



KIRIBATI HIGH COURT ANNUAL REPORT

2018 & 2019



Photo: High Court Staff

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FOREWORD BY THE HON. CHIEF JUSTICE



A warm greeting to you all, ‘Kam na bane ni Mauri!’.

It is an honour to serve in the Kiribati Judiciary for the last 9 years. I am happy to express my utmost gratitude to the Government of Kiribati for their continuous support given to the Kiribati judiciary throughout these 9 years. In keeping with the principles of good governance, accountability and transparency, I am happy to present the Second Annual Report for the Kiribati Judiciary. The first Court Annual report of the Kiribati Judiciary was done in 2012, 2013 and 2014; however, this Court Annual Report covers the years 2018 and 2019 only.

In addition, I also greatly thank the Government of Australia and New Zealand for their continuous support to the Kiribati Judiciary and providing trainings on capacity building and aid for new developments within the Judiciary. The High Court continuously moves forward to enhance and strengthen its human resources and expands its staff’s knowledge in particular in undertaking Certificate of justice and Diploma of Justice with the University of the South Pacific with sponsorship of New Zealand through the Pacific Judicial Strengthen Initiatives (known as PJSI). I thank all stakeholders and partners for the great friendship and support they have shared and given to the Kiribati Judiciary in the past years and present.

I also welcome my brother on the Bench, Judge David Lambourne that has joined the team since 2018 to resolve criminal backlog cases and new cases together with land matters as well. It is a great honour to have you serving the Kiribati Judiciary and the people. I also thank our previous Judges and Commissioners who had left for their outstanding work, effort and contribution they have shared and given to the High Court of Kiribati.

Last but not the least, I would like to thank the Annual Report Team, the High Court Administration, the Judicial Technical Division and all the High Court and Judicial Technical Division staff for their hard working and commitment for making this a successful one and wishing everyone a tremendous time in reading this report now and in the future.

Since this is going to be the last Foreword that I am making to the Kiribati Court’s Annual Report, I take this opportunity also to thank you all in the Judiciary for your support to me during my tenure as Chief Justice of Kiribati.

Kam rabwa and Kam na Tekeraoi

Sir (Gilbert) John Baptist Muria Kt, KNO (AKK)

REMARKS BY THE CHIEF REGISTRAR



“Ti na bane ni Mauri!”

I am pleased to present the Kiribati Judiciary’s Annual Report in particular the two highest courts of the land, the Court of Appeal and High Court for the years 2018 and 2019. As the Hon. Chief Justice rightly stated, the Judiciary is not obliged to report but it is in the best interest of transparency and accountability that the government, development partners and the people of Kiribati are informed of what is happening in the third arm of government.

The Report focuses on the management of cases in the Court of Appeal and High Court and the judicial and court’s development realised in the two years. The Court of Appeal uses 7 Indicators (PJSI’s Cook Islands Indicators) to accentuating and providing thorough information on the progress of the highest appellate court in Kiribati and how successful the cases are dealt with. The High Court uses 13 Indicators to picturise the successes and challenges it faced over the reporting period.

The Report also showcase information on all activities including the informal Trainings, Judicial and Court’s Education undertaken by the officers. With a tight annual budget, the Judiciary still work towards fulfilling its mission of ensuring access to justice and dispensing justice to the people of Kiribati. Along the way there were accomplishments as well as hindrances in terms of servicing our people in light of what our supreme law, the Kiribati Constitution obliged. We are forever indebted to our government through the Ministry of Justice for the continuous support rendered as well as our development partners – our friends locally, regionally and internationally who shared our common goal of accessible justice for all for always ready to lend a helping hand.

The Judiciary is built and continue to flourish on the rock of team spirit! I thank my wonderful team for their tireless effort and confidence in moving forward the services of our courts and certainly for completing this vital Report.

To end, I invite you to acquaint yourselves with the Report and rest assured that reporting will continue in the years to come.

Te Mauri, Te Raoi ao Te Tabomoa.

Mr Abuera Uruaaba

COURT HIERARCHY IN KIRIBATI

**COURT OF
APPEAL**



HIGH COURT



**MAGISTRATES'
COURTS**

VISION AND MISSION

VISION

To establish and maintain a strong, healthy and efficient Judiciary.

MISSION

To provide effective services to the people of Kiribati through the Court system, in particular through the Court of Appeal and the High Court.

VALUES

We are determined to have and to uphold certain values and principles to guide us in our quest to achieve our Vision and Mission in the Judiciary. Four of these values and principles are set out below;

1. Integrity and independence

Public trust and confidence in the Judiciary rests on its integrity and transparency of its processes. The public must be assured that court decisions are fair and, independent, court staffs are incorruptible, and court records are accurate.

2. Quality Public Service

As a public institution dedicated to the administration of justice, the Judiciary seeks to tailor its court processes to meet the needs of court users. We therefore adopt a customer-focused approach to the development of our services, with an emphasis on the accessibility, quality and timely delivery of services.

3. Learning, Training and Innovation

The Judiciary recognizes that to be a strong, healthy and efficient Judiciary, we need to continually improve ourselves and our processes. The Judiciary therefore, encourages its judicial officers and staff to take interest in leaning, training and innovation so as to achieve the highest levels of performances.

4. Ownership

We in the Judiciary value the contributions of our officers and staff because they are committed and proud to be part of the Judiciary.

COURT OF APPEAL

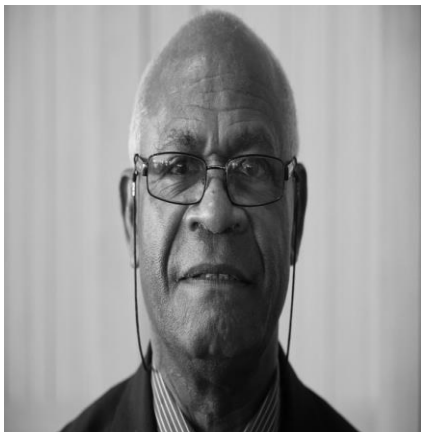


(Photo: Mention of Court of Appeal Cases before Judges of the Court of Appeal 2019)

BACKGROUND

The Constitution of Kiribati under section 90, provides for the establishment of the Court of Appeal in Kiribati. This Court is known as the Superior Court and has jurisdiction and powers to hear and determine appeals from the High Court of Kiribati. The Court of Appeal comprises of three (in 2018) and four (in 2019) expatriate judges from Australia and New Zealand, one and three respectively.

There are presently four appointed judges to the Court of Appeal; and the President of Kiribati is responsible for all judicial appointments based on the advice of the Public Service Commission sitting with the Chief Justice.



Hon. Sir John Baptist Muria
(President & Chief Justice of Kiribati)



Hon. Peter Blanchard
(Vice President & Presiding Judge)



Hon. Ken Handley
(Court of Appeal Judge)



Hon. Paul Heath
(Court of Appeal Judge)

The Kiribati Judiciary gives a very big ‘Ko bati n rabwa’ to the Honourable Justice Rodney Hansen of Australia who has retired and has served Kiribati Court of Appeal for the past years as the former Presiding Judge and Vice President. Another Australian Judge would be recommended for appointment in 2020.

Indicator 1: Cases filed and Finalised

Figure 1.

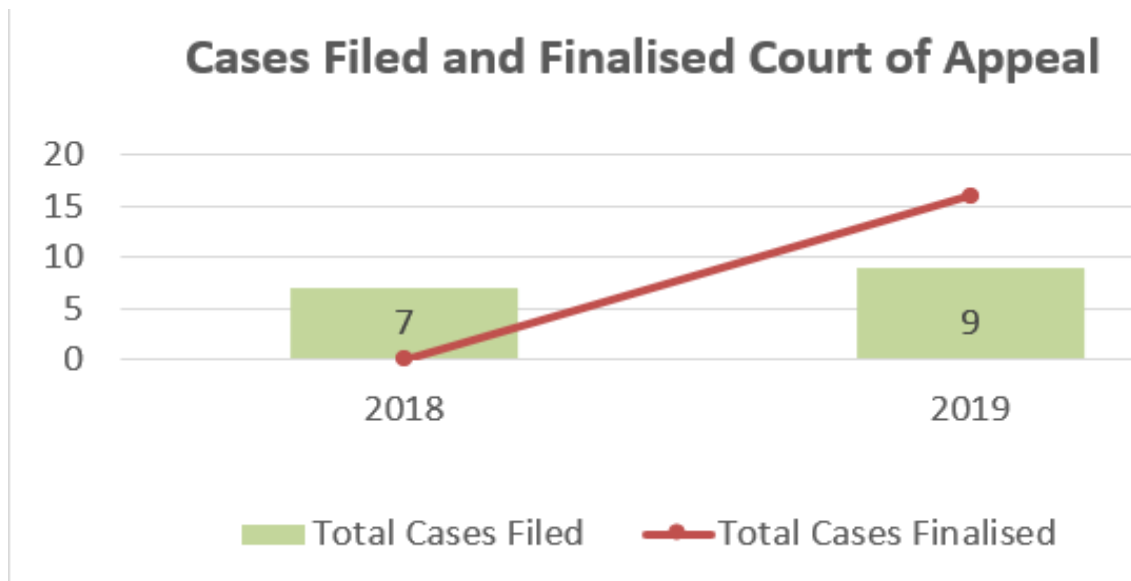


Figure 1 clearly shows the number of cases filed in 2018 but since there was no sitting in 2018, all the cases were then carried over to the 2019 sitting where they were dealt with along with all the cases filed in the legal year 2019. The number of cases filed in 2018 was 7 and in 2019 there were 9 cases filed. In total, there were 16 cases which were all finalized in 2019. (*Refer to appendix 1*)

Figure 2

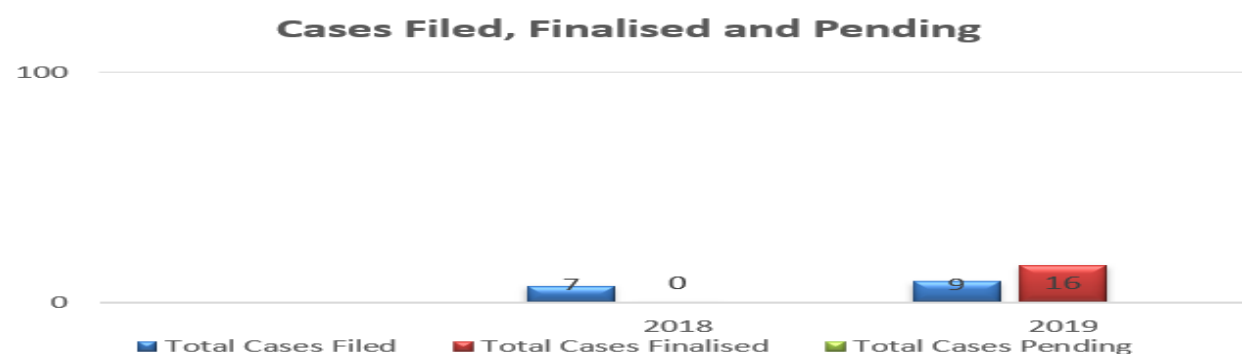


Figure 2 indicates that there were no pending cases. The cases filed in 2018 were 7 and in 2019 there were 9 cases. Since the Court of Appeal sits once a year, all the total number of 16 cases from 2018 and 2019 were all finalized. Out of the sixteen cases filed, there were nine criminal appeal cases, six civil appeal cases and one land appeal case. (*Refer to appendix 1*)

