

Talanoa

PILON
Pacific Islands Law Officers' Network

July 2018 Issue

PILON Executive Committee

16-17 May 2018, Nadi, Fiji.



PILON Executive Committee: (L-R) Graham Leung; Josephine Joseph; Violina Leilua; Sasae Walter; Johnnathen Kawakami; Janine McFarlane; Karen Moore; Jo Mildenhall; Lemalu Herman Retzlaff; Catherine Evans.

On 16 May 2018, the Executive Committee of the Pacific Islands Law Officers' Network (PILON) met in Fiji. In attendance were representatives from FSM, Nauru, NZ, RMI, Cook Islands and Australia.

The Committee received updates from the Secretariat on action items following the 2017 Annual Meeting, in RMI and were briefed on the activities of the Cybercrime, Sexual and Gender Based Violence (SGBV) and Environmental Crime and Corruption (ECC) working groups.

2018 PILON Annual Meeting

An update was provided by the Cook Islands, on preparations for the 2018 PILON Annual Meeting in Rarotonga, 9-11 October. Members should have all received invitations, with registrations closing **30 July 2018**. Members noted that preparations were well underway, with keynote speakers being sought on each of the three strategic priorities.

If you have any questions about the 2018 PILON Annual Meeting; please contact Sasae Walter at the PILON Secretariat: coordinator@pilonsec.org.

APPLICATIONS NOW OPEN

Join the Australian Attorney-General's Department in Canberra, Australia for an intensive, interactive and fun legal policy development program!

Applications are now open for both the [Pacific Legal Policy Twinning Program](#) and the [Pacific Legal Policy Champions Program](#) (more info p5).

Applications will be open until 31 July 2018

PILON Strategic Plan 2019-21

A key item on the agenda included preparations for a new PILON Strategic Plan 2019-21, which is to be considered by PILON members at the Annual Meeting in October. Members of the Executive Committee considered the three year work plans submitted by each of the working groups and discussed the best forward direction for PILON, taking into account PILON resources and regional priorities.

The Committee noted the excellent work of all working groups under the umbrella of the PILON Strategic Plan 2016-18, in particular the SGBV working group's [General Principles for Obtaining the Best Evidence from Vulnerable Witnesses](#), the Cybercrime working group's large-scale Cybercrime workshops in 2017 and 2018 and the ECC working group's [Guiding Principles for Protecting Whistleblowers and Encouraging Protected Disclosures](#).

The Secretariat is now drafting a new PILON Strategic Plan for 2019-21 which will be circulated for comment shortly, before a final draft is prepared and circulated prior to the October meeting.



PILON Executive Committee hearing from Mr Miles Young of the Pacific Community's Regional Resources Rights Team (RRRT)

PILON Charter

The Committee considered the draft amendments to the PILON Charter and Rules of Procedure that were submitted by Australia at the 2017 PILON Annual Meeting. A revised draft was prepared by the Secretariat in accordance with member's comments and a new draft was endorsed by the Committee and circulated to PILON members for further comment by **19 July 2018**. No comments were received and a final draft will be circulated with meeting papers for consideration ahead of the 2018 Annual Meeting.

PILON Travel Policy

The Executive Committee reviewed and endorsed a new [PILON Travel Policy](#) that will apply to all PILON-funded travel from 1 July 2018. The new policy sets out responsibilities of all delegates that benefit from PILON funding to attend meetings and other events. In particular, the Secretariat would like to draw attention to paragraph 3(d) of the Policy, which among other things, provides that where a delegate fails to attend a sponsored meeting, without reasonable excuse, the Secretariat may seek to recover expended funds and/or the delegate may not receive PILON funding for future events.

For a full report of the Executive Committee meeting, please see the [PILON Executive Committee outcomes statement](#) on the PILON website.

Pacific Legal Policy Champions, March 2018

12 - 23 March 2018, Canberra, Australia



2018 Policy Champions (Front L-R): Shamila Leavai (Samoa); Limayali Yalapan (PNG); Teresa Drecala (Tuvalu); Sasae Walter (PILON) (Back L-R): Bradley Dalipanda (Sol Is); Victor Soriano (Nauru); Melissa Ako (Tuvalu); Jackson Miake (Vanuatu); Charles Dean (Samoa)

Congratulations to this year's Policy Champions on the successful completion of the 2018 Pacific Legal Policy Champions Program. This year, officers from PNG, Samoa, Solomon Islands, Tuvalu and Vanuatu joined the Australian Attorney-General's Department (AAGD) from 12-23 March 2018 in Canberra, Australia, for this fun, interactive and challenging policy development program.

