

LEADERSHIP

Chief Justices' Leadership Forum

Leadership programme

- ❖ Leadership strategy for judicial leaders
- ❖ Wellbeing strategy
- ❖ Brokering strategy
- ❖ Women in leadership strategy
- ❖ Mentoring for judicial and court leaders *(on request)*
- ❖ Develop electoral justice network and conduct regional workshop
- ❖ Court performance management support

Fetū Pāsifika: Spotlight series on local solutions to regional issues



Laef blo butterfly stap lo han blo u

TRAINING

University of the South Pacific (USP) scholarships for judicial officers, court staff and others working in the justice sector

Tutorial support for scholarship students

Mentoring for judicial officers

3-year development plans for lay judicial officers *(up to 2 countries)*

Training for lay judicial officers *(up to 8 countries)*

Training for court staff *(up to 6 countries)*

Mediation training pilot *(1 country)*

Human rights workshops for judicial officers, court staff and others working in the justice sector *(up to 3 countries)*

Training on implementing family protection orders *(up to 2 countries)*

Access to Justice activities delivered by PNGCJE *(1 country)*

Regional court performance management and annual reporting webinar

Regional access to justice webinar: Youth justice

Regional litigation skills training and resources

Develop paralegal certificate programme

Activity delivery review

Lift fund: Support for locally-led initiatives

Vaka fund: Support for attendance at regional development opportunities

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TOOLS AND SUPPORT

Resources and publications

- ❖ Website refresh
- ❖ Bench Books *(up to 3 countries and regional Electoral Justice Bench Book)*
- ❖ Youth justice resources
- ❖ Family Protection Laws: Implementation and best practice regional resource
- ❖ Strengthening justice pathways regional resource
- ❖ Court performance management handbook
- ❖ Standard operating procedures *(up to 2 countries)*

Support with court performance, efficiency and transparency

- ❖ Case management systems
 - Case Tracking System implementation *(1 country)*
 - Enhancements *(up to 7 countries)*
 - Training and support *(up to 15 countries)*
 - XLS support *(on request)*
 - Support with case time goals *(on request)*
 - Annual reporting support *(on request)*

Wellbeing programme pilot *(1 country)*

Coroners support *(1 country)*

Strengthening the reach of courts

- ❖ Remote court proceedings support and training *(on request)*
- ❖ Support for mobile court services *(up to 2 countries)*
- ❖ Community outreach: Strategy and implementation *(up to 2 countries)*

Support expanded legal assistance services for women and children *(1 country)*

Lift fund: Support for locally-led initiatives

Research and review

- ❖ Review case tracking systems
- ❖ Assess capacities and oversight of lower courts to meet the needs of women and children
- ❖ External mid-term review

LEADERSHIP

Ka tomo te vaka I te 'atu 'anga ngaru. Kāre ra te Rangatira tiratiratu e maremo. *The canoe might sink in the breaking wave, but the wise navigator will not drown.*
— Cook Islands Māori

A good leader stays focused and makes wise decisions, even during challenging times.

Chief Justices' Leadership Forum

The annual meeting of the Chief Justices from the 15 Pacific partner nations to review the programme and discuss priority activities. The forum provides Pacific Chief Justices with the opportunity to share their insights and challenges and identify where Te Kura — and MFAT more broadly — can most effectively provide support.

Leadership programme

This programme is designed for existing leaders, aspiring leaders, managers, mid-level professionals and women. It covers the basics of leadership and management for those about to transition into a leadership and management role and builds on quality court leadership opportunities.

- **Leadership strategy.** PJSP will finalise strategy and develop an implementation plan to support judicial and court leaders, in consultation with Pāsifika leaders.
- **Wellbeing strategy.** Identified as a priority by the Chief Justices at the 2023 Chief Justices' Leadership Forum, PJSP will develop a wellbeing strategy, which will inform a pilot wellbeing programme in the Republic of Marshall Islands.
- **Brokering strategy.** Identified as a priority by the Chief Justices at the 2023 Chief Justices' Leadership Forum, PJSP will develop a brokering strategy that will define Te Kura's role and approach in brokering support from other funders and agencies and equip Pāsifika judicial and court leaders with information regarding resource opportunities.
- **Women in leadership strategy.** PJSP will develop a strategy to support women judicial and court leaders and encourage the appointment of more women to leadership positions, in consultation with Pāsifika women.
- **Mentoring for judicial and court leaders.** PJSP offers mentoring to newly appointed judicial leaders to support their transition into their role. Mentors are retired NZ judicial leaders. PJSP endeavours to broker mentoring relationships for court leaders on request, through NZ Ministry of Justice and/or Te Whare Pasifika | Public Service Fale.
- **Develop electoral justice network and conduct regional workshop.** Following the Protecting Fundamental Rights in Election Disputes workshop in 2023, PJSP will support the development of a Pacific Electoral Justice Network and conduct a regional workshop.
- **Court performance management support.** PJSP offers support to judicial and court leadership to improve court performance through evidence-based analysis.

