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EMPOWERING WOMEN IN PACIFIC JUSTICE SYSTEMS

Final Report



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Glossary

Alap	Land lineage heads in the Marshall Islands
Bulubulu	Customary justice processes in Fiji
Fa'a Samoa	The 'Samoan Way', is the traditional/customary way of life in Samoan culture.
Fala	Mat (Tonga)
Fono	Village-level authority in Samoa (council of chiefs) that determines village rules and policies, and when these are breached, also punishments.
Iroj laplap	Customary male leaders in the Marshall Islands
Kainga	Family clan (Kiribati)
Kastom	Pidgin (Bislama and Tok Pisin) word to describe traditional culture and law
Malvatumari	National Council of Chiefs, Vanuatu, recognised in the Vanuatu constitution and under statute as a body that provides advice to government
Maneaba	A term that refers to both to the community meeting place structure and the traditional Kiribati leadership system. Every village has at least one maneaba, which is used as a meeting place and for social and cultural events. It is the largest building in a village, signifying its importance and central role in the I-Kiribati way of life
Matai	Samoan word for leader, or chief.
Nakamal	Chief-led community dispute resolution processes in Vanuatu, from the village level to the island level and ultimately the Malvatumari
Nofotane	Women who move into their husband's community upon marriage. Nofotane have low status and are required to serve and submit not only to their husbands but to their husbands' families and others in the community (Samoa).
Paramount chief	A paramount chief is the highest -level political leader in a regional or local polity, often at a provincial level in larger Pacific countries.
Plural justice system	Where multiple legal systems operate within one society and/or geographical area.
Rukjenleen	Customary advisors in the Marshall Islands
Talanoa	Pacific term for conversation, chat, sharing of ideas and talking with someone.
Te unimane	Council of male elders, which make decisions for the village, resolves disputes and distributes responsibilities and resources amongst families (Kiribati).
Te unaine	Women council elders (Kiribati)

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Dr. Carolyn Graydon, Researcher

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Cover image: Consultation gathering with women, Pentecost, Vanuatu, October 2023. Credit: H Ewens

1. Executive summary

The need for more effective ways to tackle the endemic problem of Pacific women's lack of access to protection and justice for family violence, has never been more urgent. This was underlined in a recent global study by the World Health Organisation finding that the Pacific subregion has the highest estimated prevalence of intimate partner physical and sexual violence against women, anywhere in the world.[1]

This research takes a woman-centred approach to examining the often-overlooked impacts of how Pacific plural legal orders – being the operation of, and interaction between, customary, religious and state justice systems within the same environments – typically work to constrain the ability of rural women to receive help for family violence and other family-related problems. The key question the research explores and addresses from a range of different vantage points is:

> 'What actions and innovations can increase Pacific women's access to outcomes that effectively address family violence and family support issues they face, within plural Pacific legal ecosystems?'

Centred around the experiences of women in rural Vanuatu and Kiribati but likely with relevance to some other Pacific countries, the research comprises four self-contained reports, each exploring themes around women's access to justice from different vantage points, together feeding into overall research findings and conclusions.

1.1 'Towards women-centred justice in the Pacific'

The first study, 'Towards women-centred justice in the Pacific', aimed to identify the types of outcomes women hope to achieve when they seek help for family violence. The priority for most women consulted was for community-supported rehabilitation

[1] World Health Organisation 'Violence against women prevalence estimates, 2023: global, regional and national prevalence estimates for intimate partner violence against women and non-partner sexual violence against women. November 2025, p.xxi-xxii. available at: https://www.who.int/publications/i/item/9789240116962.

programs to help or compel their partner to stop using violence, stop using addictive substances, and become more invested in family life.

The research analysed the degree to which any of the available justice systems — customary, religious, and state – were likely to deliver survivors the kinds of outcomes they sought. The research found an almost complete lack of correlation between what outcomes survivors wanted and what outcomes they received, in each justice system. Most women lacked confidence in any of the available options to provide the kind of help they thought would improve their lives. They also feared that some options may even significantly worsen their situation. The outcome they feared most was imprisonment of their partner, as they expected this would end their relationship and leave them socially ostracised, facing long term blame and lack of economic support from family and community for having sought 'external' help. Their lack of control over the outcomes delivered by state justice processes, strongly deterred many survivors from seeking help from police or the courts.

While poor implementation of state justice systems, such as survivors' lack of knowledge or lack of access to justice services, is often blamed for persistently low levels of help-seeking by Pacific survivors of family violence, the conclusion reached in this research suggests a more fundamental problem at play: malalignment between survivors' justice goals and any of the remedies offered by any available justice system, even if those systems were to function exactly as designed. Diagnosing 'the problem' in this way, reframes survivors' decisions not to seek help, as completely rational responses to there being no available options that survivors believe will improve their situation. This is a tragic but also poignant conclusion to reach: one which helps to inform the types of changes needed that meet survivors 'where they are at' and offers them more relevant and lower risk ways to secure the protection and peaceful relationships they need and deserve.

The research then pivots to an action-orientated exploration of approaches for achieving better alignment between survivors' justice needs and the offerings available to them within plural justice systems. It concludes that a multi-pronged approach is needed. The first 'prong' revolving around increased participation of women as decision makers, across all types of justice systems.

1.2 'Towards gender balance and equality in Pacific Courts'

'Towards gender balance and equality in Pacific Courts,' examines women's roles in state judiciaries, as the point of departure for better understanding women's contributions as 'providers' of justice services within state justice systems.

This study maps the numbers and roles of women judicial officers in 15 Pacific judiciaries across all levels of courts: appellate courts, supreme/high courts, magistrates' courts and local level courts. It finds that in contrast to the stubbornly low rates of women's representation in Pacific parliaments, Pacific women jurists are making significant progress in appointments to Pacific judiciaries, meaning that women are having an ever-increasing impact in their roles interpreting and applying Pacific laws and exercising public decision-making authority.

Already, some 44% of Pacific magistrates are women. Several magistrates' courts are led by women who are driving various initiatives, including to expand the availability of court protection from family violence to people in rural areas through innovative, free, out-of-hours, telephone-based services. Women judges currently comprise 21% of Pacific superior court judges, but notably, only 16% of judges in appellate courts. Women make up only around 7% of Pacific 'justices' – being non-law trained members of communities who sit on panels in local-level courts and hear summary civil and criminal matters, and sometimes also customary land cases.

Women judicial officers shared their challenges and needs, the latter which revolved around opportunities for networking, professional development, mentoring and structured career pathways; active management of workload allocations; measures to address work life balance stress and wellbeing struggles, such as more flexible work conditions; improved safety and amenity of women's work places regarding security, transportation, complaints processes for allegations of gender discrimination, sexual harassment or other bad behaviour in the workplace; greater access to relevant technologies and improved functionality and privacy of shared work spaces and facilities for child minding and breast feeding.

Overall, most women judicial officers reported feeling equally respected as their male colleagues in their judiciaries. However, the research identified that women who sit as lay justices in local-level courts, were much more likely to feel marginalised in their roles, highlighting a need for courts to provide targeted support to women justices and better training so all justices understand their obligations to treat their colleagues with equal respect. Some courts have started to adopt gender-responsive policies for local level courts and are already seeing increases the numbers of women appointed to local level courts through adopting inclusive recruitment processes and providing women-only training spaces so women justices can learn in supportive environments and build their confidence together. The research also recommended that women judicial officers be supported to establish their own regional association to drive their own development and support gender competence and equality in Pacific judiciaries. Following publication of this research report, Pacific women judicial officers gathered at a meeting in Port Moresby in September 2024 and decided to establish a regional association of Pacific women judicial officers, which was launched in Fiji in February 2026 and is now working towards an articulated strategy and workplan in its inaugural year.

1.3 'Towards Pacific women's leadership in local justice processes'

The third research component, 'Towards Pacific women's leadership in local justice processes,' focused on the crucial link between expanding women's participation as decision makers in local justice systems, and the capacity to bring about the changes needed in local justice systems to better meet survivors' needs. Cultivating opportunities for local women leaders is strategically important, not only to increase the confidence of women to access help, but also to drive approaches within local

justice systems better aligned to women's experiences and needs and to contribute to community-led processes of normative shifts towards gender equality.

The research confirmed the challenging reality that customary and religious local authority roles, are almost exclusively currently occupied by men, with rigid gender roles maintained by strong patriarchal normative systems. The research investigated the circumstances or variables at play when women do, at times, manage to insert themselves into local leadership and decision-making roles. The research also sought and discussed women's ideas for how local women and their male allies, can pursue and lever open further opportunities for women to participate as decision makers and in other roles, within local cultural constraints.

The research also highlighted the importance for all actors engaging with local governance mechanisms to adopt a common approach of working with local leaders to engage, persuade prompt and remind local leaders to create opportunities for women to participate, to ensure that no opportunities for growing women's local leadership are missed.

However, increasing the representation of women in community-level decision making roles is clearly not enough to stop family violence in communities, nor to address the underlying normative issues, especially as women are also socialised to accept patriarchal norms and lack the social and normative power of male leaders. The other necessary 'prong' for change strategies explored in the first and fourth research studies revolve around bringing together customary, religious, state justice and women leaders into local processes of dialogue and negotiation, to form something of a 'grand bargain', to clarify state roles and local leaders' obligations to eradicate family violence in their communities.

Such processes of engagement to clarify the division of roles and responsibilities shared between state, religious and customary justice systems, must be socially inclusive and offer opportunities for women to meaningfully participate in significant numbers of women leaders, (alongside other community representatives for youth and people with disabilities, also with a lot at stake in community protection mechanisms). Through dialogue between local and state justice leaders, and women/other community leaders, each actor-type can come to better understand the specific contribution and role needed of them, to address, and ultimately prevent, family and other gender-based violence continuing within their community. Community leaders can readily effect such change by intervening in, and not ignoring, family violence; by swinging behind survivors and mobilising community protection and support for them; and by working in partnership with state justice actors to hold perpetrators accountable. They are ideally positioned to perform each of these roles. Whereas only the state has capacity to provide quality perpetrator rehabilitation programs, which is where its contribution is most needed, alongside other measures to increase the accessibility of court processes in rural areas.

By creating dialogue and then negotiating clarified roles and partnerships between plural justice leaders and women leaders, local responses to family violence can be allocated according to the unique strengths each justice system can contribute. With all systems' strengths aligned and activated, it then becomes possible for survivors to receive the outcomes they need the most when they experience family violence,

as well as many other benefits to community access to justice. If this approach were adopted, then a division of labour between the systems could deliver what survivors say they need, being something like this:

- Community leaders intervene in family violence and provide immediate, accessible, reliable, accepted and effective local protection to survivors: signalling to family and community they should follow suit and protect survivors from ostracism; the credible threat of intervention by local leaders having a strong deterrence effect on perpetrators.
- Community leaders support survivors to access state family protection orders or make criminal complaints if survivors' wish.
- Joint community and state roles for holding perpetrators to account focused primarily on early intervention and rehabilitative outcomes.
- Ongoing community monitoring of perpetrators by community leaders, including through proactive 'checking in' with survivors and with state backing for enforcement where needed.

Notably, such an approach depends on the right kind of support being provided by both the state and by local justice leaders, which neither are currently orientated nor equipped to do. To become capable of fulfilling the kinds of obligations outlined above, many local leaders will need opportunities for structured engagements aimed at them adopting new understandings regarding their roles. These include new understandings they are obliged to address family violence as the serious threat to community peace and development that it is, as this is a core responsibility sitting squarely within their roles as leaders.

Local leaders need not only to reach a point of acceptance that family violence can no longer be tolerated in their community as a private and normalised behaviour maintained through the shame and silence of victims, but rather, need to be persuaded to seriously commit themselves to its eradication. Major efforts are needed to bring local leaders 'onboard' and to support them in this role. Some customary and religious leaders will be supportive of this approach and others will predictably need to be persuaded. For the sensitive role of persuading, the identity of the messenger is important if the message is to be well received and seriously considered. This messenger role would be most productively undertaken by mobilising other supportive customary, religious and women local leaders to 'make the case' for how women, children and the whole community will benefit immeasurably from a concerted local effort to eradicate family violence occurring within their communities.

There are already many local community bylaw initiatives across the Pacific, where local leaders use their powers to define community rules and enforce these through local justice mechanisms. If they were so inclined, local leaders could readily define bylaws prohibiting all family violence, with the threat that leaders will intervene in any violence detected, protect and support the survivors and work in partnership with state justice systems to hold perpetrators to account, as outlined above.

This could achieve rapid decline in family violence prevalence rates, especially as the threat of reliable and immediate intervention by community leaders, would likely deter many perpetrators. By local leaders intervening in and 'calling out' the use of family violence in their communities, and through their public actions of support to

survivors, survivors' families are also more likely to follow the lead and lend moral and other support to survivors, reducing risks of social ostracism and loss of familial and community social standing. Perhaps most importantly, once local leaders assume responsibility and demonstrate commitment to act against family violence in their communities, this will not only have a strong deterrence effect on individual perpetrators but will also act as an accelerant to the pace of normative change to reject tolerance and normalisation of family violence, creating a durable preventative shield against future family violence.

The foundational building block for developing the multi-pronged approach set out in this research was to start by ascertaining women's main justice goals and to use these as a benchmark to identify the evident need for holistic change and coordination processes across all available justice systems. Clarification of the areas of common and separate responsibility for local justice and state justice actors within local family violence response, is the key starting point towards better alignment of justice responses to the interests of survivors. By redirecting and harnessing, rather than seeking to counter the normative power of local justice actors, change will also be faster and more effective than status quo approaches. These do not take adequate account of the current dysfunction and tension caused by unregulated legal pluralism, resulting in survivors paying the price and facing the full brunt of these impacts.

1.4 'Country reports: Kiribati and Vanuatu – The way ahead'.

The fourth study, 'Country reports: Kiribati and Vanuatu – The way ahead,' reviewed key findings from the three earlier studies, as they specifically relate to the situations of rural women in Kiribati and Vanuatu. Key ingredients for the change envisaged in the context of rural Kiribati and Vanuatu, were then enumerated into more concrete points of action, as identified in the paper, framed around five key Focus Areas for change, set out below:

- Create and promote opportunities for women to participate as leaders and decision makers in all local governance and dispute resolution mechanisms, customary, religious and state.
- Promote gender equity in judicial appointments across all court levels, especially appellate and local-level courts; provide professional development and wellbeing initiatives to empower women in Pacific judiciaries, while targeting inclusive recruitment and support programs for women judicial officers appointed to local-level courts.
- With more local women leaders in place (as per points above), bring state, customary, religious, women, youth and disability actors together in local dialogues to clarify and coordinate roles and responsibilities according to the strengths of all plural justice systems, for intervening in and addressing family violence at the community level.
- Place robust rehabilitation programs for perpetrators at the centre of state justice strategies, in partnership with local leaders to provide ongoing community-based monitoring and victim support.

- Increase accessibility of state justice family protection and child support applications by courts developing free, fast, phone-based services that are accessible to everyone, including in remote areas. At the same time, strengthen the functionality of local-level courts and abolish or defer all court fees related to family and child cases.

The study then made some initial assessments of the progress already being made towards these five identified Focus Areas in Kiribati and Vanuatu. It concluded that there is significant progress being made across all five Action Areas in both countries. It is particularly encouraging to see the national judiciaries in both countries seizing the initiative to bring together for the first time ever, the full constellation of necessary stakeholders, including strong representation of women organisations and women leaders.

This is the start of the common platform needed to initiate the dialogue and negotiation processes for delivering meaningful coordinated change across all levels of plural justice systems. With more women included in these processes, these inherently political negotiations about the exercise of power, will not, as at present, leave women behind, but will integrate women's voices and ideas as a basis is established for more effective responses to family violence that draw on the strengths of all available justice systems. Bringing women and plural legal actors together into processes of change is a crucial part of 'the way ahead' to address survivors' needs and combat endemic family violence in Pacific communities.

2. Introduction

2.1 Background

There is an urgent need to find more effective ways to prevent and address gender-based violence in Pacific countries, as was highlighted again in a report by the World Health Organisation (November 2025). The Report found that the Pacific subregion[2] has amongst the highest global rates of intimate partner physical and sexual violence against women aged between 15–49 years. Over half (56.9%) of women in the Pacific are estimated to have been subjected to intimate partner violence at some point during their lives and some 43.4% of them, within the past 12 months.[3] Out of the ten countries in the world with rates of intimate partner violence more than double the global average, five of them are in the Pacific.[4]

It has been 13 years since Pacific leaders signed the Pacific Leaders Gender Equality Declaration[5] and two years since the Revitalised Pacific Leaders Gender Equality Declaration ('PLGED') was endorsed in November 2023.[6] These both emphasised the need for stronger commitments to gender equality, including to address the high rates of gender-based violence and the low representation of women in leadership and decision-making roles. In particular, the revitalised Declaration called for both the strengthening of Pacific women's leadership and decision making,[7] and:

> …accelerating necessary and innovative actions to prevent and eliminate gender-based violence including domestic violence, **which take survivor-centred, whole-of-community and family approaches, while ensuring**

[2] Excluding Australia and New Zealand.
[3] World Health Organisation 'Violence against women prevalence estimates, 2023: global, regional and national prevalence estimates for intimate partner violence against women and non-partner sexual violence against women. November 2025, p.xxi-xxii. available at: https://www.who.int/publications/i/item/9789240116962.
[4] From highest to lowest prevalence these countries are Fiji (60.7%, Solomon Islands (58.6%), Papua New Guinea (57.6%), Vanuatu (55.7%), Kiribati (55.4%). Ibid, p. xx11.
[5] PACIFIC LEADERS GENDER EQUALITY DECLARATION 30 August 2012, Rarotonga, Cook Islands | Pacific Islands Forum Secretariat.
[6] Revitalised Pacific Leaders Gender Equality Declaration | Pacific Islands Forum Secretariat.
[7] Ibid, Article 13(2).

> **perpetrators of violence are held accountable for their actions.**[8] (Emphasis added)

The wording of this 'call to action' speaks specifically to the need for a laser sharp focus on the often-overlooked roles of Pacific plural legal orders – being the operation of, and interaction between, customary, religious and state justice systems within the same community environments. Plural legal orders typically contribute to maintaining the stubborn normalisation of family violence in Pacific communities, while also, ironically, potentially offering the means for challenging and combatting family violence and other gender-based violence. Patriarchal customary and religious systems that wield strong normative power are the dominant systems for maintaining social order in rural communities, where most Pacific peoples live. In contrast, state justice systems play relatively minor, but still important, roles but are largely confined to urban centres. While they are also patriarchal in origin, they are becoming less so, over time.

A key message of this research is to highlight how the problem of gender-based violence in the Pacific will not improve until there is proper reckoning, understanding and attention paid to how the operations and interactions between these Pacific plural legal orders, are both a key part of 'the problem' but also potentially a powerful part of the 'the solution' for addressing gender-based violence in the Pacific.

2.2 Overarching research question

The key question the research explores from multiple vantage points is:

> 'What actions and innovations can most effectively increase Pacific women's access to justice to address family violence and family support issues, within plural Pacific legal ecosystems?'

The following sections set out an overview of the four major studies undertaken in this research. They each contribute to conclusions for charting a path forward, refocusing on change processes at the community level, where the operations and interactions between plural justice systems work most critically to either facilitate or deny women access to protection and justice for family violence.

The research concludes that it will only be through processes of reform that harness and redirect the combined forces of customary, religious and state normative power that family violence and other gender-based violence, can be effectively tackled. Continuing with disconnected strategies that do not acknowledge or address both the negative impacts of plural legal orders in maintaining the status quo, and the opportunities they present for achieving coordinated change across all legal orders, will never be sufficient to meet the challenge.

[8] Ibid, Article 13(5).

3. Overview and mapping of research report themes

Centred around women's voices and experiences, the research produced four self-contained reports, each exploring Pacific women's access to justice from different vantage points, together feeding into overall research findings and conclusions.

Below is a high-level breakdown and summary of the 'work' done and themes addressed in each of these research components, highlighting the logic and the flow of the building-blocks that each contributes to the overall research results.

3.1 'Towards women-centred justice in the Pacific'

- Reviewed existing studies and literature on women's experiences within Pacific plural legal orders.
- Explored the varied experiences of rural women in Kiribati and Vanuatu using plural legal systems to address family violence and other family-related problems.
- Ascertained the kinds of outcomes most rural women would like justice systems to provide them to address family violence.
- Compared these to what each plural justice system (customary, religious and state), currently offers them.
- Ascertained women's suggestions for how each plural justice system could be improved to better meet their needs.
- Identified strategies for how to tackle local level change processes aimed at better aligning each justice system to survivors' needs.
- Reviewed Pacific experiences and pilots applying local change strategies to identify fruitful approaches.
- Reviewed the limited state justice experience in developing robust rehabilitation of family violence perpetrators and identified approaches that show promise.
- Discussed the crucial roles played by women's organisations in supporting survivors and driving locally led change approaches.

