



TUVAO

Samoa Law & Justice Sector News

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Our vision:

Justice for a safe and stable Samoa

Our mission:

Services to the community to promote, provide and protect access to justice for a safe and stable Samoa



Legislative Drafting mentor helps out at the Office of the Attorney General

The Office of the Attorney General has an ongoing Mentoring Programme that engages experienced lawyers from New Zealand and Australia to provide mentoring for the lawyers of the Attorney General's Office (AGO). Under this programme the Legislative Drafting Division was able to enlist as a mentor Ms Gillian Mary James **(pictured)** from New Zealand. Ms James works for the Parliamentary Counsel Office in New Zealand and has been there since 2008.



She has been practicing as a lawyer for 27 years and a legislative drafter for five years. She started her mentoring programme in the AGO on 4 June 2013 and will be attached for two months in the Division.

Ms James specialises in the area of environmental law and previously worked as a senior lawyer for the New Zealand Ministry of Environment and the Office of the Parliamentary Commissioner for Environment before she became a Parliamentary Counsel. In her role as Parliamentary Counsel she has drafted various legislation and regulations relating to the environment (including the *Environmental Protection Authority Act 2011*, marine legislation and climate change laws).

During her time in our Division she will provide assistance and mentoring to the junior drafters in their work. She has also provided assistance with some of the bills that the team is currently working on.

The Samoa Law and Justice Sector mentoring project was first implemented in 2011 and was also run in 2012. The mentoring program is offered to all Government lawyers: in some cases those mentored are in the Office of the Attorney General, sometimes they are joined by prosecutors from the Ministry of Police and Prisons, and sometimes the mentors assist other Government lawyers (such as the Samoa Law Reform Commission) with particular issues. Through this program, both junior and senior lawyers have the opportunity to enhance their capacity through exposure to the knowledge, techniques and best practices of the mentors.



Court staff learn Soalaupule

A course to train court staff in Samoan customary mediation is currently underway at the Ministry of Justice and Courts Administration.

The course aims to equip mediators who deal specifically with mediation for the Land and Titles Court. The *Land and Titles Act 1981* stipulates that Samoan mediation (*soalaupule*) of all matters involving customary land and matai titles is mandatory before filing any application for a court order.

The course launch on 11 July 2013 was presented by Masinalupe Tusipa Masinalupe, CEO, Ministry of Justice and Courts Administration, with a keynote address delivered by the Honourable Fiame Naomi Mataafa, Minister of Justice and Courts Administration.

'The majority of land in Samoa is under customary law and is administered by matai. It is critical that the delivery of justice in this Sector is the best it can be,' the Minister said.

Alternative dispute resolution such as mediation is an important part of the court system in Samoa: resolving disputes outside court as often as possible eases the burden on the busy court system.

The Soalaupule Samoan Customary Mediation course is being delivered from 11 July to 3 September 2013 as a joint initiative of the Ministry of Justice and Courts Administration, the University of Otago (New Zealand) and the Samoa Law and Justice Sector.

Under the Land and Titles Act 1981, Samoan mediation (soalaupule) of all matters involving customary land and matai titles is mandatory before filing any application for a court order.



Pictured: The Honourable Fiame Naomi Mataafa, Minister of Justice and Courts Administration, delivers the keynote address at the launch of the Soalaupule Samoan Customary Mediation Course on 11 July 2013.



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Associate Professor Selene Mize from the Faculty of Law at the University of Otago addressed the twenty course participants, her fellow course instructors, court staff and other Sector staff celebrating the launch. She presented three law books to his Honour Patu Falefatu Sapolu, Chief Justice of the Supreme Court of Samoa, in recognition of the beginning of the relationship between the Ministry of Justice and Courts Administration and the University of Otago.

'We extend our sincere and heartfelt gratitude for this gift of law books to the judiciary of Samoa,' his Honour Patu Falefatu Sapolu said. 'I have no doubt that they will be a very helpful and useful addition to the law library of the judiciary of Samoa.'

Associate Professor Mize has a wealth of legal experience, including training judges through the auspices of the New Zealand Institute for Judicial Studies.

Also instructing the course are Tagaloa D.C. Kerlake, President of the Land and Titles Court, Professor Aiono Dr Fanaafi, President of Le Lunivesite o le Amosa o Savavau (Inc.) (the Samoan Indigenous University), Rev. Elder Tautiaga Senara, Deputy Chairman of the Congregational Christian Church of Samoa (CCCS), and Rev. Uta Muaulu, Pastor for Fasitoo-Uta, CCCS.

