accurate/reliable court performance information publicly about some/all CII in their 2018 Annual Report. 1 PIC presented gender/GFV data.	11 PICs presented accurate/reliable court performance information publicly about some/all CII in their 2018 Annual Report. 1 PIC presented gender/GFV data.	# PICs presenting comprehensive & relevant data/analysis in Annual Reports, Court Websites or Court Press Releases	Annual Reports, Court websites, Court Press Releases and TA expert analysis	Accountability Adviser



	including 4 presenting gender/GFV data. 4 PICs periodically conduct User Perception Surveys.	against the CII, plus gender/GFV disaggregated data	presenting gender/GFV data. 3 PIC periodically conduct User Perception Surveys.	2 PICs periodically conduct Court User Perception Surveys.	No progress	# PICs conducting User Surveys & publishing summaries in Annual Reports, Court Websites or Court Press Releases.		
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Annex D: PJSI Activities delivered since commencement

Theme	July 2016 – June 2019 (Phase 1)	July – December 2019 (reporting period)	Total
Judicial Leadership ²³	51	23	74
Access to Justice	4	1	5
Professionalisation	18	2	20
Substantive Justice	10	2	12
Procedural Justice	13	2	15
Total	96	30	126

²³ Please note this figure includes the seven Initiative Executive Committee Meetings.



Annex E: Leadership Incentive Fund Activities Overview

Phase 1: Dec 2016 – June 2019

Phase 2: July – December 2019

Theme	PIC	Title	Participants	% female	Completion
Leadership	FSM	Judicial Conference	77	24%	Dec 2016
	Kiribati	Judiciary Awareness on the Leadership Change Plan	1,003	-	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
	RMI	Scoping Paper: Preparing to adjudicate crypto-currency disputes	NA	NA	April 2019
Access to Justice	Vanuatu	Judicial Management Improvement Plan	2	50%	Nov, 2019
	Tonga	Lexis Advance Subscription	1	0%	Nov, 2019
	FSM	Translation of &training on the Enabling Rights Toolkit (4 languages)	119	45%	May 2018
	Tokelau	Court Clerks workshop and Orientation workshop	19	31%	Feb 2017
	Samoa	Evidence & Criminal Sentencing workshop	9	44%	Feb 2017
Professionalisation	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
	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	58%	April 2019
	Palau	Participants for Certificate of Justice - Semester 1	5	80%	March 2019



Substantive Justice: Human Rights	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
	PNG	Client Service and Judicial Protocol Training for Court Staff	99	40%	Nov, 2019
	FSM	Court Data Management Workshop: Sandy Albert	1	100%	Oct, 2019
	PNG	PNG Task Force Team: attendance at the Court Data Management Workshop (Judge Dingake)	1	0%	Oct, 2019
	PNG	PNG Task Force Team: attendance at the Court Data Management Workshop (Celinia Lualu)	1	100%	Oct, 2019
	PNG	PNG Task Force Team: attendance at the Court Data Management Workshop (David Gonol)	1	0%	Oct, 2019
	PNG	PNG Task Force Team: attendance at the Court Data Management Workshop (Doris Joseph)	1	100%	Oct, 2019
	PNG	PNG Task Force Team: attendance at the Court Data Management Workshop (Theresa Hani)	1	100%	Oct, 2019
	Tonga	Diploma of Justice (DOJ01 & DOJ02 & LW110)	4		Ongoing
	Vanuatu	Orientation Training for Lay Judges in Ambryn and Pamma Islands	20		Ongoing
	Vanuatu	Certificate of Justice - 7 students in Malekula	7		Ongoing
	FSM	Certificate of Justice: Ivan Kadannged	1	0%	Ongoing
	RMI	Diploma of Justice x2 & Certificate of Justice x1 2020	3	66%	Ongoing
	Samoa	Orientation Training for FFC Judges			Ongoing
	Samoa	Certificate of Justice	3		Ongoing
	Kiribati	Diploma of Justice (DOJ01 & DOJ02 & LW110)	33		Ongoing
	Solomon Islands	Certificate of Justice (Semesters 1 & 2)	15		Ongoing
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	1	0	Nov 2017







