



Papua New Guinea Centre for Judicial Excellence (PngCJE)
Supreme & National Court of Justice



ANNUAL REPORT

1 JANUARY TO 31 DECEMBER, 2017

PAPUA NEW GUINEA CENTRE FOR JUDICIAL EXCELLENCE

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Foreword by Sir Salamo Injia, Kt, GCL, Chief Justice and Chairman



The Papua New Guinea Centre for Judicial Excellence (PngCJE) was established in 2010 under a Memorandum of Understanding (MoU) entered into between the Chief Justice, Chief Magistrate and the Secretary for the Department of Justice and Attorney General. Its aim is for PngCJE to deliver structured training programs for Judges, Magistrates, Court officers and other officers of the Law and Justice Sector (LJS) agencies that play a part in the Court process. Judges and support personnel receive professional development through the Centre for Judicial Excellence which has been established in 2010 for the purpose of satisfying the local needs of the Judiciary. The Centre for Judicial excellence also aims to offer services to other Judiciaries in neighbouring Pacific Island Countries should they wish to participate.

For 2017, the PngCJE completed 31 training activities which demonstrates its commitment to providing judicial education in Papua New Guinea (PNG). This is a milestone as we seek to increase our capacity to provide services locally and regionally. In this vein, we appointed our first Executive Director, Mr John Carey who is a lawyer from the Cayman Islands and brings a wealth of experience and has the international credibility and recognition that will augur well for enhancing our judicial education programs. Mr Carey's responsibilities includes, managing training and education programs run by PNGCJE for judges, magistrates, court staff of the high courts and magisterial services, lawyers and officers of the Law and Justice sector.

Mr Carey will also assist the PNG judiciary to develop PngCJE into a regional training centre for the Pacific judiciaries by 2020 in line with a decisions by chief justices of the Pacific during the Pacific judicial conference held in 2016.

As we look forward to enhancing the ability of the PngCJE to meet the judicial education needs of our local judiciary there will be a more structured approach in the design, delivery and execution of training. A Training Needs Assessment will be conducted which will inform on the curriculum strategy. Ultimately, the role of judicial education is to build professional competence as we seek to engender public trust and confidence in Justice, the Courts and our Judges.

I wish to thank the Board of Directors of the PngCJE for their yeoman's job in providing guidance and direction in the delivery of judicial education in PNG. With their energy and drive I look forward to an even more successful set of outcomes in 2018 and beyond.

Introduction

The PngCJE has full responsibility for the provision of judicial education and training programs for the Papua New Guinean judiciary. Since its formation in 2010, the PngCJE has conducted and/or coordinated judicial training in Papua New Guinea which aim to improve knowledge, skills and attitudes. Training for our Judges are designed, delivered and evaluated by our Judges who are a significant component of our Faculty of Trainers.

The Chief Justice of Papua New Guinea, Sir Salamo Injia, Kt, GCL has been a strong proponent of judicial education locally and regionally and has provided significant resources to develop and grow the PngCJE. The PngCJE is working on having a dedicated learning area which will be introduced in 2018. Moreover, the development of our training program strategies which have involved Face-to-face (F2F) will expand to include publications and ICT.

The PngCJE has responsibility for delivering on a range of topics in judicial skills and knowledge. These include but are not limited to:

- Judgment Writing
- Judicial Ethics
- Human Rights
- Evidence Matters
- Assessment of witnesses
- Alternative Dispute Resolution (ADR)
- Sentencing
- Judicial Orientation
- Leadership
- Courtroom Management

As the PngCJE enhances its capacity and streamlines the programs that are currently offered, the transition to the regional role will become more evident.

The Chief Justice and Chairman of the Board of the Papua New Guinea Centre for Judicial Excellence (PngCJE) welcoming its first Executive Director, Mr. John Carey in Port Moresby.



