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# LOA MO SOSEL JASTIS TOKTOK

*The newsletter from the Justice and  
Community Services Sector*

**MINISTRY OF JUSTICE &  
COMMUNITY SERVICES**

Brought to you by:

**JASTIS, SEFTI, DIGNITI, RISPEKT MO GUD FASIN BLONG EVRIWAN**

**IN THIS ISSUE**

The purpose of this Newsletter is to share information, news and data among our Sector. You can keep up with more news at the Ministry of Justice & Community Services (MJCS) website and other Sector agencies websites.

**SECTOR UPDATES**

**Remembering Chief Inspector Gray Vuke**



*A recent photo of Chief Inspector Gray Vuke in his office at SPD*

May this year saw the very sad loss of a valued colleague, Chief Inspector Gray Vuke. As the Officer in Charge of the State Prosecutions Department, Gray was a key figure in the Heads of Agency Group and in other cross sector initiatives.

He was well known as an enthusiastic contributor, and an inspirational leader with a thirst for learning. Gray has also played a key role in many improvement initiatives across the sector, including strengthen investigations and case management across Police and SPD, introducing innovations in policing and prosecutions such as the “Rapid Charge System”, and more recently, membership of the Leadership Advisory Group.

All this is apart from his extensive responsibilities in VPF for the leadership and management of the SPD, where his efforts contributed to the improvement of the services offered by SPD for the benefit the community.

Gray is fondly remembered by all who knew him, and will be sadly missed. The Ministry extends our deepest thoughts to his family, friends and colleagues at this difficult time.



*Trainers and participants at the closing event, with Director General Mark Bebe, A/Secretary PSC Judith Melsul and SRBJ Partnership Coordinator, Viran Molisa Trief.*

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*The Acting Solicitor General, Ms. Florence WILLIAM REUR handing over instrument of appointment....*

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## Kapasiti Developmen Kona

It has been a busy time over the last 3 months with a number of key events and initiatives completed each supporting specific capacity development across the sector. Here is a catch up.....

### Vanuatu Law Commission signs MOU with Australian National University



In April this year, the Vanuatu Law Commission signed an MOU with the Australian National University to enable access to ongoing professional development support, as well as access to resources, including the ANU bibliographic data base. This provides access for VLC staff to literature from around the world, and is essential for effective law reform.

The signing was celebrated as part of a 5-day training event delivered by ANU academics and researchers, Miranda Forsyth and Anthony Reagan.

The training is a key part of ongoing development to support the efforts of VLC staff to improve their legal research processes and skills, and thereby improve the quality and value of the important services that VLC provides.

The training was supported by the Ministry and Stretem Rod Blong Jastis, and additional follow up training is planned for later in 2016.

*Photo: At the signing of the MOU was the Secretary of the VLC, Bertha Pakoasongi, Director General of the Ministry of Justice and Community Services, Mark Bebe, VLC Board Member, Arnold Kiel Loughman, and Miranda Forsyth and Anthony Reagan from ANU.*

### Training in “Strengthening skills in Administrative Investigations” successfully delivered

After considerable planning, targeted legal training was provided to staff from the Vanuatu Ombudsman’s Office, Land Ombudsman, Public Service Commission and Professional Standards Unit of VPF. Each in this group has critical responsibilities as part of the “integrity network” in Vanuatu and each provide essential legal and investigative services.



In a lead up workshop in February that brought participants together to define the focus and content of this training, the Ombudsman Kalkot Mataskelekele set the tone during his opening address:

*“We have the joint task in this workshop not only to report on the integrity portfolio watch of our individual agency responsibilities, but more challenging, to discuss and assess how we can continue to cooperate and assist each other to improve our various administrative investigative skills and processes. This workshop is the foundation to closer cooperation and discussion to establishing and a wider “integrity network” which I am sure is on the minds of all us. “*

*Photo: Trainers and participants at the closing event, with Director General Mark Bebe, A/Secretary PSC Judith Melsul and SRBJ Partnership Coordinator, Viran Molisa Trief.*

The 3-days of training provided an intensive overview of the processes and skills to conduct effective administrative investigations and targeted some key subjects requested by the participants themselves. The trainers, who offered their extensive experience and knowledge to participants, were Chris Wheeler, NSW Deputy Ombudsman and Brendan Delahunty, from Pacific Ombudsman’s Alliance.

The training was supported by the Ministry and the Policing and Justice Support Program, with the assistance of the Commonwealth Ombudsman in Canberra, Australia.

Additional follow up training is planned later in 2016 as part of an ongoing approach to capacity development.