Indicator 2: Case Management- Average Duration of a Case (in days)

Formula: *The result against this indicator is obtained by totalling the days for each case from the date the case is filed to the date it is finalised and then dividing this by the number of cases finalised.*

Figure 3

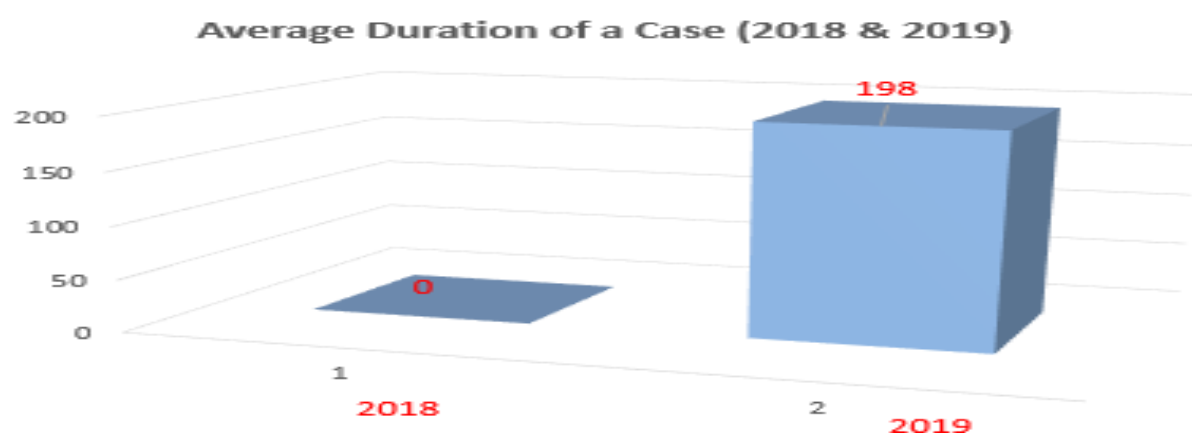


Figure 3 illustrates that the average duration of a case in the Court of Appeal is roughly 198 days in 2019. The cases filed in 2018 were brought and decided in 2019 as there was no Court of Appeal sitting in 2018. However, the number of cases filed in 2018 was 7 and in 2019 there were 9 cases filed. This clearly indicates that the cases filed in 2018 and 2019 are both relatively low.

Indicator 3: Legal Aid

Formula: *The result against this indicator is obtained by dividing the number of cases where a party receives legal aid by the total number of cases received.*

Figure 4

PERCENTAGE OF CASES WHERE PARTIES RECEIVED LEGAL AID (2018,2019)

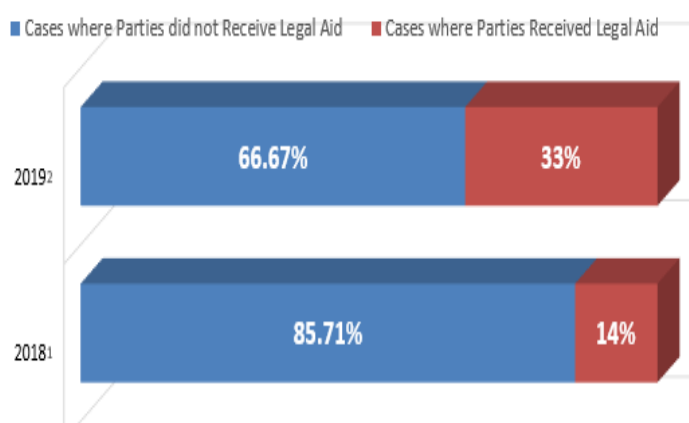


Figure 4 shows that there was only one litigant represented by the Office of the People's Lawyer in 2018 and three represented in 2019. (Refer to Appendix 2 "List of Represented litigants by Legal Aid")

In Kiribati there is only one office that serves as a Legal Aid for disadvantaged people who are unable to afford Private lawyers. This office serves South Tarawa, Outer Islands and the Line and Phoenix Groups

Indicator 4: Overturn Rate

Formula: *The result against this indicator is obtained by dividing the number of appeal cases in which the lower court decision is overturned by the total number of appeals.*

Figure 5

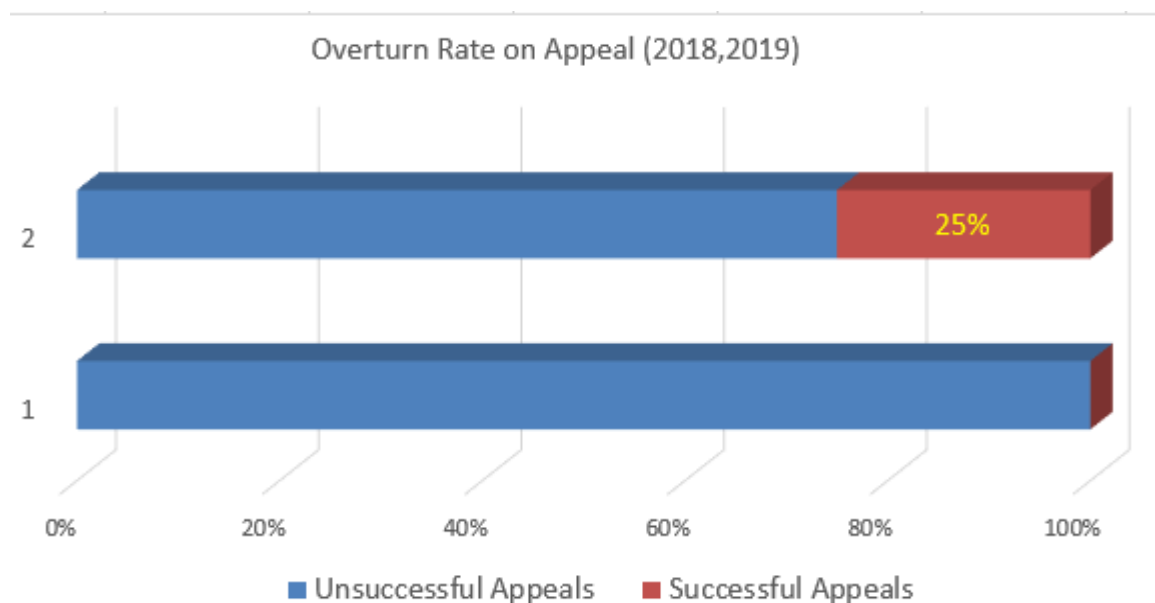


Figure 5 indicates that there were two cases that were allowed from the year 2018, one being a criminal appeal case and the other was a civil appeal case. There were also two cases that were allowed in the year 2019, one being a criminal appeal case and one civil appeal case.

It appears that the Overturn rate for both years was extremely low compared to previous years and it gives the image of improvement of the High Court Judges in adjudicating their judgements.

Indicator 5: Accessibility of Courts- Court Fee Waiver

Cases filed in 2018 and in 2019 were not waived. Most of them were criminal cases and that they do not have fee waivers.

Indicator: 6: Accessibility to Courts – Circuit Courts

In Kiribati, the Court of Appeal is located on South Tarawa, the headquarters of the Judiciary. Since it is located on South Tarawa, the Court of Appeal always have its sitting on the island. Appeals from the High Court are always dealt with in every sitting of the Court of Appeal in South Tarawa only.

Indicator 7: Complaint Handling (Court Staff) - Percentage of Complaints Received Concerning a Court Staff

There are no specific Court of Appeal Staff. Staff of the High Court usually deal with all the matters of the Court of Appeal in terms of the filing and other Court work. However, there has been no complaint application being lodged against the Court of Appeal Court Staff for both years.

Indicator 8: Judicial Resources - Average Number of Cases per Judicial Officer

Formula: *The result against this indicator is obtained by dividing the total number of cases filed by the number*

of judicial officers.

Figure 5

Court	Total Cases Filed	Total JO Numbers	Year	Average Number of Cases per Judicial Officer
2018	7	0	2018	0
2019	9	3	2019	3

The three Court of Appeal Judges hear matters as a panel. In 2018, seven cases were filed and in 2019 nine cases were filed and each judicial officer heard the 16 cases decided by the Court of Appeal. (*refer to Figure 5*)

Court of Appeal Budget for 2019

Table 1: Table below shows the court of appeal budget for 2019

Air fare	Transit Accommodation	Tarawa Accommodation	Allowances	Transport	Overtime	Catering	Gift	Total
\$16,000	\$1,379	\$2,000	\$9,000	\$500	\$315	\$1,000	\$200	\$30,394

HIGH COURT



(Photo: Mention of High Court Civil Cases before Hon. Chief Justice, Sir John Muria in 2019)

BACKGROUND

The High Court of Kiribati is established under section 80 of the Constitution and comprised of the Chief Justice and a Judge.

Since 2018, the judges of the High Court of Kiribati are;

- a) Honourable Chief Justice Sir John Baptist Muria; and
- b) Honourable Justice David Lambourne.



(Photo: After the Swearing In of Judge David Lambourne)

The High Court Judges at present are the only Judges that are dealing with all cases throughout Kiribati including the Kiribati, Line & Phoenix Groups. They often visited at least 5 to 7 remote Islands in Kiribati with the assistance of 2 Magistrates of the Land Appeal Panel.

Members of the Land Appeal Panel are their Worships Riteti Maninraka (medical referral to Fiji), Dr Ueantabo MacKenzie (in New Zealand), Rine Ueara, Mariateretia Kaiboia, Miire Awira Raieta, Amina Uriam, Manikaoti Timeon, Reteta Rimon, Titan Toakai, and Teken Tokataake (unsworn and in Fiji).

Although, the High Court judges have had tried their best to reduce backlog cases since 2007 to 2019, still the number of judges is not enough compared to the increasing number of cases and the number of islands in Kiribati. The High Court needs more judicial manpower to reduce thousands of backlog cases and to build bridges of justice to the people of Kiribati in remote Islands.