JUDICIAL OFFICERS IN PAPUA NEW GUINEA

At 31 December 2017, there are 39 Judges and 4 acting Judges.

There is a Sheriff Principal, Chief Processing Officer and 20 Sheriff Officers.

With the Magisterial Services, there are 92 Magistrates.

Judges	Acting Judges	Magistrates	Provincial Courts	Village Courts	Sheriff	Chief Sheriff	Sheriff Officers
39	4	92	22	1680	1	1	20

Png Centre for Judicial Excellence Board

Board Members as at 31st December 2017

Sir Salamo Injia, Kt, GCL – Chief Justice of PNG	Chairman
Sir Gibbs Salika, KBE, CSM, OBE – Deputy Chief Justice of PNG	Member
Justice John Logan	Member
Ms Nerrie Eliakim – Chief Magistrate	Member
Ms Dessie Magaru – Deputy Chief Magistrate	Member
Mr Ian Augerea – Registrar Supreme and National Courts of PNG	Member
Dr Lawrence Kalinoe – Secretary, Dept. of Justice & Attorney	Member
Ms Roselyn Gwaibo – Deputy Secretary, Dept. of Justice & Attorney General	Member
Mr Jack Kariko, Secretary NJSS	Member
Dr Vergil Narokobi – PNG Law Society President	Member
Professor Mange Matui, UPNG Law School	Member
Ms Pauline Mogish, Director of Legal Training Institute	Member
Mr John Carey, JP – Executive Director, PngCJE	Secretary

Office Staff

Executive Director, PngCJE	Mr John Carey, JP
a/Director, PngCJE	Ms Regina Sagu
Program Officer, NJSS	Mr Peter Michael
a/Program Officer, MS	Ms Vali Kila
a/Program Officer, LJS	Ms Arabella Owen
Admin Officer	Ms Jennifer Thomas
Driver	Mr Ribama Oteve

Reports

Brief Background on the Trainings Conducted in 2017

1. Basic Judicial Orientation Course For Judges, 29 – 30 March 2017

The Judicial Orientation Course for Judges (newly appointed) has been a yearly activity for the Judiciary through the PNG Centre for Judicial Excellence. The Workshop is considered important and conducted for new judges once they are appointed to the bench. It is part of the ongoing professional development programs designed and delivered by the PngCJE for Judicial Officers.

2. Judgement Writing Workshop for Magistrates, 18 – 19 May 2017

Judgement Writing is an essential part of the work magistrates perform as judicial officers. As such judgement writing skills training is important. In realizing the need for improved judgment writing, the workshop was planned in consultation with the National Judicial College of Australia to deliver the relevant skills training and the result that it was a successful workshop. Magistrates have indicated that they benefited greatly from the workshop.

3. Judicial Orientation Course for Magistrates, 4 – 9 June 2017

The Judicial Commission of New South Wales has worked with the Local Court of New South Wales to deliver the New South Wales Magistrates Orientation Program almost annually since 1990. The Program has been modified each year in response to feedback received to ensure that it better meets the needs of new magistrates. The Judicial Commission of New South Wales signed a Memorandum of Understanding with the PNG Magisterial Service in August 2007. The objective of the program was to:

- a) Provide information about the principles and the practice of being a magistrate in PNG, in particular covered,
- Confronting Biases, attitudes and values
 - Behaviour in and out of court (within the context of being a judicial officer)
 - Judicial ethics
 - Expectation of Judicial peers
 - Assessing/analysing one's own performance in court as well as comparing this with the others' performance
 - Learning effective communication and patience
 - Judicial skills including decision making, diary keeping and time management
 - Outlining best practice standards
 - Sentencing principles (taking into account all of the above)
 - Stress management
 - Court craft.

- b) To provide opportunities for PNG magistrates to practise their court craft skills and receive constructive feedback about them in order to identify strengths and areas for improvement.
- c) To provide a network of senior and newly appointed magistrates upon which to draw, when needed.