- Considered how to achieve sustainable, cost-effective support for strengthened local-level justice systems within the known acute resource constraints faced by Pacific states.

3.2 'Towards gender balance and equality in Pacific Courts'

- Identified the key benefits of gender-balanced benches across all levels of courts in the Pacific.
- Mapped and analysed patterns and trends in the numbers and roles of women judicial officers appointed to all levels of Pacific courts in 15 countries, including in courts of appeal, superior courts of original jurisdiction, magistrates' courts and local-level lay-judiciary courts.
- Mapped the numbers of women appointed to Pacific judicial appointment bodies and identified the importance of including judicial appointment bodies in efforts to raise awareness of the benefits of gender-balanced benches.
- Captured and analysed women judicial officers' key challenges and support needs in performing their roles and identified areas of future focus to address these.
- Captured and analysed women judicial officers' experiences and views on how to further strengthen gender balance and gender equality in Pacific Courts.
- Contributed to foundational work by Pacific women judicial officers to establish their own regional association for promoting the interests and contributions of Pacific women judicial officers and strengthening gender competence of all judiciary members and gender equality within Pacific courts.

3.3 'Towards Pacific women's leadership in local justice processes'

- Identified the strategic importance of creating opportunities for many more women to hold local leadership roles so that women are included and empowered within local change strategies.
- Mapped key local community governance mechanisms, including dispute resolution processes that offer opportunities for local leaders to exercise authority and public decision-making roles and identified a near complete absence of women in these roles.
- Analysed the ways that women provide leadership within local community settings and identified their common pathways to community leadership roles.
- Observed how once women have gained some leadership experience, their ability to move flexibly between leadership roles in different spheres and grow their influence and social power.

- Identified the circumstances in which women have been able to insert themselves into male-dominated local governance and justice systems.
- Considered strategies and approaches for increasing the participation of women as decision makers, or with influence in local governance and justice systems, including by them asking and persuading male leaders to invite women to participate, working with male allies, backed by state and development partners who adopt a common approach to support creating more opportunities for women to meaningfully participate in local governance and justice systems.
- Identified a range of local leadership and decision-making roles that are already 'culturally available' to women and the actions needed to encourage and support them to occupy these positions, including as lay justices in local-level courts.

3.4 'Country report: Kiribati and Vanuatu – The way ahead'

- Drew together main findings from the three earlier reports, as they relate specifically to rural women in Kiribati and Vanuatu.
- Developed streamlined Focus Areas to advance alignment of available justice processes with the justice outcomes sought by rural women in Vanuatu and Kiribati.
- Reviewed the available evidence regarding the progress already being made towards these Focus Areas in both Vanuatu and in Kiribati
- Observed that while these focus areas were developed to address specific circumstances in Kiribati and Vanuatu, they likely have value for considering similar but locally contextualised approaches in other Pacific contexts also.

With this overview or index of what each study covered in mind, the following sections outline the key discussions, findings and recommendations developed through each of the studies.

4. 'Towards women-centred justice in the Pacific'

4.1 Methodology

- **Literature review**
- **Focus groups (Kiribati and Vanuatu)**
  - Kiribati, 65: 63 women, 2 men (Ribono, Abaiang, Abaokoro, North Tarawa, Maiana, Kiritimati)
  - Vanuatu, 285: 150 women, 135 men (Tanna, Pentecost, Espiritu Santo, Ambrym, Malekula)
- **Key informant interviews & group discussions (Kiribati, Vanuatu, Tonga, Solomon Islands)**
  - Women's organisations supporting women survivors of family violence, 21: all women
  - Legal aid & prosecution lawyers, 21: 9 men, 12 women
  - State court judges, magistrates, lay magistrates,110: 58 women, 52 men
  - Police & prosecutors, 54: 27 men, 37 women

4.2 Key research questions

- What are the key protection and justice issues faced by women (and girls) in rural and remote areas of Kiribati and Vanuatu?
- When women experience family violence or other family-related problems, how do they see their options for getting help? How do they see the risks and potential benefits of seeking help? What factors or variables may assist them or prevent them from seeking help?
- What outcomes are women hoping to achieve when they seek help for family violence or other family-related problems from community or state authorities? What outcomes are they hoping to avoid? How do they see their protection and justice goals and priorities?
- How well aligned are community-based justice systems and state-based justice systems to providing the outcomes that women seek? In theory? In practice?

- How do women in rural and remote areas of Kiribati and Vanuatu think that the community-based and state justice systems could work better, as well as together, to help them achieve their protection and justice goals?
- What are the most urgently needed changes that would make the biggest difference for women living in rural and remote areas? What priorities should become the key focuses to increase rural women's access to effective justice relevant to their needs?
- What are the practical steps and processes needed for the most urgently needed changes to occur? How can women's needs be placed at the centre of processes to develop and implement these changes, and be regularly tested to ensure they are achieving better alignment to women's desired outcomes?

4.3 Research overview

This study initially sought to ascertain the kinds of problems rural women in Kiribati and Vanuatu found the most difficult to resolve themselves without help from third parties. These were identified as being problems related to family violence and, in Vanuatu, also spousal abandonment. The research then sought to identify what kinds of outcomes women wanted to achieve when they sought help from a justice system to address these problems. These might best be termed as 'practical justice' outcomes. Regarding family violence, the research found that the main outcome most women seek in both countries was reformed, rehabilitated husbands who no longer use violence or addictive substances and who invest more in shared responsibility for family life. The key priorities of women abandoned by their husbands were adequate and reliable resources to care for themselves and their children without dependence on their extended families.

The research then explored women's experiences using plural justice systems – customary, religious and state – to address these problems, noting how each can create barriers or pathways for women as they try to navigate towards the process most likely to deliver the solutions they seek, while trying to sidestep the pitfalls they so strenuously seek to avoid. By comparing the outcomes women sought with what they typically received from each justice system, the study uncovered how none of the available justice systems – state, customary or religious – are focused on or capable of delivering the outcomes most women seek. The research concluded that this fundamental misalignment between women's needs and the outcomes offered by all available justice systems, is the key reason why women lack access to justice. This conclusion informed a need for significant re-thinking of approaches to family violence response, as this basic lack of alignment cannot be addressed by continuing to ignore the impacts of customary and religious systems or simply 'staying the course' and aiming to improve the implementation and reach of state justice systems.

The research ascertained women's suggestions for what change is needed in each justice system to better meet their needs, generating many fruitful approaches and entry points for change. By identifying 'what women want' and juxtaposing that with 'what women get', new insight was gained into both the nature of the problems faced

by women and potential approaches for engaging plural justice systems and orientating them around working better for women.

Another important finding was identification of the community level as being most determinative of whether women can receive effective protection and justice for family violence and lack of family support. However, when it comes to state judiciaries and local government systems, this most crucial local community 'level' is also the most neglected and under-resourced by Pacific states, as state services remain highly centralised and beyond the reach of their population majorities living outside urban centres.

Four inter-related strategies for engaging with and strengthening the operation of plural legal orders were identified and discussed from the perspective of capacity to better meet women's justice needs.

- **Strategy 1**: Create opportunities for inclusion of women as adaptations to existing village governance, justice and security mechanisms that blend state and customary systems.
- **Strategy 2:** Create community paralegal roles at the village/area level to help women navigate their options within local justice ecosystems.
- **Strategy 3:** Create culturally resonant normative change in favour of women's participation and gender equality by working with customary and religious leaders, drawing upon supportive religious principals, texts and cultural values.
- **Strategy 4:** Support dialogue, knowledge exchange and relationship building within and between customary, religious and state justice systems to improve alignment with women's goals and better coordination.

The research reviewed Pacific experience in piloting such strategies, especially in relation to addressing the problem of family violence. Key learnings to emerge from this review included the need to work with local leaders to encourage and persuade them to open up more opportunities for women to meaningfully participate and engage in local governance mechanisms. The research also highlighted the important roles that local women's organisations and local branches of national women's organisations play to create more conducive and supported environments for rural women to participate in local dispute resolution processes. This is needed as lack of knowledge, coordination and coherence between plural legal orders disproportionately disadvantages women and girls due to the tensions that arise between state, customary and religious justice systems specifically when dealing with gender-based violence. Initiatives to engage with local justice systems need to be informed by gender strategies to ensure women are not 'left behind' or worse, further marginalised by gender-blind approaches that inadvertently further entrench existing patriarchal power structures.

While the research provides no 'silver bullets' for how to better align plural justice systems with women's needs and effectively address family violence, some fruitful approaches for change are identified. A major effort by Pacific courts is needed to reframe state justice priorities and to direct resources towards 'getting local' and increasing the speed, accessibility and affordability of state justice services for rural people. However, this alone is not enough. State justice systems also need a major shift towards building capacity to provide robust rehabilitation programs for family violence

perpetrators, including for those with addiction issues. These should become a centrepiece of the state response to family violence and be provided at the scale needed. They should be implemented in partnership with local leaders equipped to provide ongoing monitoring of perpetrators and support to survivors, with state backing where needed, thus creating a coordinated joint effort between state and local justice systems to achieve relevant accountability of perpetrators.

The research also develops guiding principles for how to approach the sensitive task of engaging local customary, religious and state justice actors in change processes. Such initiatives require careful analysis of the political economies and gender dynamics of local justice environments to avoid risks of 'doing harm.' State actors and development partners must work sensitively with local community leaders and civil society organisations as they work to create greater diversity in local leadership and more inclusive processes for participation by socially disempowered groups, including women, youth, and people with disabilities. Multiple initiatives working together within a community can create broader symbiotic effects between justice systems that can help drive momentum for local change. Blended initiatives that draw on customary, religious and state forms of authority can catalyse greater traction in communities and achieve the levels of trust and cooperation needed between leaders to manage known points of tension between plural legal systems, such as when family violence cases are escalated to police and courts.

Achieving affordable and sustainable local justice systems that 'work' will always be hard in resource-poor Pacific Island countries. Nonetheless, the research identified various ways to mobilise resources needed to support greater investment to strengthen local justice functionality. Many local justice initiatives involve relatively low financial costs, especially compared to those needed for centralised state justice systems and when compared to the high human costs of 'doing nothing' to provide remedies needed by survivors experiencing family violence. Survivors and children, especially in rural areas, are the ones who currently pay these high costs through the harm and suffering inflicted upon them due to the lack of effective response to family violence, and Pacific states and economies also pay a high price.[9] There is a strong case for prioritising investment in local justice initiatives that 'work' better for women and other community members – it just needs to be properly evidenced and forcefully made: this study makes that case.

4.4 Key findings and recommendations

4.4.1 Women's main problem types

The most common, serious and intractable problems faced by women and girls in rural Kiribati and Vanuatu are:

[9] Task Force on Justice (2019). *Justice for All – Final Report,* Center on International Cooperation. https://cic.nyu.edu/wp-content/uploads/2023/02/english_task_force_report_27jun19-min_compressed.pdf, p. 19.

- Spousal violence, often also linked to the spouse's alcohol, marijuana and/or kava use
- Men abandoning their wives and children, leaving them without child or family maintenance or means of reliably achieving child support
- Lack of independent income that could reduce the financial blow of abandonment
- Sexual violence, including marital rape, incest (mainly directed at girls and young women) and rape of teenage girls

4.4.2 Women's justice goals: What women want and need

Most women participants in rural Kiribati and women identified the following order of priorities (highest to lowest) regarding the types of outcomes they hoped to achieve by seeking help for family violence:

- Preserve their marriage and maintain family unity, including by avoiding imprisonment or long-term legal consequences for their husbands in most instances, as they believed these would be fatal to their relationship)
- 'Receive' a reformed husband – no more violence; reduced use of kava, alcohol and marijuana; greater involvement with children, household work and opportunities to socialise as a couple.
- Be able to seek help in ways supported by community leaders and family, so survivors are not ostracised and can retain their family and community standing
- If survivors are unable to continue living with their husband, be able to independently support themselves and their children in dignity and without being dependent on their extended families.
- Have their husband jailed for serious and repeated violence, but only as a last resort and when they have decided the marriage has failed
- To receive justice locally and quickly with matters finalised within days or weeks. Women emphasised the importance of speed, as the pressure on them to forgive, reconcile and withdraw their cases, cannot be resisted for long.

In child support cases, women seek a process that can:

- Reliably deliver regular or lump sum payments (money or in-kind) from their husband or his family to meet the costs of raising and educating children
- Result in payments being made directly to them, not via their families.

What women want

"I want the violence to stop. I want to feel safe."

"I want my husband to change. I want him to be a good partner and father – to live peacefully and invest in our family."

"If I need to go through the justice system, I want it to work for me. I want it to be close to home, affordable, and fast – sorted within a couple of weeks. I want clear decisions, and I want things to be followed up straight away."

"I want to keep my marriage. I still love him. I want my children to have stability, and I need economic security. I don't want to lose the support of my family or community, or the standing I have. I can't imagine living any other way."

"I want my family and community to support me. I want them to blame him, not me. I want to keep my dignity and reputation."

"I don't always want my husband to go to prison. If he's jailed, I lose the support I rely on. My family or community might blame me. I could lose my marriage, and I couldn't support my family. Everything could fall apart."

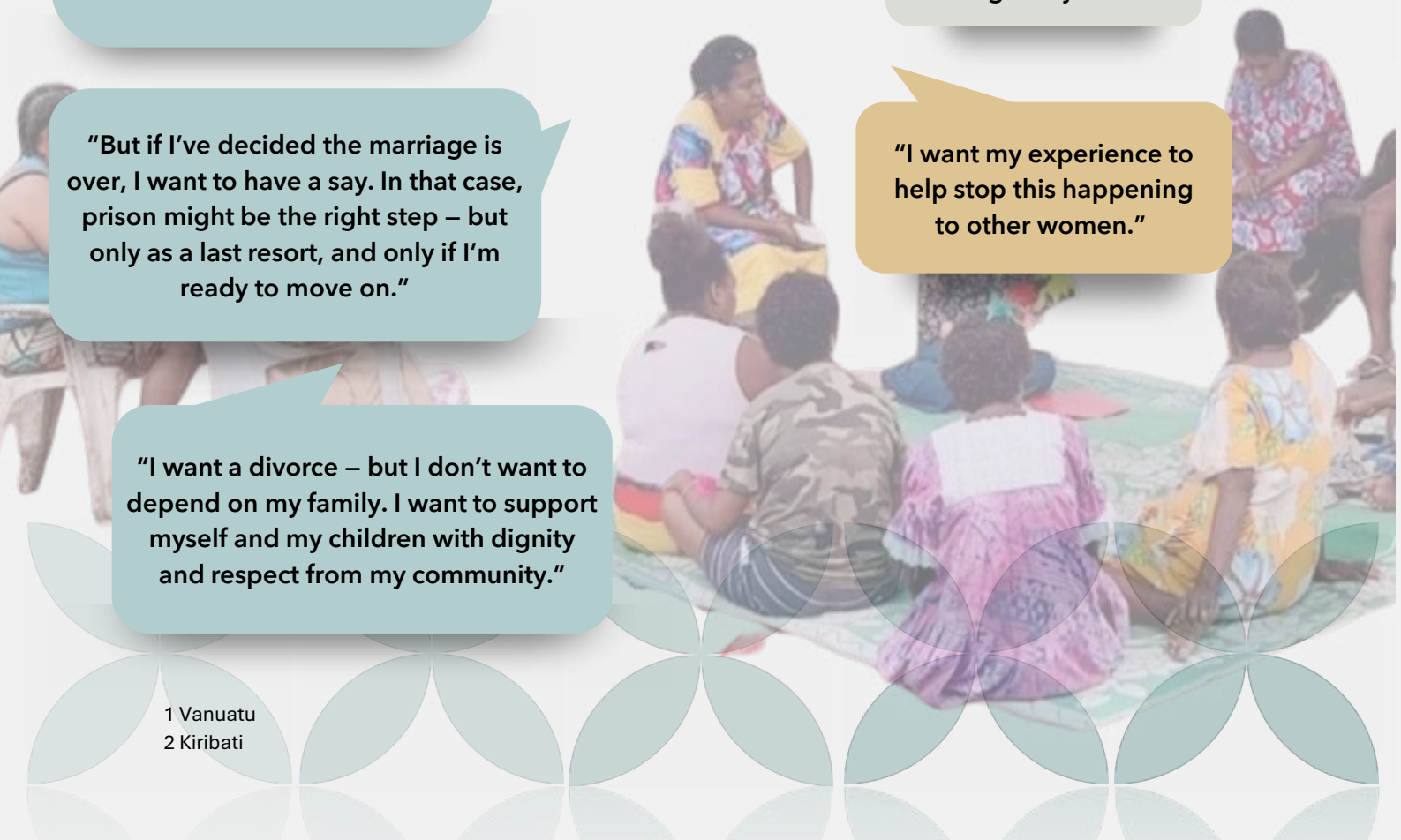
"I want him to stop drinking alcohol and using kava." [1]

"I want him to stop drinking alcohol and using marijuana." [2]

"But if I've decided the marriage is over, I want to have a say. In that case, prison might be the right step – but only as a last resort, and only if I'm ready to move on."

"I want my experience to help stop this happening to other women."

"I want a divorce – but I don't want to depend on my family. I want to support myself and my children with dignity and respect from my community."



1 Vanuatu
2 Kiribati

4.4.3 Barriers and risks women face in accessing customary, religious and state justice

- Women in rural Kiribati and Vanuatu find great difficulty in accessing justice or protection systems when they face family violence or require child support. Spousal violence against women is very common, and women feel there is little they can do to stop it without paying a high price (such as losing their marriage, support from family, custody of children or the ability to support them). They see no good options.
- Disclosing family violence or other family problems is seen as shameful, reflecting poorly on women, so most women experiencing family violence do not seek help from anyone. Instead, they remain silent and try to learn to live with the problem by attempting to self-manage violence, often at high risk of harm and suffering to themselves and to children.
- Women fear that seeking help for family violence or other family problems from outside of their community will come at high personal cost, including retribution from their partner, loss of support from their families and community stigma.

Women's experiences using customary justice systems

- Customary justice processes are the primary way women in rural Kiribati and Vanuatu try to resolve problems, when they are accessible to them and often due to lack of alternatives. Women regard state justice options as being fairer than customary processes but inaccessible and unreliable in response. Women feel safer from family violence when there is proactive community policing in their communities.
- Customary systems are accessible to rural women in the sense of being physically present, understood and not resulting in social stigma. However, they often cannot access customary systems due to compulsory fees, inability

to bring their cases without backing from their families, or due to chiefs' reluctance to become involved in 'private' issues that may risk upsetting important families.

- Women use and support customary and religious justice systems because they are the primary mechanisms available for dealing with problems in a way that is accepted in the community. Both customary and religious systems are seen in the community as "the right way" to deal with problems involving family members. However, women who use either customary or religious justice systems find they are disadvantaged due to entrenched patriarchal gendered norms. Blame for family violence is usually attributed to both parties, preventing clear accountability of perpetrators or pressure for them to change.
- Chiefs and women's families involved in customary processes have interests that often do not align with women's justice goals. While customary mechanisms may address inter-familial aspects of women's problems, they often fail to give women the practical outcomes they seek, such as reliable/adequate child support or an end to family violence in their relationships. Women find it culturally difficult to ask for further help if a chief-led process fails to resolve their problem, as it may be seen to reflect poorly on the chief. Fees to open another case are also a deterrent to women following up where a customary resolution has not solved their problem.
- Women identified a range of measures they felt would make customary justice systems more responsive and relevant to their needs. These include waiving fees to bring a case, supporting women to speak or to allowing women advocates to speak for them in customary hearings, or by chiefs taking more responsibility to monitor if violence has stopped after a case has been decided. Some chiefs described already supporting some of these processes, and added other approaches they use, such as allocating community land to help female-headed families generate an income where the father cannot or will not pay or tasking community members to help them harvest crops.

