

VANUATU COURTS

COURT OF APPEAL
SUPREME COURT
MAGISTRATES COURT
ISLAND COURT

2022 – A Reflection

THE YEAR IN REVIEW

- 2022 was a solid year for the Vanuatu Courts however it came with an unexpected event when the Vanuatu Government network was hit by a ransomware attack. This caused all the government services and systems to go offline. This impacted the Courts and other government agencies of having no access to our respectful systems over 2 months and data loss, 5 months worth. |
- Having said that, the Courts was able to manage to save some offline data from the court system, in regards to registration and completion of cases from the system as of the end of October 2022.
- During the month of November and December when the government network was still offline and not accessible, we took steps to continue registering and completed cases manually. So, we are pleased that we can still provide the people of Vanuatu with majority of performance indicator.
- With respect to the international court performance indicators, this year we can provide, number of fillings, disposals, clearance rate, pending, PDR, timeliness and attendance rate, working from the data we have available.
- Just of over 3,400 cases filed across the four jurisdictions, a 17% decreased compared to the year 2021. A clearance rate of 98%, but 3 out of 4 jurisdiction better then 100%
- Supreme Court filing decrease by 12% and case disposal decrease by 14% , a clearance rate of 101 % lower, slightly lower then 2021.

CONTINUED

- Magistrate Court filing decreased by 13% and case disposal decreased by 7% , clearance rate sitting at 102% an increase compared to the previous year.
- Our pending numbers are always a focus of attention, and am pleased to say, 3 out 4 jurisdiction the overall #s have reduced.
- Another crucial court indicator is referred to as the Attendance Rate – as measured by the number of times parties/lawyers need to attend court to have their matter finalised. The target for all courts internationally is to keep this indicator as low as possible, thus minimising the impact to you – the community. Our Attendance Rates for the year have also been strong and consistent.
- The Court of Appeal continues to provide by world standards such as timeliness and clearance rates, an excellent service to this country. Despite more cases being filed, the CoA still managed to finalize all of the cases – within an average of 3 months from filing.
- Overall pending caseload for the Supreme Court remains approximate at 800 cases.

CONTINUED

- From an Island Court perspective, the clearance rate at 58%, the lowest it has ever been – this has my attention and needs further to investigate.
- With the support and assistance from our system developers Lexis Nexis and stakeholder support PJSP we have a plan to recovery our lost data.
- We have a lot work ahead of us this year 2023, we plan to:
 - 1) Get our court system back online by mid February
 - 2) Restore missing data in our court system
 - 3) Do data entry for registered cases since November 2022 into the system. This means these cases will have new case numbers and therefore the Courts will be issuing notices to all parties with their new case numbers
 - 4) Cases from June to October will be checked and updated in regards to case status, parties, listings, listing outcomes, charges, charge outcomes etc...
 - 5) Rescan documents for cases in June to October 2022.

CONTINUED

- Overall it will take us more than 6 months before we have our data back into the system.
- The back capture work will require additional funds and temporary resources, which the court will be working towards.
- All in all the fact that we are still able to reflect on majority of the courts performance despite the unforeseen challenge in November 2022, is a credit to the Chief Registrar and his team, and as I have mentioned in previous years, our ability to present to you, the Government and the people of Vanuatu, our 2022 performance analysis within the month of January is testament to the work of many.

SUPREME COURT

Key Messages

- SC filings just above 700, less than last year 2021 – with 723 cases filed
- SC disposals while not as in year 2021, less – with 733 cases closed
- Clearance rate again was greater than 100% - at 101%, an excellent result
- Pending remains just over 800
- PDR is 1.1 – just above the target for any Supreme Court
- Timeliness for completing Criminal cases slightly increased – now at 183 days versus 174 last year. Civil cases also reduced from 652 days to 473 days – a great result

Overall

- Attendance rates (which impact and cost to the parties) continue to be monitored carefully. An increase in attendance for criminal and enforcement and a decrease in civil, while others are stable.

MAGISTRATES COURT

Key Messages

- MC filings decrease significantly from 2638 to 2283 – an decrease of 13%
- MC disposals decrease from 2506 to 2336 cases, a decrease of 7%
- Clearance rate increased - greater than 100% - at 102%, an excellent result
- Pending at 918 cases – a decrease to 2021
- PDR remains steady at 0.4 – a very good position
- Timeliness for completing both Criminal and Civil cases – a slight increase, 164 to 177 days for Criminal and 353 to 377 day for Civil.