Taught in four components, the course will consider the customary, philosophical and linguistic underpinnings and context of *soalaupule* and will examine how the arrival of Christianity in Samoa affected the practice of *soalaupule*. The course will also consider relevant legislation, constitutional provisions and current procedures used by the Mediation Division of the Ministry of Justice and Courts Administration.

The training structure recognises that Samoa is an international citizen and that *soalaupule* cannot operate in isolation from international best practice regarding mediation and negotiation. The course therefore also addresses ways in which international best practice can add to the practice and processes of *soalaupule*.

Pictured, from top: His Honour Chief Justice Patu Falefatu Sapolu (right) and His Honour Justice Vui Clarence Nelson of the Supreme Court of Samoa delve into the books gifted to the Samoan judiciary by the University of Otago Faculty of Law; Associate Professor Selene Mize from the Faculty of Law at the University of Otago (centre) at the launch of the Soalaupule Samoan Customary Mediation Course on 11 July 2013.

Alternative dispute resolution such as mediation is an important part of the court process in Samoa: resolving disputes outside court as often as possible eases the burden on the busy court system.





Ministry of Women, Community and Social Development welcomes new volunteer

Caitlin Phillips-Peddlesden is the newest Australian volunteer at the Ministry of Women, Community and Social Development (MWCSD). She has commenced a 12-month assignment as a Community Monitoring and Evaluation Officer.

Ms Phillips-Peddlesden will be working to improve the MWCSD's monitoring and evaluation techniques and reporting mechanisms. Developing monitoring and evaluation capacity is a key part of ensuring the Samoa Law and Justice Sector is responsive to community needs.

'I will be helping to develop and implement the Ministry's comprehensive Monitoring and Evaluation Framework, which is inclusive of community consultation strategies in order to analyse and improve how the Ministry contributes to community development. I aim to help build the capacity of the Ministry by increasing staff understanding of monitoring and evaluation techniques, and applying best practice.'

In this way, she will boost stakeholder awareness and help to integrate community perspectives into programs, services and activities of the MWCSD. Monitoring and evaluation work informs the project priorities of the Samoa Law and Justice Sector.

Ms Phillips-Peddlesden recently completed a Masters of International Development and has worked in the community health and homeless sectors. Her interest in working in community development has seen her volunteer in Australia, interning for Amnesty International and the Asylum Seeker Welcome Centre, and overseas, with a local humanitarian organisation in Belize, Central America.

'I'm really excited to contribute my skills towards the objectives of community empowerment and poverty reduction through the AYAD program,' she said.

'I look forward to sharing knowledge around community development initiatives with the MWCSD—if I can survive the heat!'

Pictured: Australian Youth Ambassador for Development Caitlin Phillips-Peddlesden (centre front) with colleagues from the Division for Research, Policy Planning and Information Processing at the Ministry of Women, Community and Social Development.



'I look forward to sharing knowledge around community development initiatives with the MWCSD—if I can survive the heat!'

Ms Phillips-Peddlesden arrived in May as part of the Australian Volunteers for International Development program, an Australian Government, AusAID initiative. She is volunteering as an Australian Youth Ambassador for Development (AYAD). The AYAD Program is the youth stream of the Australian Volunteers for International Development program.



HIV/AIDS Awareness Retreat

The Samoa Law Reform Commission (SLRC), in collaboration with the Ministry of Health, Samoa Family Health Association and Samoa Red Cross Society, organised the "HIV/AIDS Awareness Retreat Event". The event took place at Le Uaina Seaside Resort, Faleapuna, on 28th and 29th May 2013. The initiative was financed by the Pacific Islands HIV and STI Response Fund.

The event consisted of two-days training aimed at the SLRC staff, including conferences and workshops, about symptoms, prevention measures, available treatments in Samoa for HIV/AIDS and other sexually transmitted illnesses, as well as the stigma and discrimination associated with these illnesses and the rights of the HIV/AIDS victims.

Leuluai Perive Lelevaga, Principal national sexual reproductive officer of Ministry of Health, and Faumuina Manu Samuelu, program manager of Samoa Family Health Association, explained to the SLRC staff the symptoms and treatments for the different sexually transmitted infections, their incidence in Samoa and how to prevent them.