Indicator 1 – Case Management – Clearance Rate

Formula: *The result against this indicator is obtained by dividing all cases finalised in a year by cases filed.*

Figure 1:

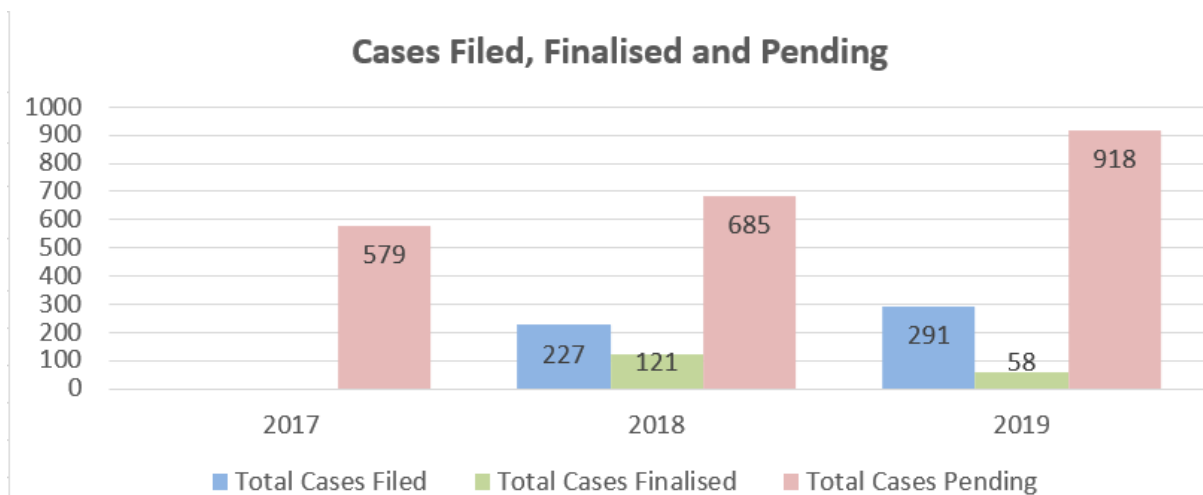
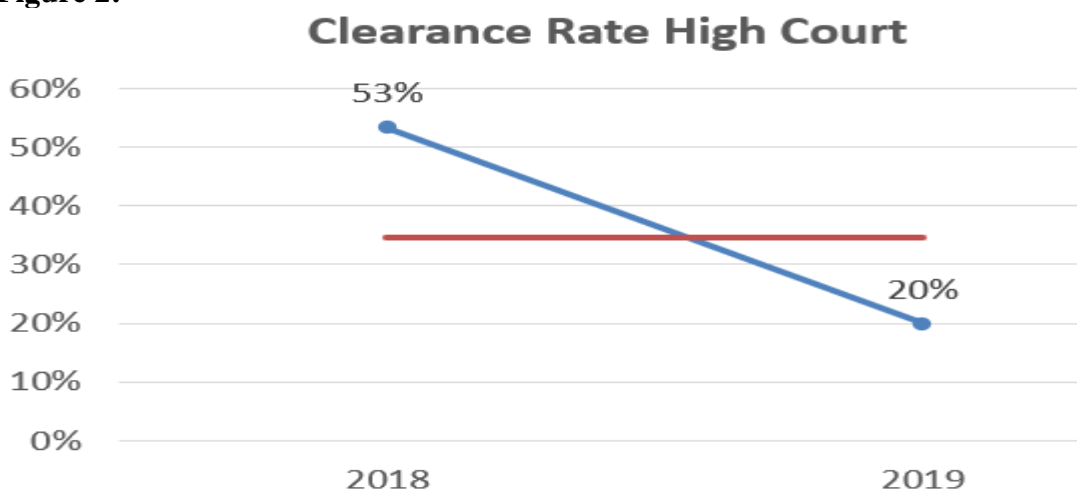


Figure 1 shows the number of Land, Civil and Criminal cases filed in the High Court during the years 2018 and 2019. In the year 2018, there were 277 cases filed in the High Court with a total of 121 finalized cases and pending cases of 685. In 2019 as shown in the above figure, the cases filed were 291. In that particular year, 58 cases were finalised and the pending cases increased to 918. Thus, this comprehensively indicate that backlog cases from previous years, from 2007 to 2017 cases were added to 2018 pending and backlog and then carried forward to 2019 which produced a high number of pending and backlog cases together.

Figure 2:



It is clear in **Figure 2** that for the two-year periods, the clearance rate dropped in the year 2019 which is obviously emphasized that there was a potential delay in disposing all High Court cases. The clearance rate for the year 2018 was 53 % and decreased to 20 % in 2019 due to a low number of high court cases being finalised compared to cases filed in the High Court.

The low disposal rate of cases for the two legal years occurred because of the following reasons:

1. For land cases, litigants personally filed their appeals and judicial reviews without an intention to follow it up.

2. The number of land appeals is very high and the hearing before the Chief Justice was only held once in a month with at least 10 appeals listed for every month, while the hearing before the Judge was scheduled for every two weeks though some appeals had been continuously adjourned, these caused the delay of listing other appeals.
3. Land appeals are often adjourned with no returnable dates.
4. For the civil cases, there were cases filed by lawyers but they never made any follow – up attempt as to check the updates on the case.
5. There were some cases in which an Order on Direction had been issued but the lawyers or parties failed to comply with these directions.
6. There were files that await fixture of hearing date from the Court.
7. There were files that were still in the process of translation by Interpreters (only 3 permanent interpreters).

Indicator 2 – Average Duration of a Case (in days)

Formula: *The result against this indicator is obtained by totalling the days for each case from the date the case is filed to the date it is finalised and then dividing this by the number of cases finalised*

Figure 3

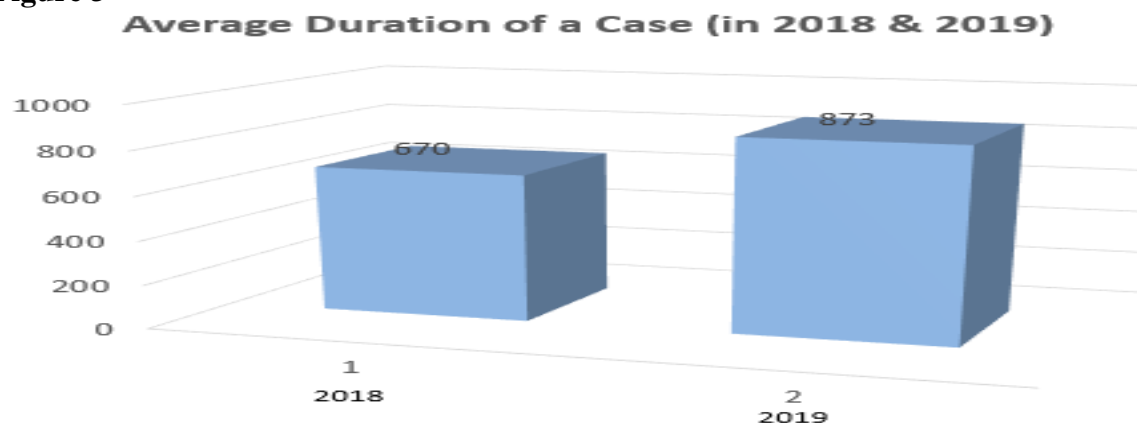


Figure 3 shows the average duration of a case in the years 2018 and 2019. It is clear that a particular case takes almost 3 years to be finalised, the circumstances for both legal years are roughly the same. In 2018, it is estimated that 670 days spent only on one case whereas in 2019 it increases from 670 to 873 days spent for only one case.

Indicator 3 – Case Management – Percentage of Appeals.

Formula: *The result against this indicator is obtained by dividing the number of cases appealed to a higher court in which the lower court decision is overturned in whole or in part by the number of cases finalised in the level of court jurisdiction from which the appeal is made.*

Figure 4

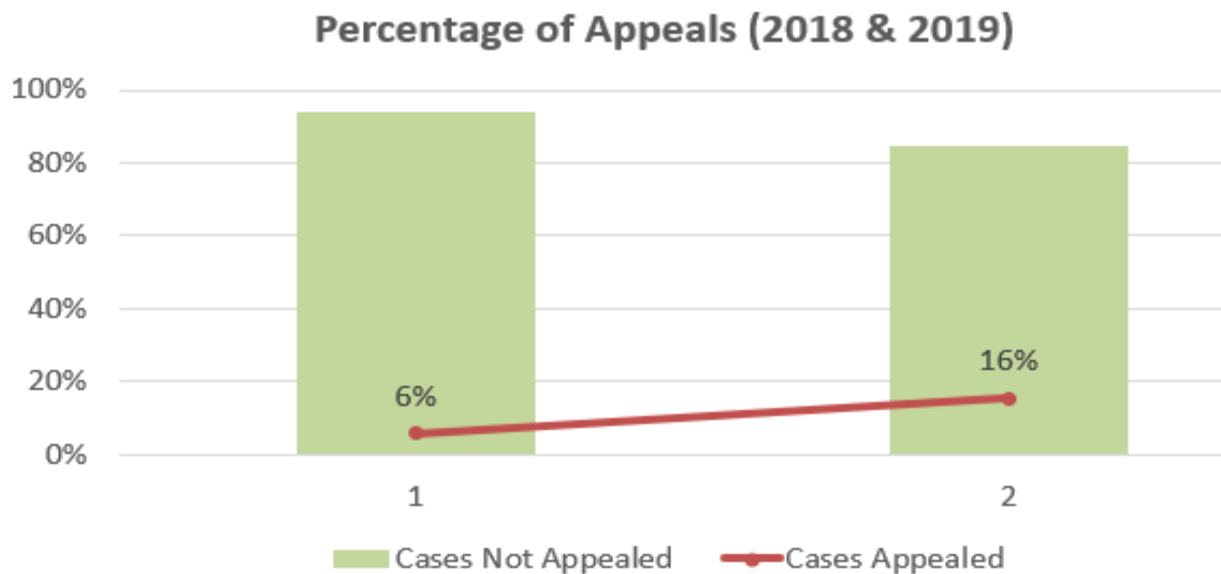


Figure 4 shows the percentage of appeals for the two legal years of 2018 and 2019. It is understandable that the percentage of appeals in the two-year periods relates to the low rate of appeals to the Court of Appeal. In the year 2018, the percentage of cases under appeal was very low which was only 6% even though all cases in the High Court are legally represented though the number had increased to 16% in the year 2019. The low rate of appeals in 2018 had occurred because of the satisfaction from the parties of the judgment received and may be because of lack of knowledge of the Public that all finalized cases from the High Court can be taken to the Court of Appeal if the parties are not satisfied with the decision. Therefore, as a result, in 2019 it was a bit higher as shown in a number of cases being appealed. (*Refer to Appendix 5*)

Indicator 4 – Case Management – Overturn on Appeal – Percentage of Successful Appeals/Original Decision Overturned in Whole or in Part

Formula: The result against this indicator is obtained by dividing the number of appeal cases in which the lower court decision is overturned by the total number of appeals.

