



MINUTES

EXECUTIVE COMMITTEE VIRTUAL MEETING

Friday 10th March 2023; 2.00pm Samoan time
Via ZOOM

A. WELCOME- Su'a Hellene Wallwork – Chair PILON Executive Committee and Attorney General, Samoa

B. PRESENT:

- ii. Karen Moore – Assistant Secretary, AGD, Australia
- iii. Rebecca Vonhethoff – Assistant Secretary, AGD, Australia
- iv. Linda Folaumoetu'i – Attorney General, Tonga
- v. Rachel Olutimayin – Director Public Prosecution, Solomon Islands
- vi. Jo Mildenhall – Senior Crown Law Officer – NZ
- vii. Loretta Teueli – Director, Legal Drafting, Nauru
- viii. Mariata Pittman – Crown Law Officer, Cook Islands
- ix. Sarah Kossatz – Program and Logistics Manager, Australia
- x. Sasae Walter – Coordinator, PILON
- xi. Rosy Fogatia – Assistant Coordinator, PILON

C. MATTERS FOR CONSIDERATION:

i. Confirmation of Minutes 9 September 2022;

Minutes confirmed, motion moved by Loretta Teueli of Nauru and seconded by Linda Folaumoetu'i of Tonga.

Minutes of 9 September 2022 approved.

PILON Annual Meeting for 2023:

Chair informed members that Article 7 of the PILON Charter sets out the procedures to be followed for Annual Meetings, including the responsibilities of the incoming host country.

Meeting Dates

Loretta Teueli of Nauru informed members of the preparatory meetings they've held with the Secretariat in which they have confirmed to host the 43rd PILON Annual Meeting in early November 2023 in Nauru for 4 days. Proposed dates are Monday 31 October until Thursday 3 November 2023. She informed members that the actual dates of the meeting will be relayed later to the Secretariat for endorsement by EC Members.

Accommodation:

Loretta Teueli also informed members that Nauru is able to provide accommodation for up to 100 people for the Annual Meeting. They have secured confirmation from the Meneng Hotel and have also secured an extra 4 rooms in the Ewa Lodge, that could be used by Observer Members.

Meeting Venue

Loretta Teueli confirmed that Nauru has the meeting facilities which were used for the Pacific Islands Forum Meeting. That venue was used for many other meetings. She also added that the Meneng Hotel has offered to provide a conference room and the facilities.

Transport

Loretta Teueli shared that transport will also be provided for members to travel to and from the hotel to the meeting venue.

She also advised on the flight details going to and from Nauru and will provide a flight schedule to assist the Secretariat with flight arrangements.

Chair thanked Nauru for agreeing to host the 2023 PILON Annual Meeting where they will also take on the role as Chair of PILON.

ii. Survey to identify future PILON Strategic Priorities:

Sasae Walter of the PILON Secretariat informed EC Members, as per Article 7, sub section 5(d), that one of the primary purposes of PILON Annual Meetings is to “agree on the PILON Strategic Plan to guide PILON priorities over the forthcoming period”.

PILON’s current strategic plan was due for renewal at the 2021 PILON Annual Meeting. However, as with all things COVID-19 related, a decision was made at the 2021 and 2022 PILON Annual Meetings to roll-over the current Strategic Plan given that we were unable to meet in person. In previous years’, the PILON Secretariat worked closely with the Australian Attorney-General’s Department to develop a survey which was then distributed to all Members to identify future PILON Strategic Priorities.

Sasae Walter, on behalf of the PILON Secretariat sought EC approval to again work with the Australian Attorney-General’s Department to develop a 2023 survey. The Secretariat aims to distribute this survey to PILON Members prior to the next EC meeting in July 2023.

EC Members approved that a 2023 survey will be drafted by PILON Secretariat in collaboration with the Australian Attorney-General’s Department.

Rosy Fogatia of the Secretariat informed members of the Six-monthly PILON Financial Reports which is included in Attachment C. The PILON Operational Budget had an opening balance of WST 642,161.95. Within the six months from July to December 2022, the PILON Operations account has expensed WST 130,194.24. The current closing balance of the PILON Operations account is WST 511,967.71.

iii. PILON Travel Policy 2022

Chair discussed further the amendments to the 2018 Travel Policy which were necessary because it was developed in a pre-COVID era and did not take into account or address risks associated with travel in a COVID-19 environment.

The changes to the travel policy respond to the risks that were considered at our previous meeting of 9 September 2022, but additional feedback was provided and held over for discussion until this meeting. The Chair thanked our colleagues from Nauru for providing

their views on the definition of ‘exceptional circumstances’ and payment of travel allowance during transit periods in the current document.

Karen Moore of Australia discussed further that the task for the PILON Executive Committee was to ensure that people who are funded to travel to PILON events have sufficient clarity about the financial support PILON will provide. At the same time, our role is also to ensure that PILON does not inadvertently open itself up to a range of costs and risks which the participant should reasonably be expected to meet themselves.

Since in-person travel opportunities opened up again in the Pacific, our environment has continued to change. It’s possible that since our last meeting, new risks have emerged which may affect travellers to PILON events, which are not currently addressed in the Travel Policy. Karen Moore of the Australian Attorney-General’s Department, proposed that a series of scenarios for EC’s consideration be mapped out which would inform further proposed amendments to the travel policy.

Linda Folaumoetu’i of Tonga moved the motion to support the proposed work by the Australian Attorney-General’s Department on the Travel Policy and Rachel Olutimayin seconded it.