Women's experiences and views of religious justice systems

- Religious justice mechanisms often sit alongside customary mechanisms but are the main justice option available in many parts of rural Kiribati. Like customary systems, women value them highly because they are physically accessible, familiar, non-stigmatising and, unlike customary justice systems, free of fees.
- Religious justice systems are also entrenched in patriarchal norms that prioritise family unity and wifely obedience over the safety of family members. Therefore, they rarely give women the lasting practical outcomes they seek, such as an end to family violence or reliable/adequate child support.
- Religious counselling often results in reconciliation and each party 'forgiving' the other and promising to live up to their marriage vows but lacks any real allocation of blame on the perpetrator or pressure for them to change.

- Some perpetrators approach religious leaders to seek their help to bring their wives home after temporarily leaving due to violence. Women find it difficult to refuse these requests from religious leaders due to their social power. When they agree to attend, often this results in them returning home to situations of ongoing violence.
- Women identified a range of measures they felt would make religious justice systems more responsive and relevant to their needs. These included church leaders using church doctrine to clearly communicate that family violence is unacceptable, improving church counselling to hold perpetrators of violence accountable by rejecting excuses or victim blaming and by supporting survivors to seek help rather than imposing reconciliation and return to situations of ongoing violence.

Women's experiences and views of police

- Women in rural Kiribati and Vanuatu believe that police presence, even intermittent in remote areas, helps deter men from family violence and increases their own feelings of safety.
- However most women are unable to get help from police for various reasons: due to lack of transportation, lack of any response by police or requests by police that they pay for police vehicle fuel costs before receiving a response.
- Often police do not take women's complaints of violence seriously or follow the procedures. Police rarely investigate, charge or arrest men for family violence. They often recommend women sort out their problems at home. Some police collude with perpetrators by acceding to requests from them, their family members or village chiefs to 'shelve' or not act upon, complaints, exposing women to greater risks of retribution by perpetrators.
- Women's experiences of unreliable police response undermine women's confidence to seek or continue with the process; many withdraw their complaints, and few family violence cases reach court.

Women's experiences and views of state courts

- Most women in rural Kiribati and Vanuatu have little to no knowledge about state laws, courts or processes for seeking help, including for family violence.
- Most women are unable to access any court due to: lack of transportation, money and carer responsibilities; the belief that courts should only be used as a last resort; lack of knowledge about laws or court processes or help available; fear of retribution from their husband and criticism from local leaders and family for going outside the community; fear that contact with police and courts will result in their husbands' imprisonment; and lack of confidence that police or court will provide a relevant or reliable response.
- Most women are aware that family violence is illegal but are unaware that family protection orders do not result in imprisonment unless the order is breached.

They are also unaware that protection orders can be obtained by telephone directly from the court and do not need to go via the police, which is often the hardest part of the process for women.

- Local courts are supposed to serve women in remote locations but are currently under-resourced and unable to fulfil their mandates, including, crucially, to grant family protection orders. Lack of female justices and lack of information combine to limit women's access to these important courts and their remedies.
- Women who apply to local courts for child support face transportation costs, cumbersome processes, protracted delays, low caps on entitlements and difficulties and long delays in having order for child support enforced, causing many to question whether seeking this help from the court is worthwhile.

What women get

	"I want the violence to stop. I want to feel safe."	"I want my husband to change."	"I want to keep my marriage."	"I want my family and community to support me."	"I want the justice systems to work for me."
State	Inconsistent protection; violence often continues; no follow up or monitoring	No rehab programs; limited accountability	State involvement feared as trigger for separation	Limited effort to shift attitudes or build family support for victim	Slow, costly, hard to access and not familiar, hard to understand
Customary	Focus on reconciliation rarely ends violence; no follow up or monitoring	Patriarchal norms limit accountability pressure for behavioural change limited	Strong push for reconciliation despite ongoing risk of violence	Victims often blamed; patriarchal norms reinforced	Local, fast and familiar but not accessible to many victims and lacks fairness
Religious	Forgiveness and wifely obedience prioritised over safety; no follow up or monitoring	Limited pressure for behavioural change due to sharing of blame	Marriage preservation prioritised despite ongoing risk of violence	Church support conditional on obedience and family follows Church lead	Accessible but biased toward reconciliation without addressing violence

What women get

	"I want to have a say in the justice outcome."	"I want to be able to support myself and my children."	"I want him to stop using alcohol, kava and marijuana."	"I want my experience to help stop this happening to other women."
State	Victims have limited influence; decisions dominated by courts and police	Minimal economic empowerment or social protection; child support processes slow and poorly enforced	No addiction programs; limited enforcement of substance-related laws	Weak systemic change; limited outreach or deterrence programs
Customary	Chiefs prioritise reconciliation; women rarely have a strong or sometimes, any voice in process	Some chiefs allocate land or labour, but norms resist women's independence	Depends on place: some ban substance use, others tolerate or inconsistently apply limits	Silence and stigma prevail; chiefs rarely advocate for broader prevention
Religious	Church leaders focus on saving marriages; women pressured to comply	Emphasis on family unity over financial independence; any support 'charitable' without aim to build independence	Depends on church: some ban substance use; in others, Church leaders use substances themselves or may excuse men	Focus on forgiveness; little effort to prevent future violence beyond prayer

4.4.4 Lack of alignment of justice systems with women's justice goals and needs

The research produced a clear picture of fundamental misalignment of justice systems' services to women's needs. To address this, holistic strategies for change involving all three key justice types, each undergoing change while working together more coherently, are needed to meet the needs of survivors and reduce the risks they face seeking help.

Poor alignment of state justice systems with women's justice goals

- State justice resources are mainly invested in punishment of perpetrators with little investment in rehabilitation programs. Survivors are more interested in perpetrator accountability via rehabilitation programs that stop violence and reduce perpetrators' drug and alcohol problems, while supporting improved family relationships.
- State criminal justice processes disempower and marginalise family violence victims, limiting their control over the outcomes provided and often delivering the opposite of what they think will improve their lives.
- State justice systems largely ignore the presence and impacts of customary and religious justice systems. There is a lack of state focus on providing justice services in rural areas or in coordinating with customary and religious justice systems to better align justice outcomes with women's and community justice needs.
- Governments invest little in overcoming key social and economic vulnerabilities that prevent victim-survivors from seeking help. There is limited help for women needing to build independent livelihoods or households.
- Police and justice services do not reach many remote and rural areas or are unreliable or slow in their function including regarding family violence response.

Poor alignment of customary justice system offerings with women's justice goals

- Customary processes in Vanuatu and Kiribati are led almost exclusively by men. They apply patriarchal norms that privilege men, maintain rigid gender roles and normalise family violence.
- Outcomes of customary processes are often ineffective in stopping violence due to lack of clear allocations of blame for violence and attribution of shared responsibility rather than applying pressure for perpetrators to change.
- While accessible in theory, customary systems are often inaccessible to women due to fees, need for family support to bring a case, constraints on women's ability to meaningfully participate, (to speak, be heard and taken seriously) and reluctance by chiefs to get involved.

- Customary authorities rarely enforce or follow up justice system outcomes, even when problems continue. Women find further approaches to customary authorities difficult. Customary outcomes are not enforceable by law and their binding power depends on the degree to which customary leaders are seen as legitimate, which varies widely.
- Inconsistency in the quality and legitimacy of customary authorities and their lack of accountability to any authority can undercut basic standards of fairness. However, where customary systems are upheld by community members as legitimate, their decisions can have strong normative power and immediate effect. Custom's flexible nature enables changes in beliefs about acceptable standards of behaviour in the family that can contribute to peaceful and respectful family life.

Poor alignment of religious justice system offerings with women's justice goals

- Most local religious justice systems in Vanuatu and Kiribati apply biblical teachings that wives must obey and forgive their husbands, including for violence and that families must remain intact despite family members facing harm from violence.
- Religious norms align closely with customary system norms, combining to create formidable social pressure on survivors to accept and remain silent about family violence.
- Like customary systems, religious systems have enormous potential to change the behaviour of individual perpetrators and lead normative change in communities to stigmatise the use of family violence and instil changed behaviours and beliefs.

Strengths, weakness and areas for action

State	Customary	Religious
STRENGTHS		
• Has legal authority to convene all actors and allocate resources for coordinated responses to family violence. • Provides positive role models of women in judicial decision-making roles.	• High normative influence and social acceptance; seen as the "right place" for dispute resolution. • Locally available and socially empowered to act.	• Strong normative influence; widely trusted and accessible (no fees). • Potential to provide moral guidance and ongoing monitoring of perpetrators.
WEAKNESSES		
• Limited normative influence at community level compared to customary and religious systems. • Geographic coverage is restricted; cannot act effectively without collaboration. • Has not yet demonstrated strong commitment to engaging local authorities respectfully.	• Often inaccessible to victims due to fees and lack of support. • Male-dominated; reinforces patriarchal norms and gender stereotypes. • Tends to excuse perpetrators and blame victims.	• Male-dominated; traditional interpretations reinforce gender inequality and tolerance of family violence. • Often blame victims for failing to uphold faith or marital obedience.
AREAS FOR ACTION		
• Initiate dialogue with customary and religious leaders; share information on state justice processes. • Listen to community challenges and co-design solutions. • Develop protocols for collaboration, ensuring significant participation of women. • Encourage and require women's involvement in dialogue and reform processes.	• Identify and document progressive customary leaders who condemn family violence and support victims. • Map and highlight women who exercise customary authority. • Facilitate knowledge exchanges between progressive leaders and other communities to drive change from within.	• Support movements reinterpreting scripture to condemn family violence. • Promote faith-based rehabilitation models proven effective in changing perpetrator behaviour. • Encourage collaboration between progressive religious and customary leaders for rapid, community-driven change.
CROSS-CUTTING NEED		
Create a multi-stakeholder platform that fosters engagement and exchange between state, customary, and religious systems, ensuring significant participation of women and building on each system's strengths to achieve safer families and stronger communities.		

4.4.5 Strategies for aligning all justice systems with women's justice goals

Four inter-related strategies for engaging with and strengthening the operation of plural legal orders were identified and discussed from the perspective of capacity to better meet women's justice needs.

- **Strategy 1:** Create opportunities for inclusion of women as adaptations to existing village governance, justice and security mechanisms that blend state and customary systems.
- **Strategy 2:** Create community paralegal roles at the village/area level to help women navigate their options within local justice ecosystems.
- **Strategy 3:** Create culturally resonant normative change in favour of women's participation and gender equality by working with customary and religious leaders, drawing upon supportive religious principals, texts and cultural values.
- **Strategy 4:** Support dialogue, knowledge exchange and relationship building within and between customary, religious and state justice systems to improve alignment with women's goals and better coordination.

4.4.6 Reframe state justice around the outcomes women want

This research found that state justice in Kiribati and Vanuatu must become more relevant and responsive to the largely unmet needs of women seeking protection and justice for family violence, sexual violence and other family problems. State justice systems should:

- Create robust behavioural change and rehabilitation programs for family violence perpetrators that apply culturally and spiritually relevant frames, include feedback from family members, and feature ongoing community-based mentoring, monitoring and support.
- Create robust drug and alcohol rehabilitation programs that apply culturally and spiritually relevant frames, include feedback from family members, and feature ongoing community-based mentoring, monitoring and support.
- Implement economic safety net and housing programs for victim-survivors, and programs for building sustainable livelihoods for victim-survivors and vulnerable women.
- Improve the reach of local state justice services. Use the existing jurisdiction available to hybrid (island/village) courts, including to grant protection orders; enable them to circuit through remote areas; recruit more women justices and provide them with gender-responsive specialised support; develop and promote more remote service options, including telephone-based temporary family protection orders, child support orders and enforcement orders; provide accessible public information about court processes and services, including via community radio; and maximise opportunities for in-person outreach in rural communities whenever courts go on circuit.
- Encourage and provide opportunities for state court leadership to engage with customary and religious justice actors to strengthen the linkages and functionality of pathways between state and non-state justice processes.

- Accelerate court processes to enable family and sexual violence criminal cases to be finalised in days or weeks if possible and issue protection orders in the meantime.

4.4.7 Sustainability of local justice initiatives

Most Pacific countries face acute resource constraints. Investment designed to invigorate and strengthen approaches to local justice must not only be highly cost-effective but demonstrate the resources that will be saved and the suffering prevented and be affordable for governments in the long term. The following recommendations are intended to improve the affordability and sustainability of local justice initiatives aligned to women's justice needs.

- Compile evidence about the effectiveness, low cost and cost-saving effects of local level justice initiatives. Pacific governments must be persuaded that more efficient and fairer dispute resolution can prevent problems from occurring or escalating and reduce overall expenditure on government services.
- Encourage donor/development partners to earmark funding for local justice initiatives that engage with local state, customary, religious justice providers and civil society actors.
- Analyse court budget allocations and identify savings that can be reallocated to enable provincial and district courts to perform all their functions and/or reduce budget allocations for superior-level courts to meet this need.
- Develop low-cost methods for courts to operate in remote and rural communities, such as incorporating outreach into existing mobile court circuits, using community radio to provide information about court processes and services, providing more court services by telephone or video conferencing where possible, and activating local-level courts' full existing jurisdiction (for example to hear family protection order applications) and providing transportation for mobile local courts to meet unmet community needs, including for family protection orders.
- Initiate discussions about village chiefs' practice of charging fees for customary justice and how to improve consistency and equity through lower fees and exemptions for people who cannot afford fees or who need urgent access to local justice to provide for their personal security or basic human rights.

5.'Towards gender balance and equality in Pacific Courts'

5.1 Methodology

- **Literature review**
- **Engagement with Chief Justices and process of consent**
- **Mapping of positions and numbers of women judicial officers through inquiries to courts**
- **Anonymous survey of 100 Pacific women judicial officers:**
  - 47 responses from 13 of 15 Pacific countries
  - Roles: 34% judges, 51% magistrates, 13% justices/lay magistrates
  - Purpose: Gather qualitative and quantitative insights into experiences, needs, and recommendations for gender equality in the judiciary
- **In-country focus group discussions and 1:1 interviews**

5.2 Key research questions

- Mapping: How many, and to what positions, have women been appointed as judicial officers in Pacific judiciaries?
- What patterns and trends can be observed from this data?
- What are the key challenges women judicial officers face? What needs do they have to be better supported in their roles?
- What are women judicial officers' experiences and views on any gender-based barriers they have faced in their roles? Do they feel they are treated equally and respected in their roles by court leaderships, the public and lawyers?
- Do women judicial officers think gender balance and gender equality need strengthening in their judiciaries and if so, in what ways? Do they think judicial appointment processes are gender neutral? Do they think temporary affirmative action measures should be introduced until gender balance is achieved?

5.3 Research overview

The second study shifted focus to the roles of women in Pacific judiciaries. It mapped, for the first time, the numbers of women sitting on Pacific judicial appointment bodies and the numbers and positions held by women judicial officers across all levels of Pacific courts, including courts of appeal, superior courts of original jurisdiction, magistrates' courts and local-level lay-judiciary courts.

It also captured women judicial officers' experiences and views on how to further strengthen gender balance and gender equality in Pacific Courts, and their key

support needs. While results were similar across Pacific countries, significant variations emerged in the needs of women judicial officers depending on whether they were judges, magistrates, or lay judiciary members, suggesting a need to provide targeted support to different judicial officer types. In particular, the report highlighted the crucial but neglected roles of women judicial officers working within local-level courts, due to the more general problem that these courts receive limited resourcing and support from their judicial leaderships, compared to superior courts, in particular. This is despite the crucial roles of local level courts to provide community access to justice and the strategic importance to support women serving in these courts, these positions being rare opportunities for women, at the community-level, to exercise public decision-making powers and authority.

5.4 Key findings

- Increasing the gender balance in the composition of Pacific judiciaries strengthens their function in several ways:
    - Increases the breadth and depth of knowledge and lived experience that the bench can draw upon in performing its judging task.
    - Increases the legitimacy of courts by better reflecting the composition of communities they serve.
    - Increases public confidence in the integrity of justice.
    - Increases societal fairness increasing the approachability of courts for social groups who face known barriers in accessing justice, including women and girls.
    - Shifts the internal dynamics and culture within judiciaries away from male privilege and supports increased intellectual rigour.
    - Creates role models for women exercising public power in public life, translatable across other fields, to challenge gendered norms and roles in Pacific society.
    - Provides an opportunity for more women to participate in interpreting and shaping laws, often sparking fresh and necessary legal debates and accelerating awareness of the differential impacts law upon varied social groups.
- While Pacific judiciaries overall remain heavily male dominated, the inclusion of women in Pacific judiciaries is quietly moving ahead. The numbers and seniority of women in Pacific judiciaries is gradually rising and the exercise of judicial power and authority by women is increasingly accepted and normalised amongst Pacific communities, court users, court leaderships and legal professions. This progress has accelerated in the past ten years and stands in stark contrast to the persistent, limited gains for women in Pacific parliaments over the same period.
- Women are increasing appointed to judicial leadership roles: In 2019 there was only one female Chief Justice of a Pacific judiciary out of fifteen, whereas

there are currently three.[10] Several Chief Magistrates are women and many senior magistrate positions are filled by women in magistracies across the region also.

- Nonetheless, there remains a lack of pathways for women judicial officers to be promoted within and between levels of courts and a lack of opportunities to prepare women for promotion through structured processes to nurture talent.
- Women remain under-represented in judicial appointment bodies, limiting inputs by women in deciding what qualities make a good judge and which candidates receive appointment. While a more detailed mapping process is necessary, preliminary findings indicate that women comprise less than a quarter of judicial appointment bodies, (24%).
- There is significant variation in the gender composition of different levels of courts.
- Gender balance in Pacific judiciaries has advanced most rapidly and sustainably in magistrate courts. Already, some 44% of Pacific magistrates are women and four jurisdictions include 50% or more women magistrates (Kiribati:67%, Vanuatu 63%, Fiji 52%, and Tonga 50%). Several magistrates' courts are led by female Chief Magistrates (Vanuatu, Tonga, Tuvalu), who are driving various initiatives, including for expanded and accessible court protection from family violence, including in rural areas. Women occupy other senior roles in Magistrates' Courts, including Deputy Chief Magistrate (PNG) and Principal/Senior Magistrate roles (in Vanuatu, Tonga, Solomon Islands and other countries.)
- Women judges currently comprise 21% of Pacific superior court appointments but notably, only 16% in appellate courts. While the pipeline or pool of qualified eligible women candidates is already plentiful in most jurisdictions, lack of transparency in judicial appointment processes and criteria, gendered notions of what constitutes 'merit', and the male-dominated composition of Pacific judicial appointment bodies, likely explain the slower rate of female appointments to superior courts in most jurisdictions, especially in appellate courts.
- Women make up only around 7% of Pacific lay justices, being judicial officers who sit in local-level courts, although some jurisdictions have significantly high levels than this. (Nauru, 67%, Nieu 50%, Kiribati 44% and Vanuatu 27%).
- Women lay justices working at the local community level, face the most acute gendered cultural challenges performing their roles. This is due to lack of support and training from courts, and cultural gender norms that translate into discrimination and marginalisation by male colleagues and some members of the public. Women justices are more likely than other women judicial officers to experience threats to their personal security and face limitations on their roles due to cultural barriers, such as in some customary land cases or due to them lacking support from their husbands to travel and stay overnight for multi-day cases.

[10] In Kiribati, Federated States of Micronesia and Tokelau.

- Overall, most women judicial officers feel equally respected and valued in their exercise of judicial authority by court users and the public (93%), as well as by court leaderships (87%). However, women who sit as lay justices in local-level courts, are more likely to be marginalised in their roles.
- Women judicial officers reject quotas and other affirmative action measures to achieve gender balance in judiciaries and strongly support merit-based appointment only. However they question how 'merit' is assessed, including the impact of subconscious gender bias, by judicial appointment bodies.
- Around 50% of women judicial officers reported facing gender stereotypes and cultural barriers, such as stereotype around what kinds of cases should or should not be allocated to women judicial officers. Respondents strongly rejected any 'pigeon-holing' of case allocations according to assumptions based on gender and support gender awareness and competence training so all judicial officers are equally equipped to decide cases without gender bias, including gender-based violence and family law cases.
- Other barriers reported by women judicial officers included being deprioritised by court administration in access to administrative support, being allocated less attractive postings requiring relocation and family separation, being allocated heavier or more difficult workloads, and discriminatory treatment by members of the legal profession, especially senior male lawyers.
- Most women judicial officers reported facing not only a double-work burden, at work and at home, but also feel pressure to perform both roles to an exceptional level. Most felt they had to work harder to 'get ahead' in the court and had to continuously demonstrate they could manage home and carer responsibilities to maintain family support to continue in their judicial roles. In 'walking this line' of trying to compensate for gendered impacts faced in work and home spheres of life, many women judicial officers reported they constantly battled with exhaustion.
- Women judicial officers seek greater flexibility around times and places of work (outside of hearing times) to help them better juggle work and carer/home responsibilities however most said that flexible work arrangements were not available in their courts.
- Most women judicial officers (84%) reported their workplaces were safe and respectful, and they had not experienced or observed others experiencing harassment, bullying or other bad behaviours within the court environment.
- No courts identify different gendered impacts regarding the physical and cultural safety of work environments for women. This includes regarding physical safety, means of transportation for work-related travel, safety from threats or violence related to the judicial function and safety from sexual harassment, bullying, aggressive or other forms of 'bad behaviour' in the workplace.
- No courts provide gender competence training to members of their judiciaries to bring self-awareness of gender assumptions and gender bias in the development and processes of law, including the relevance of these issues to achieving impartiality as decision-makers.