Figure 5

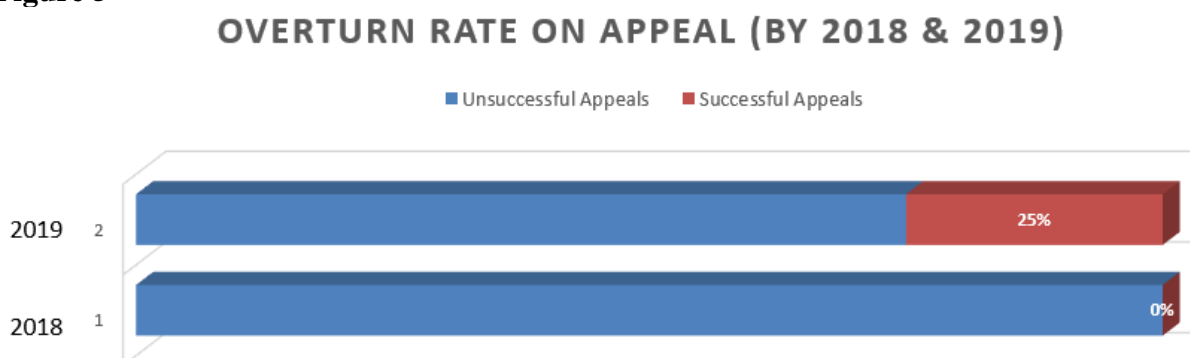
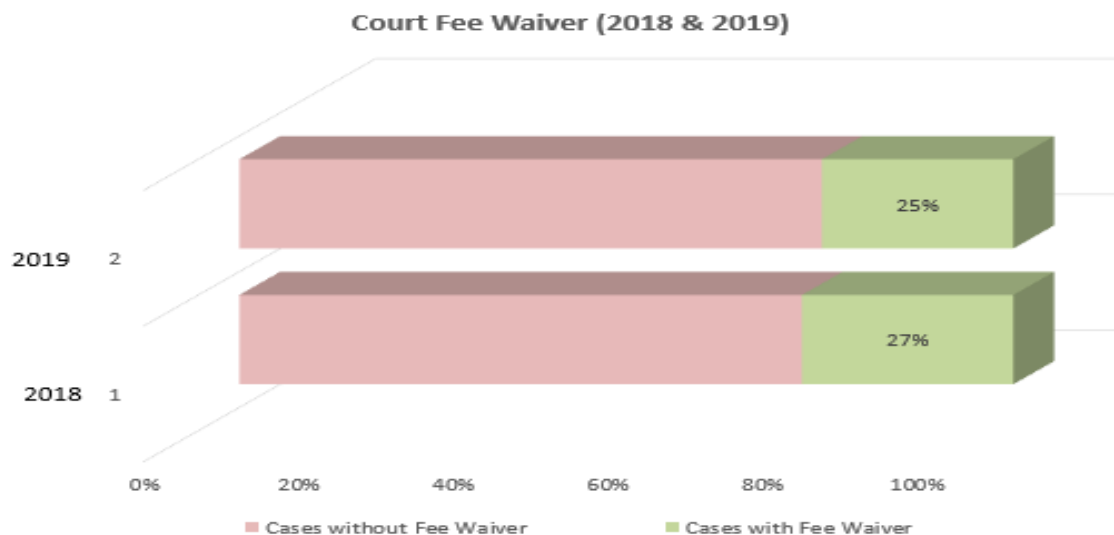


Figure 5 shows the overturned rates on appeal for the year 2018 and 2019. In 2018 there was no sitting of the Court of Appeal this is why it gives 0% of the overturn rate but there were 7 cases filed for appeal. In 2019, 25% overturn rate as all the 7 cases filed for appeal

from the year 2018 were added with the 9 cases of 2019. Out of those 16 cases, there were only 4 civil appeals being overturned.

Indicator 5 – Accessibility of Courts – Court Fee Waiver – Percentage of Cases where Fees were waived.

Formula: The result against this indicator is obtained by dividing the number of cases that are granted a court fee waiver by the total number of cases filed.



In both 2018 and 2019 there were no court fee waivers requested in civil cases. This means that the public were not aware that they could have asked for their court fees to be waived. In 2020 the Judiciary has carried out several public awareness on its services including the procedure on seeking court fees in the High Court to be waived. This was made through pamphlets, radio announcement and mwaneaba consultation.

Indicator 6 – Accessibility of Courts – Circuits – Percentage of Cases Disposed through Circuit Courts

Formula: The result against this indicator is obtained by dividing the number of cases finalised through a circuit court by the total number of cases finalised.

Figure 6

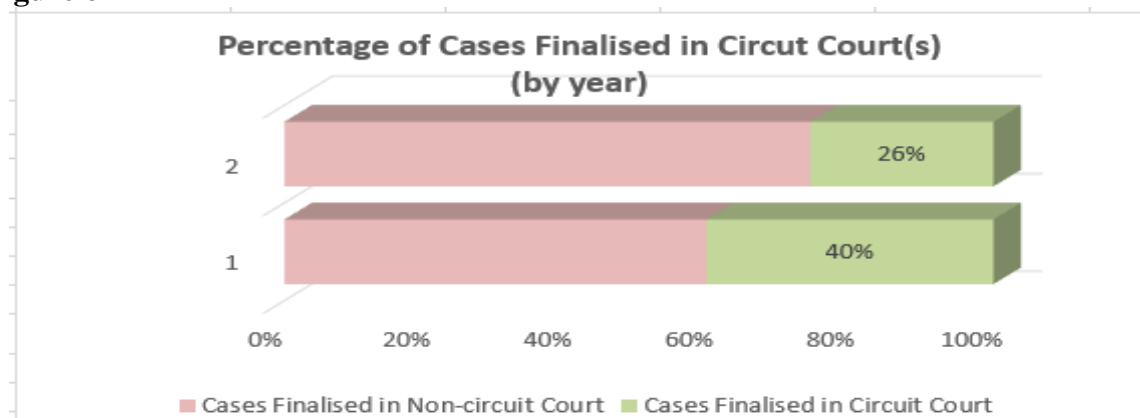


Figure 6 shows a clear image of the percentage of cases finalized during court circuits for the two legal years of 2018 and 2019. The given figure has demonstrated an average

disposal rate for cases finalized during court circuit. Among the cases finalized in the year 2018, 40% of the total number of cases finalized during a circuit court. For the year 2019, it shows that there was a decline in the percentage of cases finalized in circuit court by 26%. This happened mostly due to flights issues and the unavailability of the parties and counsels to their cases.

Indicator 7 – Accessibility of Courts – Legal Aid – Percentage of Cases where Parties Received Legal Aid

Formula: The result against this indicator is obtained by dividing the number of cases where a party receives legal aid by the total number of cases received.

Figure 7

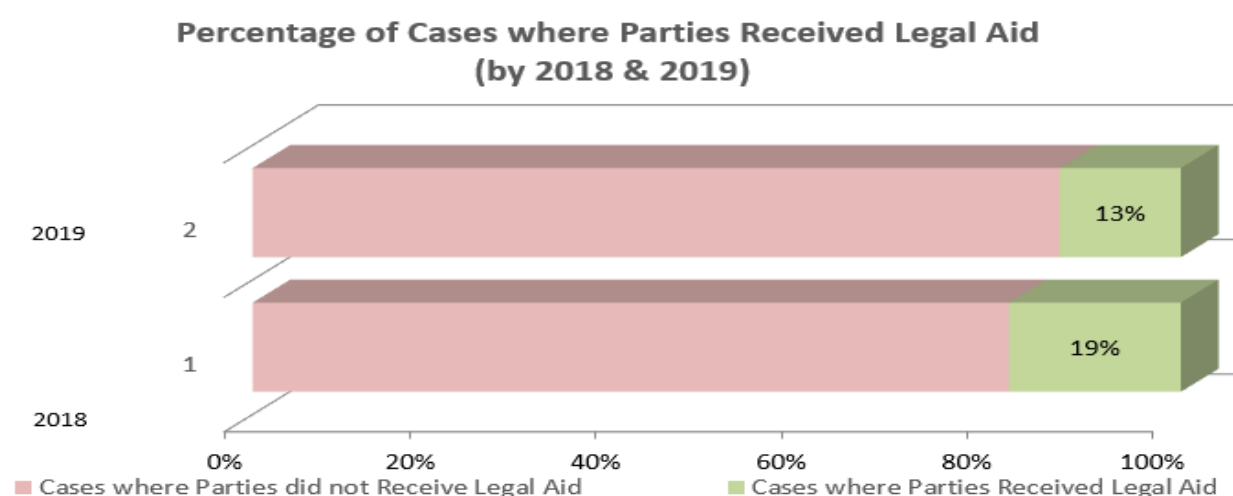
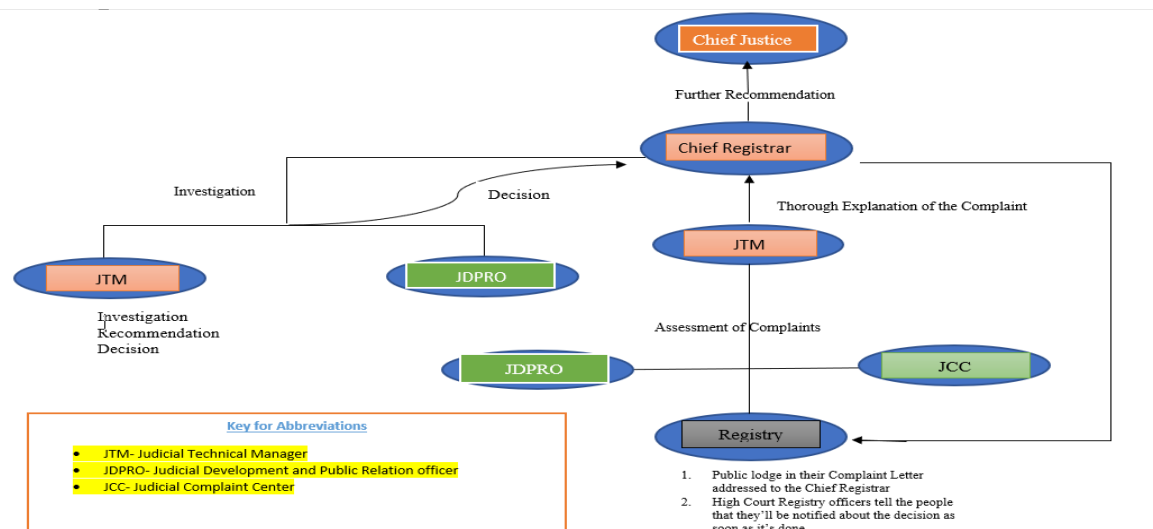


Figure 7 emphasizes the percentage of cases where parties received legal aid for the years 2018 and 2019. It is obvious that there was a downfall in the percentage of cases where parties received legal aid. The significant downfall happened because not every member of the public received legal aid as there was a Means Test that must be completed first by people. The test determines the eligibility of a person who wishes to use the Office's service. Therefore, the above graph shows a clear picture that most of the people of Kiribati are entirely dependent on Private Lawyers, and the percentages show mostly in criminal matters but very low in land and civil cases. The only institution that provides legal aid or pro bono services to the people of Kiribati is the Office of the People's Lawyer which is now known as the Office of the Public Legal Service. (see **Appendix A8**)

Indicator 8 – Complaint Handling and Feedback Mechanism

Formula: To show results against this indicator a documented process for receiving and processing a complaint should be accessible to the public.

Figure 8



The complaints against Judges, Legal Officers and Staff of the Judiciary in 2018 to 2019 were currently dealt with by the Complaints Centre exists within the Kiribati Judiciary. The Centre is currently handled by the Technical Division which is headed by the Judicial Technical Manager and this is one of the new developments of the Judiciary.

This report proudly shows that there is quite a low number of complaints against officers of the High Court and Court of Appeal. The only complaints received were basically on the delay of the hearing of cases in which the High Court administration dealt with.