4. Election Petition Workshop for Judges, 13 – 14 July 2017

The Election Petition workshop is conducted once every five years parallel to the National General Election of PNG to enhance skills for judges and registry staff.

The last Election Petition (EP) workshop hosted was in 2012 which helped the Judiciary fast track most, if not all EP cases before the 2017 National General Election.

5. Provincial Judge Administrators workshop, 12 July 2017

The Conduct of this workshop was an important avenue for the provincial and Resident Judges, Associates and A/Rs and AOs to enhance their understanding in the operation and management of certain changes to the NJS administration being initiated.

This workshop provided some important aspects in the following subject areas. They were:

- The operation and management of NJS Imprest System;
- The Human Resource Administration, Recruitment, Removals and Discipline of NJS Staff;
- Registry Administration – Roles of Assistant Registrars in Sub – Registry locations; and
- Roles of Judge Administrators in Case Management.

6. Case Management and Information Technology (CMIT) Workshop, 10 – 11 July 2017

The Introduction of the PNG Judiciary's digital data base systems have been an initiative of the Chief Justice Sir Salamo Injia. The PNG Judiciary has successfully introduced some of these integrated data base systems such as the ICCDS. This was the third CMIT workshop.

7. Lukautim Pikinini Act Consultations Workshop, 24 – 27 October 2017

The Lukautim Pikinini Act was passed by Parliament in 2016 and came into effect in March 2017. The Regulation under this legislation also came into effect.

The Chief Magistrate established a Technical Committee which was tasked to develop practice and procedure for the effective implementation of the LPA Act and Regulation. The best way to do this was to develop a set of Rules and a check list to be used by the

Magistrates and Clerk which would promote consistency in the implementation of the Act and the Regulation.

8. Human Rights Workshop for Magistrates, 23 -24 November 2017
Human Rights Workshop for Judges, 30 – 1 December 2017

A visit of the PJSI Human Rights Adviser was scheduled for 20 November – 1 December 2017. It was agreed that the part of this visit, the Human Rights Adviser would be the primary facilitator of a series of two workshops, one for District Court Magistrates, and the other for National Court Judges auspice as a joint initiative of the PJSI and the PNG Centre of Judicial Excellence.

As these were the first ever court workshops to be held in PNG on the subject of human rights, it was agreed that their primary purposes would be to highlight the relevance of human rights to the courts' work and to identify the roles and responsibility of judges and magistrates to apply human rights across all areas of the courts' work. These introductory workshops generated discussions and recommendations that enabled the identification of more specific needs and led to a more detailed ongoing work plan of human rights related trainings, complimented by other human rights strengthening initiatives throughout the courts.

9. Pacific Judicial Strengthening Initiative Regional Lay Judicial Officer Orientation Course, 20 – 24 November, 2017

The PJSI – Regional Lay Judicial Orientation workshop was held in Honiara, Solomon Islands. The Workshop was one of the many workshops held by the Pacific Judicial Strengthening Initiative within the Pacific. The Initiative is funded by New Zealand Ministry of Foreign Affairs and Trade which has supported promoting the rule of law across the Pacific over recent years.

The goal of the Pacific Judicial Strengthening Initiative (PJSI) is to build fairer societies by supporting the courts in 14 Pacific Islands Countries (PICs) to develop more accessible, just, efficient and responsive justice services. These PICs are the Cook Island, Federated States of Micronesia, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Island, Tokelau, Tonga, Tuvalu and Vanuatu. Re-inclusion of Fiji in PJSI activities will also be explored over the course of the Initiative at MFAT's direction.

Transition to Pacific Islands Countries Centre for Judicial Excellence (PicCJE)

The PngCJE commenced work to establishing a regional centre for judicial excellence for the Pacific Islands (PicCJE) to be based in Papua New Guinea. The decision to explore establishing PicCJE was made in a meeting of the Chief Justices of the region during the Pacific Judicial Conference held in Port Moresby in September 2016. The PngCJE has a road-map to achieve full establishment of PicCJE by the end of 2020. By then, PngCJE would be

capable of becoming a regional centre that would meet the domestic needs of PNG Courts and those of regional Pacific Islands Courts.