Overall

- Pending case numbers (open cases) decreased slightly due to the Clearance Rate more than 100%
- The Pending to Disposal Ratio (PDR) is solid at 0.4

ISLAND COURT

Key Messages

- IC filings - decreased by 38% - from 553 to 345 cases filed, compared to 2021
- IC disposals - decrease by 66% from 592 cases to 199, the lowest we have ever seen – needs further investigation
- Clearance rate well below 100% - at 58% - the lowest we have ever seen
- Pending cases increase to 701 cases compare to 2021
- PDR has increase to significantly 3.5 - greater then ideal target – which is less than 0.5

Overall

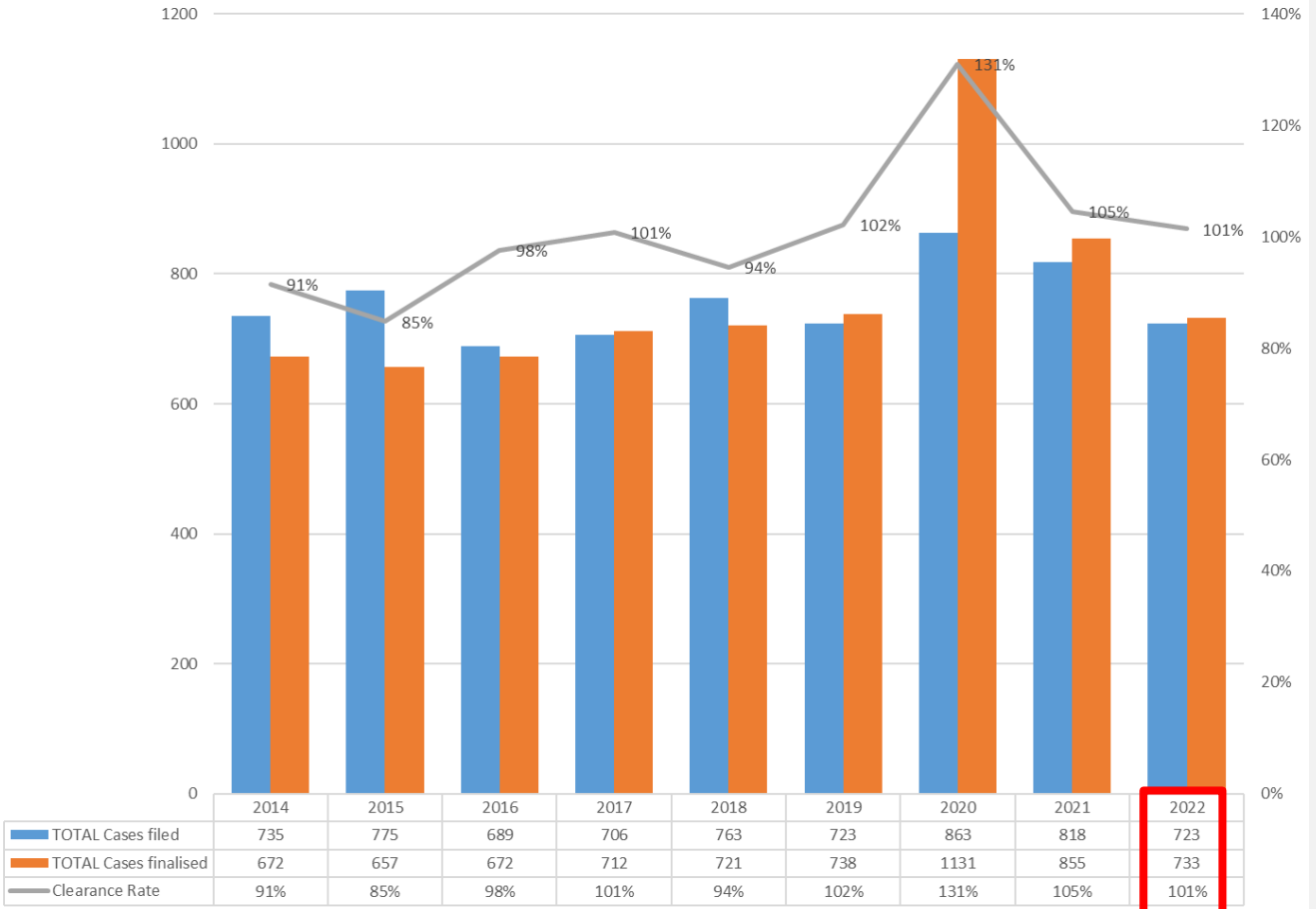
- Filings and Finalization continue to decrease - needs further investigation