*The Vanuatu Ombudsman, Kalkot Mataskelekele speaking to participants and welcoming the trainers at the course opening.*



*The trainers, Chris Wheeler (left) and Brendan Delahunty*

### Third professional development offered to public lawyers and prosecutors to strengthen legal advocacy skills

June saw the delivery of a third intensive development program run by Barristers from the Victorian Bar, Australia: "Strengthening professional legal skills in civil and criminal advocacy". The course was designed to build on training that was delivered in December 2014 and June 2015. The five Barrister team, supported by advisers from the Policing and Justice Support Program Vanuatu, offered 36 public lawyers and prosecutors from Port Vila and Provincial offices, 3 intensive development days at the USP Moot Court Facility on Emalus Campus. In addition, 15 lawyers were provided with individual coaching by Barristers to further assist them to refine their skills.

The course was dedicated to the memory of Chief Inspector Gray Vuke, who passed away recently and had been an enthusiastic participant in past courses. His Honour, Chief Justice Vincent Lunabek, delivered an opening address to inspire participants and to position the training as an essential part in helping public sector lawyers to play their part in upholding the role of the Bar and an Independent Judiciary in Vanuatu. His Honour concluded his address saying:



*"I may repeat that as an integral component of an independent Judiciary, the Bar including the Public Sector Lawyers plays a very crucial role in the administration of justice. It is the instrument of the defence, protection and preservation of rights and the correction of wrongs. The Bar is also the lighthouse that guides the captains and the pilots of government to the shore of good democratic government and maintenance of law and order in the society.*

*The continuing professional development of public sector lawyers and state prosecutors of this kind will guide them in their work towards the justice in the cases they are involved in. "*

The Barrister group included 4 members who have delivered past training in Vanuatu, Gary Hevey, Jim Shaw, Jim Doherty and Michael Cahill, along with first timer, Sally Flynn. The expertise and individualised support offered by the Barrister team to all participants was much appreciated and greatly enhanced the learning that was achieved. One of the Barristers offered this reflection on the experience:

*Photo: The Honourable Chief Justice Lunabek delivering the opening address.*

*"The continued interaction between Vanuatu public legal officers and the Victorian Bar has developed to the stage where it is clear to us that the advocacy skills of participants have developed significantly. We also note and deeply appreciate the active engagement of the Hon Chief Justice and the Supreme Court Bench and senior legal figures within Vanuatu, as we believe that this has enhanced the reputation of the course."*



*Photo: Course graduates, Barristers and PJSVP advisers with guests, Hon Chief Justice Vincent Lunabek, Public Solicitor Jacob Kausiama and First Secretary Australian High Commission, Alison George.*

## Reviewing the Child Rights of People with Disabilities (CRPD) national legislation

In 2008 the government of Vanuatu ratified a United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) that aims to protect people with disabilities from discrimination.

Recently the MJCS through the Disability Desk with Technical Assistance from the Pacific Islands Forum Secretariat (PIFS) and the United Nation Economic & Social Commission for Asia and Pacific (UNESCAP) reviewed the national laws of Vanuatu. The review found that Vanuatu needs to consider making amendments to current domestic laws in order to fulfil its obligations to the UN Convention on the Rights of Persons with Disabilities.

*“More than 300 laws of Vanuatu have been reviewed and over 100 laws were not compliant with the convention. So we are currently working with the State Law Office on the next step once we receive the review report from the consultants,”* says Mr. Sam Kaiapam, Disability Desk Coordinator at the MJCS. The review report is expected soon. Vanuatu is obliged to domesticate the UNCRPD into national legislation to fit Vanuatu’s context. *“That is why we have been reviewing the law and undertaking consultations to ensure national laws are compliant with the convention.*

*“It’s important to have laws to protect people with disabilities. At the moment there is discrimination because some of the existing laws are not inclusive of disability. So we need to put laws in place so that if people abide by these laws then we can prevent discrimination from happening.”* As an example of an area where Vanuatu’s national laws are not compliant with the UN Convention he mentions the employment conditions for people with disabilities.

*“For example if someone is working for the government and during the working period he gets a mental disability or mental incompetence , then the current laws allow the government to dismiss or terminate this person straight away. But according to the convention this person should receive support and rehabilitation to enable him to do his job – he should only be sacked when all avenues have been exhausted and he’s still unable to work. So our national law should be amended to make sure a person who gets a mental disability or physical disability can’t just be fired straight away,”* says Mr. Kaiapam.

*“Sometimes you’ll find people with the attitude that people with disabilities can’t perform. But studies from around the world have found that people with disabilities are very careful with their job and they perform their best at work as long as you give them the access and our legislation are amended to also include various types of disabilities – they are really capable,”* concludes Mr. Kaiapam.

He explains that the review of Vanuatu’s national laws has been going on since October last year. As a part of the process the MJCS has been consulting with stakeholders from the Departments of Health, Education, Labour and other relevant areas for a disability legislation to present to them the findings of the national laws of Vanuatu review for specific section in their specific laws to be considered for amendment and to be aligned to the CRPD. Mr. Kaiapam explains that protecting the rights of people with disabilities not only benefit the interest of people with disabilities but will benefit the general public in various ways.