Memorandum of Understanding Between The Supreme and National Courts of Justice of Papua New Guinea and The High Court of Appeal of Solomon Islands on Judicial Cooperation

The Signing of the MOU between the Supreme and National Court of Justice of Papua New Guinea and the High Court of Appeal of Solomon Islands on Judicial Cooperation occurred in Port Moresby on the 22 August 2017.

The purpose of this is to:

- a) Identify activities to be conducted during the remainder of the life of the MOU; and
- b) Set out mechanism for consultations, administration and implementation for this program during 2017 – 2018

Memorandum of Understanding between the Supreme and National Courts of Justice of Papua New Guinea and the University of the South Pacific

The Signing of the MOU between the Supreme and National Court of Justice of Papua New Guinea and the University of the South Pacific occurred in Port Moresby on the 04th of September, 2017.

Under the MOU agreement the Parties will cooperate in supporting the Pacific Legal Information Institute (PaLii) and in particular to:

- a) Maintain and enhance PaLii;
- b) Conduct programmes relevant to the on- going improvement of PaLii; and
- c) Abide by the prescribed principles of PaLii and the Free Access to Law Movement as specified in the Declaration on Free Access to Law, Montreal 2002.

List of DDE's and Facilitators for each Trainings Conducted in 2017

Facilitators	DDE	Topic
Dean Hendersen Pavora Marupi Daisy Larie Fo'o	Injia CJ (Chair) Dean Hendersen Pavora Marupi	First Certificate in Court Reporting for Court Reporting Officers
Injia CJ Sir Ross Cranston Sir Bruce Robertson Ret. Judge Roger Gyles AO Justice John Logan RFD	Injia CJ Salika Dep CJ Logan J Paul Kelly	Court Craft for Judges
Salika DCJ Kandakasi J Mogish J	Salika DCJ (chair) Regina Sagu	Orientation for Judges
Margaret Barron Dessie Magaru	Margaret Barron Dessie Magaru	Family and Sexual Violence IPO for Magistrates
Kandakasi J	Kandakasi J (chair) ADR committee	Basic Mediation Training for Judges
Kandakasi J	Kandakasi J (chair) ADR committee	Basic Mediation Training for Public Solicitor Lawyers
Justice Debra Mullins (SC,Qd) Loraine Walker (CM,ACT) Leanne O'Shea (DCMQd)	Justice Debra Mullins Dessie Magaru Lilian Lesuer Regina Sagu	Judgement Writing for Magistrates
Kandakasi J	Kandakasi J (Chair) ADR Committee	Basic Mediation Training for Private Lawyers
Kandakasi J	Kandakasi J (chair) ADR committee	Accreditation Assessment for Judges and Lawyers
Chris O'Brien (CM, NSW. Mag.Court) Mag. Ian Guy Una Doyle (Ed Director)	Nerrie Eliakim CM (Chair) DCM Dessie Magaru Regina Sagu Una Doyle	Orientation for New Magistrates for Magistrates
Margaret Barron Dessie Magaru	Margaret Barron Dessie Magaru	Family Protection Act Rules for Magistrates & Clerks
Koichi Nakagawa David McDonald Kwara Giriwa Pavora Marupi Bruce Ifina Mark Warren Serah Paua	Kirriwom J (chair) Josette Makeu Pavora Marupi Koichi Nakagawa Dean Hendersen David McDonald Ronald Omaro Kwara Giriwa Serah Paua Felix Coady Tony Kila	Annual IT Workshop for Judges Court Registry and IT Staff
Injia CJ Andy Watson Humphrey John Ian Augerea Jack Kariko	Injia CJ (chair) Andy Watson Ian Augeara Jack Kariko David McDonald	Provincial Court-Finance & HR for Judges, Provincial
David McDonald	Kirriwom J (Chair) Andy Watson David Mc Donald	JSIMS Training for Admin Officers
Injia CJ Cannings J Makail J	Cannings J Makail J (chair) Ian Augerea	Election Petitions for Judges