Peati Maiava Malaki of Samoa Red Cross Society shared with the SLRC staff the daily difficulties and discrimination that people with HIV/AIDS have to face in Samoa. Finally, legal analysts from the SLRC gave a presentation on the rights of HIV/AIDS victims in Samoa and overseas.

As a way forward, the SLRC is working towards having in place anti-discrimination policies and guidelines in the office aimed not only at HIV/AIDS victims but also other disadvantaged groups of people. SLRC will continue to support the fight against HIV/AIDS and other related illnesses in Samoa.

The Samoa Law Reform Commission is working towards having in place anti-discrimination policies and guidelines in the office aimed not only at HIV/AIDS victims but also other disadvantaged groups of people.

Pictured: Staff of the Samoa Law Reform Commission attended an HIV/AIDS Awareness Retreat in May.





Project Update: Digitisation of Land and Titles Court Records

A long-term project to digitise the records of the Land and Titles Court has reached its second anniversary.

The main aim of the project is to preserve the information that is within the Land and Titles Court at both Mulinu'u (Upolu) and Tuasivi (Savaii) registries. So far, over 14,000 files have been scanned, amounting to over 680,000 pages. The project team has also repaired over 4,300 files to date.

The total number of Land and Titles Court files housed at the Mulinu'u Registry is about 31,584 and there are over 12,000 files relating to Land and Titles Court matters housed at the Tuasivi Office. These records have historical value to the people of Samoa, containing a wealth of information about family genealogy, confirmation of matai title holders and ownership of customary land.

The project commenced on 4 July 2011 and is being run by the Ministry of Justice and Courts Administration and the Samoa Law and Justice Sector. Initially, the project involved file repair and maintenance and a file count.

'Many of the records are fragile and in danger of becoming unreadable: print is fading due to the quality and deterioration of ink and paper from age as well as from insect infestation,' Project Team Leader Leota Pelenato Paulo explained.

'Some of the recent documents are in good condition but are also becoming fragile with usage and passage of time. There is also the problem of people stealing or taking papers from files, and also the risk of losing the hard-copy files if buildings are destroyed by fire or natural disaster. There was previously no back-up for these important records.'

Pictured: To celebrate two years of successful work digitising the records of the Land and Titles Court, staff at the Ministry of Justice and Courts Administration sang 'Happy Birthday' and rewarded themselves with cake.

These records have historical value to the people of Samoa, containing a wealth of information about family genealogy, confirmation of matai title holders and ownership of customary land. The project has made access to these important documents much faster, making the Court more efficient.





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Following the installation of scanners, the project team was trained to use the Docsvault System, software which was used to create an electronic records database. The scanning process began in December 2011. By June 2012, 5,659 files were scanned. As at December 2012, 10,003 files had been digitised.

'This project will preserve all Land and Titles Court records in fully indexed electronic form and enable backup copies to be created in the event that the images on the paper fade or documents themselves are destroyed,' Masinalupe Tusipa Masinalupe, CEO, Ministry of Justice and Courts Administration, said.

'It will also improve access by the public, particularly the interested parties to these important historical heritage documents, by enabling easy viewing of these documents via computer monitors.

Finally, the project has made access to these documents much faster, making the Land and Titles Court more efficient.'

The Land and Titles Court is by far Samoa's busiest court.

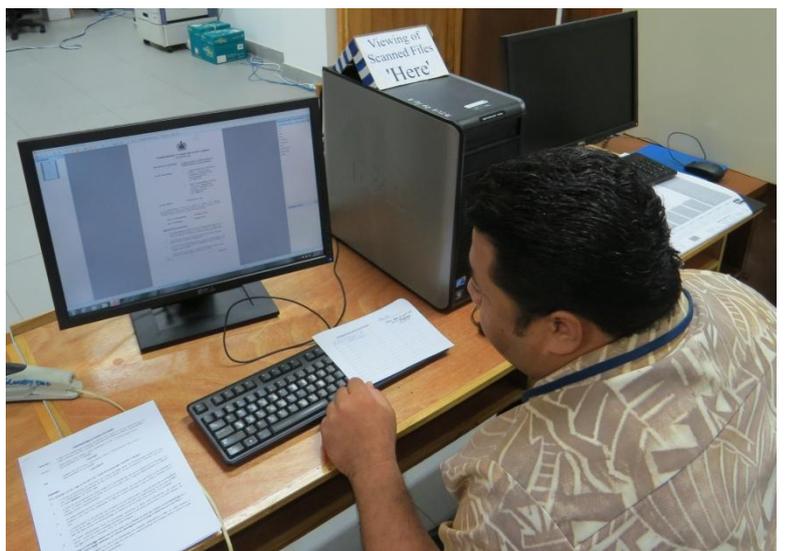
The judiciary, Court officers and the public are now accessing the scanned files where and when necessary for matters in the Land and Titles Court.