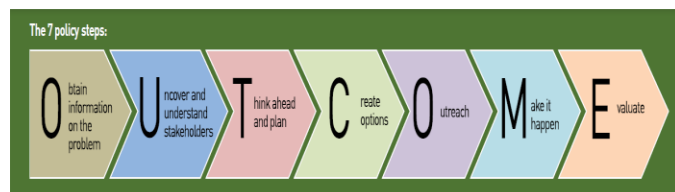


2018 Legal Policy Champions outside the Australian High Court

The Policy Champions brought energy and commitment, sharing their unique experiences from around the Pacific and leading fruitful discussions about how they have navigated through difficult and challenging policy problems. This created a vibrant and engaging learning environment, as well as a valuable network of colleagues around the region.

Participants were taken through two full days of legal policy training using the OUTCOME model of policy development, which breaks down the policy cycle into seven steps, from identifying the problem and creating solutions to monitoring and

evaluating policy. Following this, the Policy Champions completed an intensive train the trainer course, allowing participants to be able to deliver the policy training to their law and justice counterparts on their return home.



1. **O**btain information about the problem;
2. **U**ncover and understand stakeholders;
3. **T**hink ahead and plan;
4. **C**reate options;
5. **O**utreach to stakeholders;
6. **M**ake it happen;
7. **E**valuate and monitor.

Teresa Drecala

Child Protection Project Manager, AG Dept, Tuvalu.



My expectations, honestly, was that I did not expect the training to be hands on and very thorough. How the training was designed and prepared surpassed my expectations. The reading materials and all

handouts were written in a way that I was able to understand and grasp it easily.

The highlights of the program, honestly for me were that everything about the program were highlights. I enjoyed the expert sessions very much, the tour to the Parliament buildings and the High Court. Also not forgetting meeting and making new friends with others from neighbouring Pacific Countries.

I would recommend the program not only for my colleagues on the legal field but also those who work with the drafting and or the implementation of Policies.

I only wish I had more time to spend with the other colleagues that also attended the meeting. Also engaging with the AAGD staff when it was our turn to present was an experience that I would never forget. The exchange of ideas and

examples shared differed greatly with those shared by us from the Pacific Island Countries.

Charles Dean

Legal Officer (Office of the Ombudsman/ National Human Rights Institution Samoa)

My expectation of the whole Program before I travelled over to Canberra were:

1. Place: it was great especially with government being based there.



2. Culture: a laid back place compared to other cities of Australia

3. Food: can find different cuisines and also they have the best burger place in Australia

I enjoyed every part of the programme, in particular, the expert session and most especially the interactive and group activities that we engaged in – it got us to know other participants better. Lastly the hosts and people we met there were amazing – they were super helpful!

I would definitely recommend the Program to our work colleagues here in Samoa especially. I have learnt a lot of new skills and knowledge that has been very beneficial to my current job at the Ombudsman's office.

Overall, I had great experiences from the beginning of my stay in Canberra to the end. The greatest part of the whole experience was meeting policy champions from other pacific islands – we had lots of laughter and we learnt a lot from each other.



2018 Policy Champions participants with AAGD staff, Jennifer Hyatt, Sanchita Ekanayake, Bhavana Dhanasar.

Strengthening legal policy development skills

Legal Policy Development Course

17 July 2018, Apia, Samoa



MJCA Staff and CEO who attended the training with the three facilitators in front row. (Insert: Bhavana Dhanasar Australian AGD representative)

The Ministry of Justice and Courts Administration (MJCA) recently completed a 2 half day training for 30+ members of its staff last week on legal policy development. The training was facilitated by Shamila Leavai (ACEO Policy & Planning MJCA), Sasae Walter (PILON coordinator) and Charles Dean (Legal Officer, Ombudsman Office). The three facilitators were part of the 2018 Legal Policy Champions Program.

For the MJCA staff, it was an opportunity to build and strengthen their capability and capacity in developing effective and robust legal policies and laws to help achieve effective outcomes at work.

“The training is greatly beneficial for our staff which will enable them to effectively formulate and develop policies that will guide and further promote and achieve the ministry’s goal and mission,” says Papalii John Taimalelagi, CEO of MJCA. He further added that as the Government plans for Samoa’s Public Administration Sector to move towards a knowledge based economy and to be able to acquire a professional and competent public administration that provides quality, efficient and transparent services for and to its people, the training is timely.

“It was encouraging to see the enthusiasm shown by MJCA staff to learn about ways to further strengthen their legal policy development skills and I am happy to have been part of this and contribute to their professional development,” says Charles Dean.

At the end of the training, participants were able to brainstorm a legal policy; develop strategies for engaging with ministries and stakeholders on the issue; develop implement and evaluate plans; and strengthen networks with colleagues and across agencies.