Ian Augerea Kini Mamis	Kini Mamis Samuel Ikiso Tom Dangiaba David Gonol Sally Karaut Celinia Lau	
Makail J Ian Augerea Samuel Ikiso Baka Bina Lawyer rep: Andrew Kongri	Ian Augerea (Chair) Samuel Ikiso David Gonol Baka Bina Kini Mamis Josette Makeu Felix Coady Mark Warren	Election Petition File Management for National Court Registry staff
Makail J Ian Augerea Samuel Ikiso Baka Bina Lawyer rep: Andrew Kongri	Ian Augerea (chair) Kini Mamis Samuel Ikiso David Gonol Baka Bina Josette Makeu Felix Coady Mark Warren	Election Petition for Registry Election Petition Officers
David McDonald	Kirriwom J (chair) Andy Watson David McDonald	JSIMS Training for executive Assistants
David McDonald	Kirriwom J (chair) Andy Watson David McDonald	JSIMS Training for Purchasing Managers & Executives
David McDonald	Kirriwom J (chair) Andy Watson David McDonald	JSIMS Training for Judges Associates
David McDonald	Kirriwom J (chair) Andy Watson David McDonald	JSIMS Training for Judges
Dean Hendersen Pavora Marupi Daisy Larie Fo'o Celina Golu Wallace Simpson Bruce Ifina Andrew Barilla Samson Tanion Victor Koaba	Injia CJ (chair) Dean Hendersen Pavora Marupi	Second Certificate in Court Reporting for Court Reporting officers
Dessie Magaru Regina Sagu Rosemary Koimo	Dessie Magaru Regina Sagu Tracy Ganali	Family Protection Act & Practice Perfection (ToT) for Magistrates
Nerrie Eliakim CM Sarah Bradley Dessie Magaru DCM Regina Sagu Jane Crisford Rosemary Koimo Tracy Ganaii	Nerrie Eliakim CM Sarah Bradley Dessie Magaru DCM Regina Sagu Rosemary Koimo Tracy Ganaii Anna Sunga	Lukatim PiKinini Act Workshop for Magistrate/Clerks
Collier J Justice Nablu (Chair, DDE) Prof Paul Von Nesson Alex Tongayu (Reg of companies) George Barrat & Rose Piae (BSP) Anthony Frazier (IPA)	Injia CJ Collier J Professor Matui	Sir Salamo Injia UPNG Lecture services on Personal Property Act at UPNG Law School

Ian Augerea		
Nerrie Eliakim CM Sarah Bradley Regina Sagu Jane Crisford	Nerrie Eliakim CM Sarah Bradley Dessie Magaru Regina Sagu Rosemary Koimo Tracy Ganaii Anna Sunga	Lukautim Pikinini Rules for Magistrate/ clerks
Injia CJ Cannings J Dr Carolyn Graydon, PJSI	Cannings J (Chair) Ian Augerea Nerrie Eliakim CM Regina Sagu David Gonol Bernard Anjuande Dr Carolyn Graydon, PJSI	Human Rights for Magistrates
Injia CJ Dr Eric Kwa Polume-Kiele J	Polume-Kiele J (Chair) Kirriwom J Toliken J Dr Eric Kwa David Gonol	Underlying Law Conference for Judges & Lawyers
Dr Carolyn Graydon, PJSI	Cannings J (Chair) Ian Augerea Nerrie Eliakim CM Regina Sagu David Gonol Bernard Anjuande Dr Carolyn Graydon, PJSI	Human Rights for Other Officers
Justice Nablu (Chair, DDE) Justice Berna Collier Prof Paul Von Nesson Alex Tongayu (Reg of companies) George Barrat & Rose Piae (BSP) Anthony Frazier (IPA)	Nablu J (Chair) Justice Berna Collier David Gonol Baka Bina Director IPA Deputy Director IPA Legal Officer IPA	Personal Property Security Act for Judges & Senior Registry Staff
Injia CJ Dr Eric Kwa Polume-Kiele J	Cannings J (Chair) Ian Augerea Nerrie Eliakim CM Regina Sagu David Gonol Bernard Anjuande Dr Carolyn Graydon, PJSI	Human Rights for Judge & Court Registry Staff
Injia,CJ	Dr Livingston Armytage	TOT for Executive Director, PngCJE