- Achieving the changes sought will require strong leadership and commitment from court leaders and women judicial officers. Using inclusive change processes and introducing changes that benefit all members of judiciaries, ensures wider buy-in and support across judiciaries while mitigating risks of backlash.
- Women judicial officers support the establishment of a Pacific network for women judicial officers to drive their own self-development and promote gender justice in Pacific societies.

5.5 Women judicial officers' key unmet needs and priorities revolve around:

- Professional development, both when newly appointed and ongoing, involving a range of methods including opportunities for further education and training, mentoring, coaching and programs to equip women for promotion to higher courts and more senior roles.
- Workload reduction and management, including through increased administrative and legal research support.
- More flexible and varied work conditions to enable better balancing of work and family commitments and to support sustainable work practices
- Increased physical and cultural safety in the work environment taking account of gendered differences regarding: decisions on postings involving relocation and their impacts on family separation; physical safety of places of work and access to safe transportation for all work-related travel; safety from threats or violence related to the judicial function; as well as safety from sexual harassment, bullying, aggressive or other forms of 'bad behaviour' in the workplace.
- Improved physical work environments to enable greater efficiency and amenity in performing their roles including through increased access to technologies, privacy and noise reduction in common workspaces, areas for breastfeeding and better equipped bathroom facilities.

5.6 Recommendations

5.6.1 Strengthen knowledge and awareness regarding representation of women in Pacific judiciaries and judicial appointment bodies:

- Validate the data from this study mapping the number, roles and proportion of positions held by women judicial officers across all Pacific jurisdictions and levels of courts.
- Monitor and publish data in court annual reports on the proportion of women who occupy judicial roles at all levels of court hierarchies and all levels of seniority within courts.

- Map and validate data across all Pacific courts regarding the security of tenure of Pacific judicial officer types (judges, magistrates and justices/lay magistrates) and assess any implications for the independence of Pacific judiciaries.
- Map the historical and current presence of women in positions within all Pacific judicial appointment bodies.

5.6.2 Increase the transparency, gender awareness and gender balance of judicial appointment and promotion processes by:

- Clarifying appointment criteria for positions at all levels of judiciaries.
- Increasing awareness of unconscious gender bias in the meaning of 'meritorious'.
- Increasing the gender diversity of composition of judicial appointment processes.
- Increase the use of competitive recruitment and selection processes where possible: including public advertising and sharing of opportunities with relevant 'pipeline'
- professional associations and organisations and emphasise judiciaries as equal opportunity employers.
- Develop outreach and awareness raising programs for all members of Pacific judicial appointment bodies highlighting how unconscious gender bias can infect concepts of 'merit' and the benefits to society and judiciaries of gender balanced judiciaries.

5.6.3 Support initial and continuing professional development opportunities for women judicial officers:

- Undertake customised review of the continuing professional development needs of women judicial officers at all court levels, including most relevant areas for strengthening knowledge, skills and confidence (including in conducting hearings, drafting judgments, particular areas of law and procedure), and opportunities for regular and ad hoc training and programs offering coaching, mentoring and exchanges with judicial officers in other Pacific countries.
- Investigate and develop responses including dedicating resources to the specific professional development and support needs required by women judicial officers across all levels of courts: both ongoing professional development and support, including mentoring, as well as initial training, induction and support when taking up new appointments or changed roles.

5.6.4 Support robust gender awareness training and support resources for all judicial officers:

- Provide gender competence and awareness training to all Pacific judicial officers to address unconscious bias and gendered assumptions brought to the task of judging and the continuing impacts of the gendered history and

development of systems of law and the beneficial impacts of gender balance and gender competence in judiciaries and to societies.

- Incorporate gender responsive resources on law and procedure into judicial training programs and all benchbooks or other resources used by judicial officers, providing guidance on how courts can best respond to the needs of vulnerable court users. This will assist all judicial officers to be equally well versed, skilled and competent to provide appropriate procedural adaptations and to make fair decision-making absent gender bias, including in cases involving family and sexual violence and other vulnerable parties.

5.6.5 Support career development and promotional opportunities for women judicial officers:

- Provide opportunities for women court staff and justices to undertake legal qualifications and other studies to prepare them for higher duties as judicial officers.
- Develop clearer career pathways for women to be promoted between courts and programs to prepare women judicial officers for all aspects of roles in higher courts, including in courts of appeal, where they remain a small minority.
- Encourage court leaders to When acting higher-duty roles came towards an end, encourage court leaders to proactively handle this phase with strong communication, sensitivity and provision of feedback on performance, including prospects for future appointment.
- Create standards limiting the duration of acting roles without further decision or review and for career pathway opportunities for those who have been repeatedly considered suitable for higher-duty roles.
- Provide judicial officers performing 'acting' higher duties with feedback on their performance and employ good communication methods to sensitively manage transition periods to either ongoing appointment or return to former duties.

5.6.6 Improve work conditions: flexibility, access to leave, management of workloads, remuneration, relocation posting policies, access to administrative and legal research support, buddy systems

- Provide maximum flexibility of work conditions including times and places of work and access to leave including for carer roles, that can be afforded without jeopardising core court functions, to help women judicial officers address time poverty in balancing work, family and personal needs (such as time for exercise and attending to health needs).
- Review remuneration arrangements of all judicial officers commensurate with workloads and levels of responsibility, including consideration of the significant gaps in remuneration and conditions between judges and magistrates and between justices and magistrates.
- Develop gender responsive policies for posting transfers that involve relocation considering issues of equity as well as the disproportionate burden of family separation borne by some women judicial officers. Consider the lesser

say many women may have within their marriages in deciding on issues of family relocation.

- Ensure that all judicial officers have an identified 'manager' who is responsible for ensuring they are allocated a manageable workload and who uses approaches such as reallocating work where necessary, to prioritise and preserve the wellbeing, mental health and sustainable work loads of judicial officers.
- Review the adequacy of administrative and operational support available to women judicial officers, especially magistrates and justices, including consideration of whether court staff roles are currently structured and assigned to meet optimal prioritised needs and efficiency of judicial officers, or whether improvements could be achieved within existing resources.
- Consider options for providing greater support to magistrates and judges with ad hoc and regular legal research tasks, including through support from court development partners and pro bono actors from outside the jurisdiction (to avoid the risk of conflicts).
- Identify internal women focal points for women judicial officers within each court for peer support on any issues relating to their roles who, with consent from the person, can escalate any issues to supervisors or courts leaderships if needed.

5.6.7 Improve physical workspace environments prioritising:

- Increased privacy and soundproofing of shared workspaces through use of office and desk petitions and provision of headphone sets to all court personnel working in shared or open plan spaces.
- Improved ventilation and cooling in workspaces and in courts.
- Better maintained bathroom facilities including provision of sanitary bins.
- Allocated private breast-feeding space and nappy change facilities in court compounds available for use by court personnel or court users.
- Dedicated spaces in courts for lay justices to work in.

5.6.8 Strengthen processes to recruit, retain and support the ongoing work of women justices in local-level courts

- Ensure advertised vacancies for local court justice positions are disseminated to women community members including to women's organisations, churches, schools, markets, businesses, health services and other locations women frequent, and ensure advertisements state that women are encouraged to apply;
- Vet the views of potential male candidates regarding how they would approach working as equals alongside women justice, to exclude those candidates who are not willing or equipped to work on a respectful and equal basis with women.
- Improve remuneration rates and coverage of pay for work performed.

- Provide access to safe transport or subsidies for transport to and from court and while on mobile court circuits.
- Offer discussions with potential women recruits and (if they wish) their spouses or other family members, providing details of the role and support available to women justices.
- Undertake Court community awareness campaigns so that members of the community know about the role and protected status of justices, and the equal protections provided to women justices.
- Brief police and village chiefs to underline their responsibility to provide security and support to women justices as needed.
- Provide additional training opportunities for women justices on conducting hearings and drafting judgments to increase their confidence and experience in these roles.
- Standardise processes to empower women in their roles including ensuring at least one woman sits on each panel sitting and provision for rotating panel chairs.
- Support women to chair panel hearings across all matter types and not only family or child- related cases.
- Designate women justices in each court to maintain a network with other women justices in their areas to report any concerns they have for their personal security, access to safe transportation, gender discrimination faced or any other needs in the role and for these to be prioritised for action at high levels of court administration.
- Provide annual refresher training programs for all justices.
- Provide opportunities for women justices to engage in qualification upgrades and preparatory programs for promotional opportunities, including from justice to magistrate roles.

5.6.9 Strengthen workplace safety for women judicial officers

- Review the gendered cultural transportation needs of women judicial officers, including the availability, physical safety and cultural appropriateness of court provided transportation to cover women judicial officers' work needs across all levels of courts, including: for daily commuting; out of hours work at night or weekends/holidays; travel for work in provincial court areas; travel for court circuits or mobile courts including to remote and rural locations; and accommodation arrangements for multi-day hearings, including payment of per diems for sitting justices, as paid to magistrates and court staff.
- Allocate more resources to address local level court needs to enable women justices to expand their important work reaching women in remote and rural areas and helping them gain access to justice services.
- Conduct a review of safety measures available to women judicial officers working in court contexts characterised by greater lawlessness.

- Review security arrangements in all court compounds including perimeter fencing, weapons checking, managed separation of court parties in waiting areas to prevent intimidation or security risks to any court parties including victims of family and sexual violence.
- Provide training to judicial officers and court staff to equip them to de-escalate situations or tensions arising within court compounds and court rooms, including those involving people with mental health and addiction issues.
- Clarify or develop confidential complaints mechanisms for court actors to raise, have swiftly investigated and addressed, issues of sexual harassment, bullying, aggressive or other bad behaviours arising between people working in courts.
- Consult Chief Justices for their views regarding how to ensure such processes are: fair to both parties; maintain confidentiality and provide robust protections from backlash for complainants or whistleblowers; and can hold wrongdoers accountable, no matter their position or seniority, and for third party actors outside the court seeking to intimidate or adversely affect a party to a complaint.
- Develop awareness campaigns for all court personnel regarding the forms of behaviour that constitute sexual harassment, bullying or are otherwise not acceptable, and the proper channels for addressing these issues as early as possible.
- Encourage law societies and bar associations to include disrespect of women judicial officers as a specific disciplinary offence and to proactively investigate alleged instances by lawyers.

5.6.10 Support Pacific women judicial officers to establish a Pacific network for women judicial officers with support from:

- Court leaderships: approval for office bearers and members to receive modest amounts of time or transportation support from the court to contribute to its activities.
- Court development partners: for technical assistance to support developing policies and resources where needed; resources for Network activities; and administrative support including to ensure the inclusion of women justices in remote locations in Network activities.

Focus area 5

GENDER BALANCED COURTS

Promote gender equity in judicial appointments and training, and provide wellbeing initiatives to empower women in Pacific courts

MAINTAIN FOCUS ON BALANCE

Keep a strong focus on achieving gender balance among judicial officers and clerks across all levels of state courts, including Island Courts, Magistrate Courts, and Courts of Appeal

PROFESSIONAL DEVELOPMENT & WELLBEING

Provide ongoing support for women judicial officers through mentoring, networking, and wellbeing initiatives, especially in courts where they are underrepresented

ALTERNATIVE ENTRY PATHWAYS

Continue programs that upskill experienced court clerks for judicial roles, supported by ongoing skills development



LOCAL-LEVEL STRATEGIES

Create tailored strategies for recruiting, inducting, mentoring, and training women justices in local courts to strengthen their participation and leadership

CUSTOMISE TRAINING

Develop training packages on gender-responsive courts, unconscious bias, and stereotyping awareness for: Judicial appointment bodies; All existing and new judicial officers across all court levels

6. 'Towards Pacific women's leadership in local justice processes'

6.1 Methodology

- **Literature review and field research:** Built on findings from the first and second research reports
- **2 dedicated workshops** focused on participation and influence of women in local justice processes (Sept and Oct 2024)
    - Mix of community-based customary, faith-based and civil servant leaders and court actors: Kiribati, 30: 13 women, 17 men; Vanuatu, 19: 12 women, 7 men
- **Research output validation process (June 2025)**
    - In-country focus group discussions and 1:1 interviews including
    - Lay judiciary members, (Kiribati: Presiding Magistrates from six islands: Maiana, North Tarawa, Abaiang, Mwakin, Butaritari and Marakia)
    - Court clerks serving lay judiciaries (Vanuatu Island Court Clerks)
    - Small meetings with women and separately with men (3 meetings North Tarawa Kiribati, 2 meetings Efate, Blacksands village, Mangaliliu village Vanuatu)
    - One-to-one interviews with local-level women leaders, 3 in Kiribati and 2 in Vanuatu.

6.2 Key questions posed in study

1. Who are the decision makers who has influence in local justice processes?
2. Do women think the inclusion of women as decision makers or people with influence in local justice systems is important, and if so, how?
3. How can we better understand Pacific women's leadership pathways and roles to identify potential pathways for more women to become local justice decision makers?
4. What opportunities, pathways and approaches do women think exist to increase the presence and roles for women in local-level justice processes?

6.3 Research overview

The third study focused on the forms and patterns of women's roles as local leaders and decision makers in community governance mechanisms. A focus at the community level was found to be important, as it is at this level where it is determined for most women whether they can access protection and justice or not.

Most women consulted supported the idea of women playing larger roles in community and local justice decision making processes as they thought it would help

the whole ccommunity, not only women, as women are generally less selfish and egotistical than men and more likely to think of others. They also thought the visible participation of women: makes justice systems more accessible to women and other marginalised social groups by sending a message that the process is there for everyone; gives women more confidence their problems will be heard and understood; brings women's knowledge and views into deciding community standards of behaviour; helps male leaders protect and strengthen cultural values by adding women's views on cultural values and change to keep cultural identities strong; increases community confidence in the integrity of local justice processes; and conveys a wider social meaning to show women as competent and capable of contributing to good decision making for the community. Most women thought that over time, male decision makers and communities more generally, would come to see for themselves the benefits of women's contributions to community decision making, once there were more women in these roles.

The study identified a dire under-representation of women as customary and religious leaders in Pacific communities, meaning that women are currently largely excluded from participating in decision-making within local justice processes. There are small numbers of women who currently occupy customary positions of power including in some places as 'chiefs' and in other customary roles with authority and seniority to participate in local justice processes, even if not directly as 'decision makers.' Many customary roles for women in Pacific societies have been eroded over time through the compounding effects of colonisation and Christianity, which have contributed to the entrenchment of male power in Pacific societies. Identifying women's previous customary roles and where possible, reclaiming these, could help anchor a customary power base for women, currently largely absent and contribute some re-balancing of power relations between men and women where custom remains the dominant governance system.

The research identified a small but growing cohort of ordained women in the protestant and evangelical churches, bringing some female leadership to traditionally, exclusively male centres of power. The presence of ordained women injects women's perspectives into these normatively powerful roles and increases the confidence of women that their problems will be understood and fairly treated when they seek church protection and help for family violence. Women commonly exercise leadership roles within women's church committees often tasked to help vulnerable community members, maintain the cleanliness of villages and households and support church cultural and fundraising efforts. Some women church committee members support or advocate for women seeking church help to address family violence, although the 'decision making' remains the domain of ordained church authorities.

The study also identified the limited representation of women in other community leadership roles in local state institutions, including as elected representatives in local councils, which are powerful local community roles. Gradual progress is being made in Vanuatu, due to the introduction of reserved seats for women on Area Councils and by publics being increasingly willing to vote for women candidates. Women councilors can be powerful advocates for empowering women across all spheres of community life, including larger roles in local justice systems, and rallying community support for survivors of family violence.

One available opportunity for women to exercise public decision-making powers in local communities is as justices in local state courts, where they sit on panels alongside male justices and decide summary civil, criminal or customary land cases. These roles provide a rare, already 'culturally available' opportunity for women to exercise authority and decision-making power at a local level. Appointees to local courts do not need to be law qualified but rather, are selected based on being persons of high standing and good character in the community, often, but not always essential, also with knowledge of customary matters.

These positions offer a real opportunity for local women leaders to grow into community justice leadership roles. Just as male local authorities commonly accumulate social power by wearing several leadership 'hats', as customary leaders, church leaders, and court justices, by being appointed to local courts, women leaders from varied backgrounds can also accumulate social power by their roles as local court justices with other local leadership roles.

Despite the importance of opportunities for women to be appointed to local level courts as a rare place where they can exercise public power at a community level, little to no attention is paid to the strategic importance of women occupying these roles as they are buried in the 'bottom' tier of under resourced and neglected state courts. It is time to bring renewed focus to creating an environment where women in these roles are well supported through targeted activities to build their confidence, knowledge and the chance to grow their authority and leadership in these roles, to help 'level the playing field' for women appointees with their male counterparts, who are commonly culturally empowered experienced village chiefs or hold other local community leadership roles.

Outside of opportunities for women to exercise authority as decision-makers, the research also documented other important roles that women leaders can play to help women in the community to navigate local justice processes by providing them with information, advice, accompaniment, advocacy and moral support. The roles of women local court clerks are also important as they are especially well placed to provide legal information to women in the community and to support their use of courts. The work of local women's organisations, or rural branches of national women's organisations, are also key for helping women navigate their protection and justice options. They can be very effective in building trust and influence with local customary, religious and state justice decision makers, to achieve better outcomes for women. The importance of the presence of women equipped with knowledge and skills to help advocate for and support other women as they navigate their justice options, cannot be overstated, as they can also achieve systemic change from their advocacy and the influence they can have with local leaders to better align local justice outcomes with women's needs.

A further barrier to women's local leadership identified in the research, is the lack of time women have available to commit to public roles, due to the overwhelming domestic and caring work burdens they shoulder, often on top of paid employment or farming roles. In efforts to foster women's local leadership, consideration must be given to the practical need to relieve women leaders of some of their domestic workloads so they can more sustainably contribute to community leadership. The main options for achieving this likely revolve around more equitable sharing of domestic loads with men or through women organising together to share domestic and caring workloads,

freeing up more time for women to assume community leadership and decision-making roles.

Key to increasing the participation of women in local leadership roles is strategy, as it cannot be assumed that the situation of women's exclusion from local leaderships roles, will simply improve over time. Understanding the pathways through which women can assume local leadership roles and then build their social power by moving fluidly between, or accumulating multiple roles, demonstrates how women from a wide range of backgrounds can become influential local leaders and then be positioned to contribute to community decision making processes. Women's leadership opportunities will differ significantly based on their age, family background and class, with these factors, and not only their gender, heavily influencing what roles they may potentially be permitted within any specific community context.

Women participants emphasised the importance that women work in partnership with supportive men. Identifying male 'allies', especially those in leadership roles with more cultural and social power than women, who can help create the space for women to be included and provided 'a seat at the table' in community decision making forums, is another essential prong to the strategy. Groups of women together, can approach their local leaders and then request, encourage, prompt and remind male allies to back them up. The involvement of supportive male allies is also important as it helps reduce risks of backlash against women seeking to insert themselves into traditionally male-dominated spaces. Where there is supportive male leadership is in place, and/or persistent, unified pressure by women, change is possible and can occur within short periods of time, as some examples in the research demonstrate.

One risk is to assume or overstate anticipated resistance by male local leaders to women's participation, due to the current absence of women from decision making roles. However, many local chiefs interviewed in the research proved to be open and agreeable to including women in various capacities in local decision-making and readily saw the community benefits of doing so. Some said that it had simply not occurred to them to 'invite' women to participate but having been prompted, would start to do so. Even when local leaders initially expressed scepticism about including women in local decision-making processes, many still agreed there was greater scope for their participation than at present or softened their views when the potential benefits of including women were highlighted.

