



Rule of Law, vital in Foreign Investment



Participants at the International Mediation and Arbitration Conference at Stanley Hotel, Port Moresby.

PAPUA New Guinea has so much potential in attracting foreign investment and the rule of law is a very important determinant.

Port Moresby hosted the International Mediation and Arbitration Conference early this year which staged discussions on how to provide in-depth knowledge on practical aspects of disputes in the Asia-Pacific region and how to deal with them in order to promote business and investment.

The five-day event sees lawyers, lawyers, magistrates, judges, senior government official, policy makers and private sector executives from the Asia-Pacific as well as Europe and America turning up.

IMAAC's main objective was to assist remaining South Pacific Island nations to accede to the New York Convention, put laws in place and ensure effective implementation through capacity building. Some breakout sessions included topics such as "Women in International Commercial Arbitration", "Disputes in the

South Pacific Region" and "Confidence in International Business through Building on the Rule of Law".

High level government officials, regional specialists and international experts attended and spoke with vast experience and knowledge base.

The conference was co-hosted by the PNG Judiciary, Asian Development Bank (ADB), PNG Department of Justice and Attorney General and the PNG Law Society. It was also supported by national and international companies and organizations such as Kumul Petroleum Holdings Limited and the Singapore International Arbitration Centre.

The PNG Judiciary, in the past few years has created the Alternative Dispute Resolution (ADR) to deal with matters by way of mediation and arbitration. Deputy Chief Justice Ambeng Kandakasi currently chairs the ADR Committee and oversees the development and implementation of court annexed mediation in the country.

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Everyone deserves justice

“THE JUDICIAL SYSTEM IS A PUBLIC RESOURCE THAT NEEDS TO BE MANAGED EFFICIENTLY TO ENSURE THE RIGHTS OF CITIZENS TO ACCESS A COURT THAT IS OPEN, TIMELY, FAIR AND AFFORDABLE.”

- PJSI EFFICIENCY TOOLKIT
2018

JUSTICE should be readily available to everyone. This was the message behind the two Efficiency Review Workshops conducted for the Supreme and National Courts Registry staff.

“The Judicial System is a public resource that needs to be managed efficiently to ensure the rights of citizens to access a court that is open, timely, fair and affordable,” according to Pacific Judicial Strengthening Initiative (PJSI) Efficiency toolkit 2018.

The purpose of the workshops was to help provide the courts with a framework to examine efficiency in case resolution processes. As a result, a court efficiency plan detailing areas for im-

provement was proposed for the Judiciary. Sponsored by the PJSI, the participants included track leaders from the court registry, case docketing system personnel, the National and Supreme Court acting registrar and deputy registrar, National Judicial Staff Service deputy secretary, Justice Oagile Bethuel Dingake, Justice Hitelai Polume-Kiele and Chief Justice Sir Gibbs Salika.

Efficiency Advisor Ms Jennifer Akers facilitated the workshops which were held in Port Moresby from May 7 to 9 and May 14 to 16.

Clerks equipped to improve process

TWENTY three female officials were part of 36 District Court clerks to undergo training to improve consistency in the application of processes in courts all across the nation.

The District Court Clerk’s Procedure Workshop, funded by Papua New Guinea Centre for Judicial Excellence ran from October last year to March this year. Three separate regional presentations were conducted with the final one for the Highlands from March 12 to 15.

A great percentage of the participants found the training to be valuable as it made them more confident in performing their roles and improving access to justice. The workshop was aimed at ensuring there is nationally consistent application of processes and procedures by all clerks of court in PNG.

The manual contains step-by-step processes designed to help new and current employees understand procedures that may be undertaken on a daily basis. It served many purposes including a daily resource and a training guide that provides required procedures for implementation of the International Framework of Court Excellence.

The workshop was facilitated by the District Court Deputy Registrar Mr

A step towards the vision of a Pacific Centre for Judicial Education

THIS year’s Judicial Orientation for judges in PNG has sprung out of the norm as Chief Justice Sir Gibbs Salika invited the Pacific to sail over.

As a result, Justice Laki Maile of

activity for the Judiciary through the PNG Centre for Judicial Excellence (PngCJE).

There was a boost in the judges’ confidence in their new roles, according to



New judges attending the Judicial Orientation Workshop

the Supreme Court of Tonga and Justice John Absalom Keniapisia of the High Court of Solomon Islands flew to Port Moresby, adding the number of participants to 10. The eight national judges included Justices Oagile Bethuel Dingake, Royal Thompson, Teresa Berrigan and Nicholas Miviri, plus acting justices David Susame, John Kaumi, Sinclair Peniel Gora and John Numapo.