As shown in figure 9, the diagram depicts the complaint process. All complaints related to the High Court of Court of Appeal should be addressed to the Chief Registrar but the investigation was done by the Technical Division first for thorough assessment. After the Chief Registrar receives an explanation from the JTM (Judicial Technical Manager), he then passes down back to JTM and JDPRO to conduct an investigation and make a final finding. Then, they return it back to Chief Registrar for further recommendation be sought from the Chief Justice. The Chief Justice then returns it to the Chief Registrar and the Chief Registrar advised the Registry to communicate to the complainant with the outcome of the assessment.

Indicator 9 – Judicial Resources – Average Number of Cases per Judicial Officer

Formula: The result against this indicator is obtained by dividing the number of complaints received concerning a judicial officer by the total number of cases filed.

Figure 9

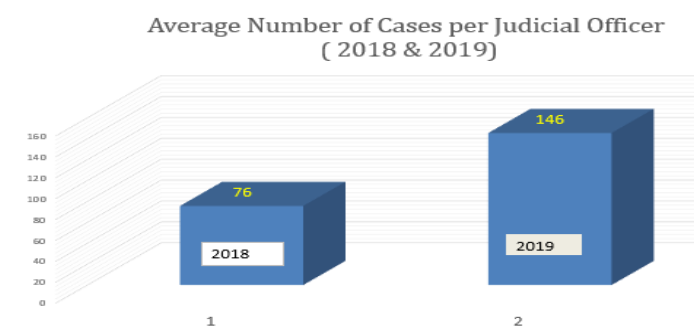


Figure 9 portrays the average number of cases heard per judicial officer for the years 2018 and 2019. It shows an average of 76 cases heard per judge in the year 2018 due to 3 number of High Court judges. In 2019 it shows an increase in an average number of cases per judicial officer to 146 cases. This happened because the Chief Justice and Puisne Judge were the only two judges to manage and to entertain High Court cases while there is no Commissioner of the High Court in that particular year.

Indicator 10 – Court Staff Resources – Average Number of Case per Court Staff

Formula: The result against this indicator is obtained by dividing the number of complaints received concerning a court staff member by the total number of cases filed.

Figure 10

Average Number of Cases per Court Staff (2018 & 2019)

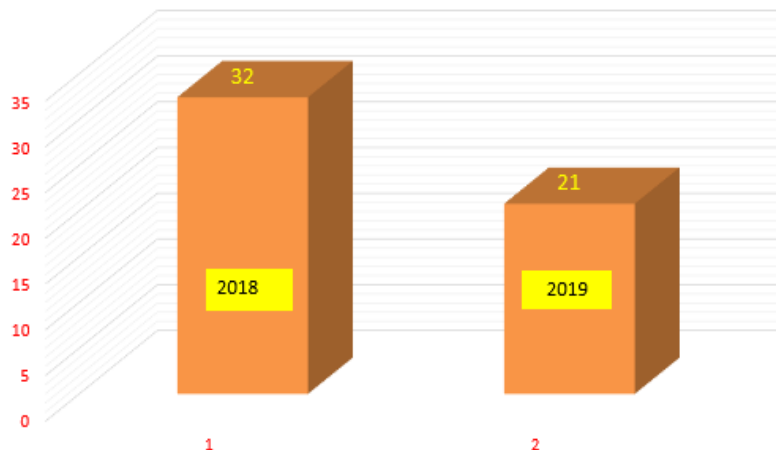


Figure 10 emphasizes the average number of cases per High Court Staff for the years 2018 and 2019. It is noticeable that the average number of cases per Court Staff in the year 2018 was high compared to the year 2019. This absolutely requires more human resource to ensure quality service to the litigants and for better management of cases. In the year 2019, the High Court has employed 6 more staffs to cater for the increase in number of cases filed in that particular year. The High Court Staff includes: 3 Executive Secretaries (1 for Chief Justice, 1 for Judge and another Executive Secretary for the Judge who is soon to be appointed), 3 interpreters, 2 tipstaffs, Court Technology Officer, High Court Case Manager, 3 Clerks to Judges and Court Registry Officer. Although these have already been undertaken, the High Court still needs more staff to address the issue, especially the need of interpreters to be taken into consideration in terms of translation of all High Court cases that need to be translated and ready for hearing before Judges.

Indicator 11 and 12 – Transparency – Annual Report and Court Services Information

The Chief Justice is the Head of the Judiciary and also the right person whom all reports on the services and activities of the High Court are made to. As for the past Legal Year's Opening, the Chief Justice always presented a report to the public regarding the Court's services and activities and this is often done through his formal speech to the government.

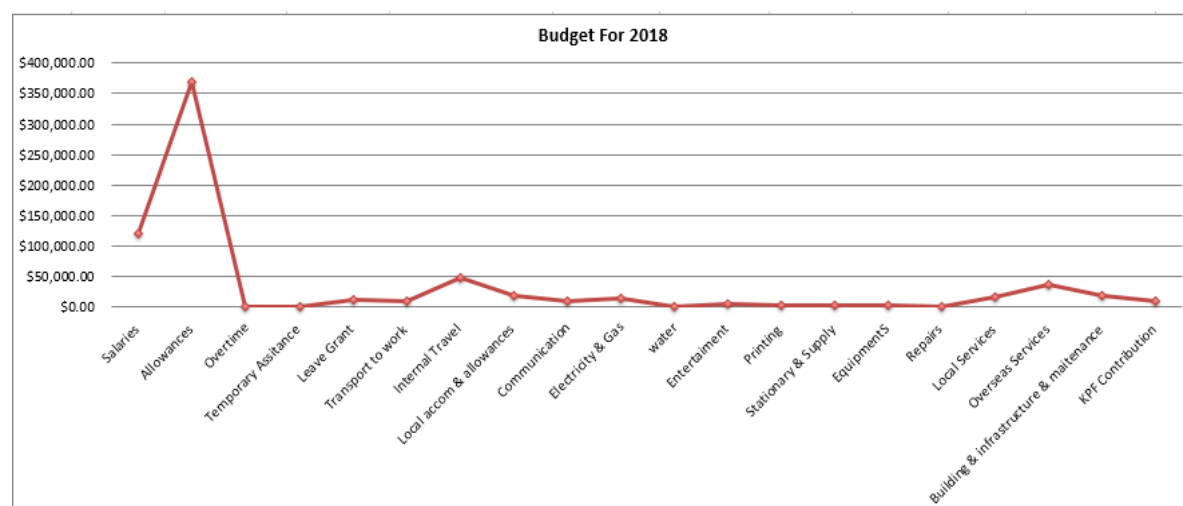
The Kiribati Judiciary is very fortunate to have for the first time its own published Annual Report for the years 2012, 2013 and 2014. This Annual Report is very important as it strengthens the public trust on the Judiciary meaning that the public have knowledge and understandings on what is happening within the Court. It also serves as an awareness to the public regarding the courts' services and activities and most importantly, its achievements on an annual basis.

For the two years reporting period, the higher courts of Kiribati and the Technical Division are reporting to the people of Kiribati, government and relevant stakeholders what has been happening, the challenges and successes along the way. With the assistance and cooperation from all High Court Staff and Judicial Officers, the High Court manages to disclose its service information to the public, such as the continuous workshop on how to access justice, public awareness and to provide information to the public regarding its services, activities and achievements as well through local language pamphlets, radio announcement and consultation.

Indicator 13 – Transparency – Publication of Judgments

Normally, most of the High Court judgments are not officially reported and not publicly available but some of them are uploaded on PacLii. All judgments are available in hard copies which the public may obtain a copy from the High Court Archives in Betio. With the newly created High Court Facebook page namely **High Court of Kiribati/Te Bowi Ae e Rietata**, some important information and notices are shared for the benefit of the public. The people of Kiribati will be fortunate to have full access to all High Court judgments.

HIGH COURT BUDGET 2018



The interpretation of the above line graph is based on the 2018 overall budget, which clearly indicates the amount of money spent throughout the year. Mostly, the amount of money spent was on the allowances followed by the salaries of High Court officers. The least amount was spent on water supply used by the High Court during that whole year. The original budget for 2018 was \$704,301.00 and the budget balance or the amount spent out of that \$704,301.00 was \$196,316.41, which produced the remaining recurrent budget of \$507,984.86. Therefore, the overall expenditure of the High Court for the year 2018 was \$196,316.86.

The budget for Judges including Chief Justice and Judge, are not provided under the recurrent budget of the High Court, they are provided under *an Act to Prescribe the Number of Judges of the High Court, Their Appointment, Salaries, Allowances and other Connected Purposes Act 2017*. This drives under the Statutory Expenditure from the Finance which includes their allowances and other statutory benefits.

HIGH COURT CIRCUIT 2018 & 2019.



(Top Left photo – High Court Circuit in Butaritari 2018)

(Top Right photo – High Court Circuit in Nonouti Island 2019)

(Bottom photo – High Court Circuit in Makin 2019)

Every year, the High Court always conducts a Court Circuit to several remote Islands in Kiribati, where matters involving criminal, land and civil cases are to be dealt with by the Chief Justice, Judge or Commissioner along with two Land Appeal Magistrates for land cases. In 2018, there were 5 Islands visited namely, *Nonouti Island*, *Christmas Island*, *Butaritari*, *Tabiteuea Meang* and *Christmas Island* (second time). In 2019, 6 Islands were visited including *Christmas Islands*, *Makin*, *Marakei*, *North Tarawa*, *Tabiteuea South* and *Christmas Islands* (second time). Christmas Island was visited twice in the two years given the number of cases filed plus the entertainment of some cases from Tabuaeran and Teraina.

STUDY SCHEME, TRAINING & WORKSHOPS 2018 & 2019



(Photo: High Court End of Year In-House Training 2019)



(Photo: Group Presentation)

BACKGROUND

Training of staff, carrying out workshops with specialized themes and objectives along with the now on-going study program for court's officers to undertake courses in legal studies (*both in Certificate of Justice and Diploma of Justice*) at the University of the South Pacific are part of the capacity building programs for the Judiciary staff. A training program and workshops allow staff to strengthen their skills that each employee needs to improve on so to become a competent and professional employee. The purpose of the training and development function is to;

- a) Organize and facilitate learning and development,
- b) Instilling knowledge, skills and abilities required for effective job performance,
- c) and to provide staff with career growth opportunities.

The overall key objectives in training staff is to produce a workforce with quality work output while doing their job and in serving their customers in particular, and to up-skill them so that they would require minimal supervision. As such, the skills they acquire during study schemes, trainings and workshops such as customer service along their different respective duties would greatly assist them and serve them as their shield in carrying out their duties.

Workshops & Trainings

A) Human Rights in the Practice of the Court in Kiribati

The workshop was carried out with the assistance of the Pacific Judicial Strengthening Initiative. It was held on the 12th to the 13th June 2018 and facilitated by Dr Carolyn Graydon at the High Court premises in Betio, Tarawa. Dr Carolyn Graydon is the Human Rights Adviser/Legal Aid & Bar Associations Adviser with PJSI.

Participants to this workshop were mainly the staff of the High Court division and the Magisterial Division.