'I would like to express my sincere appreciation on behalf of the project team for the tremendous support and fantastic assistance provided by the CEO, executive members and the management team for the sustainability of the project at a high level,' Leota said.

'*Faafetai tele le lagolago ma le faamalosiau mai.* A big *Faamalo* also goes to the project team for all the hard work and effort contributed to reach the two-year milestone. The nine workstations are all working well.'

Members of the public can contact the Land and Titles Court with enquiries about specific records (see back page for Ministry of Justice and Courts Administration contact details).

Pictured (from top): The Land and Titles Court Records Digitisation Project Team (Team Leader Leota Pelenato Paulo front left); accessing electronic copies of Land and Titles Court records at the Ministry of Justice and Courts Administration.





New trucks support police and prisons

This month, the Samoa Law and Justice Sector completed a project to supply three vehicles to be used to transport offenders between central police stations, court and correctional facilities.

This Sector project was initiated because the Ministry of Police and Prisons had insufficient vehicles available for all three correctional facilities—Tafaigata Correctional Facility and Olomanu Juvenile Rehabilitation Centre (in Upolu) and Vai'iata Correctional Facility (in Savaii). The vehicles previously used for Tafaigata and Olomanu are no longer in service, with the result that cars have had to be rented or patrol cars utilised. Vai'iata Correctional Facility has never had a vehicle available for its own use.

Access to vehicles is important for the day-to-day transportation needs of the three corrections services. The safe and secure transportation of offenders is part of ensuring that Samoa's prison services operate efficiently and effectively.



Pictured: Sector Coordinator Tootoooleaava Dr Fanaafi Aiono-Le Tagaloa takes possession of the first of three trucks for use by the Ministry of Police and Prisons.



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Access to vehicles is important for the day-to-day transportation needs of the three corrections services. The safe and secure transportation of offenders is part of ensuring that Samoa's prison services operate efficiently and effectively. As the Sector works on a long-term project to separate prisons administration from police administration, this project addresses the need to ensure that corrections services are well equipped.



Pictured: The largest of the three new trucks obtained by the Samoa Law and Justice Sector for use by the Ministry of Police and Prisons.

Samoa Law and Justice Sector celebrates Independence Day 2013

The Police Band from the Ministry of Police and Prisons featured in Samoa's Independence Day celebrations this year, leading the flag-raising at the commencement of the official ceremony and executing an impressive march in the afternoon presentation. The Sector was also represented in the march by the Ministry of Justice and Courts Administration.

Pictured, from left: Samoa Police Band passing the Flame Mata'afa Faumuina Mulinu'u II Government Building decorated for Independence Day; officers in formation at the Independence Day march on 1 June.





New home for the Samoa Returnees Charitable Trust



The Samoa Returnees Charitable Trust (SRCT), which supports criminal deportees through the period of their arrival and resettlement in Samoa, has moved into a new office. The inaugural Trust Board meeting was held on Thursday, 11 July 2013 at its new, permanent premises at the Samoa Ecumenical Centre at Mulinu'u.

Apart from the main office, there is a conference room and training facility as well as a transitional residence. The apartment is fully furnished with the necessary amenities and communal showers and bathrooms.

Despite the logistical challenges, the office has been functional and available to the returnee community, registered SRCT counselors who provide assistance for our members and the influx of new arrivals.

Subsequently, our partners such as 'Alcoholics Anonymous' and 'Fortress of Faith' have scheduled their sessions at our conference room to make it not only private but very convenient for our members to attend.

Our Returnee Advisors on the Board and registered members see the new headquarters as a safe haven to conduct fellowship with some members who are ambivalent and struggling with their transition. The meetings serve as a good forum for sharing their experiences with staff and others in the community. Accordingly the establishment of the office is fundamental given that the latest statistics of deportations are on the rise.