The key point is there may well be enormous potential to work on a consensus basis with local leaders by simply encouraging and reminding them to invite women 'in' to local decision-making processes, wherever possible. A systematic way to prompt and remind local leaders could potentially catalyse significant consensual change, which may need not necessarily be slow or incremental, as is also often assumed. Where the inclusion of women is willingly accommodated or negotiated with local leaderships, women can more effectively and meaningfully participate and support each other through being included in significant numbers, rather than as a small minority, where they can be easily marginalised, risking this then being turned on them as evidence to sceptics that women's contributions are not valuable or necessary.

Women participants also highlighted that no matter what approaches are taken, some areas of local decision making will likely remain bastions of male power for the foreseeable future. For example, Kiribati women were adamant the T*e unimane* (elder

councils) in Kiribati, currently comprised exclusively of males aged over 60 years, would not be including any female members, any time soon. Nonetheless, there are women elders (*Te unaine*) in North and South Tarawa who sit with the male elders to make certain kinds of decisions and who provide input from women community members. Some *Nakamal* councils in Vanuatu are all-male, however significant variation in the roles women are permitted within local *Nakamals,* was identified in the research. At one end of the spectrum, in some *Nakamals*, women can participate as full members and decision makers, whereas in others, even women with cases before the Nakamal are not allowed to be present or to speak. Women participants emphasised the importance of taking a strategic approach and recognising that short of major transformative social change, there will be some conservative communities where it will remain exceedingly difficult for women to be admitted to customary positions of leadership and authority.

However, even where women cannot be decision makers as such, there will always be ways for women to build roles of influence in even the most conservative of these processes, and many women respondents suggested creative ways of this occurring, especially through the influence of wives, daughters and sisters on male decision makers. A further observation made in the research is that there are many general and local variables that contribute to whether conditions for change are conducive or not, and these also do change over time. Many Pacific societies are under immense pressure from emergencies, climate change and many other forms of social exigencies which can great conditions for more radical changes in conventional gender roles when it is recognised that a community can no longer afford to overlook the valuable contributions for community survival that could be provided by half its population.

A final observation from this study is the importance all actors engaging with any kind of local governance mechanisms apply common gender strategies to create opportunities for women, significant numbers of women, and not only tokenistic numbers, to be appointed to any new positions or roles arising in new or modified local governance mechanisms, especially those relating to community security. Without common, consistent and concerted efforts to engage with local leaders and persuade them to create spaces for women to lead and participate in local decision making, it will remain difficult and slow for women to make headway through their own efforts alone. Even worse, if state or development actors work with existing patriarchal local structures without regard for the adequate participation of women, such approaches will not be 'neutral' in their gendered effects but will actually do harm and set back the interests of women and other vulnerable community members by empowering and further entrenching exclusionary patriarchal social orders.

6.4 Key findings and recommendations

- Few women are currently involved as decision makers in customary or religious local justice processes across the Pacific, whether in dispute resolution processes involving family heads, elders, customary authorities, church leaders, local police, courts or governments. Research efforts to identify and restore women's customary roles could help anchor a customary power base for women that is currently largely absent.

- Most women consulted thought increasing the participation of women in local decision making would be beneficial as it would:
    - help the community and not only women, as women are generally less selfish and egotistical, and more likely to think of others.
    - make the system more approachable to women and send women an important signal that the system is meant for them also.
    - give women more confidence that the system will listen and better understand the needs of women and families in solving problems.
    - bring the life experience and knowledge of women into the task of community decision making, including the task of deciding what kinds of behaviour were acceptable in families and in communities.
    - help male leaders protect and strengthen cultural values by bringing their own understanding of what can and cannot change in roles in communities and within what timeframes, keeping their cultures and identities strong.
    - make local justice processes more trustworthy and less likely to be corrupt.
    - convey a wider social meaning to show women as competent and capable of contributing to good decision making for the community.

- As women are largely absent as decision makers in Pacific local justice processes, it is important to build understanding of women's local leadership opportunities and pathways, as a way of identifying a wider pool of women with potential to move into decision making roles across plural local justice systems.
- There is a need to build women's leadership from the grassroots and across all sectors and fields, as women leaders move fluidly between levels, sectors and roles, including through roles they may play in church committees, local women's groups, local savings groups and small businesses, local courts, local police, local government, civil servants, as well as based on their class and family background and the influence their wield through their family roles as wives, mothers, grandmothers, aunties and sisters.
- By making visible the varied ways that women lead, participate in public decision making and exercise influence across all their different roles, it then becomes possible to identify opportunities to involve more women in male-dominated fields of local justice and local governance, whether as decision maker, advisors and supporters of other women needing protection or justice at the local level.
- This necessitates building strong local knowledge or mapping of 'who's who' in the community, to ensure all relevant local women are included from the outset of any engagement to strengthen local community governance, as well as ensuring strong engagement with supportive local male leaders as potential 'allies'.
- Working with and through supportive local male leaders to create space and opportunities for women, can be crucial for securing wider community support

and acceptance of women exercising new roles and help accelerate change efforts.

- One risk to assume that local male leaders will resist increased participation of women or to overstate such resistance. By openly engaging with local male leaders, seeking their agreement and support for increased participation of women, and continuously prompting and reminding local leaders to do so, change in the roles women play in local justice systems can be readily progressed and in conducive conditions, without causing social tension or requiring long periods of time.
- Local women's organisations or committees can play important roles in supporting local processes to empower and support women. They can also be very effective in building relationships of trust with local leaders to achieve better outcomes for individual women and having lasting influence upon them, thus achieving systemic change.
- Where state or development actors work to strengthen local governance mechanisms, it is crucial they give careful consideration for how they can contribute to creating opportunities for women to meaningfully participate, including by working with local leaders to secure their support for including significant numbers of women in any opportunities or roles arising in new or modified local governance mechanisms, especially those relating to community security.
- Consideration also needs to be given to how to support women so they can free up time to commit to public leadership and decision-making roles. The main options for address women's time poverty rely on them being able to negotiate more equitable sharing of domestic workloads with men or by women working together to innovatively organise ways of sharing domestic and care workloads, or, where resources are available, by outsourcing and paying for domestic services.

Focus area 4

LOCAL WOMEN'S REPRESENTATION

Create intentional opportunities for women to participate in local governance and dispute resolution mechanisms

MAP LOCAL JUSTICE MECHANISMS

Identify all bodies involved in dispute resolution and community security (e.g., chiefs, councils, courts, police, church leaders, women's organisations) in Vanuatu[1] and Kiribati [2]

ASSESS INCLUSION

Document women's representation and evaluate whether these bodies provide an environment for meaningful participation and support



PROMOTE KNOWLEDGE-SHARING

Support exchange visits between communities where women participate in governance and those that do not, to share successes and inclusive practices

EMPOWER LOCAL FOCAL POINTS

Foster women already engaged in these structures by providing information, advocacy training, and advisory backup

ENGAGE LEADERS IN REFORM

When introducing new or modified justice processes, consult chiefs and religious leaders on the importance of including women, aiming for near 50% representation

CREATE SEATS AT THE TABLE

Work with all actors to increase women's involvement in governance and decision-making roles, especially in security and dispute resolution

1. Village chiefs, village chairperson, Nakamal, Area Council, Church leaderships all major denominations, any local women's organisation, Island Court, local police, community police, community safety teams, Authorised Persons, CAVAWs/VWC or other body
2. Village chiefs, Unimane,Island and Town Councils, Church leaderships all major denominations, Outer Island Magistrate Court, local police, lay constable, any local women's organisation, community legal advocates or other body

7. 'Country report: Kiribati and Vanuatu – The way ahead'

7.1 Methodology

- **Literature review and field researchÐ**Built on findings from the first and second studies.
- **Two dedicated workshops in Vanuatu and Kiribati** (Sept and Oct 2024) focused on the participation and influence of women in local justice processes comprised of a:
    - Mix of community-based customary, faith-based and civil servant leaders and court actors: Kiribati, 30: 13 women, 17 men; Vanuatu, 19: 12 women, 7 men
- **Research output validation process (June 2025)**
- **In-country focus group discussions and 1:1 interviews in Vanuatu and Kiribati including with:**
    - Lay judiciary members, (Kiribati: Presiding Magistrates from six islands: Maiana, North Tarawa, Abaiang, Mwakin, Butaritari and Marakia)
    - Court clerks serving lay judiciaries (Vanuatu Island Court Clerks)
    - Small meetings with women and separately with men (3 meetings North Tarawa Kiribati, 2 meetings Efate, Blacksands village, Mangaliliu village Vanuatu)
    - One-to-one interviews with local women leaders, 3 in Kiribati and 2 in Vanuatu

7.2 Key research questions

- Based on key findings from the three earlier reports, what strategies and approaches will likely work to help better align the outcomes survivors seek with those delivered by local justice systems in Kiribati and Vanuatu?

7.3 Research overview

The fourth study, 'Country reports: Kiribati and Vanuatu – The way ahead,' reviewed key findings from the three earlier studies, as they specifically relate to the situations of rural women in Kiribati and Vanuatu. Key ingredients for the change envisaged in the context of rural Kiribati and Vanuatu were enumerated into more concrete points of action, framed around five key Focus Areas for change to support better alignment of local justice processes to the justice outcomes sought by rural women in Vanuatu and Kiribati, as set out below:

- Create and promote opportunities for women to participate as leaders and decision makers in all local governance and dispute resolution mechanisms, customary, religious and state.
- Promote gender equity in judicial appointments across all court levels, especially appellate and local-level courts; provide professional development and wellbeing initiatives to empower women in Pacific judiciaries, while targeting inclusive recruitment and support programs for women judicial officers appointed to local-level courts.
- With more local women leaders in place (as per points above), bring state, customary, religious, women, youth and disability actors together in local dialogues to clarify and coordinate roles and responsibilities according to the strengths of all plural justice systems, for intervening in and addressing family violence at the community level.
- Place robust rehabilitation programs for perpetrators at the centre of state justice strategies, in partnership with local leaders to provide ongoing community-based monitoring and victim support.
- Increase accessibility of state justice family protection and child support applications by courts developing free, fast, phone-based services that are accessible to everyone, including in remote areas. At the same time, strengthen the functionality of local-level courts and abolish or defer all court fees related to family and child cases.

The study reviewed the available evidence regarding the progress already made in both Vanuatu and in Kiribati relating to the five 'Focus Areas' and concluded that significant progress is already being made.

Both Courts are leaders in the region towards achieving gender balanced judiciaries and supporting women judicial officers in their roles. Both are committed to and progressing efforts to create more accessible court services to address the legal needs commonly experienced by women in rural and remote areas, including through establishing toll-free telephone-based services for family protection orders, enhanced and targeted community information, removing court fee barriers for child and family support applications and speeding up enforcement of court decisions.

Regarding strengthening capacities of local level Courts, the Kiribati judiciary has achieved a breakthrough by securing state resources to invest in outer island courts and mobile court circuits to provide more accessible community justice services in remote locations. This was achieved by the judiciary methodically engaging with national planning and budgeting processes and working to embed court strategic plans for outer island court services into national development plans. This positioning provided leverage for the judiciary to secure additional government funding to support these initiatives. A similar approach could be gainfully pursued in Vanuatu, to better position the judiciary to secure the resources urgently needed to strengthen the substantive capacities and operational functions of Island Courts.

Regarding investment in robust rehabilitation programs for perpetrators, Vanuatu has made progress developing rehabilitation programs for family violence perpetrators. These have been designed for cultural resonance around faith-based ideas to engage perpetrators on structured journeys of self-examination to enable

them to accept responsibility for the harm they have done to family members and to provide them with the knowledge and skills to break out of violent and controlling behaviours and address addiction issues. These programs including ongoing monitoring and support provided during the transition back to family and community. This approach aligns closely to 'what women often want' when they seek help for family violence and early results appear positive.

These programs need to be institutionally embedded and properly resourced by the state so that they can be sustainably provided and vastly expanded to the scale needed across the country, including for perpetrators in the community under family protection orders. Much of the expertise for these programs has been developed by World Vision and so an organised approach to transfer knowledge and skills to state correctional services is needed for them to become ongoing core state services with resources to continue streamlining and improving the model as the evidence base for 'what works' is gradually built.

Kiribati, like many Pacific states, is yet to embark on development of robust rehabilitation programs for family violence perpetrators but relevant state actors are open to doing so. Courts are keen to have meaningful rehabilitation programs available as a sentencing tool or as a condition that can be added to family protection orders.

The review identified a need to maintain support and momentum for court led coordinated platforms to build relationships between state and non-state justice actors. It will only be through multi-stakeholder platforms such as those established by the judiciaries in Vanuatu and Kiribati, that many of the changes identified in the research, will become possible. Engagement, dialogue, negotiation and coordination across justice systems to clarify roles and responsibilities for family violence response is the only way to increase the participation of women in both state and non-state local justice decision-making processes and achieve better alignment of justice responses with survivor's needs. These platforms are deserving of ongoing support from governments and development partners to consolidate the nascent 'ways of working' emerging between plural justice actors to work out the changes and divisions of labour needed to achieve more effective responses to family violence.

7.4 Key findings and recommendations

- The five Focus Areas identified in the research provide a relevant framework for making progress towards better alignment of all available justice systems to the needs of survivors. These are:
    - Create and promote opportunities for women to participate as leaders and decision makers in all local governance and dispute resolution mechanisms, customary, religious and state.
    - Promote gender equity in judicial appointments across all court levels, especially appellate and local-level courts; provide professional development and wellbeing initiatives to empower women in Pacific

judiciaries, while targeting inclusive recruitment and support programs for women judicial officers appointed to local-level courts.
    - With more local women leaders in place (as per points above), bring state, customary, religious, women, youth and disability actors together in local dialogues to clarify and coordinate roles and responsibilities according to the strengths of all plural justice systems, for intervening in and addressing family violence at the community level.
    - Place robust rehabilitation programs for perpetrators at the centre of state justice strategies, in partnership with local leaders to provide ongoing community-based monitoring and victim support.
    - Increase accessibility of state justice family protection and child support applications by courts developing free, fast, phone-based services that are accessible to everyone, including in remote areas. At the same time, strengthen the functionality of local-level courts and abolish or defer all court fees related to family and child cases.

- Both Kiribati and Vanuatu have already made significant progress across all five Focus Areas.
    - Court-led coordinating platforms across state, customary, religious and hybrid justice mechanisms. These approaches are already providing better pathways for women seeking local assistance to navigate justice options and through women's contributions to local justice systems, also stimulating and accelerating cultural shifts in favour of greater inclusion.
    - Vanuatu and Kiribati Courts are both progressing more accessible court services for legal protection from family violence available to survivors in rural areas. These include toll-free telephone services to obtain family protection orders, enhanced and targeted community information, removal of court fee barriers for child and family support applications and enforcement decisions, and strengthened capacities of local level Courts, including (in Kiribati) through plans for more mobile courts.
    - Both Courts are also regional leaders in making progress towards gender balanced judiciaries and in empowering women judicial officers in their roles through targeted professional development opportunities and supports.

5 focus areas

To strengthen access to justice for women in rural Kiribati and Vanuatu

COLLABORATIVE PLATFORMS



Bring state, customary, religious, civil society, and hybrid actors together to coordinate justice responses for women and children at the community level

REHABILITATION PROGRAMS



Place robust rehabilitation programs for perpetrators at the centre of strategies, ensuring ongoing monitoring and victim support

ACCESSIBLE COURT SERVICES



Develop free, fast, phone-based services and strengthen local courts to reduce fees and improve access for family and child cases

LOCAL WOMEN'S REPRESENTATION



Create intentional opportunities for women to participate in local governance and dispute resolution mechanisms

GENDER BALANCED COURTS



Promote gender equity in judicial appointments and training, and provide wellbeing initiatives to empower women in Pacific courts

8. Conclusion

8.1 Value of taking a woman-centred approach

One distinctive aspect of this research was framing the problems and the solutions, around women's experiences and self-identified needs when they experience family violence. This approach is different from most other studies which interpret women's experiences around how they fit into fixed features of justice systems, rather than vice versa.

This research has proven the importance and value of placing women's experiences and voices at the centre of the inquiry. By unpacking their experiences and articulating their justice goals, it became possible to use the perspective of survivors as the benchmark for measuring the effectiveness and capacity of justice systems to 'do their job', being to deliver the outcomes needed by those primarily affected; survivors. By using women's perspectives as the basis of a comparative methodology, important new insights could be gained, including a central one being that none of the justice systems available to survivors even attempt to achieve satisfaction of survivors' needs, as they are each focused on other objects. Uncovering the fundamental mal alignment that exists between 'what women want' and 'what women get' from all available justice systems and the lack of any 'good' options available to survivors, exposed the root cause and logical reason why so few survivors reach out for help from justice system when they experience family violence. This is important, as without centring 'the problem' around its root cause, the 'solutions' pursued will always lack relevance and effectiveness in bringing about the necessary change.

The research did not only listen to women's experiences. It actively sought out women's ideas and suggestions for what changes they think would help better align all justice processes and outcomes with their goals. The research adopted and built on these sound ideas, which could, in themselves, become a very helpful starting point for framing envisaged processes of dialogue and negotiation between local customary, religious, state leaders and women leaders, about how things could change. Through listening to women and focusing on their experiences within plural legal orders at the local community level, relevant 'solutions' could then emerge: approaches for change based on the necessity of creating linkage, coordination and partnership between local and state justice systems, informed by strong participation from women, so that each system becomes capable of performing its portion of 'the job', according to its particular strengths.

The benefits of framing the research around women's perspectives were also underscored by seeking women's view on whether it would be beneficial to increase women's participation as decision makers in local justice systems. Their responses indicated they saw many benefits for communities and for women. At the same time, their views maintained a careful balance of respect for existing allocations of public decision-making responsibilities and trust in local leaders, which are also an integral component of women's cultural identities too. Their views were to build women's leadership in roles that are already 'culturally available' to them, such as in local

courts, and to then 'work up' to other local justice leadership roles. They highlighted the need to engage supportive male leaders and embraced the straightforward idea of asking such leaders to start creating more space for women to participate in all aspects of community decision making and encourage other leaders to also do so. They thought that where it was not possible for women to be included directly as decision makers, they could work with male leaders to define other roles through which women could provide input and have influence. They highlighted how women's leadership opportunities differ significantly based on their age, family background and class, with these factors, and not only gender, heavily influencing what roles they may potentially be permitted within any specific community context.

The process of having these discussions with women and capturing the sound ideas they put forward, served as an important reminder that women are also legitimate holders of local culture and experts in how such change can be respectfully negotiated and pursued in communities within their cultures. Many women interviewed in this research clearly wanted to contribute to community decision making but felt they were unqualified or first needed to be invited by male leaders, as women had not previously occupied these roles and they did not want to risk being perceived to be disrespectful or demanding. Some women said they would feel bolder to make demands of local male leaders if women organised together, an approach proven very effective even in conservative communities, as highlighted in examples discussed in the research. All these conversations highlighted how many women do seek opportunities to contribute their ideas to community decision making but need support from others to do so including from male allies and from state and development actors.

8.2 Insights into local justice change processes

The research was not limited to 'what' changes in local and state justice systems might make them work better for women but also tackled difficult questions around 'how' processes of locally led change can occur and be supported. Finding ways to meaningfully include women in local change processes is challenging, given the domination of this landscape by socially powerful men and entrenched patriarchal norms. By building on approaches suggested by women, the research was able to put forward a range of strategies to promote the inclusion of women through locally led culturally attuned processes, as set out above. These require an ongoing focus to engage and persuade local justice authorities to create opportunities and space for women to participate. This in turn requires coordinated gender strategies across all actors working at the local level to strengthen community governance systems, to always work to create space for the meaningful participation of significant, not tokenistic, numbers of women.

The research explored how processes of negotiation between authorities from all three justice systems, with strong involvement of women, is needed so that roles can be clarified and allocated according to the strengths of each justice system type. While local justice systems vary, they have common strengths, foremost, their physical presence in communities, their acceptance and understandability to communities and their normative power to guide and manage individual and

community behaviour. The research confirmed some of the known difficulties faced by women using customary systems, but also highlighted others that are less well known, such as the barriers women often face accessing customary systems due to requirements to pay leaders' fees, the need for women to have the support of their families to bring a case, and their failure to deliver practical, durable outcomes sought by women.

However customary systems are not fixed and static. Their endurance depends on demonstrating continuing relevance to communities and ability to flexibly respond and adapt to changed circumstances, being amongst their core systemic strengths. As more women participate in local justice systems, these processes will increasingly reflect women's lived experience and inputs for how to best address family violence in the community. Women's contributions will help to shape internal cultural change processes and ultimately shift dominant norms underpinning tolerance of family violence.