B) Customized Workplace English

This was a 3 weeks English course at the Kiribati Institute of Technology compulsory to all staff of the Judiciary. The participants were grouped into 3 groups according to the level of understanding of the English language and these groups are the *Beginner*, *Intermediate* and *Advance*. The prime objective of the course was to improve the verbal and written communication skills of staff in English. This is crucial for staff since their daily work and correspondences are to be in the English language, and also to better equipped them with English since most of the laws are written in the English language. After 3 weeks of the studies, a graduation ceremony was then held at the High Court square on the 11th October 2018. The course is fully funded by the Government of Kiribati via the Public Service Office.

C) Access to Justice & Community Awareness Raising: Enabling Rights & Unrepresented Litigants.

This is another initiative by the Pacific Judicial Strengthening Initiative. The purpose of this workshop is to improve the quality of justice by courts to the community through building bridges and extending the court's earlier outreach, community engagement and awareness raising activities, including:

1. Re-familiarize participants with the Enabling Right & Unrepresented Litigants Toolkit,
2. Discuss current challenges with accessibility of court remedies to vulnerable and marginalized group,
3. Review and update the Kiribati Judiciary's Enabling Right Plan; and
4. Support participants to develop strategies for community engagement and awareness raising, including the respective roles and relationships of custom and law, including the role, functions and jurisdiction of Courts.¹

The workshop also includes refreshing participants on Court guidance for unrepresented litigants or people who appear in Court without a Lawyer. The workshop was held at Teuanete Boardroom in Taborio and was facilitated by Dr Livingston Armytage. The workshop runs on the 9th December and 11th December 2019. Staff from the High Court, Magistrate and Technical division of the Judiciary participated in this workshop.



(Photo: Enabling Rights Workshop by Dr. Livingston Armytage)

D) Data Base & Registry Workshop

The workshop was facilitated by the New Zealand High Court and Ministry of Justice sponsored by the Judicial Pacific Partnership Fund (JPPF). It was basically the understanding on how New Zealand's High Court registry works, case management, data entering, movement of files within the registry and courts, responsibilities of registry clerks, court clerks and Institution Technologies. It was conducted for 2 days at the High Court premises and it was very informative.

¹ PJSI: Access to Justice Workshop Agenda



(Photo: Data base & Registry Workshop)

E) High Court End of Year Workshop 2019

The workshop aims to refresh and introduce staff of the High Court division with legal processes in criminal, civil and land, and various other topics. The workshop covers the topic of;

1. High Court Structure/Position Descriptions
2. Code of Conduct
3. 6 values (Bangalore Principles)
4. Standing instructions/ Conditions of service
5. Criminal process and appeal process
6. Civil process
7. Land appeal process
8. Problem solving
9. Civil cases and civil appeal auditing
10. Land appeal cases and criminal cases/appeal auditing
11. Quality customer service

During the workshop, the staff were also introduced to a new 2020 new registry process and Database and this part is presented by the Institution Technology division and the Land Case Manager. The workshop also carried out a planning on formulating the Action Plan and the Annual Report for 2019. The group of participants were also fortunate to have the presence of the former Ambassador of Kiribati to Taiwan Ms Tessie Lambourne who did her presentation on the topic of *High-Level Protocol*.

The facilitators involved in this one-week workshop were the Hon. Chief Justice Sir John Baptist Muria, Hon. Justice David Lambourne, Chief Registrar Mr Abuera Uruaaba, Deputy Chief Registrar Mr Teetua Tewera, former Ambassador of Kiribati to Taiwan Mrs Tessie Lambourne, the Team from the Public Service Office for good customer service, some senior High Court officers and the team from the Public Health division of the Ministry of Health.

The workshop runs from 16 to 20 December 2019 and was formally closed by the Chief Justice, the Honourable Sir John Baptist Muria.



(Photo: Presentation by Ms Alesi Tenono & Ms Ruuta) Everyone is listening to presentation)

F) Certificate of Justice & Diploma of Justice

The Judiciary believes that the backbone of quality customer service and a competent and professional workforce revolves around qualified officers. As such, the office embarked on professionalizing its workforce by enrolling all of its staff in the Certificate of Justice program specifically designed for those who work with the Courts. The officers of the Judiciary inclusive of staff at the Magisterial Division and the Technical Division undertook this course commencing from 2018 and completed in 2019. It is a delight to learn that all staff of the Judiciary are now armed with a Certificate of Justice. It took 2 years for staff to complete a 1-year course since not all staff could study at one go as it would affect the services of the Court to the public. So, there was in place an arrangement to avoid that. In 2020, the Diploma of Justice is to be undertaken by all officers who have passed the Certificate of Justice Program and expected to be completed by Semester 2, 2020. These academic programmes were designed by the experts from the PJSI and USP's Law School Head, Professor Eric Colvin.

Sponsors & Expenses involving the Certificate of Justice study scheme.

The sole sponsors of this scheme are the New Zealand government, the Pacific Judicial Strengthening Initiative, the Government of Kiribati and the Judiciary. The PJSI and the New Zealand High Commission in Tarawa through the GOK provides sponsorship for school fees and study allowances whilst the Judiciary catered for expenses relating to the air-fare of its staff stationed on outer-islands to attend to their studies in Tarawa and in sending them back after their studies. Provided in Appendix 14, the breakdown of sponsorship by PJSI & Government of Kiribati.

External Workshops & Conferences 2018-2019

G) Efficiency & Data Management Workshop

This workshop was held in Port Villa, Vanuatu from the 14th to the 18th of October 2019, and was attended by 3 participants from the Judiciary in Kiribati. The participants were the Judicial Technical Manager, one Institution Technology officer and the High Court Case Manager. It was funded by the Pacific Judicial Strengthening Initiative and it was very informative.

The objectives of the Workshop are for participants to:

1. Share and analyze their experience with collecting and analyzing court data, and with implementing their *Court Data Management Plans*.
2. Effectively and efficiently plan, manage/monitor and analyze court performance data, and transparent accountability reporting.
3. Review and develop strategies to refine their systems and procedure to collect, integrate and manage quality data.
4. Review Courts' most recent Annual Report and develop strategies on how the story of the Court's work and annual performance can best be presented to the public.
5. Develop ICT Plans (for inclusion in each *Court Data Management*) to guide Courts' ongoing technology development.
6. Develop/refine each courts' Court Data Management Plans to include strategies to collect, integrate and manage quality data.



Photo Credit: Teanau Tebwanei/facebook

HIGH COURT ACTIVITIES 2018 & 2019

Throughout 2018 and 2019, the High Court have had conducted several activities within the Judiciary and these include, Retreat, Barbeque, Sports, Cleaning and etc. These activities have contributed a lot to the development of Staffs' capacity building, strengthening them and giving them time to relax and reflect on their performance to enhance more and overcome challenges they had.

(Photos of Activities)



From Left to Right:
Front Row: Tewiia, Retema, Mikaere,
Henerich, Mareina Aukitino, Ales,
Teereta, Rurunteiti, Police Officer
Bunaua, Tirintekai, Teburenga
Police Officer Tieri, Teanau, Beiare,
SM Arian, CR Abuera and Ruuta

High Court Staff members at North
Tarawa Resort



High Court's first dinner at Tokaraetina
Resort in Tabontekeke, North Tarawa



Front row L to R:

Tieri
Retema
Teanau

Back row L to R:

Henerich,
Tirintekai
Ales
Mikaere
Rurunteiti, Ruta, Beiare, Teburenga,
Bunaua.

Cleaning and other Activities



CR Abuera and Judiciary staff at Sport Complex Opposite with Chief Justice's resident

Every Friday at 0300 pm to 0415pm judiciary staff went out cleaning. The main purpose for this program is to maintain the cleanliness of the environment, to support other communities and to encourage other organization to maintain the beauty of the Islands.



Maria & Henerich

The High Court Committee sold barbeque every Friday at lunch time during pay day to the Public.

The picture shows Ms Maria Kirata enjoying herself barbequing chickens and sausages while Mr Henerich Brechtefeld on the other side busy calling people to come and buy their foods. It was fun!

High Court Group Photo No. 2



JUDICIAL APPOINTMENT;

Throughout the two years of 2018 and 2019, the High Court have had appointed new members of the Land Magistrates Appeal Panel in accordance to section 76 of the Magistrates Court Ordinance, together with the new appointed Judge of the High Court in accordance to section 81 of the Constitution of Kiribati. These were achievements the High Court have celebrated and it is the continuous plan and vision for the High Court to establish new positions for more judges of the High Court, Court of Appeal and court's officers.

STATUTORY DEVELOPMENT

Another big achievement where the Government have passed the new act produced by the High Court with the assistance of the Ministry of Justice in 2017 which is 'An Act to Prescribe the Number of Judges of the High Court, Their Appointment, Salaries, Allowances and Other Connected Purposes, 2017'. This is one huge and significant development the High Court has accomplished and it is still an ongoing process for the High Court and the Judiciary to make law reforms for the betterment and developments of the Kiribati Judiciary

HIGH COURT STAFF PHOTOS



**Honourable Sir John Baptist Muria
(Chief Justice of Kiribati)**



Honourable Justice David Lambourne.



Mr Abuera Uruaaba
Chief Registrar



Mr Teetua Tewera
Deputy Chief Registrar



Mr Tarawa Taubo
Senior Registrar



Ms Gertie Reiher
Executive Secretary to Chief Justice



Ms Teereta Teoteai
Executive Secretary to Judge



Ms Mareina Aukitino
Executive Secretary to Judge



Mr Teanau Tebwanei
High Court Case Manager



Ms Tewiia Bwaani
High Court Interpreter



Mr Ruuka Nakau
High Court Interpreter



Mr Mikaere Neneia
High Court Interpreter



Ms Retema Taakenibeia
High Court Clerk



Ms Teburenga Ietera
High Court Clerk



Mr Henerich Brechtefeld
High Court Clerk



Mr Rurunteiti Utimaawa
High Court Sherriff



Ms Ruuta Boutu
High Court Registry Officer



Ms Kaata Kaitintaake
High Court Registry Officer



Ms Tirintekai Bukabuka
High Court Cleaner



Mr Tieri Riannaba
High Court Chauffeur to Judge



Mr Bunaua Abaua
High Court Chauffeur to Chief Justice



Mr Irata Tebau
High Court Interpreter



Ms Ales Tenono
High Court Registry Clerk



Ms Maria Kirata
High Court Interpreter



Mr Tenanoa Pita
High Court Sheriff



Mr Joseph Rutete
High Court Interpreter



Mr Teoti Ionatan
High Court Civil Case Manager



Mr Barenaba Karaiti
High Court Land Case Manager



Ms Taraia Tata
High Court Civil Case Manager



Mr Iateti Teukera
High Court Security



***(Right to Left, Chief Registrar Abuera Uruaaba
Deputy Chief Registrar Teetua Tewera &
Senior Registrar Tarawa Taubo)***



***(Left to Right, ES Gertie Reiher,
ES Teereta Teoteai & ES Mareina
Aukitino)***



(Right to Left, Interpreters, *Joseph, Irata Maria, Ruuka & Mikaere*)