There have been positive steps forward in some key areas of the Samoa Returnees Integration Assistance project. Apart from our referral service and counseling seminars, we also facilitate vocational training with SUNGO for those who are seeking employment opportunities.

We are also planning to provide cultural workshops and initiate a community service project for a 'volunteer work crew' to conduct landscaping for Mapuifagalele, Lototaumafai and SVSG. As a result of persistent dialogue, the New Zealand High Commission has indicated a firm commitment to sponsoring this worthwhile initiative.

Our focus has been on criminal deportees since they are an ostracised sub-culture of society. We are evolving our rehabilitation programs to include the returnees' families supporting them on island.

This collaborative effort has proved successful and has afforded the Returnees Office the ability to manage the returnees' life choices and monitor their activities.

The Trust endeavors to contribute to Samoa Corrections by developing the referral services to include our local ex-convicts, parolees and those on probation. The Trust aims to integrate returnees into Samoan society to ensure they do not resort to crime to survive, resulting in a safer Samoa.



Pictured: (bottom, left to right) Vernon Mackenzie, Senior Returnees Officer, Ross Ardern, Superintendent for New Zealand Police (Ross is based at the New Zealand High Commission and has been an advocate for SRCT since the inception of the project), and Paul Ah Kuo, Samoa's Principal Immigration Officer; (middle) Rev. Falevi Petana, Assistant Resettlement Officer, at the new SRCT office; (top) SRCT conference room.



New staff plus human rights training for the Office of the Ombudsman

In June 2013, legislation was passed to grant the Office of the Ombudsman an additional role: that of the new National Human Rights Institution of Samoa (NHRI). Thus the Office of the Ombudsman now operates under two mandates, namely to promote good governance and for the protection and promotion of human rights.

The NHRI will officially launch in October, but for now, the Office has gained two new staff members to start the work of the NHRI. Solamalemalo Hai-Yuean Tualima has been recruited as the first permanent member of the NHRI. She will be responsible for the Human Rights Education and Communications during the establishment phase of the NHRI. Prior to joining the Office, Hai-Yuean worked with the Samoa Law Reform Commission, with carriage of the National Heritage Board Project and assisting with other various projects. Additionally, she has worked in private practice in New Zealand specialising in Māori legal issues and commercial law.

Dr Melanie O'Brien is the newest member of the team, as Human Rights Legal Officer. Melanie comes to the Office from Griffith University in Brisbane, Australia, where she is a Research Fellow specialising in various fields of international law, including human rights law, criminal law, and humanitarian law. Melanie is in the role through Australian Volunteers for International Development, an Australian Government, AusAID initiative. She has previously worked at the International Criminal Court and the Human Rights Legal Centre at Nottingham University.

In July, staff of the Office of the Ombudsman participated in a high-level dialogue training workshop led by Ms Rosslyn Noonan, consultant for the Asia Pacific Forum and former New Zealand Chief Human Rights Commissioner, and Dr Nancy Robinson, Regional Representative for the Pacific of the Office of the United Nations High Commissioner for Human Rights (UN OHCHR). The assistance of both the APF and the UN OHCHR has been instrumental in the establishment of the NHRI, and will continue to be vital as the Office of the Ombudsman works to set up a functional NHRI in Samoa.

The expanded Office will play a fundamental role in safeguarding the principles upon which our country is built, by empowering and educating people to decide on the future direction of the country.

Fa'a Samoa and human rights are not mutually exclusive and for the main part are one and the same: a respect for one another and the promotion of human dignity. By introducing a National Human Rights Institution to this country we have the opportunity to build upon our already great society and become a shining example to the world in how we can live in peace and dignity, yet prosper and develop at the same time.

Fa'a Samoa and human rights are not mutually exclusive and for the main part are one and the same: a respect for one another and the promotion of human dignity. The National Human Rights Institution will serve to protect and promote the rights and dignity of the Samoan people in the development of our wonderful country.

Pictured (left to right): Solamalemalo Hai-Yuean Tualima (Human Rights Education and Communications Officer, NHRI), Dr Melanie O'Brien (Human Rights Legal Officer, NHRI), Dr Nancy Robinson (UN OHCHR), Ms Nileema Noble (UN Resident Coordinator & UNDP Resident Representative), Afioga Maiava Iulai Toma (Ombudsman), Ms Rosslyn Noonan (APF), Mr Ashley Bowe (outgoing Human Rights Legal Officer, Office of the Ombudsman).