8.3 Shifting state justice priorities to 'the local' and to the needs of survivors

However, women cannot do this 'heavy lifting' alone, even by cultivating local leaders as their allies and applying the other strategies discussed in the research. The state has clear roles to play too. One is to redirect state justice resources towards building perpetrator rehabilitation capacities in partnership with community systems to address the specific accountability challenges presented by gender-based violence. Another is to prioritise resources to make state justice processes accessible to rural communities by adequately funding and strengthening the operation of local level courts, providing accessible public information, providing free national telephone-based and other remote services, and by simplifying and speeding up court processes.

In addition, state justice systems cannot afford to continue ignoring the reality of plural legal orders being the dominant powers in rural communities, while still purporting to 'cover the field' of justice, when state justice systems deal with only a small proportion of community legal need and most dispute resolution takes place in non-state local justice systems. Rural communities and survivors would be better served by state justice systems acknowledging the known limitations of their geographic reach and normative powers and seeking relationships of mutual respect and partnership with local justice actors, including with local women leaders to clarify a division of labour. Most local customary and religious leaders are keen for engagement and attention from state justice actors and want to better understand and clarify the roles and duties of each system, so they can each function better, including to address family violence.

It is encouraging that the judiciaries in Vanuatu and Kiribati have already assumed a convening role to bring plural justice actors together; one that acknowledges the need for state courts and other state actors to invest in working in partnership with local justice and other relevant stakeholders to orientate delivery of justice

outcomes aligned to the needs of survivors and other community members in rural areas.

8.4 Final remarks

This research has been a journey: one which started by capturing the experiences and needs of rural women when they seek help for family violence and exposing the failure of all justice systems to provide the outcomes they need. Instead, most survivors consider the best available option is to self-manage family violence to the degree this is possible, which results in deep ongoing harm to survivors and to children living in families ruled by violence.

By creating a logical sequence of research outputs that each examined in depth different dimensions of 'the problems' and 'the solutions', the research was able to bring new insights and develop strategies for locally led change and guidance for necessary shifts in state justice priorities. It demonstrated an indelible need for more opportunities to be created for women to participate in local justice systems, as decision makers and in other capacities to support women parties, and to address the current lack of outlets for women to do so. The research captured women's ideas for how locally led and culturally attuned change can be pursued through supporting local women's efforts and building partnerships with male allies, with backing from state and development partners. It also highlighted the importance for gender balance in state judiciaries and to address the needs of women judicial officers, across all levels of courts, so they can make their fullest contributions without being constrained by their gender.

The research identified that major shifts in state justice priorities are needed: to 'get local' and pay serious attention to delivering services accessible to rural communities; to develop robust perpetrator rehabilitation programs and implement these in partnership with local leaders; and to engage in wider partnership approaches with local justice actors to clarify roles and responsibilities for intervening in family violence to create greater coherence, reliability and effectiveness in responses aligned to survivors' needs. While the envisaged processes of change require resources and significant coordination between state and non-state actors, and for including women, providing these inputs is a small price to pay to start making inroads to stop the terrible impacts of family violence continuing to harm women, children, communities and holding back Pacific economies and development. New strategies that empower rural women's leadership and work with local justice actors to leverage their normative and social power, are both needed to shift the dial on tackling this entrenched and persistent social problem.

9. Annexes

9.1 Final Report presentation slides

9.2 Links to each research of the 4 studies and literature review (TBC)

NEW ZEALAND
FOREIGN AFFAIRS & TRADE
Manatū Aorere

PRESENTATION VERSION:

Empowering women in Pacific justice systems

By Dr. Carolyn Graydon
Commissioned by New Zealand Ministry of Foreign Affairs and Trade (MFAT)

Visual design: Holly Ewens



About the study: Why?

13 years since Pacific leaders signed the Pacific Leaders Gender Equality Declaration

Two years since the *Revitalised Pacific Leaders* Gender *Equality Declaration* (PLGED) was endorsed in 2023

High rates of gender-based violence and low representation in leadership roles persist for women and girls in the Pacific

Key facts
(UN Pacific Gender Outlook 2025)

Rural women and girls **twice as likely to live in poverty** than those in urban areas with higher food insecurity than men

29% of women faced intimate partner violence in past year – **more than double the global average**

<8% of parliamentary seats held by women – **lowest in the world**; young women absent from decision-making.

About the study: The problem

Gendered justice ecosystems

- Around **75% of Pacific people live in rural areas** yet access to state justice systems is mainly limited to people living in Pacific capitals and other urban centres
- Available resolution relies on **customary and religious actors**, which are patriarchal and can reinforce gendered norms

Normalised GBV

- Gender-based violence is widespread and normalised
- Largley experienced by women and girls

Solutions can punish victims

- Seeking help often means **breaking cultural expectations,** risking stigma
- Help can be hard to find and **difficult or impossible to access**
- Options rarely align with what women believe will improve their lives
- Speaking out can lead to lifelong **social and economic penalties**, including to children

This study

- Examines the intersection of all these crucial aspects relating to **women's leadership**, and strategies to address **GBV in rural areas**, and **women's lack of access to justice** through the frame of Pacific plural legal ecosystems.

About the study: The endpoint vision

Coordination

Bring people together, especially at the local level: women, women's organisations, customary and religious leaders, courts, police, local councils, and other local governance stakeholders

Cooperation

Foster respectful, constructive dialogue among key actors to co-create solutions to ensure women access protection and justice without paying high social and economic costs



Bringing women into the heart of Pacific justice ecosystems as both users and providers of justice

Alignment

Align both the processes and outcomes of justice systems with what women want and need when they seek access to help for protection or other legal problems

Participation

Increase the participation of women across all levels and systems of justice

About the study: The approach

Centred on women's voices and solutions, the research reimagines access to justice by strengthening women's roles as both users and providers of justice, and engaging local plural justice actors in dialogue to drive locally led change



Action orientated, women-centred

The question:

'What actions and innovations can most effectively increase Pacific women's access to justice and participation in shaping justice processes, within plural Pacific legal ecosystems?'

About the study: Overview of key research outputs

1 Towards Women-Centred Justice in the Pacific

- Compares what women want vs what they get from justice systems
- Finds poor alignment and calls for a rethink of resource allocation
- Identifies local-level justice as crucial but neglected

2 Towards Gender Balance and Equality in Pacific Judiciaries

- First mapping of women judicial officers across Pacific courts
- Captures experiences and support needs for gender equality
- Highlights local courts as key for rural women's access to justice

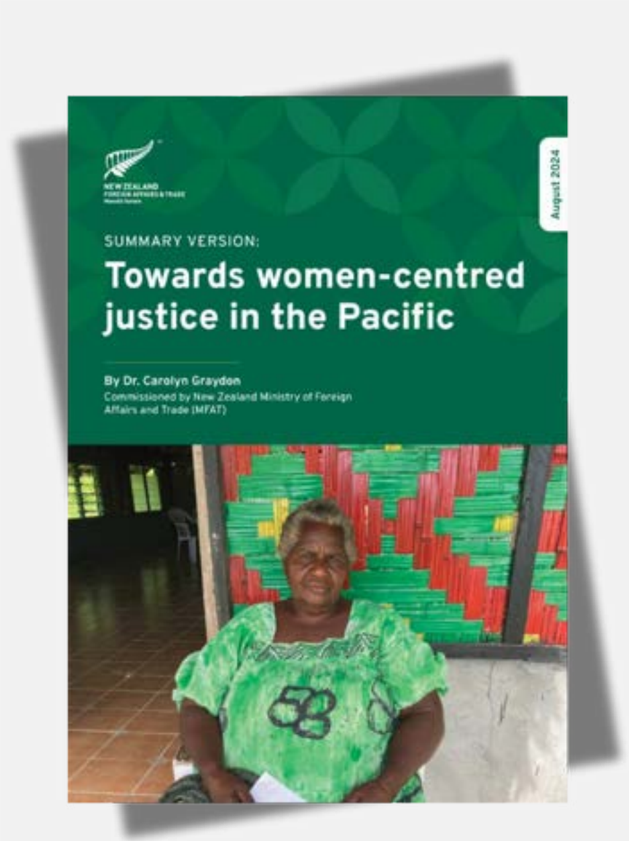
3 Towards Pacific Women's Leadership in Local Justice Processes

- Exposes severe under-representation of women in local governance roles
- Shows progress in some roles and strategies for locally-led change
- Finds leadership experience enables women to move across roles and gain influence

4 Country Reports: Kiribati and Vanuatu – The Way Ahead

- Identifies women's key concerns: family violence and family support issues
- Highlights lack of alignment between desired justice outcomes and what women receive from customary, religious, and state systems
- Outlines five focus areas to strengthen women's access to justice
- Documents positive steps, including court-led multi-stakeholder initiatives for locally led change
- Examines progress towards gender balance in judicial appointments and shares lessons for other Pacific judiciaries

1 Towards women-centred justice in the Pacific



Methodology

- **Literature review**
- **Focus groups (Kiribati and Vanuatu)**
  - Kiribati, 65: 63 women, 2 men (Ribono, Abaiang, Abaokoro, North Tarawa, Maiana, Kiritimati)
  - Vanuatu, 285: 150 women, 135 men (Tanna, Pentecost, Espiritu Santo, Ambrym, Malekula)
- **Key informant interviews & group discussions (Kiribati, Vanuatu, Tonga, Solomon Islands)**
  - Women's organisations supporting women survivors of family violence, 21: all women
  - Legal aid & prosecution lawyers, 21: 9 men, 12 women
  - State court judges, magistrates, lay magistrates,110: 58 women, 52 men
  - Police & prosecutors, 54: 27 men, 37 women

What women want

"I want the violence to stop.
I want to feel safe."

"I want my husband to change.
I want him to be a good partner and father – to live peacefully and invest in our family."

"If I need to go through the justice system, I want it to work for me.
I want it to be close to home, affordable, and fast – sorted within a couple of weeks. I want clear decisions, and I want things to be followed up straight away."

"I don't always want my husband to go to prison.
If he's jailed, I lose the support I need to survive. My family or community might blame me. I could lose my marriage, and I couldn't support my family. Everything could fall apart."

"I want my family and community to support me.
I want them to blame him, not me. I want to keep my respect and reputation."

"I want him to stop drinking alcohol and using kava." 1

"I want him to stop drinking alcohol and using marijuana." 2

"But if I've decided the marriage is over, I want to have a say.
In that case, prison might be the right step – but only as a last resort, and only if I'm ready to move on."

"I want to keep my marriage.
I still love him. I want my children to have stability, and I need economic security. I don't want to lose the support of my family or community, or the standing I have. I can't imagine living any other way."



"I want a divorce – but I don't want to depend on my family. I want to support myself and my children with dignity and respect from my community."

"I want my experience to help stop this happening to other women."

1 Vanuatu
2 Kiribati

What women get

	"I want the violence to stop. I want to feel safe."	"I want my husband to change."	"I want to keep my marriage."	"I want my family and community to support me. I want them to blame him, not me."	"I want the justice systems to work for me."
State	Inconsistent protection; violence often continues; no follow up or monitoring	No rehab programs; limited accountability	State involvement feared as trigger for separation	Limited effort to shift attitudes or build family support for victim	Slow, costly, hard to access and not familiar, hard to understand
Customary	Focus on reconciliation; rarely ends violence; no follow up or monitoring	Patriarchal norms limit accountability; pressure for behavioural change limited	Strong push for reconciliation despite ongoing risk of violence	Victims often blamed; patriarchal norms reinforced	Local, fast and familiar but not accessible to many victims and lacks fairness
Religious	Forgiveness and wifely obedience prioritised over safety; no follow up or monitoring	Limited pressure for behavioural change due to sharing of blame	Marriage preservation prioritised despite ongoing risk of violence	Church support conditional on obedience and family follows Church lead	Accessible but biased toward reconciliation without addressing violence

What women get

	“I want to have a say in the justice outcome.”	“I want to be able to support myself and my children."	"I want him to stop using alcohol, kava and marijuana."	“I want my experience to help stop this happening to other women.”
State	Victims have limited influence; decisions dominated by courts and police	Minimal economic empowerment or social protection; child support processes slow and poorly enforced	No addiction programs; limited enforcement of substance-related laws	Weak systemic change; limited outreach or deterrence programs
Customary	Chiefs prioritise reconciliation; women rarely have a strong or sometimes, any voice in process	Some chiefs allocate land or labour, but norms resist women’s independence	Depends on place: some ban substance use, others tolerate or inconsistently apply limits	Silence and stigma prevail; chiefs rarely advocate for broader prevention
Religious	Church leaders focus on saving marriages; women pressured to comply	Emphasis on family unity over financial independence; any support 'charitable’ without aim to build independence	Depends on church: some ban substance use; in others, Church leaders use substances themselves or may excuse men	Focus on forgiveness; little effort to prevent future violence beyond prayer

State	Customary	Religious
STRENGTHS		
• Has legal authority to convene all actors and allocate resources for coordinated responses to family violence • Provides positive role models of women in judicial decision-making roles	• High normative influence and social acceptance; seen as the "right place" for dispute resolution • Locally available and socially empowered to act	• Strong normative influence; widely trusted and accessible (no fees) • Potential to provide moral guidance and ongoing monitoring of perpetrators
WEAKNESSES		
• Limited normative influence at community level compared to customary and religious systems • Geographic coverage is restricted; cannot act effectively without collaboration • Has not yet demonstrated strong commitment to engaging local authorities respectfully	• Often inaccessible to victims due to fees and lack of support • Male-dominated; reinforces patriarchal norms and gender stereotypes • Tends to excuse perpetrators and blame victims	• Male-dominated; traditional interpretations reinforce gender inequality and tolerance of family violence • Often blame victims for failing to uphold faith or marital obedience
AREAS FOR ACTION		
• Initiate dialogue with customary and religious leaders; share information on state justice processes • Listen to community challenges and co-design solutions • Develop protocols for collaboration, ensuring significant participation of women • Encourage and require women's involvement in dialogue and reform processes	• Identify and document progressive customary leaders who condemn family violence and support victims • Map and highlight women who exercise customary authority • Facilitate knowledge exchanges between progressive leaders and other communities to drive change from within	• Support movements reinterpreting scripture to condemn family violence • Promote faith-based rehabilitation models proven effective in changing perpetrator behaviour • Encourage collaboration between progressive religious and customary leaders for rapid, community-driven change
CROSS-CUTTING NEED		
Create a multi-stakeholder platform that fosters engagement and exchange between state, customary, and religious systems, ensuring significant participation of women and building on each system's strengths to achieve safer families and stronger communities		

Misalignment
What women want vs what they get

What women want	State justice	Customary justice	Religious justice
Safety	Partial	Poor	Poor
Partner change	Poor	Poor	Partial
Keep marriage	Poor	Partial	Strong
Community support, not blame	Poor	Poor	Poor
Accessible justice	Poor	Partial	Strong
Voice in outcome	Poor	Poor	Poor
Economic independence	Poor	Partial	Poor
Preventing harm to others	Partial	Partial	Partial

Women's suggestions for how state justice could help:

Family violence

Give women a greater voice and control

- Involve victims in justice processes, including sentencing decisions

Align state services to women's need

- Public awareness on protection orders and local justice integration
- Toll-free court service for protection orders
- Use protection order conditions: relocation, maintenance, temporary custody
- Accelerate family and sexual violence trials
- Increase rural police presence, especially women officers



Economic support for victims

- State programmes to help victims:
  - Gain economic self-sufficiency
  - Access maintenance entitlements
  - Access social protection payments to avoid remaining in violent relationships

Improve police response and accountability

- State programmes to help victims:
  - Gain economic self-sufficiency
  - Access maintenance entitlements
  - Access social protection payments to avoid remaining in violent relationships

Rehabilitation programmes

- Develop compulsory, robust rehabilitation programmes for perpetrators
- Apply programmes in custody, parole, and as conditions on protection orders
- Chiefs and community leaders to support implementation

Strengthen court-chief collaboration

- Engage chiefs to support victims and understand protection orders
- Explain how protection orders complement customary processes
- Chiefs assist with serving orders where police presence is limited

Women's suggestions for how state justice could help:
Child support

Raise public awareness

- Campaign on child support responsibilities
- Promote application processes and court assistance

Prevent gaps in seasonal worker schemes

- Seasonal workers with dependents must have maintenance arrangements before leaving
- Payments made directly from employer to family



Engage chiefs and communities

- Courts work with chiefs to help single parents apply
- Position this as complementary to chief-led processes

Make processes affordable and accessible

- Increase payment amounts for child support
- Remove application fees
- Provide fast, low-cost application and enforcement via toll-free court service

Strengthen court processes

- Court (not complainant) manages service of notices
- Ensure quick enforcement of orders by sheriff/police

Women's suggestions for how chiefs could help:
Family violence

Publicly take a stand against family violence

- Intervene to stop violence when it occurs
- Protect victims by offering shelter in their home
- Show the community they're actively protecting them
- Hold perpetrators accountable in customary processes; stop blaming victims



Maintain community peace

- Explain need for state processes
- Ensure perpetrator lives elsewhere during proceedings
- Shield victims from pressure to withdraw

Additional actions

- Ensure gender balance in community safety teams/local governance
- Waive chief fees for family violence cases
- Hear victim's story (via woman advocate) before Nakamal/chief-led process
- Allow and encourage victim/woman advocate to speak during process
- Emphasise perpetrator's wrongdoing and need for change
- Follow up with victim and monitor perpetrator; act if needed

Support victim's access to justice

- Help contact police or courts
- Organise transport or accompany victims for protection orders

Women's suggestions for how chiefs could help:
Child support

Remove barriers

- Waive chief fees for child maintenance cases
- Allow and encourage women to speak in the Nakamal



Provide alternative support if required

- Provide village land or labour to help mother have food and/or income so she can live independently and in dignity
- Support and help single parent apply to court for child support order and enforcement if needed

Ensure fair outcomes

- Direct compensation to the single parent, not to her family (preferably lump sum)
- Follow up to confirm payments are made; hold further Nakamal process if needed to hold other parent accountable

Additional ideas

For making village-level customary justice processes fairer to women

Promote locally-led change

- Support inter-village visits to share successful approaches by chiefs and communities
- Showcase examples where women participate in customary justice processes

Empower local actors

- Use woman victim advocates as a stepping-stone for participation
- Identify advocates from community safety teams, church committees, women's organisations, or chief's wife
- Ensure advocates brief chiefs before hearings and support victims during Nakamal hearings

For strengthening higher-level customary justice governance processes to make them fairer to women and everyone

Promote women's participation

- Identify roles for women, even if not full members yet

Strengthen ethical standards

- Define standards for fairness, fees, and avoiding conflicts
- Create safe process for villagers to raise ethics complaints
- Clarify recusal rules for chiefs in family/economic conflict cases
- Support agreements between adjoining areas for chiefs to hear cases where conflicts exist

Increase access

- Lower and standardise dispute resolution fees

Women's suggestions for how church leaders could help:
Family violence

Stop harmful reconciliation

- Do not reconcile couples where violence persists or risks remain unaddressed
- Ensure safety and accountability before any reconciliation is considered



Preach zero tolerance

- Emphasise scriptural reasons why violence is never justified to resolve family problems
- Highlight that perpetrators break faith, marriage vows, and obligations to maintain peace

Take a public stand

- Issue a unified, clear message that family violence will never be tolerated by the church
- Use public platforms and community gatherings to reinforce this stance

Help perpetrators change

- Train church leaders to counsel perpetrators effectively
- Establish systems for ongoing monitoring and accountability

Promote women's leadership

- Increase women's representation in church leadership roles
- Train women's committees to support victims and advocate for prevention

Support victims

- Provide practical and moral support based on victims' right to live free from violence—not charity
- Offer safe spaces and confidential support channels within church structures

Regional overview: Perpetrator rehabilitation programmes

Best practices

- Models reviewed in Vanuatu, Tonga, Samoa
- Further research needed to refine and scale best practices

Identified best practices so far

- Challenge perpetrators to accept responsibility and change behaviour
- Train religious/community leaders to lead programmes without collusion
- Involve families in monitoring post-programme
- Combine with drug/alcohol rehabilitation where relevant
- Provide ongoing mentoring after programme completion



Integration and standards

- Embed programmes in state justice systems and link with customary systems
- Develop expertise, training, and monitoring standards
- Prevent collusion with perpetrators

Distinguish programme types

- Male Advocacy Programmes (for women's human rights) ≠ Perpetrator Rehabilitation Programmes
- Both needed, both under-invested across the Pacific