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I. CASE WORKLOAD

SUPREME COURT TOTAL WORKLOAD

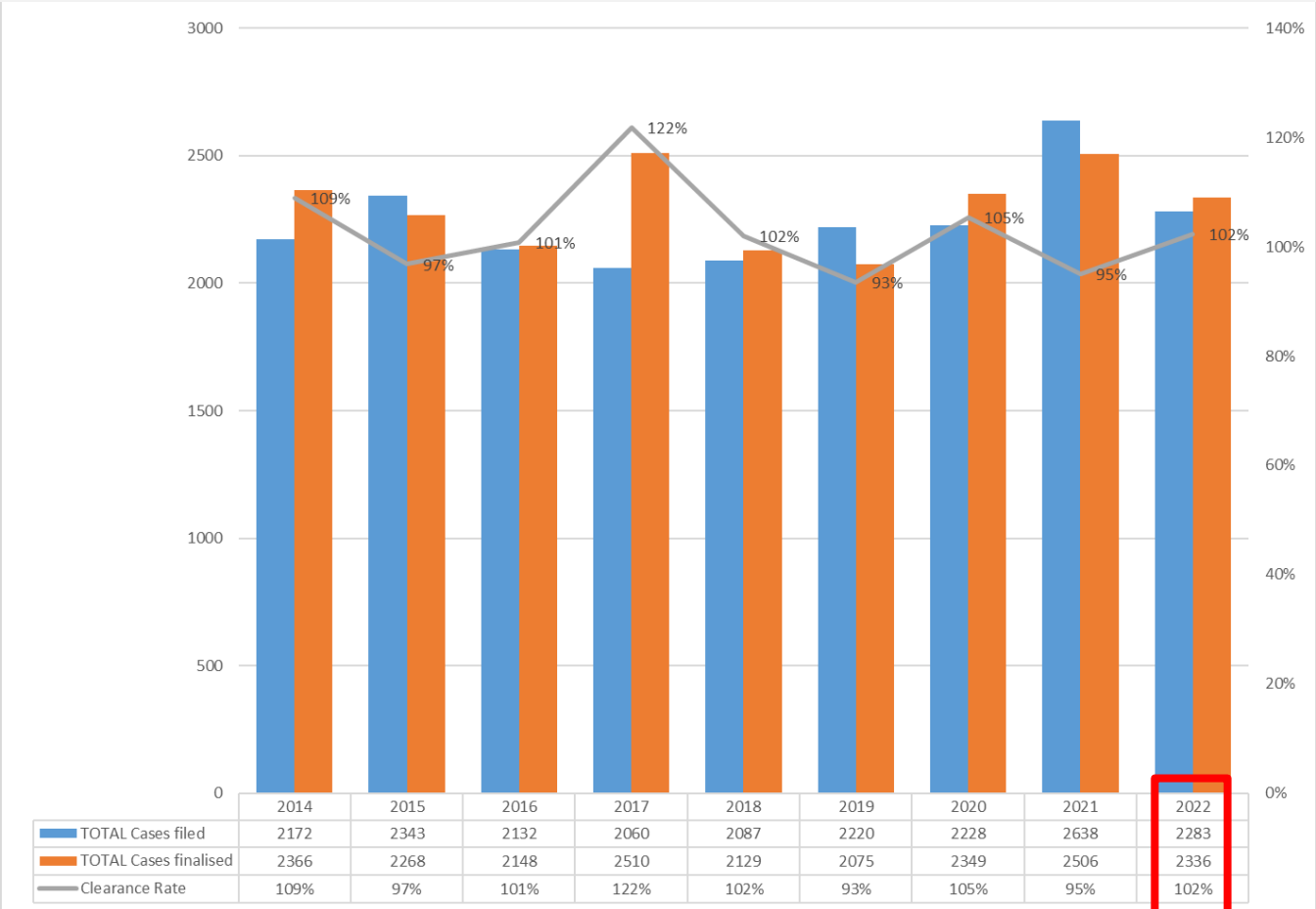


Supreme Court filing decrease by 12% and case disposal decrease by 14% . Clearance rate of 101 % is slightly lower, compared to year 2021.

Note : 2022 Data is made of system data till the end of October 2022 and manually collected data for November and December.

Ref: SC WK Load

MAGISTRATES COURT TOTAL WORKLOAD



Magistrate Court filing decreased by 13% and case disposal decreased by 7%, in 2022 however, clearance rate sitting at 102% an increase compared to the year 2021.