10 years of information technology development in court administration

Project profile: Project AUAFA – MAU Database

Sector agencies will contribute statistics to the MAU Database and use the database to analyse trends affecting law and justice issues.

To understand the significance of Project AUAFA to the Ministry of Justice and Courts Administration, one has to understand where the Ministry was a decade ago.

When I commenced my work as the CEO of the Ministry in 2000, the Ministry had two computers and no staff skilled in information technology and systems. Several years ago, the New Zealand Aid Programme provided computers and training through an Institutional Strengthening Project. Later the Ministry hired dedicated IT staff (a Principal IT Officer and a Senior IT Officer). The Ministry's website (www.mjca.gov.ws) was launched in 2008.

Today, court cases are recorded in over a hundred spreadsheets. This system developed as each Court officer maintained a spreadsheet to record the details of matters they were handling as they progressed.

The goal of **Project AUAFA** is to develop a centralised database to which the Sector's agencies can contribute statistics. The **MAU Database** will allow Sector agencies to analyse trends affecting law and justice issues and to produce customised statistical reports which should inform the direction of Sector development and improvement of legal services. This shift in evidence-based planning will in turn allow for more robust monitoring and evaluation systems.

This project has prompted us to review the Ministry's data management systems and to consider whether the spreadsheets capture all the information we require. We have called this internal systems updating project **Taufalemau**. Using the MAU database, the Ministry can improve the efficiency of its own work.

Of course, the project has to progress even while the demands of our day-to-day tasks at the Ministry continue. The Ministry remains busy with the Digitisation of Land and Titles Court Records Project.

An ambitious undertaking that began on 4 July 2011, it was the very first project initiated by the Samoa Law and Justice Sector and work will continue into 2014 to complete the project.

As our work progresses, the Ministry continues to look ahead. The development of the **MAU Centralised Database** is another milestone in the development of the IT capacity of the Ministry. For the Sector as a whole, it offers a platform for us to work together towards our shared vision.

Masinalupe Tusipa Masinalupe
Registrar and Chief Executive Officer
MINISTRY OF JUSTICE AND COURTS ADMINISTRATION

Pictured: (bottom, from right) Masinalupe Tusipa Masinalupe, CEO of the Ministry of Justice and Courts Administration, with Policy Planning and Evaluation Officer Marnell Slade, Sector ICT Officer Riza Dela Cruz and Senior IT Officer Simi Neli; (top) the Sector's ICT Sub-Committee at a Project AUAFA meeting in April.





New Zealand delegation focuses on improving our court processes

A delegation of four technical experts from the New Zealand Ministry of Justice spent four days with our Ministry of Justice and Courts Administration in June.

The purpose of the delegation was to discuss and evaluate current case management processes being used in Samoan courts and to explain the New Zealand experience as well as international best practice. Discussions focused on electronic tools that can be used to assist the work of Samoa's courts.

The delegates met with the Honourable Fiame Naomi Mataafa, Minister of Justice and Courts Administration, His Honour Chief Justice Patu Falefatu Sapolu, the CEO and Registrar of Courts, and Ministry and Sector Secretariat staff.

They gave presentations which were attended by Minister of Justice, the Associate Minister of Justice, CEO and Registrar of Courts, representatives from the Office of the Attorney General and the Samoa Law Reform Commission, and Ministry and Sector Secretariat staff.

They explained the evolution to an electronic court filing system and steps that can be taken to improve case file presentation.

'Judges need to receive files in priority order,' one member of the delegation said. 'Files can be triaged for case management and to maximise the output of a judicial officer.'

'Ultimately, the IT system must reflect what's happening in the real world,' another delegate said. 'There must be discussion first and agreement on how files should be presented.' This involves coordination of IT solutions both at the registry level and in the judicial office.

'We're at the start of a journey and new systems will be developed over time. Without impinging on judicial independence, presenting files in a generic way makes court processes more efficient.'

Pictured: Minister of Justice and Courts Administration the Honourable Fiame Naomi Mataafa (third from right) with CEO Masinalupe Tusipa Masinalupe (left) and the members of the New Zealand delegation (20 June 2013).