Fetū Pāsifika: Spotlight series on local solutions to regional issues

'Fetū Pasifika' (Pacific Stars). 'Fetū' has the same translation across most Pacific languages (Samoan, Tokelauan, Niue, Tuvalu). The other Polynesian equivalents are 'etū' (Cook Islands), 'fetū'u' (Tongan), hōkū (Hawaiian) and kalokalo (Fijian). Our Pacific navigators/ ancestors would often use 'fetū' to guide them and provide them with a much-needed positional compass to ensure that they were heading in the right direction. Also, despite the changing weather patterns and environmental challenges the stars remained and anchored people with aspirational guidance.

PJSP facilitates the sharing of knowledge and experience across the region. Spotlights include:

- **Faamasinoga o Sauaga o Aiga Family Violence Court of Samoa Showcase Part 2.** Interviews with local church leaders and community elders taking part in alternative resolution in family violence cases.
- **Cook Islands Te Koro Aka'au Community Youth Court Showcase** is a Pacific youth justice initiative in the Cook Islands. This showcase will be shared across the region.

TRAINING

Laef blo butterfly stap lo han blo u. *The life of the butterfly is in your hands.*
—Bislama ni-Vanuatu

Your destiny depends on you. By working hard and making sacrifices, you will go far in life.

University of the South Pacific (USP) scholarships

PJSP will continue to support the professional development of court staff and judicial officers by providing scholarships to undertake Certificate of Justice, Diploma of Justice and (in exceptional circumstances) Bachelor of Laws and/or Master of Laws for women working in the justice system.

Following a review of the USP Certificate of Justice and Diploma of Justice programmes, PJSP will consider the recommendations with a view to implement necessary changes in 2024.

Tutorial support for scholarship students

PJSP will continue to fund additional tutorial support for USP students undertaking the Certificate and Diploma of Justice programmes, on request.

Mentoring for judicial officers

PJSP arranges and supports mentoring relationships between Pāsifika judicial officers and New Zealand judges. Resources and training are provided to mentors and mentees and ongoing support is provided. A review of the mentoring programme is planned for this period.

Three-year development plans for lay judicial officers

Needs analyses will inform three-year development plans for lay judicial officers in **Niue** and **Cook Islands**. This pilot ensures professional development needs are identified and implementation plans are developed.

Training for lay judicial officers

PJSP works with partner courts to identify the specific focus of training for lay judicial officers. Training is designed to improve their knowledge, skills and confidence and ensure quality decisions based on fair processes and the laws and customs of their jurisdiction. Workshops are practical in nature and usually cover the role and functions of judicial officers, judicial independence and conduct and decision-making. Training may be offered remotely or delivered in-country. Eight countries have been offered this support: **Cook Islands, Kiribati, Niue, the Republic of Marshall Islands, Samoa, Tokelau, Tuvalu and Vanuatu**.

Training for court staff

PJSP works with partner courts to identify the specific focus of training for court staff. Training is designed to improve their knowledge, skills and confidence, and to enhance court services and improve access to justice. Training may be offered remotely or delivered in-country. Six countries have been offered jurisdiction-specific support: **Cook Islands, Kiribati, Niue, Samoa, Tokelau and Tuvalu**. Training on court costs has been identified as a potential topic for a regional webinar for registrars.

Mediation training pilot

In response to requests for mediation training from partner countries, PJSP will pilot one in-country mediation training. This initiative aims to equip judicial officers, advocates and court staff with mediation skills tailored to the Pacific context.

Human rights workshops for judicial officers, court staff and others working in the justice sector

PJSP works with partner courts to finalise the content of workshops focused on human rights, which are tailored to the roles of the audience and the jurisdictions they work in. In-country workshops on various human rights topics will be offered to three countries: **Kiribati, Solomon Islands and Vanuatu** and training on youth justice in **Tonga**.

Training on implementing family protection orders

In-country workshops are planned for **Vanuatu** and **Kiribati** focused on implementing remote family protection orders, a key access to justice initiative supporting women and children.

Access to justice activities

A contribution to the **Papua New Guinea** Center for Judicial Excellence (PNGCJE) for the delivery of in-country access to justice activities including community outreach.

Regional court performance management and annual reporting webinar

Following on from the regional court performance and annual reporting workshop held in Wellington in 2023, PJSP will deliver a follow-up remote webinar for participants to share their court performance and annual reporting journeys, challenges and wins. Chief Justices and court leaders will also be invited. The webinar will launch the Court Performance Management Handbook.

Regional access to justice webinar: Youth justice

PJSP will conduct a regional webinar focused on youth justice. Youth justice resources will be launched at the webinar.