The course, which is for newly appointed judges, has been an annual

post training evaluation. They were satisfied with the course as it contributed to helping them understand the application of judicial ethics and principles in their day to day duties.

The program was facilitated by PngCJE Executive Director Mr John Carey along with Justices David Cannings, Nicholas Kirriwom, Les Gavarananu, Panuel Mogish and Colin Makail plus other senior registry staff of the National Judicial Staff Service (NJSS).

Write well, judge well



Professor James C. Raymond (seated third from left) with PNG National and Supreme Court judges and magistrates during the Judgement Writing for Judges and Magistrates Workshop in Port Moresby.

A WELL written judgement should aim to summarize each party’s argument on each issue and explain why an argument prevails, says an expert.

Professor James C. Raymond highlighted this during the Judgement Writing for Judges and Magistrates Workshop on May this year.

He said written judgements should also cite relevant statutes and precedents which should always be in the context of the issue.

Focussing on an issue-driven approach to judgement writing and reasoning, magistrates and judges were taken through some of the techniques for preparing well-written judgements that are based on the context of issues.

Professor Raymond is the president of International Institute for Legal Writing and the professor emeritus of the University of Alabama in the United States. He has taught legal writing and reasoning in more than 35 countries. He has also published numerous essays and books on legal writing. His most recent book is *Writing for the Court*.

Staff prepared for international events

THE International Mediation and Arbitration Conference (IMAAC) and the Commonwealth Magistrates and Judges Association Conference (CMJA) were the two biggest events facilitated by the PNG Judiciary this year.

As the saying goes, a huge castle is first

built with a single block of brick, and so such huge events were successful due to every little preparation along the way.

The National Judicial Staff Service made preparations for the events and one of the vital groundwork was for its staff to undergo training in protocol and etiquette.

Two Protocol and Etiquette Trainings were carried out, each for the respective conferences. The first was held in March and the second in July. Both covered topics related to dealing with difficult situations that may emerge during the conferences and how to address them. Participants also discussed basic skills in protocol and defined the

role of an “attache”, sometimes known as a “chaperone”.

Most of all, they learnt about the correct approaches to dealing with foreign delegates and to be more competent in the area of etiquette and customer service. The lively and interactive sessions included practical exercises and a bit of role playing which brought out the message clearly.



NJSS staff during a session in one of the Protocol and Etiquette Trainings.

“A HUGE CASTLE IS FIRST BUILT WITH A SINGLE BLOCK OF BRICK.”

- ANONYMOUS

Leadership and management vital in the courts

SUPERVISORS from the Registry and Corporate sections of the courts have been equipped with vital leadership and management skills to lead better and positively.

A total of 19 senior, middle and frontline supervisors attended and participated in the interactive sessions of the Leadership and Management Training with Papua New Guinea Human Resource Institute Chairman Mr Jerry Wemin.

Even though much of the content was pitched at the senior management level many frontline supervi-

sors and middle managers found it to be relevant and applicable.

The PNG Centre for Judicial Excellence organized the workshop which was facilitated by consultant trainer Mr Wemin, who had more than 15 years consultancy experience in human resource management and sits on the board of many training institutes in PNG.

Picture: Managers and Supervisors from the courts' registry and corporate sections attending a session of the Leadership and Management Training.



THE COLUMN

Awkward Contempt

The court room was packed to capacity and everyone was silent, waiting for the magistrate to speak. Someone opened the door and tried to squeeze his way through when he leaned on the light switch... Oops!

Too Old for Juvenile

A magistrate asked a young man for his age as he looked too young to be in the Committal Court. The young man said he was 16, so the magistrate asked him for his birthday. The young man replied, "2001 your worship"... Epic fail... Too old for Juvenile Court.

Commonwealth meet to maintain justice

MORE than 280 judges, magistrates, court staff and special guests from more than 40 Commonwealth nations arrived in Port Moresby in September for one of the biggest events of the Papua New Guinea Judiciary. With the theme, "Parliamentary Democracy and the Role of the Judiciary" the Commonwealth Judges and Magistrates Association Conference focused on:

- Promoting better understanding amongst judicial officers of all ranks and from all parts of the Commonwealth of judicial independence issues and to explore the approach to these issues in different parts of the Commonwealth;
- Promoting greater awareness amongst magistrates and judges on

international treaties and law relating to development and access to justice, and to consider the practical application of law; and

- Enhancing network within Commonwealth magistrates and judges on judicial developments and challenges.