Procedural Justice: Efficiency	Palau	Implement Video-Conferencing capability	22	77%	May 2018
		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	19	63%	Sept 2018
	Vanuatu	Attendance at PJSIs 'Building Capacity in Managing Court Data Workshop'	1	0	Oct 2018
Procedural Justice: Accountability	RMI	Implementation of Case Tracking System	-	-	June 2019
	Kiribati	Computerised database and network system for Kiribati Judiciary	-	-	Ongoing
	Niue	Annual Court Reporting Workshop	4	50%	Oct, 2019



Annex F: Leadership Incentive Fund Activities implemented/approved during the reporting period



Implemented activities comprise:

JUDICIAL MANAGEMENT IMPROVEMENT PLAN	
	Vanuatu
	2 participants
	50% female
	Outcomes
	Development of a 2020 Judicial Management Improvement Plan

Judicial Management Improvement Plan: Vanuatu

Approved: 19 November, 2019. Completed: 29 November, 2019.

This LIF supports staff to review progress with respect to their 2019 Judicial Management Improvement Plan and to draft the Plan for 2020. Further training focused on increasing competence of the Chief Registrar and Judicial Development and Training Co-ordinator to manage cases.

LEXIS ADVANCE SUBSCRIPTION	
	Tonga
	Outcomes
	Provision of a three-year subscription to Lexis Advance


Lexis Advance subscription: Tonga


Approved: 8 November, 2019. Completed: 8 November, 2019 (First Year), May 2021 (Final Completion).

This LIF's purpose is to support Tonga's judicial officers in providing improved access to common law knowledge, quality judgements and assistance with judgement-writing skills through having access to well-research, up-to-date and timely resources. It serves to provide a subscription to Lexis Advance online.




CLIENT SERVICE AND JUDICIAL PROTOCOL TRAINING

 Papua New Guinea

 99 participants

 40% female


 **Outcomes**
Training of staff in Client Service
and Judicial Protocol


Client Service and Judicial Protocol training for Court Staff: Papua New Guinea


Approved: 4 July, 2019. Completed: 25 July, 2019.


In July, 99 participants from the National and Supreme Courts of Papua New Guinea attended three interactive workshops that were focused on building the capacity of court staff to increase understanding of protocols and etiquette to better equip court staff to service court users. The workshops also focused on drafting and promoting standardised protocols for current and future court staff to maintain a high standard.

COURT DATA MANAGEMENT WORKSHOP

 PNG and FSM

 6 participants

 66.6% female





 **Outcomes**
Increase in competence in the PNG
Task Force Team
Skills building resulting in the ability
to train fellow staff

Court Data Management Workshop: Federated States of Micronesia and Papua New Guinea

Approved: 4 October, 2019. Completed: 18 October, 2019.

One participant from the Federated States of Micronesia and five from Papua New Guinea participated in the regional *Court Data Management Workshop* in order to enhance their skills in court management data efficiency strategies for collecting, integrating and managing data for improved efficiency and access to justice within the Courts. The provision of such skills training enabled the participant from FSM to train fellow staff upon her return, and enabled a demonstrable increase in competence amongst the PNG Task Force Team.



ANNUAL REPORTING WORKSHOP	
	Niue
	4 participants
	50% female
	Outcomes
	Draft Annual Report from 2015/2016 - 2018/2019

Annual Court Reporting Workshop: *Niue*

Approved: 12 September, 2019. Completed: 19 October, 2019.

In October, an Annual Court Reporting workshop supported the Registrar, Land Registration and Court Administrator with the completion of Niue's Court Annual Report. At the conclusion of the workshop, an Annual Report was drafted for the four years from 2015-2019.