(Right to Left, Case Managers, *Barenaba, Taraia, Teanau & Teoti*)



(Right to Left, High Court Clerks, *Retema, Henerich & Teburenga*)



(Right to Left, High Court Registry Clerks, *Kaata, Ruuta & Ales*)



(Right to Left, Sheriff, *Rurunteiti, Tenanoa & Security Iateti*)

APPENDIXES

Appendix A1:

Court of Appeal

Year	Total Cases Filed	Total Cases Finalised	Total Cases Pending	Clearance Rate as a %	Balance vs. Average
2018	7	0		0.00%	100.00%
2019	9	16		177.78%	-77.78%
Total:	16	16	0	100.00%	0.00%

Appendix A 2

High Court cases

2018	Total Cases Filed	Total Case finalized	Total Cases Pending
Land	64	3	61
Civil	101	19	80
Criminal	62	39	23
	227	61	164
2019			
Land	67	3	64
Civil	152	16	136
Criminal	72	31	41
	291	50	241

Appendix A3

Breakdown for High Court cases

2018	Total Cases Filed	Total Cases Finalised	Total Cases Pending
Land Appeal	53	3	50
Land Review	11	0	11
Civil Case	56	5	51
Civil Appeal	24	7	17
Civil Review	21	7	12
Criminal Case	42	33	9
Criminal Appeal	15	5	10
Criminal Review	5	1	4
	227	61	164
2019			

Land Appeal	52	2	50
Land Review	15	1	14
Civil Case	95	8	87
Civil Appeal	28	4	24
Civil Review	29	4	25
Criminal Case	60	30	30
Criminal Appeal	12	1	11
Criminal Review	0	0	0
	291	50	241

Appendix A4

Year	Total Backlog Cases In A Year	Total Backlog Cases Finalized	Total Backlog Cases Pending
2018	579	60	519
2019	519	8	511

Appendix A5

Backlog cases 2007 - 2017

2018	Backlog Cases	Backlog Cases Finalized	Backlog Cases Pending
Land	207	13	194
Civil	370	47	323
Criminal	2	0	2
	579	60	519
2019			
Land	194	3	191
Civil	323	5	318
Criminal	2	0	2
	519	8	511

Appendix A6

Percentage of Appeal

Year	Total Cases Finalised	Total Cases Appealed
2018	121	7
2019	58	9
Total:	179	16

Year	Cases Not Appealed	Cases Appealed
2018	94.21%	5.79%
2019	84.48%	15.52%
Total:	91.06%	8.94%

Appendix A7

Cases received legal aid

7 - Legal Aid - Percentage of Cases where Parties Received Legal Aid

Appendix 8

Year	Total Cases Filed	Total Cases where Party/-ies Received Legal Aid	Year	Cases where Parties did not Receive Legal Aid	Cases where Parties Received Legal Aid
2018	227	42	2018	81.50%	18.50%
2019	291	38	2019	86.94%	13.06%
Total:	518	80	Total:	84.56%	15.44%

	2018	2019
Land Appeals	5	6
Civil Cases	13	7
Criminal Cases	24	25
	42	38

Appendix A9

2018 High Court Circuit to Outer Island

TYPES OF CASES	NONOUTI		CHRISTMAS		BUTARITARI		TAB - NORTH		CHRISTMAS		
	VISITED MARCH		VISITED MAY		VISITED		VISITED JUNE		VISITED OCTOBER		
	No. of Cases	Disposed	No. of Cases	Disposed	No. of Cases	Disposed	No. of Cases	Disposed	No. of Cases	Disposed	
Criminal Case	3	0	6	3	0	0	10	2	5	0	
Criminal Appeal	2	1	2	2	1	1	0	0	0	0	
Criminal Review	0	0	0	0	0	0	0	0	0	0	
Civil Case	1	1	4	2	0	0	2	0	3	0	
Civil Appeal	6	4	3	1	0	0	1	1	1	0	
Civil Review	0	0	0	0	0	0	0	0	0	0	
Misc. Application	0	0	0	0	0	0	0	0	0	0	
Divorce Review	0	0	0	0	0	0	0	0	0	0	
Land Appeal	29	19	1	1	4	4	10	5	0	0	
Land Review	0	0	0	0	2	2	0	0	0	0	

Total	41	25	16	9	7	7	23	8	9	0
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Appendix A10

2019 HIGH COURT CIRCUIT TO OUTER ISLANDS

TYPE S OF CASE S	CHRIST MAS		MAKIN		MARAKE I		NORTH TARAWA		TAB - SOUTH		CHRIST MAS	
	VISITED MAY		VISITED JUNE		VISITED		VISITED NOVEMB ER		VISITED NOVEMB ER		VISITED OCTOBE R	
	No. of Ca ses	Disp osed	No. of Ca ses	Disp osed	No. of Ca ses	Disp osed	No. of Ca ses	Disp osed	No. of Ca ses	Disp osed	No. of Ca ses	Disp osed
Crimi nal Case	4	3	0	0	0	0	0	0	0	0	3	0
Crimi nal Appeal	0	0	0	0	0	0	0	0	0	0	4	0
Crimi nal Revie w	0	0	0	0	0	0	0	0	0	0	0	0
Civil Case	4	1	1	0	0	0	1	1	0	0	3	0
Civil Appeal	0	0	0	0	1	0	2	1	1	0	3	0
Civil Revie w	0	0	0	0	1	0	1	1	0	0	1	0
Misc. Applic ation	0	0	1	1	0	0	0	0	0	0	0	0
Divorc e Revie w	0	0	0	0	0	0	0	0	0	0	0	0
Land Appeal	0	0	5	1	15	0	5	2	5	3	0	0
Land Revie w	0	0	1	0	0	0	2	1	1	0	0	0
Total	8	4	8	2	17	0	11	6	7	3	14	0

	by totaling the days for each case from the date the case is filed to the date it is finalized and then dividing this by the number of cases finalized.
Indicator 3: Percentage of Appeals	The result against this indicator is obtained by dividing the number of cases appealed to a higher court in which the lower court decision is overturned in whole or in part by the number of cases finalized in the level of court jurisdiction from which the appeal is made.
Indicator 4: Overturn Rate on Appeal	The result against this indicator is obtained by dividing the number of appeal cases in which the lower court decision is overturned by the total number of appeals.
Indicator 5: Percentage of Cases that are Granted a Court Fee Waiver	The result against this indicator is obtained by dividing the number of cases that are granted a court fee waiver by the total number of cases filed.
Indicator 6: Percentage of Cases Disposed	Through a Circuit Court The result against this indicator is obtained by dividing the number of cases finalized through a circuit court by the total number of cases finalized.
Indicator 7: Percentage of Cases Where a Party Receives Legal Aid	The result against this indicator is obtained by dividing the number of cases where a party receives legal aid by the total number of cases received.
Indicator 8: Average Number of Cases Per Judicial Officer	The result against this indicator is obtained by dividing the total number of cases filed by the number of judicial officers.
Indicator 9: Average Number of Cases Per Member of Court Staff	The result against this indicator is obtained by dividing the total number of cases filed by the number of court staff.
Indicator 10: Court produces or contributes to an Annual Report that is publicly available in the following year	This indicator is demonstrated through the publication of an annual report in the year immediately following the year that is the subject of the annual report.
Indicator 11: Court Services Information Information on court services that is publicly available.	
Indicator 12: Publication of Judgments Court publishes judgments on the Internet (through PacLII or their own website).	

Appendix 14.

Table 1. STUDY EXPENSE FOR CERTIFICATE OF JUSTICE COURSE.

Table 1.1 School fees

SPONSORS	Number of student	Fee per student x 2 years	Total school fee	Grand Total
PJSI	31	\$1,820.00	\$56,420.00	
GOK (NZ)	20	\$1,820.00	\$36,400.00	
				\$92,820.00

Table 1.2 Course Allowance

Sponsors	Number of student	Allowance per student x 2 yrs	Total allowance	Grand Total
PJSI	31	\$640.00	\$19,840.00	
GOK (NZ)	20	\$640.00	\$12,800.00	
				\$32,640.00

Total expense - \$125,460.00

Appendix 15.

Table 1.3 Air fare, allowance

Stuff	Meal & incidental allowance	Air fare	Grand Total
IT	\$630.00	\$2,657.00	
JTM	-	-	
HCCM	-	-	
	\$ 1,890.00	\$ 7,971.00	
			\$ 9,861.00



KIRIBATI JUDICIARY ANNUAL REPORT

Judicial Technical Division

March 2019 – March 2020



OVERVIEW

The Judicial Technical Division (JTD) was established in March 2019. This Annual Report (AR) was for the months between March 2019 and March 2020.

This AR presents JTD's performance ending March 2020 and focuses on addressing institutional and operational challenges as a separate and independent division of the Judiciary. Initially, most of the challenges were institutional related to its establishment. The operational challenges will be efficiently and effectively dealt with as the JTD is fully established. Of the 76 challenges, 50 were institutional and 26 were operational.

The JTD has made some progress in advancing objectives and priorities for 2019, however, where necessary, it will continue revisiting its challenges and strategies after the reporting period aligning itself with latest social, economic, and political environment shaped by; the covid19 pandemic, government policies and requirement of the donor communities.

INTRODUCTION

1. The JTD provides supporting services to the High Court and the Magistrates Court and at the same time handles general administrative matters, particularly non-court matters. The non-court matters refer to here as office administration - OA, judiciary development (capacity building and infrastructure development) and public relations - JDPR, information technology - IT, and account/finance (Account). These non-court matters in themselves are challenges to the JTD as will be discussed later and in details in the report.
2. Of the non-court matters, there were 50 institutional and 26 operational challenges that became the objectives of the JTD in 2019 and 2020. So, the total number of objectives was 76 that can be further classified as; 7 objectives for OA, 19 for IT, 40 for JDPR, and 10 for Account.
3. In June 2019, a second officer was recruited to assist the JTM (recruited in March) managing the JTD and to occupy the position of Judicial Development and Public Relations Officer (JDPRO). JDPRO was able to take on senior management matters taking some loads off the JTM allowing JTM to focus more on high level management matters, national and international issues related to Judiciary Kiribati.
4. Using a year (March 2019 to March 2020) as a measure and target to meet objectives, the JTD has managed to achieve 18 institutional and 3 operational targets during the period – that is, a total of 21 out of 76 objectives (equivalent to 27.6%) for 2019. The details of these achievements are discussed in the following sections of the report.

PERFORMANCE ASSESSMENT

5. This section provides update on results against performance targets and measures. Details are provided in tables below.