Participants were warmly welcomed by PNG Chief Justice Sir Gibbs Salika, CMJA president Charles Mkandawire and PNG Deputy Prime Minister Davis Steven.

The CMJA was founded in 1970 and initially named the Commonwealth Magistrates Associated. It was renamed in 1988 and registered as a charitable

New office building expected to be ready by December



THE new PngCJE office building is expected to be completed and ready for use by December, this year.

The modest building has been built under a budget of K3 million and will be able to accommodate more than 20 staff. The new office will contain modern conference facilities with built in IT and multimedia equipment for interactive learning.

While awaiting the completion of the office PngCJE operates from

two temporary offices. One at the back of the Supreme & National Court complex in Waigani and another at Gateway Hotel in



POETRY CORNER

Sweaty Brows

*Sweat runs down my brows
Flows down in rows
Like water charged through hose*

*Heat boils from my core
Like magnetic fields tore
As my body temperature soar*

*A thousand kilojoules wasted
My brain hasted
As knowledge is tasted*

*Held my head high
Gave out a sigh
It must be nigh?*

*For who said it was?
A lifetime of wars
Personal kind of wars*

*Time is a great factor
Kind of, the main actor
Managing it is a character*

*In systems of complex understanding
Money is the captain standing
Sweaty brows see the ending*

*Sitting here in my chair
In this knowledge polluted air
My head and pen becomes a pair*

*I am here to learn
And so I yearn
So that I may earn*

- By GIDEON KINDIWA

A list of trainings and events organized and facilitated by PngCJE in 2019:

Date	Training Activities	Recipients
	Certificate in Court Reporting	NJSS Court Reporting Officers
March 4 – 8	Training of Trainers	PngCJE, NJSS and MS Corporate Service Staff
March 12 – 15	District Court Clerk’s Manual	District Court Clerks (Magisterial Services)
March 15	Protocol and Etiquette Training (IMAAC)	NJSS Corporate and Registry Staff
March 19 – 21	Leadership, Management and Team Building	NJSS Corporate and Registry Managers and Team Leaders
March 25 – 29	International Mediation and Arbitration Conference	Local and International Judges, Magistrates, Government and Private Sector officials
April 29 – May 3	Judicial Orientation	Judges
May 7 – 9 and May 14 - 16	Efficiency Review	NJSS Registry Team Leaders and Judges
May 27 – 28	Judgement Writing for Magistrates	Magistrates
May 29 – 30	Juvenile Justice	Judges
June 25	Sir Buri Kidu Lecture 1	Law and Justice Sector agencies and the public
July 16 – 17 and July 22 – 25	Protocol and Etiquette (CMJA Conference)	NJSS Corporate and Registry Staff
July 30 – 31	LLG Election Petition Workshop	Magistrates
July 31 – August 1	Designing and Leading Change	NJSS Managers
September 30 – November 22	Certificate Course in Court Administration	NJSS Staff (Currently on-going)
August 5 – November 28	Human Trafficking (IOM)	(Currently on-going)
September 8 – 12	Commonwealth Magistrates and Judges Association Conference	National and International Judges, Magistrates and Court Staff (Commonwealth Countries)



PAPUA NEW GUINEA CENTRE FOR JUDICIAL EXCELLENCE

Contact us on:

**PNG Centre for Judicial Excellence
National Judicial Staff Service**

P.O. Box 7018
Boroko
NCD

Phone: (675) 311 2710
(675) 79729087
Fax: (675) 323 5849
Email: gkindiwa@pngjudiciary.gov.pg

Look us up on:

<http://www.pngjudiciary.gov.pg>

About Us

The PngCJE was established in 2010 under a Memorandum of Understanding entered into between the Chief Justice of the Supreme and National Courts, the Chief Magistrate and the Secretary for the Department of Justice and Attorney General. The Centre is primarily responsible for the delivery of professional continuing judicial trainings and development activities for Judges, Magistrates, Court Staff and other officers of the Law and Justice Sector Agencies (LJSA).

Key Objectives for the Establishment of PNGCJE

- *Promote Judicial Excellence;*
- *Promote professional development and training; and*
- *Foster an awareness of judicial administration, developments in the law and social and community issues.*

Our Core Values

The core values that underpin the professional development activities of PngCJE are:

- *excellence in professional integrity and competence of Judicial officers and Court Staff;*
- *excellence in dispensation of justice by the courts according to international best practices;*
- *maintenance of democracy, good governance and the Rule of Law by the judiciary.*