D. OTHER MATTERS

i. Working Group updates

Su’a Hellene Wallwork, Chair of the Sexual and Gender-Based Violence Working Group provided a brief update on the activities of the WG.

Regional Guidelines:

Su’a Hellene Wallwork shared that the Working Group’s major task was to progress drafting of the Regional Guidelines for Prosecutors and Witness Support Officers to Support Vulnerable Witnesses throughout the prosecution of sexual offences. From December to March, the Advisory Panel undertook extensive consultations on the draft. She reported that among the stakeholders who provided feedback were members of the judiciary, DPPs, police commissioners, senior prosecutors, witness support officers, ministries of health, ministries of justice, NGOs and case database managers.

This gave the Panel a lot of valuable feedback to work with to ensure the Regional Guidelines are fit for purpose and can be adapted to the features of all jurisdictions in the region. In particular, stakeholders commented that the Guidelines provide a uniform standard for prosecutors and witness support officers to carry out their duties in a manner that will reduce trauma to vulnerable witnesses and assist them to seek justice. She looked forward to welcoming the Panel to Samoa for a two-day workshop to resolve stakeholder feedback and finalise the Regional Guidelines.

The two-day Advisory Panel Workshop in Apia will conclude with the Advisory Panel presenting the Regional Guidelines to the Working Group. That will be the first Working Group meeting of the year.

Special Measures Reports

Su’a Hellene Wallwork informed members that alongside the Regional Guidelines project, the Working Group is also putting the finishing touches on 2 reports on the use of special measures in law and practise across the Pacific; public and PILON member version. They hope to be in a position to publish the reports next month.

PICP Board

Su'a Hellene Wallwork as Chair of the Working Group has been appointed as a board member of the Pacific Islands Chiefs of Police (PICP) Gender and Family Harm Board of Management. She shared that in February this year, she attended a virtual meeting which was supposed to be the very first board meeting. Unfortunately, there was not a quorum of board members so they instead had a general discussion about some of the meeting agenda items, including PICP's Gender and Family Harm Implementation Strategy. The Working Group are currently considering a strategy for future engagement with PICP, and how we can support their gender and family harm activities.

Cybercrime WG Update

Linda Folaumoetu'i, Chair of the Cybercrime WG informed members of the activities of the WG.

Cybercrime Workshop

The WG delivered their first hybrid Cybercrime Workshop in November 2022. The Workshop was held across 4 days at the Tanoa International Hotel in Nadi, Fiji. It was attended in-person by 65 police, prosecutors and cybercrime experts from 12 Pacific Island countries, including senior officials. Approximately 40 participants also attended online over the four days of the Workshop.

Linda Folaumoetu'i shared that she was pleased that they delivered a workshop with a strong practical focus. This meant that after taking a stocktake of emerging trends post-COVID, they spent time exploring the operational tools and legal policy responses to these trends.

Conclusion of Zyber Fundamentals of Digital Forensics

Secondly, she informed Members that the Zyber/Insig2 Courses for the 'Fundamentals of Digital Forensics' have now concluded. They launched these two Zyber courses in late August – one for lawyers, and one for law enforcement. These courses formed the training component of the 2022 Cybercrime Workshop. The WG also provided a workbook to support this course, and participants worked through a three-part Zoom case study series which we again discussed at the Workshop.

Linda Folaumoetu'i shared that about 26 people attended this course, and the majority have received their completion certificate. She shared that they were able to host a certificate ceremony during the final day of the Cybercrime Workshop in early December in Fiji.

Planning for a co-badging event with PIFS

Linda Folaumoetu'i also provided a brief update on one of our upcoming events. The WG is now in discussion with the Pacific Islands Forum Secretariat (PIFS) to co-design an event to be held later this year. The event will highlight the role of effective cybercrime legislation in addressing cybercrime and cyber enabled crime. They want the event to help WG members progress consideration of accession to the Budapest Convention. She informed that she is pleased to announce that WG members were recently consulted on a discussion paper setting out high level event details. They are looking forward to working with PIFS and will confirm further details for this event, including the date and format.

Corruption WG Update

Loretta Teueli updated members of the current activities of the WG. She informed Members that the WG continues to update its members on corruption related activities such as trainings, seminars, conferences, and legislations happening in their jurisdictions.

She informed members that the WG is proposing 2 webinars in 2023:

i. **Webinar - Gift giving versus Corruption – where do we draw the line?**

In this webinar, the WG will explore and discuss the intersections between the cultural practices of gift giving in the Pacific region and how to distinguish this from Corruption. Members of the WG have been approached as speakers. Other speakers will be sourced from members of PILON and other relevant stakeholders.

Date is Thursday 22 June 2023.

ii. **Webinar - Money laundering in the Pacific –**

This webinar is scheduled later in the year on Thursday 14 September 2023 and further details about this webinar will be advertised closer to the date.

ii. **PILON MoU between NZ, AGD and SOAG**

Chair also informed that the PILON Secretariat have advised that the current PILON Memorandum of Understanding in relation to the funding of the PILON Secretariat will expire in June 2023.

The Australian Attorney-General's Department, New Zealand's Crown Law Office and the Samoan Office of the Attorney General have begun preparations to extend the current MOU for another 12 months, to allow enough time for the current budgetary surplus to be drawn down now that in-person events have resumed.

iii. **Date for next Executive Committee Meeting – Friday 21 July 2023**

iv. **Farewell for Karen Moore**

Chair thanked Karen Moore for all her work with PILON from 2016 to today. All members of the EC expressed their heartfelt congratulations to Karen and wished her well with her future endeavours.

A. MEETING ENDS 3.30pm Samoan time.