Table1: 2019 Office Administration Performance

Institutional goals	Objectives	Progress as at March 2020	Comment
Office Administration	1 recruiting an Office Administrative Manager (OAM)	awaiting Cabinet's blessing on Judiciary NER 2020	0%
	2 recruiting supporting staff to OAM	awaiting Cabinet's blessing on Judiciary NER 2020	0%
	3 replacement of vehicles for CJ's that is more than 5 years old	a promise from Cabinet for CJ vehicle from the gifted PRC not yet materialized	0%
	4 replacement of staff bus transport that is more than 5 years old	on-going procurement process	0%
	5 purchase new vehicles for courts in Betio, Bairiki, Bikenibeu and Kiritimati island	on-going procurement process	0%
	6 upgrading the filing index and filing system	Completed	100%
	7 ensuring compliance to absence, sickness, lateness instructions	Completed	100%

6. Office Administration comprises of officers that were moved from the High Court and included; Office Administrative Officer, Registry Assistant, Registry Clerk, 2 drivers and 2 cleaners.
7. Office administration comprises general registry (i.e. file movements) and reception, archive and law library, general staff matters (including recruitment, attendance records, disciplines), staff transport and drivers, office management and cleaners, official transports, and securities. There were 7 objectives related to office administration. This Unit also provides secretarial services to the senior responsible officers.
8. This is a big Unit with lots of responsibilities serving the 3 divisions of the Judiciary, hence requiring a person with Undergraduate Degree to head it.

Table2: 2019 Information Technology Performance

Institutional goals	Objectives	Progress as at March 2020	Comment
Information Technology	1 recruiting Information Technology Manager (ITM)	Completed	100%
	2 recruiting supporting staff to ITM	subject to Cabinet's blessing on Judiciary's NER 2020	0%
	3 establishing website for Judiciary	on-going	0%
	4 creating databases for archives	on-going	0%
	5 creating archives registry system	on-going	0%
	6 creating law library registry system	on-going	0%
	7 creating database for file registry	on-going	0%
	8 creating database for staff records	Completed	100%
	9 improving internet services	Completed	100%
	1 purchasing server and backup server	on-going	0%
	1 centralization of court data management systems in the JTD;	on-going	0%
	1 establishing case tracking system	on-going	0%
	2		
	1 establishing dashboard system	on-going	0%
	3		

1 4	establishing internet connectivity with the courts on Kiritimati island	Completed	100%
1 5	establishing internet connectivity with the courts in the outer island	on-going	0%
1 6	cutting down on internet/phone bills	Completed	100%
1 7	using technology to improve on Judiciary's responsiveness to customers' needs	on-going	0%
1 8	using technology to improve on Judiciary's responsiveness to lawyers' needs	on-going	0%
1 9	purchasing 3 big printers (for the 3 divisions)	on-going	0%

9. IT Manager was recruited in February 2020. There were 2 officers in the IT Unit, namely IT officer and IT assistant. These IT officers served courts in Betio, Bairiki, Bikenibeu, Kiritimati and the outer islands.
10. Information technology comprises hardware and software management that include databases and internet access and management. There were 19 objectives.

Table3 (a): 2019 Judicial Public Relations Performance

Institutional goals	Objectives	Progress as at March 2020	Comment
Public Relations	1 managing units/sections under the JTD	Completed	100%
	2 streamlining the services of the JTD to support the High Court and the Magistrates Court	Completed	100%
	3 facilitating completion of Certificate in Justice by the Judiciary's employees	Completed	100%
	4 recruitment of the Judicial Development Public Relations Officer (JDPRO)	Completed	100%
	5 facilitating completion of Diploma in Justice by the Judiciary's employees	Completed	100%
	6 recruiting a Judicial Development and Public Relations Manager (JDPRM)	subject to Cabinet's blessing on Judiciary NER 2020	0%
	7 recruiting supporting staff to JDPRM	subject to Cabinet's blessing on Judiciary NER 2020	0%
	8 establishing relationships and maintaining dialogue with the Executive Arm	Completed	100%
	9 advancing partnerships	federal court of Australia, NZ, UK, Commonwealth and other organizations (AVI, PJSI, UNWomen, Singapore Cooperation Program)	100%
	10 establishing the complaint center	Completed	100%
	11 divisional structural reforms	Completed	100%
	12 public awareness programs and promotions on the structural reforms	await Cabinet's blessing on Judiciary NER 2020	0%
	13 establishing the JTD	Completed	100%
	14 merging the Account Unit and JTD	Completed	100%

11. There are only 2 officers in this Unit, the Judicial Development and Public Relations Officer (JDPRO) and a temporary officer manning the Judiciary Complaint Centre. Public relations include customer services, public awareness, promotions and advertisement, and the Complaint Centre. There were 14 objectives.
12. Complaint Centre. Since its establishment in March 2019 and by the end of 2019, the Complaint Centre had registered 9 complaints. 6 out of the 9 complaints (67%) were resolved and closed. The 3 unresolved complaints were related to court process meaning that the complaints must be referred to clients' lawyers to address in court. In 2020, from January to March, the Complaint Centre received additional 9 complaints. 8 of those complaints (89%) were related to written judgment not made available of which 5 had been resolved when written judgment was made available. The remaining 3 complaints related to unavailability of written judgment were directly handled by the SROs concerned. Otherwise, any remaining complaints not related to unavailability of written judgment, required court process and to be referred back to client's lawyer to address in court.
13. The Complaint Centre will be properly manned by a qualified person when the Judiciary NER 2020 is blessed by Cabinet. Public awareness programs regarding the Complaint Centre is required.
14. JDPRO also assisted JTM in managing all Units within the JTD (Office Administration, Account, IT, Development, and Public Relations). In the absence of JTM, JDPRO acts as Officer in Charge.

Table3 (b): 2019 Judiciary Development Performance

Operational goals	Objectives	Progress as at March 2020	Comment
Long term	1 constructing a state-of-the-art building complex housing the 3 divisions of the Judiciary	Cabinet information paper on-going. A consultant has been identified but architect not identified yet	0%
	2 extension of the Judiciary's lands in Betio Headquarters	request pending with MELAD	0%
	3 construction of the CR administration buildings	request pending with MISE	0%
	4 construction of the Magistrates Court Headquarters	Request for land with MELAD	0%
	5 extension of Magistrates court in Bairiki and Bikenibeu	No funding, request to be submitted to MISE	0%
	6 construction of law library;	No funding, request to be submitted to MISE	0%
	7 closure of feeder roads cutting across Judiciary's headquarters compound	request with MICTT	0%
	8 fencing of the Judiciary's headquarters	No funding, request to be submitted to MISE	0%
	9 acquisition of land on the outer islands for Judiciary centers, including Kiritimati	Positive: Abaiang (mainland, Noutaea and Ribono), Butaritari, Kiritimati, Tabuaeran and Teraina	0%
	10 establishing housing pools for the Judiciary employees	No funding, request to be submitted to Cabinet	0%

Short term	11	infrastructural development of Judiciary centers in the outer islands, including Kiritimati	land identified on Abaiang (mainland, Noutaea and Ribono), Butaritari, Tabuaeran and Teraina	0%
	12	standard-fencing of the Hon CJ's residence	survey, design and costing completed by MISE	0%
	13	maintenance and repair of the High Court buildings	Completed	100%
	14	extension of the High Court building for additional 1 judge	request pending with MISE	0%
	15	maintenance and repair of the JTD building	Completed	100%
	16	renovation of the JTD administration building	request to be forwarded to MISE	0%
	17	renovation of archives room	request to be forwarded to MISE	0%
	18	levelling ground near Magistrates Court buildings in Betio to fight off flooding of the courts	request with OB (disaster)	0%
	19	completing mobile courts in Kiritimati island	Completed	100%
	20	repair and maintenance on the fence of the Hon CJ's residence	to prevent pigs, dogs and trespassers entering compound	0%
	21	renovation of the Hon CJ's residence	request with PSO, MISE	0%
	22	repair and maintenance of the Hon Judge toilets	survey done by MISE	0%
	23	repair and maintenance on the Hon Judge residence	survey done by MISE	0%
	24	renovation of the Hon Judge residence	survey done by MISE	0%
	25	fencing of the Hon Judge residence	request to be forwarded to PSO	0%
	26	fencing of the CR's residence	request with PSO	0%

15. Judiciary development comprises human resource (gradually handed over from High Court to JTD) and infrastructure development. There were 12 long term and 14 short term objectives. JDPRO also managed this Unit and assisted by the same person assisting her in the Public Relations Unit. There were 26 projects managed by this Unit in 2019. Of the 26 projects only 3 were completed. The unapproved budgets and the covid19 pandemic were the main causes of delay.

Table4: 2019 Account Performance

Institutional goals	Objectives	Progress as at March 2020	Comment
	1 merging of the Account Unit and JTD	Completed	100%
	2 requiring financial reporting as a separate challenge	await recruitment of FM	0%
	3 recruiting a Finance Manager (FM)	subject to Cabinet's blessing on Judiciary NER 2020	0%

Account		recruiting supporting staff to FM	subject to Cabinet's blessing on Judiciary NER 2020	0%
	4	establishing a financial system of incomes direct from the judiciary services	await recruitment of FM	0%
	5	establishing a registration system for Judiciary inventories	await recruitment of FM	0%
	6	updated reconciliations on Judiciary usage of funds and MFED records	await recruitment of FM	0%
	7	timely payment of sitting allowances for magistrates on the outer islands	await recruitment of FM	0%
	8	timely payment of allowances for Judges as per agreement between Judges and the government	await recruitment of FM	0%
	9	timely payment of power bills to PUB	await recruitment of FM	0%
	10	streamlining the government system and the Judiciary's financial system	await recruitment of FM	0%

16. The Account Unit was managed by the Senior Accountant assisted by Accountant and Account Clerk.
17. Account matters included mainly payment transactions that have to go through the MFED. This Unit was poorly managed under the Senior Accountant. The Unit required a Finance Manager with Undergraduate Degree (in Accounting and Financial Management or Economics) to head it and to bring changes streamlining financial services and to expand the Unit's service into management of the Judiciary's revenues. There were 10 objectives.

FORECAST FOR 2020

18. We remain optimistic that the Judiciary will be more competitive as a service provider when the on-going organizational structural reform is completed.
19. We also expect as usual, demand for services to remain high from lawyers and the public with the Judiciary continue to struggle to meet that level of demand. The qualification/skill gap will be the main issue as such as it will determine the quality of services and effective delivery of services. However, the structural reform will produce the Judiciary NER 2020, when approved, will allow the Judiciary to be more competitive in its salaries matching the effort of its employees to undertake studies. The competitive salaries will also attract qualified persons to the Judiciary ensuring the quality services and effective delivery of services.
20. We expect the JTD's operation to improve once the budget is approved by the House of Parliament in June/July 2020.
21. With international flight, back to normal after the covid19, we are expecting an IT expert from the PJSI Australia to work with our newly recruited IT Manager to upgrade the Judiciary's systems to be able to track court cases and monitor Judge/Magistrates performances monthly and annually. The court databases with the High Court and the Magistrates Court will be centralized in the JTD. It means the entries and control of database remain in the High Court and the Magistrates Court but connect to the JTD that

will rely on the data from the court systems to produce monthly management reports and the Annual Report for the Judiciary as a whole.

22. Development will be expanded to the outer islands and the LINNIX once funding and land are available for establishment of Judiciary centres on those islands.

CONCLUSION

23. JTD's achievement for 2019 was less than satisfactory due the unapproved budget, the covid19 pandemic and lack of managers to head Units within the JTD.