Urgent priority

- High-quality, culturally framed, robustly monitored violent offender rehabilitation programmes
- Should be a major priority in national family violence plans
- Currently minimal, mostly NGO-led—not state corrections
- Requires major policy and resourcing shift

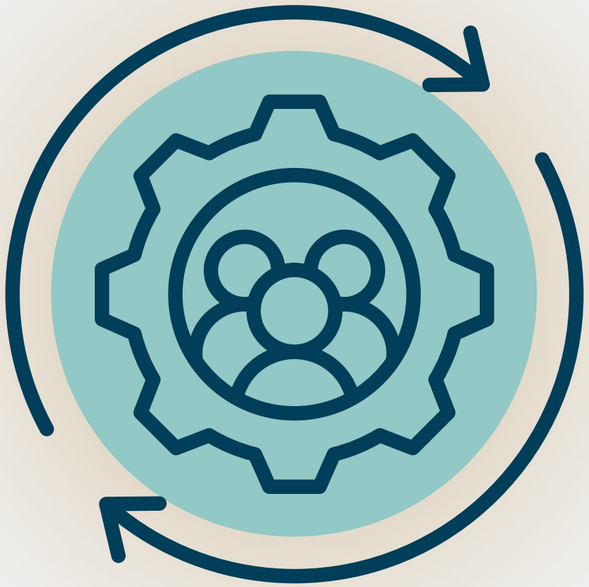
Process for achieving change

Renew state commitment

- Update policy, planning, and resources to target local-level justice
- Include perpetrator rehabilitation programmes in national action plans
- Integrate these into justice, policing, and corrections development plans

Increase public awareness

- National campaigns on available justice services
- Explain how state and local systems connect



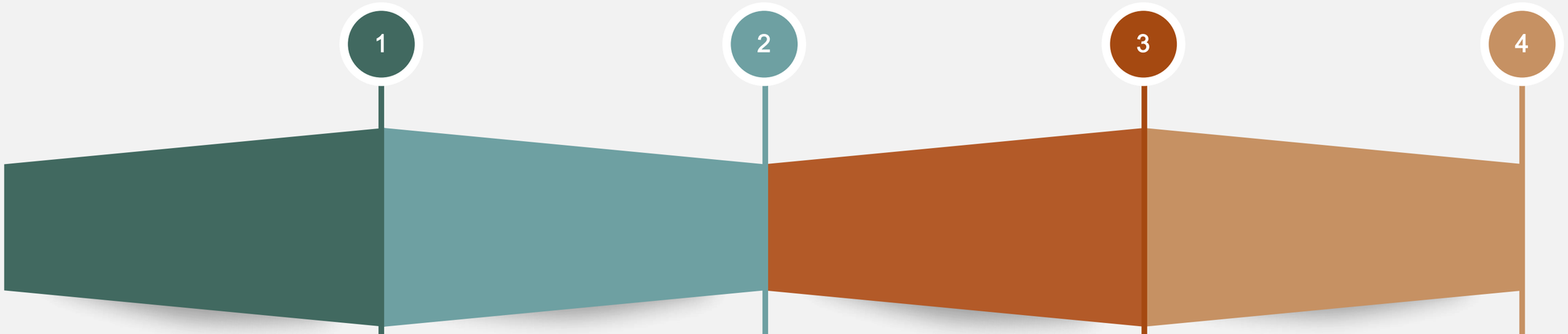
Build state-local partnerships

- Courts, police, and corrections engage customary, religious, women, and community leaders
- Create dialogue and cooperation frameworks
- Move from theoretical authority to reality-based negotiation with local actors

Support locally-led strategies

- State coordination and backing for community-driven change
- Provide resources and technical support for local initiatives

Strategies for state coordinated locally-led change



Blended plural justice bodies

Create spaces for women in new hybrid structures that link state and customary systems

Local navigators

Introduce community-based roles to help people move across the entire justice ecosystem

Culturally-resonant norm change

Continue efforts embedded in national action plans to shift norms and prevent violence against women

Dialogue and knowledge exchange

Foster relationships and coordination between justice systems through inclusive dialogue involving women and communities

Key takeaways

Misalignment of justice outcomes

There is a fundamental gap between what women seek from justice systems and what those systems deliver. Current processes leave women exposed to ongoing violence or force them to pay a high price to access state justice

Legal literacy gap

Differences between protection orders and criminal complaints are poorly understood—even within courts—and women have significantly lower legal literacy than men

Systemic issue

Even if justice systems operated perfectly as designed, they would still fail to meet women's needs for safety and family support

Change opportunities

Research identified specific reforms across state, customary, and religious systems that women support, aimed at better aligning justice processes with women's needs

State-led action required

Policies, planning, and resourcing must prioritise services aligned to women's needs, including rehabilitation programs for perpetrators and economic empowerment initiatives for women

Collaboration is critical

State actors cannot succeed alone; they must engage and coordinate with local justice actors who hold greater normative and social power in communities

Courts to respectfully coordinate locally

State justice needs to build respectful relationships with local authorities and adopt a reality-based approach to co-design protocols for collaboration, ensuring outcomes that protect women and strengthen justice access

Breadth of knowledge and experience

Bench can draw upon wider perspectives in judging

Legitimacy

Reflects the composition of communities they serve

Public confidence in integrity

Builds trust in the fairness and credibility of courts

Societal fairness

Courts become more approachable to a wider range of groups needing justice, including women and girls

Changes internal dynamics and culture of male privilege

Supports increased self-awareness of subjectivity and intellectual rigour

Creates role models for women exercising public power

Inspires women's participation in public life

Provides opportunity for women to interpret and shape laws

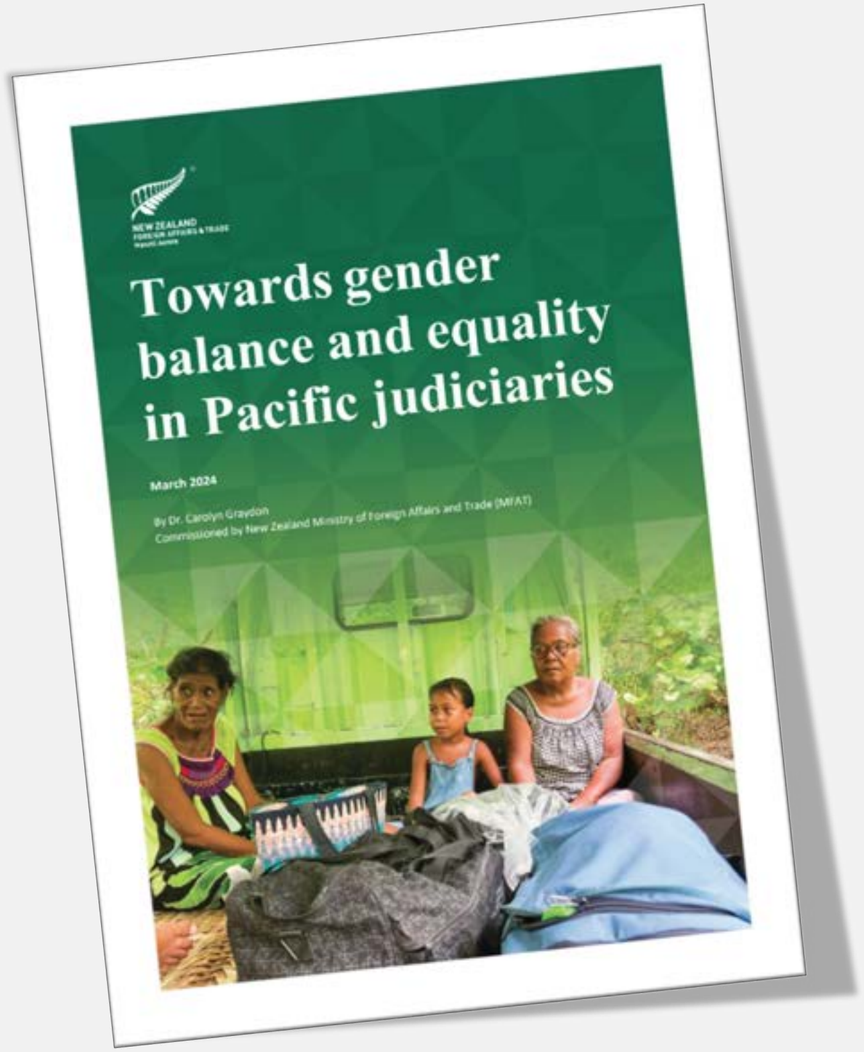
Crucial given persistent lack of women in Pacific parliaments (currently only 8% as of 2025)

Sparks fresh and necessary legal debates and accelerates awareness of differential impacts of law on varied social groups

Women's participation strengthens justice systems

2

Towards Gender Balance and Equality in Pacific Judiciaries



Methodology

- **Literature review**
- **Engagement with Chief Justices and process of consent**
- **Mapping of positions and numbers of women judicial officers through inquiries to courts**
- **Anonymous survey of 100 Pacific women judicial officers:**
  - 47 responses from 13 of 15 Pacific countries
  - Roles: 34% judges, 51% magistrates, 13% justices/lay magistrates
  - Purpose: Gather qualitative and quantitative insights on experiences, needs, and recommendations for gender equality in the judiciary
- **In-country focus group discussions and 1:1 interviews**

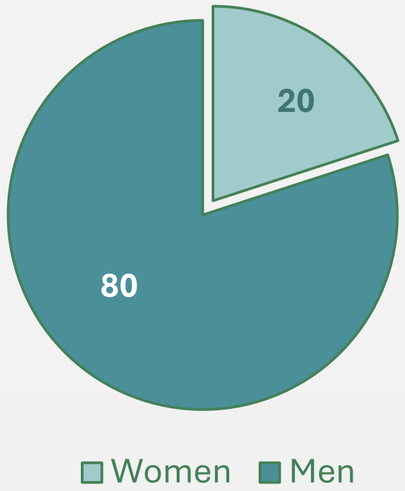
Findings of mappings:
Regional overview

Judicial officer type (including acting)	Proportion of women	%
Chief Justices (1 expatriate, 1 in long-term acting role)	3/15	**20**
Judges (excluding Tokelau superior courts+19)	47/237	**20**
Magistrates	73/171	**56**
TOTAL (excluding justices)	120/408	**29**
Justices	1059/15,752	**6.7**
TOTAL (including justices)	1179/16,160	**7.3**

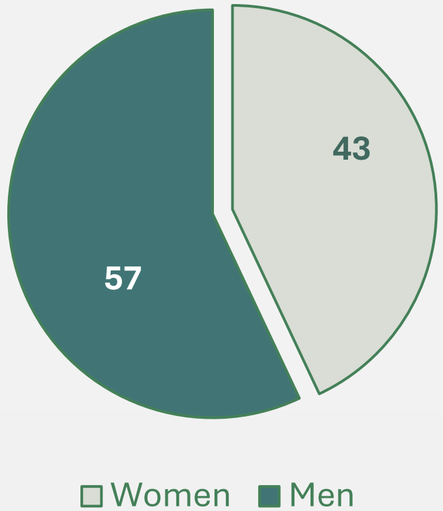
Global average women in High Courts, 2014, 22%
Source: Women on High Courts Project: https://womenonhighcourts.com/

Pacific judiciaries
by gender

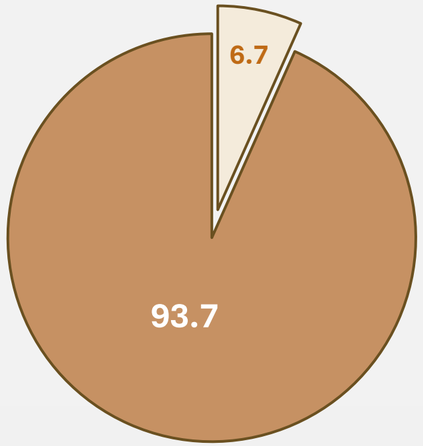
% Superior Court Judges:



% Magistrates

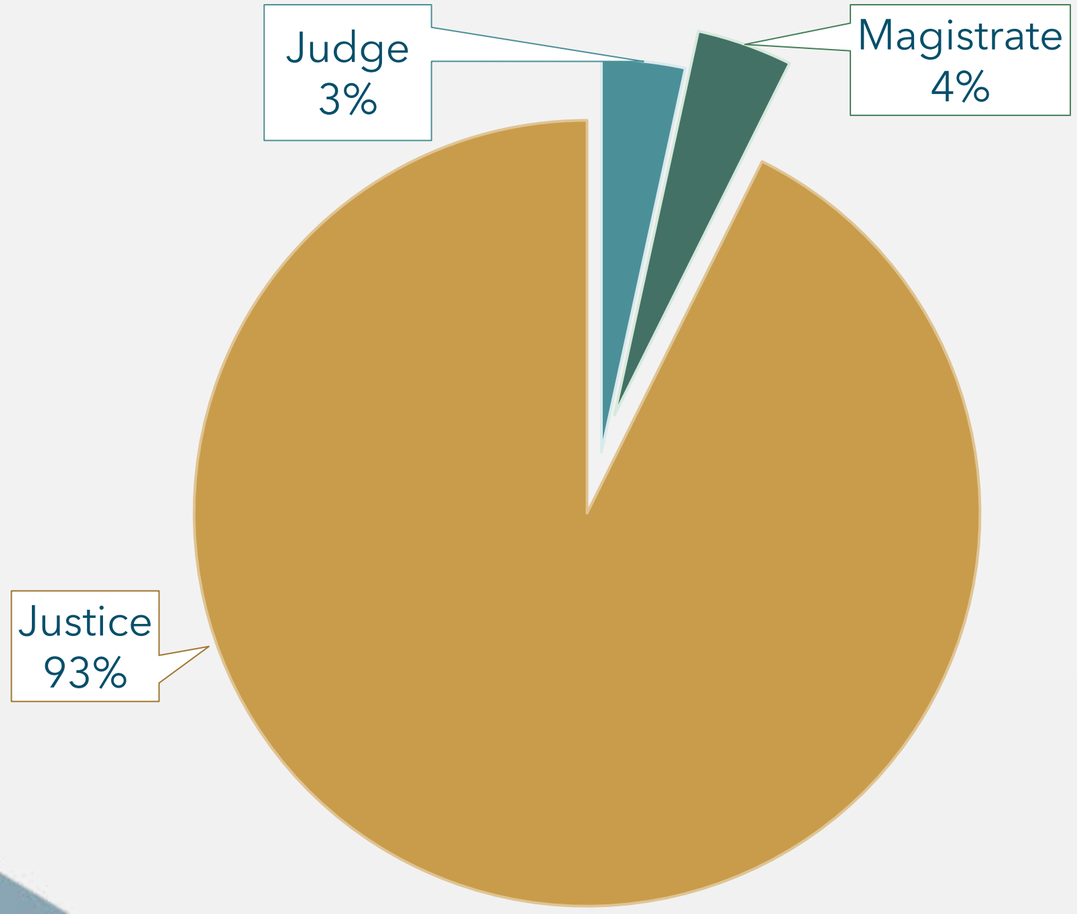


% Justices and lay Magistrates



29% of Pacific Judges and Magistrates are women but including Justices, only 7.1%

Women judicial officers
by role



Women Justices form the lowest proportion of women by court type (6.7% of all Justices)

Yet numerically, they still outnumber the sum of women Judges and Magistrates by more than 10:1

Largest group of women in Pacific judiciaries by tenfold

Yet the least understood and supported in their work

Often working in environments where their role is heavily contested

Particularly in land cases

Under-utilised but play critical roles

Increasing access to justice for women in remote and rural areas, especially victims of family or sexual violence unable to access any forms of state or local protection or justice to prevent or address these crimes

Face most acute gendered, social and cultural barriers

To their appointment, retention, performance of their roles, including from colleagues within their courts and gendered risks relating to their personal security and other work conditions

Have practical ideas for improving support—and want their voices heard

Ensure vacancies and recruitment processes actively reach women and encourage applications; Provide safe transport, fair pay, security measures, and family engagement support; Offer training, mentoring, and standardised processes to empower women in all case types

Women Justices and lay Magistrates

The elephant in the room

Women's appointments and leadership

Superior courts

Country	% of women judges	Courts led by women judges or on Courts of Appeal
Kiribati	50 (1/2)	Chief Justice
RMI	50 (3/6)	Chief Judge, Traditional Rights Court
Palau	43 (3/7)	Presiding Justice (Trial Division) Supreme Court; Senior Judge (Court of Common Pleas); Senior Judge (Land Court), Court of Appeal judge
Samoa	33 (3/9)	Acting Chief Justice (in 2020 while CJ Perese in NZ)
FSM	33 (1/3)	Acting Chief Justice, Court of Appeal Judge
Tonga	33 (1/3)	Acting Chief Justice (1 year, Sept 2023-Sept 2024), Court of Appeal Judge
Cook Islands	25 (2/5)	No data
PNG	24 (10/42)	National Court women Judges at times included in Supreme Court panels

Women's appointments and leadership

Magistrates Courts

Country	% of women Mags.	Senior positions
Tuvalu	100 (1/1)	1/1 Senior Magistrate
Kiribati	73 (11/15)	Principal Magistrate
Fiji	52 (15/29)	No data
Vanuatu	50 (5/10)	Chief Magistrate, 2 Senior Magistrates
Solomon Islands	50 (7/14)	6/12 Class I Magistrates
Tonga	44 (4/9)	Chief Magistrate, 3 Senior Magistrates
PNG	35 (31/89)	Former Chief Magistrate, current Deputy Chief Magistrate

Survey respondents' views

On appointment and promotion processes

Reject quotas and other affirmative action measures to increase number of women in judiciaries

Greater overall transparency in criteria and processes needed for appointments and promotions across all levels of courts to protect judiciaries from gender bias

Strongly support notion that appointment based exclusively on merit. But there is a need for:

Gender awareness and competence training for members of these bodies, and not only judicial officers

Greater awareness of subconscious gender bias in the content of 'merit' as assessed by male dominated judicial appointment bodies (23% women, 10/44)

Survey respondents' views

On gender equality in judiciary workplace

93% feel respected by public and court users; 87% by court leadership

Strong rejection of role pigeon-holing – women can decide all case types equally

Around half experience gender stereotypes and cultural barriers

Strong support for gender competence training for all judicial officers

Reported inequalities: limited court support, unattractive postings, heavier workloads, discriminatory treatment by senior male lawyers

Gendered aspects of work environments

The big ‘work, family, life’ juggle

Respondents report not only a double-work burden, at work and at home, but also feel pressure to perform both roles to an exceptional level

- Feel they had to work harder than men to get ahead in the court
- Continuously demonstrate to their spouses and other family they could manage home and carer roles to maintain family support for continuing in their judicial roles
- In ‘walking this line’ of trying to compensate for gendered impacts faced in work and home spheres of life, many women judicial officers constantly battle with exhaustion
- A significant proportion of women judicial officers seek greater flexibility around times and places of work (outside of hearing times) to help them better juggle work and carer/home responsibilities
- However most think it would be impossible or very difficult for them to achieve their preferred employment type in their judiciary

Professional development

Both when newly appointed and ongoing:
further education and training, mentoring, coaching, promotion pathway programs, leadership programs, networking opportunities with other Pacific women judicial officers

Workload reduction and management

Including through increased administrative and legal research support

Release from combined pressures for exceptional performance in court and home life

More flexible and varied work conditions, support for meeting domestic duties where family support not available to enable better balancing of work and family commitments and sustainable work practices

Other issues identified impacting women in lower-level courts

Improved pay
Improved physical work environments
Areas for breastfeeding and improved bathrooms
Physical safety of work related to judicial function (especially in customary land and family violence cases)
Improved processes for addressing sexual harassment/bullying in the workplace

Top unmet needs and priorities
of women judicial officers

Developments and impacts

Since the release of Towards Gender Balance and Equality in Pacific Courts

- **IAWJ published research and summary,** May 2024
- **PJSP inaugural Empowering Women in Justice workshop** (Sept 2024): **paper presented and women decided to establish association for Pacific women judicial officers**
- **Pacific Judicial Conference** (Feb 2025): **paper presented, and research included in conference proceedings**
- **Chief Justices Leadership Forum** (February 2025): **Chief Justice Semilota (Kiribati) presented research as foundation for establishing Pacific Women Judicial Officer's Association (PAWJO), endorsement from all Pacific Chief Justices who also agreed Courts would cover membership dues for members from each judiciary**
- **PAWJO Steering Committee using research to inform development and structure of new Association**
- **New Association is about to launch** (Nov 2025) **and once elected new office bearers will design first activity plans for coming two years**
- **Supported by court development partners for secretariat, targeted technical assistance and resources for activities**

3

Towards Pacific women's leadership in local justice processes



Methodology

- **Literature review and field research:** Built on findings from the first report
- **2 dedicated workshops (Sept and Oct 2024)**
  - Mix of community-based customary, faith-based and civil servant leaders and court actors
  - Kiribati, 30: 13 women, 17 men
  - Vanuatu, 19: 12 women, 7 men
  - Focus: participation and influence of women in local justice processes
- **Research output validation process (June 2025)**
- **In-country focus group discussions and 1:1 interviews including**
  - Lay judiciary members, (Kiribati: Presiding Magistrates from six islands: Maiana, North Tarawa, Abaiang, Mwakin, Butaritari and Marakia)
  - Court clerks serving lay judiciaries (Vanuatu Island Court Clerks)
  - Small meetings with women and separately with men (3 meetings North Tarawa Kiribati, 2 meetings Efate, Blacksands village, Mangaliliu village Vanuatu)
  - One-to-one interviews with local-level women leaders, 3 in Kiribati and 2 in Vanuatu.