Approved activities comprise:


CERTIFICATE OF JUSTICE 2020	
	Vanuatu, FSM, RMI, Samoa and Solomon Islands
	27 participants
	Anticipated Outcomes
	Successful completion of the Certificate of Justice through the University of the South Pacific


Certificate of Justice: *Vanuatu, Federated States of Micronesia, Republic of the Marshall Island, Samoa and the Solomon Islands*


Seven court staff from Vanuatu, one from the Federated States of Micronesia, one from the Republic of Marshall Islands, three from Samoa, and 15 from the Solomon Islands submitted applications to undertake the Certificate of Justice in 2020. The Certificate is designed for court clerks from the High Court, Magistrates Court and Local Courts to provide students with understanding of the basic legal systems in their countries and how the Courts operate within them. A total of 27 students have been approved for funding under the LIF.



DIPLOMA OF JUSTICE 2020

 Kiribati, Tonga and RMI


 40 participants


 **Anticipated Outcomes**
Successful completion of the
Diploma of Justice through the
University of the South Pacific


Diploma of Justice: *Kiribati, Tonga and the Republic of Marshall Islands*

During the reporting period, 33 participants from Kiribati, five from Tonga and two from the Republic of Marshall Islands submitted applications to undertake the Diploma of Justice in 2020. This is a follow on from the Certificate of Justice, providing court officers with the necessary knowledge and skills to enhance the performance of their duties to the Court. A total of 40 students have been approved for funding under the LIF.

ORIENTATION TRAINING FOR LAY JUDGES

 Vanuatu

 20 participants

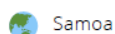
 **Anticipated Outcomes**
Increased confidence,
understanding and competence

Orientation Training for Lay Judges: *Vanuatu*

This LIF focuses on supporting 20 Lay Justices from Island Courts, with no prior training, to participate in workshops to increase their confidence, understanding and competence in the performance of their duties.¹⁵ Lay Justices will come from Ambrym and five from the Pamma Islands.



ORIENTATION TRAINING FOR FFC JUDGES



Samoa



Anticipated Outcomes

Increased legal knowledge and understanding

Orientation Training for Faamasino Fesoasoani Court (FFC) Judges: *Samoa*

This LIF focuses on providing FFC judges with the legal knowledge and training required to ensure that they understand and adhere to criminal and civil processes in efforts to deliver justice in their Courts. Providing training is aimed to improve their knowledge and understanding and assist with their capacity to deliver justice within their jurisdiction and ultimately ensure that the Courts are able to deliver justice in a fair and timely manner.

COMPUTERISED DATABASE AND NETWORK SYSTEM



Kiribati



Anticipated Outcomes

Development of database
Development of initial website
Identify network requirements

Computerised database and network system for Kiribati Judiciary: *Kiribati*

This LIF aims to develop a database for the Judiciary, design the core elements of a website, and identify the network requirements that will deliver an efficient and reliable service to the Courts. The project aims to support the Kiribati Judiciary to make their court information more accessible to the public, to ensure that they are regularly updating accurate court data, and to monitor cases through the case tracker and dashboard systems.

Annex G: 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	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
Assessment and Support Design Visit	Fiji	8-9 July, 2019	National Leadership
7 th Initiative Executive Committee Meeting	Remote	30 Aug, 2019	Regional Leadership
Local Human Rights Visit #1	Solomon Islands	23 Sep-4 Oct, 2019	Human Rights
Court Data Management Workshop	Vanuatu	14-18 Oct, 2019	Efficiency
Local ICT Visit #2	Nauru	21-25 Oct, 2019	Efficiency
Local GFV Visit #1	Vanuatu	4-8 Nov, 2019	G&FV
Career Pathway Visit #1	PNG	11-15 Nov, 2019	Institutionalising Prof. Dev't
Webinar #1: Court Data Management Follow-up	Remote	28 Nov, 2019	Localising Prof. Capacity Building
Local Access to Justice Visit #1 and Community Awareness Raising Project	Kiribati	2-12 Dec, 2019	Access to Justice
Leadership Incentive Fund (LIF) – see previous Annex			



Annex H: Expenditure Projection Summary (as at 31 December 2019)

Commercial-in-confidence, supplied to MFAT separately.



Annex I: Costed Workplan – Actual Expenditure Summary (as at 31 December 2019)

Commercial-in-confidence, supplied to MFAT separately.