Regional litigation skills training and resources

PJSP will conduct a regional workshop for advocates and publish litigation resources to support advocates.

Develop paralegal certificate programme

PJSP will consult widely with stakeholders about the development of a Paralegals Certificate programme. Paralegals enable lawyers to expand their caseloads and provide increased accessibility to legal services. Through undertaking community legal awareness raising activities targeting marginalised community members, paralegals act as conduits between those communities and legal services, assisting people to navigate connections between state and community-based justice systems.

Activity delivery review

PJSP will review its approach, processes and mode/s of delivering activities to enhance future delivery; to ensure support and resources are tailored to the local context and fit for Pāsifika audiences; to identify localised delivery mechanisms and appropriate approaches including partnerships with other providers.

Lift programme: Support for locally-led initiatives

The LIFT programme enables local solutions to local issues through funding, technical advice and support. Courts can apply for funding for locally-run development activities at any time. There is an annual budget so early applications are encouraged.

PJSP applies criteria to assess whether a Lift application comes within the scope. This assessment process is documented and peer-reviewed within PJSP. An assessment is made considering:

- Topics covered in the activity
- The location of the activity
- Wider benefits at the local or regional level, including to people with limited access to justice
- Alignment with the objectives of PJSP
- Sustainability considerations, for example, whether the opportunity would likely contribute to localisation of delivery
- Value for money
- The provider of the professional development opportunity
- Connection to MERL outcomes

Vaka fund: Support for attendance at regional development opportunities

A targeted travel fund for Pacific Island judicial officers, court staff and lawyers to attend conferences and training opportunities within the Pacific region. For the 2023/24 programme, funds for travel are strictly limited and applications to the Vaka Fund are by invitation only, requiring nominations from the Chief Justice, Head of Bench, Court Registrar or Law Society President (or equivalent).

An assessment process is documented and peer-reviewed within PJSP, considering:

- The applicant's role and work experience
- Alignment of topics covered in the professional development activity and the role of the applicant – is it a good fit?
- Recommendation by the Chief Justice, Head of Bench, Court Manager or other key stakeholder
- Wider benefits at the local or regional level, including to people with limited access to justice
- Ability and willingness to share the learning and contribute to localising benefits
- Diversity and inclusion
- Leadership abilities/potential
- Equity (balance of support across the 15 partner countries, previous support offered by PJSP)
- Able to effectively participate - language, ability to travel
- The location of the professional development activity – is it a reasonable distance away/cost-benefit?
- Connection to MERL outcomes

TOOLS AND SUPPORT

Ngdingemelel a Ititong a mult a dechel. *From the taro shoots at Ititong, a new garden was planted.* — Palauan

Small favours can multiply, so great results might emerge from modest beginnings.

Resources and publications

- **Develop a new website.** Funded and project managed by the NZ Ministry of Justice, a new website that better aligns with the PJSP approach and improves the experience of users will be developed.
- **Bench Books.** Bench books are jurisdiction-specific resources that provide an overview of legislation, case law, customary law, and guidance for judicial officers. Use of these resources help to ensure that judicial officers have the knowledge and confidence to perform their roles well and enhances consistency in decision-making. These are published online which provides transparency into court processes. Partners are supported to regularly review content.
- **Youth justice resources.** PJSP will produce resources on youth justice, to be launched at the regional youth justice webinar. PJSP will seek and publish existing resources from around the region on its website.
- **Family protection laws: Implementation and best practice.** The regional report *Regional Family Protection Laws: Implementation and best practices* provides foundational family protection law research and will be published after updates early in the next period. It highlights features of family protection laws in **Kiribati, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu**. The paper analyses reporting requirements and implementation challenges across the Pacific, showcasing best practices and providing recommended actions.
- **Strengthening justice pathways.** The regional report *Strengthening justice pathways* discusses linkage and pathways between state and community-based justice systems (with an internal version detailing goal 3 of the PJSP Access to Justice Strategy). This involves exploring existing models of 'community-based connectors' and recommends focusing on developing Community Legal Advocates and paralegals. This output informs the pilot plans for community legal advocates developed with input from public lawyer services in **Vanuatu, Kiribati, the Republic of Marshall Islands and Tonga**.
- **Court performance management handbook.** The handbook, which will be launched at the regional Court performance management and annual reporting webinar, sets out the knowledge and practical tools to support integrating court performance management into the regular operations of courts.
- **Standard operating procedures.** These reference resources for registry staff support quality and consistency in processing cases as they move through the judicial system. A valuable resource for induction and training. PJSP will work with two partner countries to develop jurisdiction-specific standard operating procedures.

