



## SGBV WORKING GROUP VIRTUAL MEETING

# MINUTES

Friday 20 August 2021 – 2.15pm Samoan time

1. **Welcome:** (Chair – Savalenoa Mareva Betham-Annandale- Chair SGBV Working Group and AG Samoa).

Chair introduced again Dana Esperanza from the Australian Attorney-General's Department to the Working Group and also welcomed Janina Richert, who is also working with our PILON Secretariat to support the SGBV Working Group.

2. **Present and apologies:**

1. Jo Mildenhall – Senior Crown Law Officer, New Zealand
2. Ronald Talasasa, Director Public Prosecution, Nauru
3. Rachel Olutimayin – Director Public Prosecution, Solomon Islands
4. Pauline Beiatau – Director Public Prosecution, Kiribati
5. Tabotabo Auatabu - Senior Prosecutor, Kiribati
6. Sarah Kossatz – Program and Logistics Manager, AGD, Australia
7. Jana Epati – Crown Law Officer, Cook Islands
8. Vai Temate - Crown Law Officer, Cook Islands
9. Lisa Williams – Crown Law Officer, Cook Islands
10. Dana Esperanza – Assistant Director, Australia
11. Janina Richert – Assistant Director, Australia
12. Francis Puleiwai – Government Lawyer, Nauru
13. Joni Edwards – Constable/Pleader, Nauru
14. Sasae Walter – Coordinator, PILON
15. Rosy Fogatia – Assistant Coordinator, PILON

- 3.1 – **Matters for discussion:**

1. SGBV WG meeting minutes of 26 March 2021 were approved. Motion was introduced by NZ and seconded by Cook Islands.

2. Group discussion – Model Provisions (MP) (explanatory text)

AGD informed members that the explanatory text to the Model Provisions has been finalised and were endorsed at the 2020 PILON annual meeting in November 2020. In undergoing the graphics and publication process, a few errors were found and some additional changes made, including to the graphics. To ensure everyone has seen the new look publication of the Model Provisions, the WG was asked to review **Attachment B** and provide the PILON Secretariat with any final comments by **Monday 30 August**.

Following this, AGD advised they will finalise the publication and look at options for printing and/or distributing the Model Provisions prior to the PILON Annual Meeting.

### Videos to share positive experiences of dealing with vulnerable witnesses

AGD informed members on the progress of the video activity with the group. AGD mentioned that the recording of videos with members have started and thanked Samoa, the Solomon Islands, and New Zealand for providing case studies and meeting with PILON and AGD via zoom to record their stories.

The process of editing and uploading some of these case studies have taken place, and AGD will notify members once they are published on the PILON website. AGD played an excerpt of a video of the Solomon Island's experience in supporting vulnerable witnesses. The Solomon Islands provided a great example of prosecutors supporting vulnerable witnesses in the court system. AGD asked for one final volunteer to complete the video activity. Kiribati offered to provide a case study. Kiribati, AGD and the Secretariat will work together to progress this initiative.

### Current status and next steps – Potential 2021 SGBV Activities

The Chair informed the WG that the PILON Annual Meeting will be held on 5 November 2021; the WG will continue to work with the PILON Secretariat to assist with finalising the videos of supporting vulnerable witnesses.

The Chair also mentioned there was some previous discussion at the 2020 PILON AM for the WG to begin work on *Prosecutorial Guidelines to support sexual assault cases*. The WG agreed to revisit developing Prosecutorial Guidelines in 2022, when they are in a better position to manage resources and SGBV priorities, in light of the COVID-19 pandemic.

### Twinning Program – Solomon Islands Policy Guideline to support vulnerable witnesses as a reference and model for the WG

Ms Margaret Suifa'asia (Chief Legal Officer, Solomon Islands Office of the Director of Public Prosecutions), has developed a Policy Guideline to support vulnerable witnesses.

Members agreed for the WG to produce an outline of what similar model guideline materials for Pacific prosecutor offices could contain. The WG agreed that learning more about the Solomon Island's model Guidelines would serve as a useful reference and resource. The Chair added that Samoa also has a Prosecutorial Guideline that she can share with members of the WG.

WG members agreed to invite Ms Suifa'asia to provide a formal presentation at our next Working Group meeting, and then to develop a further proposal for the group's development of regional guidelines in 2022.

The Chair suggested that in addition to developing model guidelines, that sharing success stories with one another can be used allow us to better understand the background of witnesses and their state of mind on a case-by-case basis. This understanding helps build rapport with the witnesses. Building our knowledge and sharing experiences on these matters can help assess any special needs of the witness and any pre-arranged referral or special measures.

**3. Other Matters**

N/A

**4. Next meeting** – Friday 1<sup>st</sup> October 2021

**5. Meeting Ends** - 3.25pm Samoan Time

***Minutes endorsed on 1<sup>st</sup> October 2021***