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 Western Highlands Province

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*Providing Access to justice
 for impecunious persons in
 Papua New Guineas*



Independent State of Papua New Guinea

**Independent
 Office of the
 Public Solicitor**



**Legal Aid and
 Assistance**



(Range of legal services)



2007

**FOCUS ON THE
 INDEPENDENT OFFICE OF
 THE PUBLIC SOLICITOR**

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LEGAL AID and ASSISTANCE SERVICES

What are the range of legal service and assistance provided by the Public Solicitor to impecunious persons?

The Public Solicitor manages a large number of criminal and civil cases for and on behalf of people throughout the country. Those core legal services and assistance provided by the Public Solicitor include the following:-

1. Criminal Cases: All the indictable offences under the Criminal Code and including bail applications, appeals and other criminal offences that carries a maximum penalty; punishable by imprisonment for more than two years. Legal aid and assistance is provided to juveniles in conflict with the law;

2. Civil Cases: The civil cases include the matters such as civil negligence cases, workers compensation, civil rights, infant settlement, maintenance, divorce, appeals, legal advice and limited commercial matters.

3. Legal Aid Applications: All legal Aid Applications must be lodged with all the relevant documents and information. The Public Solicitor in his deliberate judgement may grant or refuse all legal aid applications. The National Court may review the Public Solicitor's decision to refuse legal aid.

There are other categories of cases such as Election Petitions and land related matters the Public Solicitor in his deliberate judgement would refuse legal aid due to resource and capacity limitations.

Legal Aid Contributions - Can Public Solicitor charge reasonable fees for legal aid services?

The Public Solicitor alone can render a reasonable charge for services provided by him to persons in need of his help whom he considers are able to make a contribution towards the cost of these services in accordance with the *Public Solicitor (Charges) Act 1976*.

It must be noted that neither the lawyers nor the staff in employ of the Public Solicitor's Office have any authority to neither charge nor receive any fees from the persons seeking legal assistance (clients). All the Public Solicitor's sanctioned charges/fees will be properly rendered by way of a Memorandum of Fee and paid into the Public Solicitor's Legal Aid Trust Account.

Public Solicitor as the "Public Defender"

The Public Solicitor provides legal representation to almost all accused persons charged with an "indictable offence" in Papua New Guinea. The indictable offences are serious criminal cases that come before the Grade Five Courts, the National Courts and by way of appeal/review to the Supreme Court of Justice. The Public Solicitor also provides a wide range of legal assistance, advice and drafting of documents under its Civil Section of the Office.

All persons are protected by law and the equal part of this statement of law is that no person or entity (incorporated or not) is above the law. The Public Solicitor plays a pivotal role in its endeavour to remove the perception that there are two sets of laws; one for the common people and the other for the rich and the affluent or powerful.

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FOR MORE INFORMATION AND ASSISTANCE CONTACT THE FOLLOWING:-

HEADQUARTERS, PORT MORESBY

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LAE

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LAE
Morobe Province

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GOROKA

Public Solicitor's Office
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