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The Ministry is looking at options to introduce electronic filing and improve electronic case management. During the week, delegates held consultative discussions with the Ministry's technical experts and the judiciary—the end user of court files.

'We're at the start of a journey and new systems will be developed over time,' a delegate commented. 'Without impinging on judicial independence, presenting files in a generic way makes court processes more efficient.'

File standardisation can include the use of dividers, tabulation and indexes.

On 17 June 2013 the delegates met with the Samoa Law and Justice Sector Steering Committee and Information and Communication Technology Sub-Committee and offered advice on the development of the Sector's MAU Database.

The delegates prepared a report, which they presented on 20 June 2013. Following the final presentation, the CEO and staff of the Ministry presented gifts to the delegates including copies of the recently launched documentary film on the first 50 Years of Samoa's Journey since Independence in 1962 of which the Honourable Minister of Justice was the Executive Producer.

The leader of the delegation expressed her passion for giving back to Samoa, her home country.

'I am overwhelmed and very humbled by the kindness and generosity of our hosts. I am so so proud of the work that has been undertaken so far.'

Pictured: Masinalupe Tusipa Masinalupe (CEO, Ministry of Justice and Courts Administration) presents gifts to the New Zealand delegation (20 June 2013).

'I am overwhelmed and very humbled by the kindness and generosity of our hosts. I am so so proud of the work that has been undertaken so far.'





SamLII turns ONE!

Project Update: Samoa Legal Information Institute (SamLII)

Launched on 8 June 2012, www.samlii.org provides public access to Samoan legal information including the Constitution of Samoa, statutes, regulations, judgments of the Courts including the Land and Titles Court, and reports of the Samoa Law Reform Commission.

SamLII is part of an integrated network of Legal Information Institutes around the world, including PacLII (Pacific Islands Legal Information Institute) and AustLII (Australasian Legal Information Institute), and was the first Pacific-island country to establish its own LII.

What makes the Legal Information Institutes such user-friendly research tools is that materials are mainly published in **html**.

'Html is a particular computer language that allows pages to be viewed using your browser as opposed to "downloading",' Lenore Hamilton, the Director of PacLII, explains.

'Documents which are published in html are much faster to open which is especially important in a region where internet connection can be very slow. PDF files on the other hand can be very slow to download and many users in the Pacific will be familiar with systems "timing out" while trying to download a PDF file.'

Two other very important features of html are that it permits the insertion of **hypertext links** and the application of a powerful and custom-designed **search engine**.

'The insertion of **hyperlink text** means, for example, that if a court decision refers to another court decision or piece of legislation which is published on this or any other LII then that reference will appear in **deep blue** and if you "click" on it you will be taken to that decision or piece of legislation directly,' Ms Hamilton says.

'You will not have to exit the database manually and open a different database or even travel to another website to find the information you are looking for.'

SamLII came about when there was talk that funding for PacLII was going to end. PacLII remains in operation but SamLII was nevertheless launched amid the uncertainty surrounding the continuation of the valuable service that PacLII provides.

SamLII was envisioned by the Chief Justice of the Supreme Court of Samoa, his Honour Patu Falefatu Sapolu, and was developed as a project of the Samoa Law and Justice Sector through the Ministry of Justice and Courts Administration with the support of the Attorney General, who is the Chairman of the Sector's Steering Committee.

To celebrate the first birthday of Samoa's FREE online legal information portal, we asked an expert in the field of online legal research to explain SamLII's most powerful features.



SamLII



'SamLII is a most significant development in the progress of the law of our country, and has provided a model for other Pacific-island countries to follow.'

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Ms Hamilton and other representatives of AustLII and PacLII conducted a feasibility study for the project and provided technical expertise in the preparation of a working prototype for SamLII.

As his Honour Chief Justice Sapolu explains, SamLII was established to bring together the laws of Samoa in one place via the internet, in order to facilitate access to those laws by any person who wants to know the law of Samoa on any given topic.

'The website is useful and beneficial for judges, members of Parliament, lawyers, law students and lecturers, public servants, employees of statutory corporations as well as members of the general public who would like to find out the law of Samoa on any particular relevant matter,' he said.

By publishing judgments of the Land and Titles Court on the internet, SamLII provides access to those judgments for members of the public in respect of their Land and Titles Court matters.