Calendar of Png Centre for Judicial Excellence Training Courses 2017

Month	Date	Topic
February	6 th - 28 th April	First Certificate in Court Reporting for Court Reporting Officers
March	27 th - 28 th 29 th - 30 th 31 st - 1 st April	Court Craft for Judges Orientation for Judges Family and Sexual Violence IPO for Magistrates
April	3 rd - 7 th 24 th - 28 th	Basic Mediation Training for Judges Basic Mediation Training for Public Solicitor Lawyers
May	18 th - 19 th 22 nd - 26 th 31 st - 2 nd June	Judgement Writing for Magistrates Basic Mediation Training For Private Lawyers Accreditation Assessment for Judges & Lawyers
June	4 th - 9 th	Orientation for New Magistrates for Magistrates
July	10 th -11 th 12 th 13 th - 14 th 13 th - 14 th 15 th 17 th - 18 th 17 th 21 st 24 th - 25 th	Family Protection Act Rules for Magistrates & Clerks Annual IT Workshop for Judges, Court Registry and IT Staff Provincial Court Administration – Finance & HR for Judges, Provincial JSIMS Training for Admin Officers Election Petitions for Judges Election Petition File Management for National Court Registry Staff Election Petition for Registry Election Petition Officers JSIMS Training for Executive Assistants JSIMS Training for Purchasing Managers & Executives
August	30 th 31 st	JSIMS Training for Judges Associates JSIMS Training for Judges
September	11 th - 1 st Dec	Second Certificate in Court Reporting for Court Reporting Officers
October	5 th - 6 th 23 rd - 27 th 30 th	Family Protection Act & Practice Direction (ToT) for Magistrates Lukautim Pikinini Act Workshop for Magistrate/Clerks Sir Salamo Injia Lecture series on Personal Property Act at UPNG Law School
November	13 th - 17 th 23 rd - 24 th 27 th - 28 th 28 th 29 th 30 th - 1 st Dec	Lukautim Pikinini Rules for Magistrate/ clerks Human Rights for Magistrates Underlying Law Conference for Judges & Lawyers Human Rights for Other Officers Personal Property Security Act for Judges & Senior Registry Staff Human Rights for Judges & Court Registry Staff
December	4 th - 8 th	ToT for Executive Director, Png CJE

First Court Reporting Officer Training – 6 February – 28 April



Court Craft Workshop for Judges – March 27 to 28



New Judges Orientation – March 29 to 30



Human Rights Workshop for Magistrates – November 23 to 24



Underlying Law Conference – November 27 to 28



Personal Property Security Act Workshop – November 29



Human Rights Workshop for Judges – November 30 to December 1



Election Petition Workshop for Judges - July 13 to July 14



Annual Judiciary IT Workshop – 10 July to 11 July



Workshop for Provincial Judges, Administrators, Provincial Judges, Associates, Assistant Registrars, Administration Officers and Clerks of Sub Registries – 12 July 2017



The new PicCJE area under construction



Publications

Journal on the Third Underlying Conference: Administrative Law held November 27 – 28, 2017 to be released in 2018.