Investigates approaches for increasing the presence and roles of women delivering local justice

At the village or area/municipal level, across local state courts, customary and church- based justice systems

Maps and analyses women's roles and exercise of power as authorities across each of these justice systems

Confirms that women are largely absent across all forms of authority: in customary, religious and state justice authority roles

Raises broader question

How women exercise power, influence, and authority in local settings across all spheres of community life including political, economic and familial roles

Examines potential of women's local leadership

i.e: Small business, local women's groups, civil society, as public servants and their powerful roles in families, as wives, mothers, sisters, grandmothers, who can influence family members who are decision makers

Aims to identify all key pathways

i.e: Small business, local women's groups, civil society, as public servants and their powerful roles in families, as wives, mothers, sisters, grandmothers, who can influence family members who are decision makers

Highlights a call to action for all local actors

Local courts, government, customary, religious and civil society actors to all do whatever they can to intentionally create spaces for women's leadership in significant numbers

Main focuses
Towards Pacific Women's Leadership in Local Justice Processes

Women as customary authorities

Minority women representation

- Minimal women customary authorities, including women chiefs, who exercise local justice functions
- Chief's wife sometimes plays a supportive role to women experiencing violence, by hearing woman's story and briefing chief before hearings

Further work is needed to unearth and document the situations of all Pacific women who exercise customary power directly



Cultural variations

- Patrilineal vs matrilineal systems: even where land flows through women, this rarely translates into power
- Example: No women sit on Te Unimane (Kiribati) despite matrilineal inheritance

Erosion of roles

- Women's roles in custom across the Pacific eroded over time by colonisation, organised religion (Christianity) and by local patriarchal interpretations of tradition that exclude the customary roles of women

Pathways

- Women often assume roles through fathers or as widows—similar to patterns in elected positions
- Having powerful male relatives and progressive chiefs remains an important pathway
- Example: Manililiu, Efate (Vanuatu) – inclusion of women in Nakamal decision-making through active women's associations and progressive chief

Women as religious authorities

Limited leadership roles

- Women rarely occupy positions as priests, ministers, or pastors—the roles most involved in religious justice processes



Informal support roles

- Pastor's wives and committee members sometimes support women experiencing violence

Gender justice initiatives

- Some churches using doctrine to challenge traditional submissive roles
- Rejecting cultural or theological tolerance of violence against women

Emerging ordination trends

- Small but growing number of women pastors and ministers, mainly in Protestant and Evangelical churches
- Some churches promote women's theological study and ordination

Women's committees

- Activities include community support, fundraising, and organising events
- Occasionally assist women in religious justice processes

Women as local government authorities

Low representation

- Women rarely hold office as elected local council members or mayors.
- No Pacific country exceeds 14.5% women in local government; many under 1%.

Reserved seats

- Some countries (e.g., Vanuatu) allocate positions for women on Area Councils
- Impact grows when linked to active women's organisations



Gradual progress

- More women are winning seats on councils and as mayors
- Kiribati: 4/21 female mayors (19% of total)

Breakthrough examples

- Vanuatu's 2023 Area Council election: most gender-balanced body in history
- Sanma Province: 6/13 councillors elected were women

Changing attitudes

- Beyond reserved seats, voters increasingly elect women—signalling readiness for mixed leadership

Women as state justice authorities

Lay judiciaries

- Women comprise only 6.7% of local court justices compared to 56% of magistrates and 20% of judges
- Vanuatu Island Court Justices (25%) and Kiribati Outer Island Magistrates (39%) are notable exceptions
- Lay judiciaries provide rare opportunities for women to hold authority at local level
- Strategic recruitment and support programmes can empower women and move towards gender balance
- When in women are appointed in larger numbers (approaching balance of 50/50), women can become empowered in their roles, despite sitting on panels alongside socially empowered men



Strategic importance

- Women increase access to justice for women including granting protection orders as Authorised Persons
- Positions allow women leaders to layer authority from other roles such as associations or public service
- Greater support and resourcing from court leaders for women in local judiciaries is essential

Court clerks

- Crucial in supporting lay judiciary decision-making and magistrates' courts
- Can empower women court users and improve outreach to rural women
- Need better resourcing and support to fulfil potential
- In some jurisdictions can be upskilled to become magistrates

Policing

- Representation remains low across Pacific police forces (ranges from 5.6% to 26%)
- Few women in senior roles; often confined to admin or family violence units
- Women police in rural areas are extremely rare

Develop a deliberate strategy for women's local leadership

Building women's roles in male-dominated justice processes is not just a matter of time

Requires understanding how women build social power across different roles

Include a broad base of women who can contribute to change

Identify all categories and backgrounds of women who can contribute to change

Ensure inclusion across local justice and wider community leadership

Engage male and other allies

Identify allies who can create space for women's participation

Women working collectively to prompt ally support reduces backlash and fosters shared ownership

Address practical barriers

Pacific women are often overworked and exhausted

Relieve domestic workloads to enable sustainable leadership contributions

Findings and recommendations

4

Country Reports: Kiribati and Vanuatu – The Way Ahead



Methodology

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5 Focus areas

COLLABORATIVE PLATFORMS



Bring state, customary, religious, civil society, and hybrid actors together to coordinate justice responses for women and children at the community level

REHABILITATION PROGRAMS



Place robust rehabilitation programs for perpetrators at the centre of strategies, ensuring ongoing monitoring and victim support

ACCESSIBLE COURT SERVICES



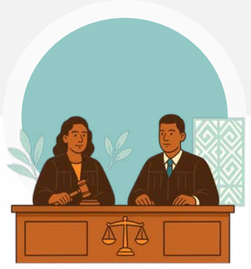
Develop free, fast, phone-based services and strengthen local courts to reduce fees and improve access for family and child cases

LOCAL WOMEN'S REPRESENTATION



Create intentional opportunities for women to participate in local governance and dispute resolution mechanisms

GENDER BALANCED COURTS



Promote gender equity in judicial appointments and training, and provide wellbeing initiatives to empower women in Pacific courts

1. COLLABORATIVE PLATFORMS

COMMUNITY ENGAGEMENT

Steering committee to lead awareness campaigns and consultations at village and area levels, ensuring women-only meetings and inclusion of other disadvantaged groups

SUSTAIN & STRENGTHEN PARTNERSHIPS

Maintain, develop and consolidate multi-stakeholder platform



Bring state, customary, religious, civil society, and hybrid actors together to coordinate justice responses for women and children at the community level

UNIFIED APPROACH

Adopt common strategies across justice providers to create meaningful opportunities for women's participation in local governance bodies

DEDICATED COURT SUPPORT TEAM

Equip courts with personnel such as a project coordinator and communications officer to drive access to justice reform initiatives

2. REHABILITATION PROGRAMS

EVALUATE EXISTING IMPACT

Assess existing rehabilitation programs for family violence perpetrators, including standalone models and specialised therapeutic courts (e.g., Samoa)

EMBED IN JUSTICE PROCESSES

Make programs accessible at local level and link to sentencing, parole, and protection orders

BUILD AN ECONOMIC CASE

Compare long-term social and economic costs of family violence with the low cost of early rehabilitation to demonstrate value



Place robust rehabilitation programs for perpetrators at the centre of strategies, ensuring ongoing monitoring and victim support

PRIORITISE EFFECTIVE MODELS

Encourage investment in culturally relevant and faith-based programs, transitioning from civil society to government where appropriate

ADDRESS SUBSTANCE ABUSE

Integrate substance-use interventions and include location or substance-related prohibitions in protection order conditions

ROBUST MONITORING

Implement 12-month monitoring by community focal points—one supporting the perpetrator (e.g., village chief) and another supporting the family (e.g., women's group or government service)

3. ACCESSIBLE COURT SERVICES

EMERGENCY HOTLINE

Establish a toll-free telephone hotline for family protection orders, processed and served the same day by police or local security actors through a standardised, court-police coordination process

Apply similar streamlined procedures for child support and enforcement applications, with decisions within two weeks

STRENGTHEN LOCAL COURTS

Increase frequency and reliability of sittings, enhance decision-making capacity and court mobility, and ensure greater inclusion of women in local court structures



Develop free, fast, phone-based services and strengthen local courts to reduce fees and improve access for family and child cases

NATIONAL AWARENESS CAMPAIGN

Promote toll-free court services widely via Facebook, community radio, short videos, and in-person outreach by courts and wider justice actors where possible

CONTINUOUS IMPROVEMENT

Monitor usage and gather feedback from victims, perpetrators (family violence), & complainants/respondents (family support cases) to improve services

4. LOCAL WOMEN'S REPRESENTATION

MAP LOCAL JUSTICE MECHANISMS

Identify all bodies involved in dispute resolution and community security (e.g., chiefs, councils, courts, police, church leaders, women's organisations) in Vanuatu and Kiribati

PROMOTE KNOWLEDGE-SHARING

Support exchange visits between communities where women participate in governance and those that do not, to share successes and inclusive practices

ENGAGE LEADERS IN REFORM

When introducing new or modified justice processes, consult chiefs and religious leaders on the importance of including women, aiming for near 50% representation



Create intentional opportunities for women to participate in local governance and dispute resolution mechanisms

ASSESS INCLUSION

Document women's representation and evaluate whether these bodies provide an environment for meaningful participation and support

EMPOWER LOCAL FOCAL POINTS

Foster women already engaged in these structures by providing information, advocacy training, and advisory backup

CREATE SEATS AT THE TABLE

Work with all actors to increase women's involvement in governance and decision-making roles, especially in security and dispute resolution

5. GENDER BALANCED COURTS

MAINTAIN FOCUS ON BALANCE

Keep a strong focus on achieving gender balance among judicial officers and clerks across all levels of state courts, including Island Courts, Magistrate Courts, Supreme Courts and Courts of Appeal

ALTERNATIVE ENTRY PATHWAYS

Continue programs that upskill experienced court clerks for judicial roles, supported by ongoing skills development

CUSTOMISE TRAINING

Develop training packages on gender-responsive courts, unconscious bias, and stereotyping awareness for: Judicial appointment bodies; All existing and new judicial officers across all court levels



Promote gender equity in judicial appointments and training, and provide wellbeing initiatives to empower women in Pacific courts

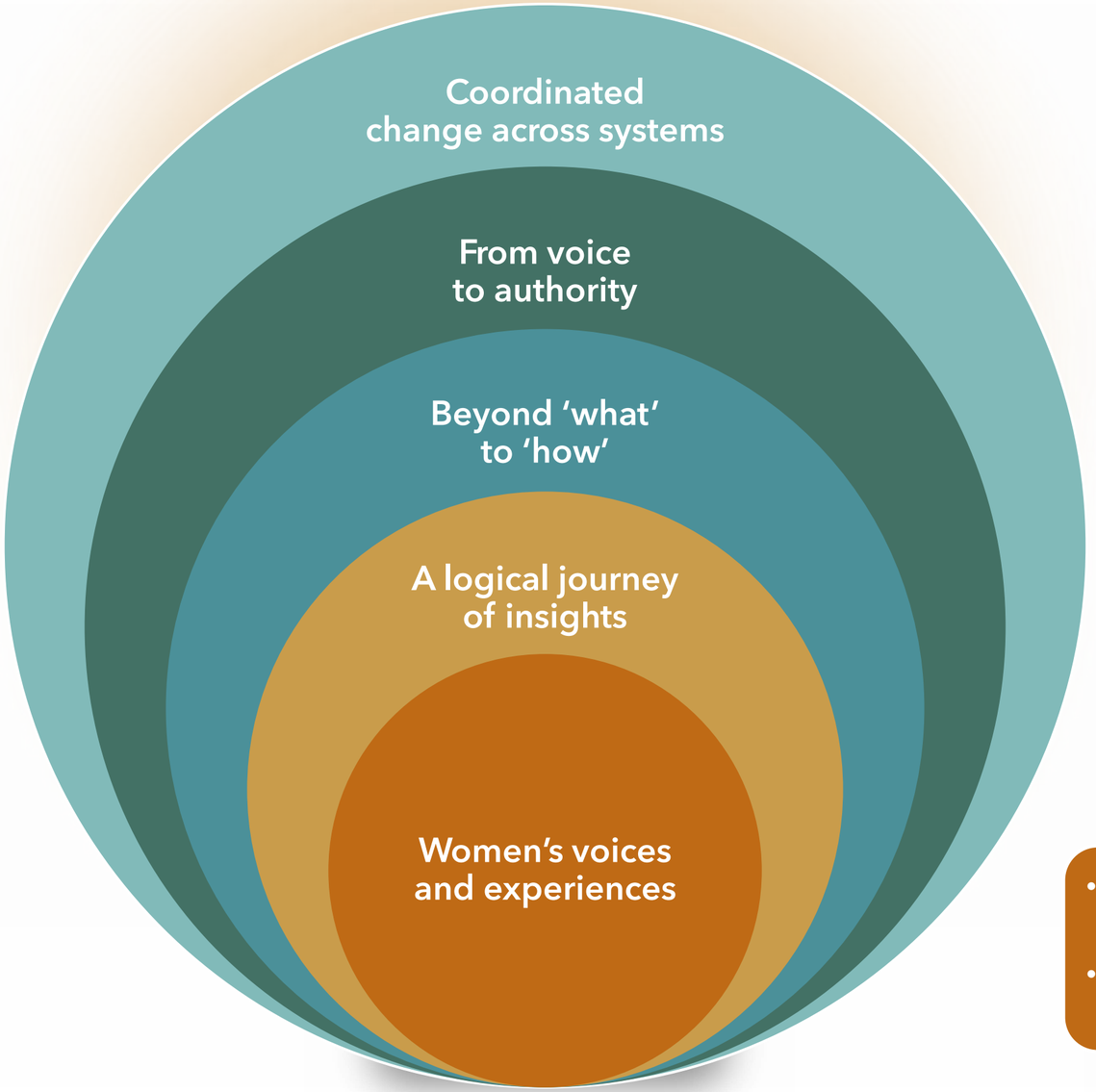
PROFESSIONAL DEVELOPMENT & WELLBEING

Provide ongoing support for women judicial officers through mentoring, networking, and wellbeing initiatives, especially in courts where they are underrepresented

LOCAL-LEVEL STRATEGIES

Create tailored strategies for recruiting, inducting, mentoring, and training women justices in local courts to strengthen their participation and leadership

Final report: Reflections on the value of the research



- Explores how negotiation across state, customary, and faith-based systems–with strong women's involvement–can coordinate change and build on each system's strengths

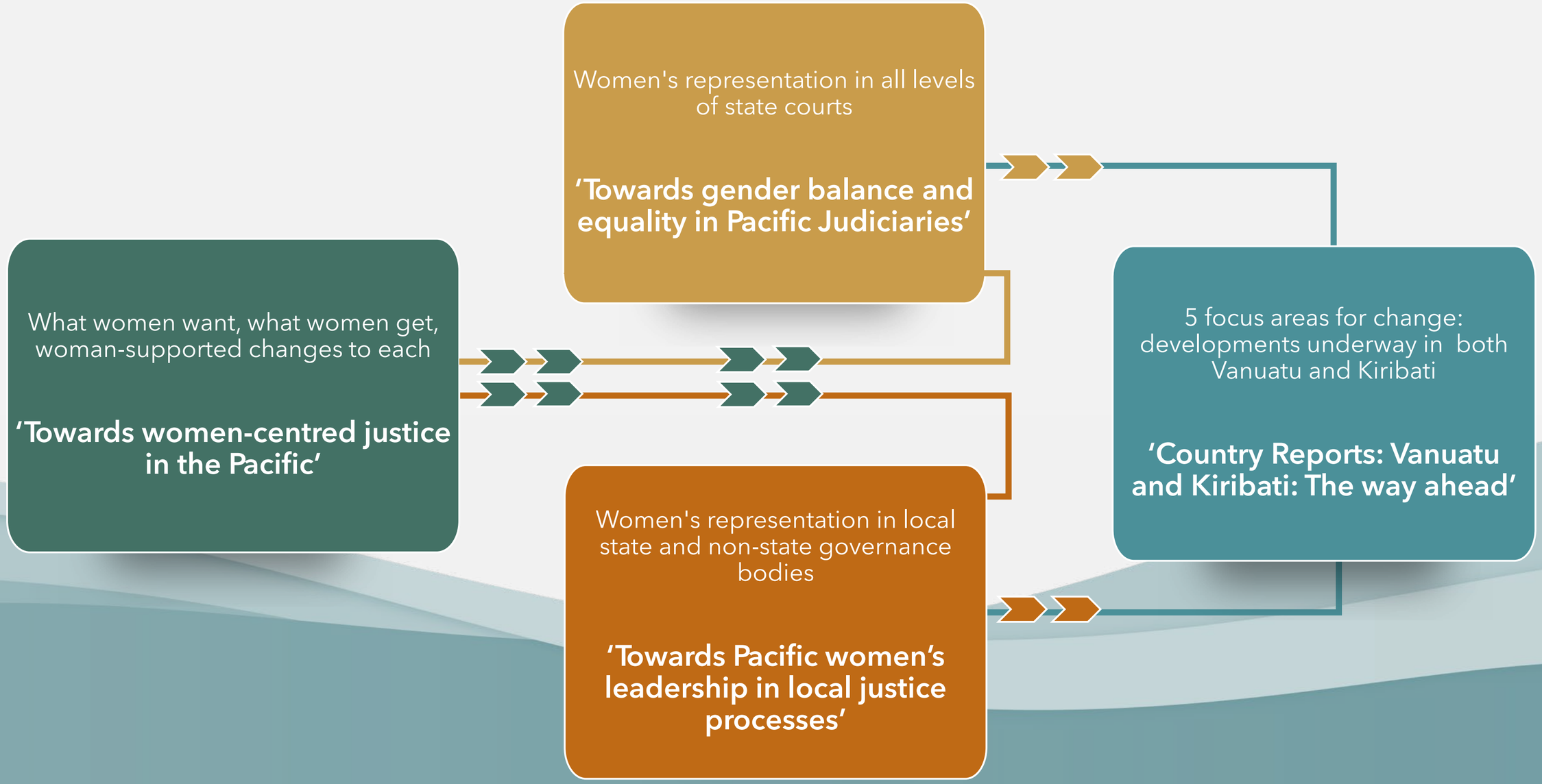
- Women need more than representation–they need roles as decision-makers, local authorities and valued as justice pathway navigators

- Explores not only what changes are needed but how locally-led change can be supported
- Explores opportunities for women's participation in change processes dominated by socially powerful men

- What women want → What women get → What women recommend
- Builds a sequenced narrative to align justice processes with women's priorities

- Positions women's experiences and justice goals as the benchmark for how access to justice for women should be measured
- Shifts focus from system capacity to outcomes that matter most for improving women's lives

Final report: Reflections on the value of the research



ACKNOWLEDGEMENTS:

Thanking first and foremost all the women community members who so generously shared their courage and humour and trusted us with their stories and experiences, their ideas for change and their determination to see change happen in their lifetimes; for things to be better for their daughters.

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This research would have not been possible without the insights also shared generously by many men, customary and religious leaders, judicial officers, police who all have such key roles in supporting change and men in communities who have many unanswered questions about how Pacific plural justice systems are supposed to work.

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Cover photo: Justice Diana Kalsong, Island Court Efate, with her mother-in-law, a leader of the local women's organisation in Mangaliliu, Efate, Vanuatu. Credit: Carolyn Graydon