Support on court performance, efficiency and transparency

- **Case management systems: Implementation, enhancement, training and support.** PJSP will implement a new case tracking system (CTS) and provide support and training to the judiciary and court staff in **Kiribati**. Intensive support and training will be provided in **Samoa** (which has a new CTS) and **Tonga** (which has a new

case management system). The existing CTS in **Nauru** will be upgraded and support and training provided to the judiciary and court staff. Enhancements will be rolled out to other countries with a CTS.

- **XLS support.** PJSP offers support for those working with excel spreadsheets to capture and share data. It's complex and difficult to master unless you are doing the work all the time. Through the provision of technical advice and support, PJSP grows localised understanding and capability.
- **Ongoing court performance management and reporting support.** PJSP offers support to improve courts' access to reliable and timely information, including managing data, analysing data and reporting (both in annual and other reports). Monthly dashboards and performance reports are produced for all partner countries that have the ability to share reliable data. At present support is provided to: **Cook Islands, Federated States of Micronesia, Kiribati, Niue, Palau, Pohnpei Supreme Court, the Republic of Marshall Islands, Tonga and Vanuatu**. **Nauru** will receive this support once they have received enhancements and training and **Samoa** when they are ready. Support designing and analysing court user surveys is offered. PJSP periodically provides trend reports, assessing the ability of courts to capture data and report on various performance indicators ("the Cook Islands indicators", established by Chief Justices in 2011).
- **Support with case time goals.** PJSP offers support to establish and review case time goals. These are useful tools to ensure specific cases are progressed in a timely manner, in particular cases involving pre-trial detention, children and young people, and protection of victims of violence.
- **Annual reporting support.** PJSP offers support to develop accurate and comprehensive annual reports.

Pilot wellbeing programme

With wellbeing being identified as a key priority at the 2023 Chief Justices' Leadership Forum, a wellbeing programme will be developed and piloted with one country (likely the **Republic of Marshall Islands**). An assessment process or strategy will inform this. Following the wellbeing webinar in March 2023, the possibility of establishing a "wellbeing profile" will be considered. This involves using anonymous polling, approved by organisational wellness and clinician expertise in the judicial context. A country-specific wellbeing profile is designed to assist the Chief Justice by providing a roadmap for targeted wellbeing measures and initiates, which can be supported by PJSP. Gaining specific insights into key stressors through an objective and measurable approach allows leadership to make decisions based on the fuller picture of the current wellbeing make up and measure progress – as a judiciary overall, within roles and across other key markers.

Coroners support

PJSP facilitates the provision of guidance and support on coronial systems through the NZ Chief Coroner, on request. Coroners will be supporting **Cook Islands** and **Niue**.

Strengthening the reach of courts

- **Support with remote court proceedings.** PJSP offers support for remote court proceedings, which can increase the reach of court services, including through use of lower cost accessible technologies (like telephones), and can provide vulnerable groups with a higher sense of physical and psychological safety than attendance at court. Remote application processes for urgent family protection cases are already provided in many countries' family protection laws.
- **Support on mobile court services.** PJSP will work with **Vanuatu** and **Kiribati** to support mobile court services. With justice services highly centralised, mobile courts offer a village-level service and strengthen the presence of formal justice in highly remote areas. These improve the chance of family and sexual violence cases being transferred from local justice to state justice processes.
- **Community outreach strategy and implementation.** A lack of legal awareness to navigate within and between state and community justice processes means vulnerable groups in particular are unable to access the protections and remedies available. Providing accessible, targeted legal information on navigating justice pathways at the most localised level possible, is key for expanding access to justice in plural legal environments

across the Pacific. PJSP will assess existing court information and engagement regarding the most effective forms of communication and identify best practice approaches (for two countries). This will underpin implementation of a court information strategy, including tailored approaches for engaging key community leaders and service providers, and women and children.

- **Support expanded legal assistance services for women and children.** Research focused on available and potential sources of legal assistance for family violence and family-related cases will be undertaken with the assistance of community providers that support women and children. This assessment will inform tailored support to increase legal awareness and expand access to legal assistance for women and children in **Tonga**.

Research and review

- **Assess capacities and oversight of lower courts to meet needs of women and children.** Lower courts are often presided over by lay judicial officers, and the jurisdiction of these courts often include both law and custom. While systems of appeal provide an important oversight mechanism of lower court decisions, appeal processes are not always accessible. Investing in building the human rights capacities of these courts, with additional and strengthened internal oversight systems, can help to ensure the quality and consistency of rights protection is provided for women and children. This also involves increasing the availability and capacity of court circuits outside of urban centres, increasing practical access to court services for those in rural areas and those facing barriers relating to geography or transport.
- **Review case tracking systems.** PJSP will review the CTS that partner countries utilise and consider value for money, how it meets the needs of the courts and court leaders, proposed enhancements, and sustainability.
- **External mid-term review.** PJSP will manage arrangements for an external mid-term review of the PJSP. This will inform the remainder of the programme.