'SamLII is a most significant development in the progress of the law of our country, and has provided a model for other Pacific-island countries to follow,' his Honour Chief Justice Sapolu said.

'We have become aware of the essential usefulness of this type of website for legal information via the internet to the work of the Samoan Courts, lawyers, and students who are undergoing legal training at the regional law school at Vanuata.'

Pictured: His Honour Chief Justice Patu Falefatu Sapolu (centre) with (left to right) Philip Chung (AustLII), Li'o Wilhelm Heinrich Siemsen (Ministry of Justice and Courts Administration), Professor Andrew Mowbray (AustLII), Masinalupe Tusipa Masinalupe (CEO, Ministry of Justice and Courts Administration), Tootooleaava Dr Fanaafi Aiono-Le Tagaloa (Sector Coordinator, Samoa Law and Justice Sector) and Kim Freriks (PacLII) at the launch of SamLII on 8 June 2012.





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Crucially, the **search engine** used by PacLII allows users to search across all the documents held on the PacLII website at the same time as opposed to searching a single database or single country at a time.

'This is vital for regional research,' Ms Hamilton explains. 'So, those who are interested in only SamLII material will be able to search the SamLII website but as the material will also be replicated on PacLII it will still be searchable on PacLII.'

'The information that is published on PacLII is replicated on CommonLII (Commonwealth LII) and on WorldLII. So for example the material that is currently published on PacLII relating to Samoa is automatically replicated on CommonLII as it is a Commonwealth country.'

From its inception as a small online publishing project in the mid 1990s, PacLII has largely taken the responsibility for collecting materials from the member jurisdictions and publishing them on the PacLII website.

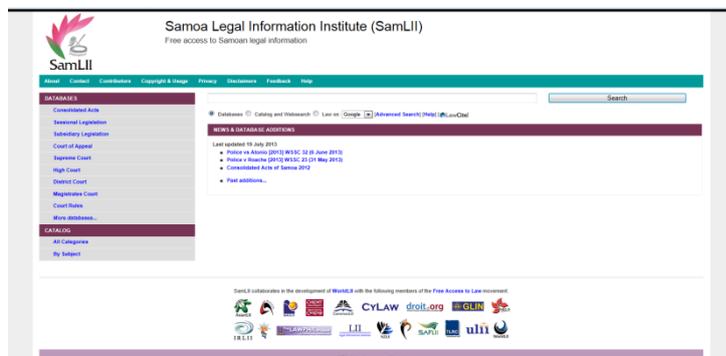
As Ms Hamilton explains, most Pacific countries have a national legal database online, but these are stand-alone databases and users cannot search across all of them at the same time for the purpose of regional legal research. Though each is useful in its own right, national databases usually only publish PDF files and are limited to legislation.

Work continues on SamLII to add extra databases, such as Consolidated Legislation and Samoa Law Reform Commission Final Reports and possibly some Commissions of Inquiry Reports.

Ultimately, the aim of this Samoa Law and Justice Sector project is successfully locating and hosting SamLII in Samoa. Once SamLII recruits staff to operate SamLII locally, it will become fully independent and will load its own material direct to SamLII. That material will similarly be replicated on PacLII, CommonLII and WorldLII.

Check out <www.samlII.org> and <www.paclII.org>.

Pictured: Samoa Legal Information Institute homepage.



The SamLII story to date...

22 July 2011

Project proposal recommended for approval by the Sector Steering Committee.

17 & 20 October 2011

Representatives from the Ministry of Justice and Courts Administration meet with a PacLII delegation to discuss the SamLII project.

Early 2012

PacLII and AustLII provide project support to the Ministry of Justice and Courts Administration through technical assistance and advice.

8–12 May 2012

Two AustLII representatives and one PacLII representative visit to assist in establishing SamLII. They also provide training to ten Judges' Associates and Transcribing Officers on the preparation of Court judgments to decrease the need for editing services and therefore speed up the updating of SamLII.

8 June 2012

Official Launch of SamLII, the forty-first Legal Information Institute in the world: <www.samlII.org>.

7–9 October 2012

At the request of the Chief Justice of the Supreme Court of Samoa, the Sector Coordinator attends the LII Family 20th Anniversary at Cornell University, New York, USA.

8 June 2013

SamLII celebrates its **FIRST BIRTHDAY**.