MJCA greatly acknowledges the contribution of the facilitators in sharing their knowledge with their staff and most especially the Australian AGD in ensuring that public servants have the knowledge and understanding to help government formulate well considered and effective policies for Samoa’s development.

Participants who have completed the Pacific Legal Policy Twinning or Policy Champions Training Programs are trained to deliver the Legal Policy Development course to their colleagues at home. If you work in a Pacific government agency and are interested in the course, we encourage you to contact a [course facilitator](#) in your country.

2018 Pacific Legal Policy Programs

The Australian Attorney-General’s Department (AAGD) is inviting Pacific island countries to apply to participate in AAGD’s 2018 Pacific Legal Policy Programs in Canberra. Our department uses a competitive application process to select participants for both the Pacific Legal Policy Champions Program stream, and the Pacific Legal Policy Twinning Program stream.



**IN FOCUS-PACIFIC
ISLAND FORUM
SECRETARIAT**

Legislating for Climate Smart Disaster Risk Management (DRM) in the Pacific

6-8 June 2018, Suva, Fiji



Legislating for climate smart disaster risk management (DRM) is one of the many ways in which the Pacific region is working together to strengthen its resilience to the effects of climate change and disaster.

Despite increased global and regional attention on strengthening governance frameworks on climate change and DRM, many regulatory issues continue to hinder effective climate smart disaster risk management systems domestically.

These include the reactive nature of laws and regulations, lack of clarity in roles and responsibilities, as well as several regulatory issues that arise in disaster response operations, including liability, coordination and legal preparedness for international disaster relief.

To address these kinds of issues, the Forum Secretariat hosted climate change and DRM policy experts, legal professionals, and national Red Cross societies from across the region to share experiences with developing governance (legal and policy) frameworks on climate change and disaster risk management.



The workshop utilised expertise, instruments and learning tools on disaster law from the IFRC Disaster Law Programme, as well as technical expertise on climate change law from the Commonwealth Secretariat.

Officials discussed rights, roles and responsibilities in the climate smart DRM process, covering global, regional and national governance frameworks pertaining to disaster risk reduction, preparedness, response (including international disaster response), and recovery.

They also discussed the integration of protection and inclusive approaches in governance frameworks, and the application of global and regional commitments into practical national level law to support and strengthen institutional resilience.



Participants also learned about climate change and DRM integration and discussed the practicalities of having legal frameworks that would accurately address this integration at the national level.

The workshop also provided a unique opportunity for Pacific island countries to pilot the Commonwealth Secretariat's Law and Climate Change Toolkit, which is an online resource to support countries' efforts to review national laws and undertake reform in support of their climate policy commitments under the Paris Agreement.

Using the tools and lessons shared throughout the workshop, officials worked in country delegations to map progress against commitments relating to DRM and climate change frameworks, and to develop individual country action plans for reviewing and strengthening their respective legal frameworks.

These plans stressed the importance of maintaining strong and inclusive engagement and partnerships with all stakeholders throughout the full legislative review and development process, including through consultations, Parliamentary processes, and ongoing awareness, education and capacity development for effective implementation of these legal frameworks.



The workshop was organised in partnership with the International Federation of Red Cross and Red Crescent Societies, and the Commonwealth Secretariat, with funding support provided by the British Red Cross and Australian Red Cross.

The workshop advances goal three of the Framework for Resilient Development in the Pacific (FRDP) to strengthen the disaster preparedness, response and recovery capacity of Pacific island countries through the review and strengthening of DRM governance frameworks (laws and policies) to ensure clearly defined roles and responsibilities, and an inclusive approach involving all stakeholders to response and recovery.

You can learn more about the Framework for Resilient Development in the Pacific on the website of the Pacific Islands Forum Secretariat, www.forumsec.org.

News from the PILON Secretariat

PILON Travel Policy

The purpose of this policy is to establish the principles and practices associated with the logistics of making travel arrangements for participants to attend PILON meetings and to provide clarity around the responsibilities of participants from member countries.

The aim of the policy is to facilitate effective participation by members in PILON activities and to enable the PILON Secretariat to provide high quality and efficient support to PILON.



Left to Right : Joycelyn Sikalu Tonga AGD and Violina Leilua PILON

CULTURAL CORNER

	COUNTRY	"HOUSE"
1	Cook Islands	Are
2	Fiji	Bure or Vale
3	FSM	Ihmw
4	Kiribati	Autl
5	Nauru	Ewak
6	Niue	Fale
7	Palau	Blai
8	PNG	Haus
9	RMI	Em
10	Samoa	Fale
11	Tonga	Fale
12	Tuvalu	Fale
13	Vanuatu	Haus
14	Solomon Islands	Haus