## Vanuatu National Child Protection Policy 2016-2026 completed

In recent months, the Child Desk Office has been developing Vanuatu’s first National Child Protection Policy in consultation with stakeholders within the sector, other government ministries, and civil society. Earlier this month, the completed Policy was handed over to MJCS by Mr. Lloyd Fikiasi, the consultant tasked with writing the policy document.

The Child Desk of MJCS has led the development of this policy, with Mr. Fikiasi as a consultant and Ms. Christine Lipohar from Save the Children providing technical assistance. Funding support came from the Strem Rod Blong Jastis program. After a national consultation of key stakeholders across Government and civil society, the Policy has been finalized and handed over to the Director of Women’s Affairs, on behalf of the Director General of the Ministry.

The National Child Protection Policy is the first of its kind in Vanuatu, and sets a high level strategic direction for the development and strengthening of the child protection system in the country. The Government of Vanuatu is committed to leading in the development and implementation of child protection systems to ensure the protection of children from abuse, exploitation, neglect and violence at national, provincial and community level in line with international and national obligations; and through building on positive customary practice. This Policy and its 10-year implementation plan provide a framework for the coordination of all stakeholders to create an environment where all children are safe and protected from all forms of abuse, exploitation, neglect and violence, and have equitable access to services to support their reintegration and recovery when needed.

The Director General of MJCS will present the National Child Protection Policy to the DOC and Council of Ministers for endorsement. After endorsement, the official launch of the Policy is being planned for July and the Policy will become publicly available at that time. The Child Desk of MJCS wishes to thank Mr. Fikiasi, Ms. Lipohar and Save the Children as well as all stakeholders involved in the consultation process for assisting in the development of this important Policy. The Child Desk of MJCS is also very grateful for the funding assistance provided by Strem Rod Blong Jastis which has made possible this important policy outcome for the country.

## Child Protection in Emergencies Training

The MJCS through the Child Desk Office in partnership with UNICEF delivered a four-day training on Child Protection in Emergencies (CPiE) in Port Vila from 14<sup>th</sup> to 17<sup>th</sup> June and in Santo from 20<sup>th</sup> to 23<sup>rd</sup> June.

During emergencies such as natural disasters, children become particularly vulnerable to violence, exploitation, abuse and neglect, as well as unintentional injury, displacement, family separation, and emotional distress.

The training brought together from the Government and NGOs as well as community leaders who are key actors in responding to child protection issues during emergencies in Vanuatu. Participants were trained in “Child Protection in Emergencies: A Toolkit for Practitioners in Pacific Island Countries” which has been specifically developed in partnership with child protection partners in the Pacific region. The child protection focal points in each organisation learnt to identify the risks that children face during emergencies, emergency preparedness, comprehensive response and early recovery.



*Participants who attended the CPiE workshop*

The training equipped these stakeholders with the knowledge, skills and connections they need to better respond to child protection issues during emergencies. Mr. Joemela Simeon, Child Protection Officer at UNICEF, noted that he has seen a big difference in the level of understanding and awareness of CPiE since Cyclone Pam last year.

The training also recognised the importance of strengthening coordination between all stakeholders, which will be led by the MJCS via the Child Desk and the cluster group system. Mainstreaming child protection across all sectors including shelter, distribution, WASH, health, justice and others is critically important to make sure that children are safe from harm at all times. The training provided an opportunity to refocus discussions on coordination and mainstreaming, which will enable the Child Desk and its stakeholders to create a comprehensive system to protect children during emergencies and recovery.



*Participating in presentations*



*participants listening to facilitator*

## State Law Office Welcome's new appointed Attorney General

Mr. Arnold Kiel LOUGHMAN was appointed as the new Attorney General of the Republic of Vanuatu and the appointment was officially published on 26<sup>th</sup> April 2016 in the Official Gazette No.27 of 2016.

The Acting Solicitor General, Ms. Florence WILLIAM REUR handing over instrument of appointment and car keys to the new Attorney General Mr. Arnold Kiel LOUGHMAN



The Attorney General of the Republic of Vanuatu, Mr Arnold Kiel LOUGHMAN cutting his welcome cake.



Mr. LOUGHMAN giving his word of appreciation to Staff of State Law Office for their warm welcome reception



Two new State counsels who have just join State Law Office, Ms Jelinda Emeo TOA joining the Solicitor General's Unit on 12<sup>th</sup> April 2016 and Ms Bella POPOVI joining the Parliamentary Counsel's Unit on the 25<sup>th</sup> of April 2016.

Moses Naupat also joined the State Law Office on 18<sup>th</sup> January 2016 as Security Officer.



Thank you for reading the June edition of Loa mo SoseL Jastis Toktok.

If you have any feedback for the newsletter please send to [MJCS@vanuatu.gov.vu](mailto:MJCS@vanuatu.gov.vu). If you have any information to share for next month's newsletter please also email us.

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