Note : 2022 Data is made of system data till the end of October 2022 and manually collected data for November and December.

Ref: MC WK Load

ISLAND COURT TOTAL WORKLOAD

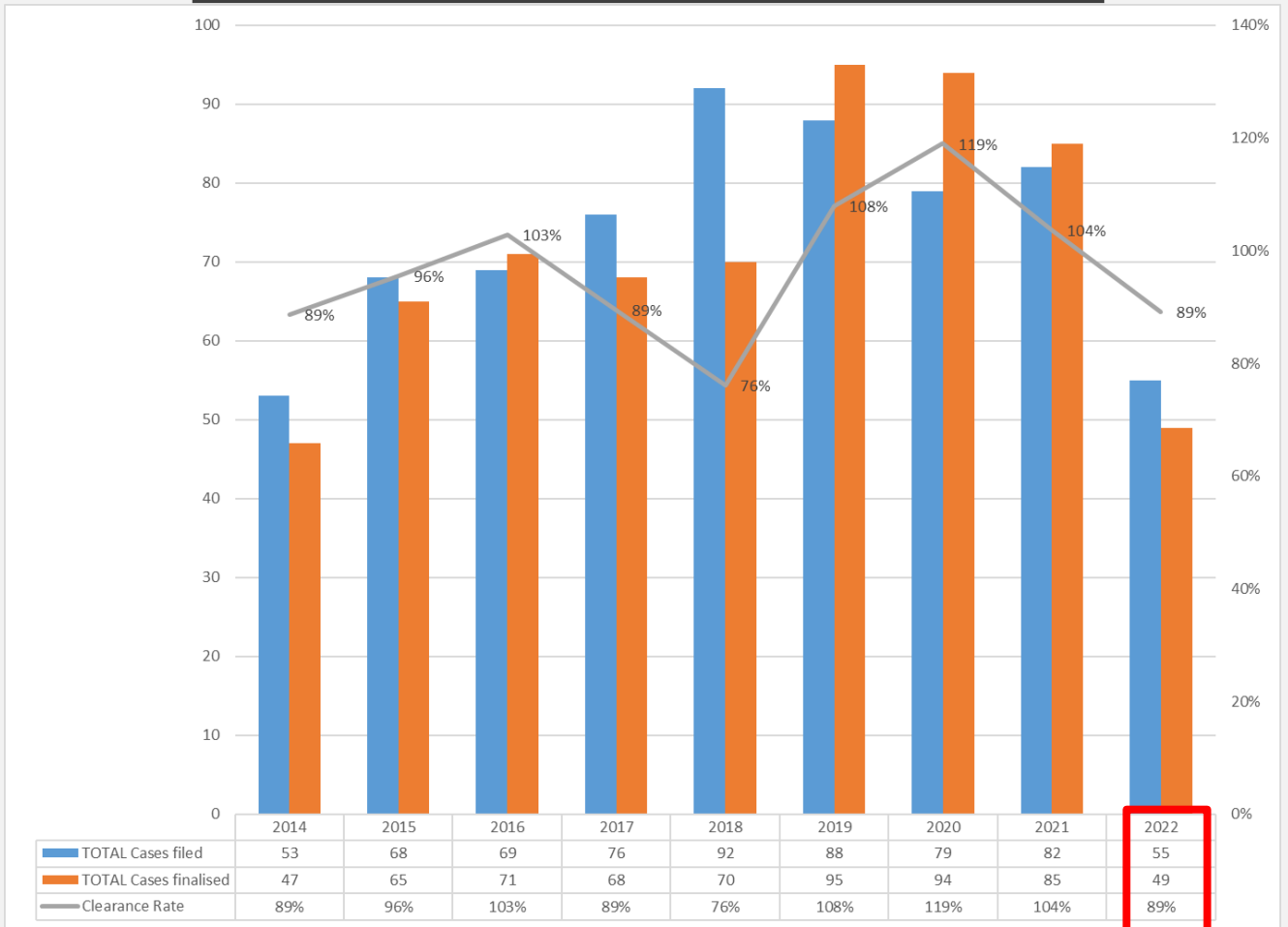


Cases filed has decrease by over 38%, and disposals 66% in 2022. Clearance rate at 58% the lowest we have ever seen – needs further investigation

Note : 2022 Data is made of system data till the end of October 2022 and manually collected data for November and December.

Ref: IC WK Load

COURT OF APPEAL TOTAL WORKLOAD



Cases filed has decreased by 33% in 2022, compared to 2021 a good thing showing less appeals.

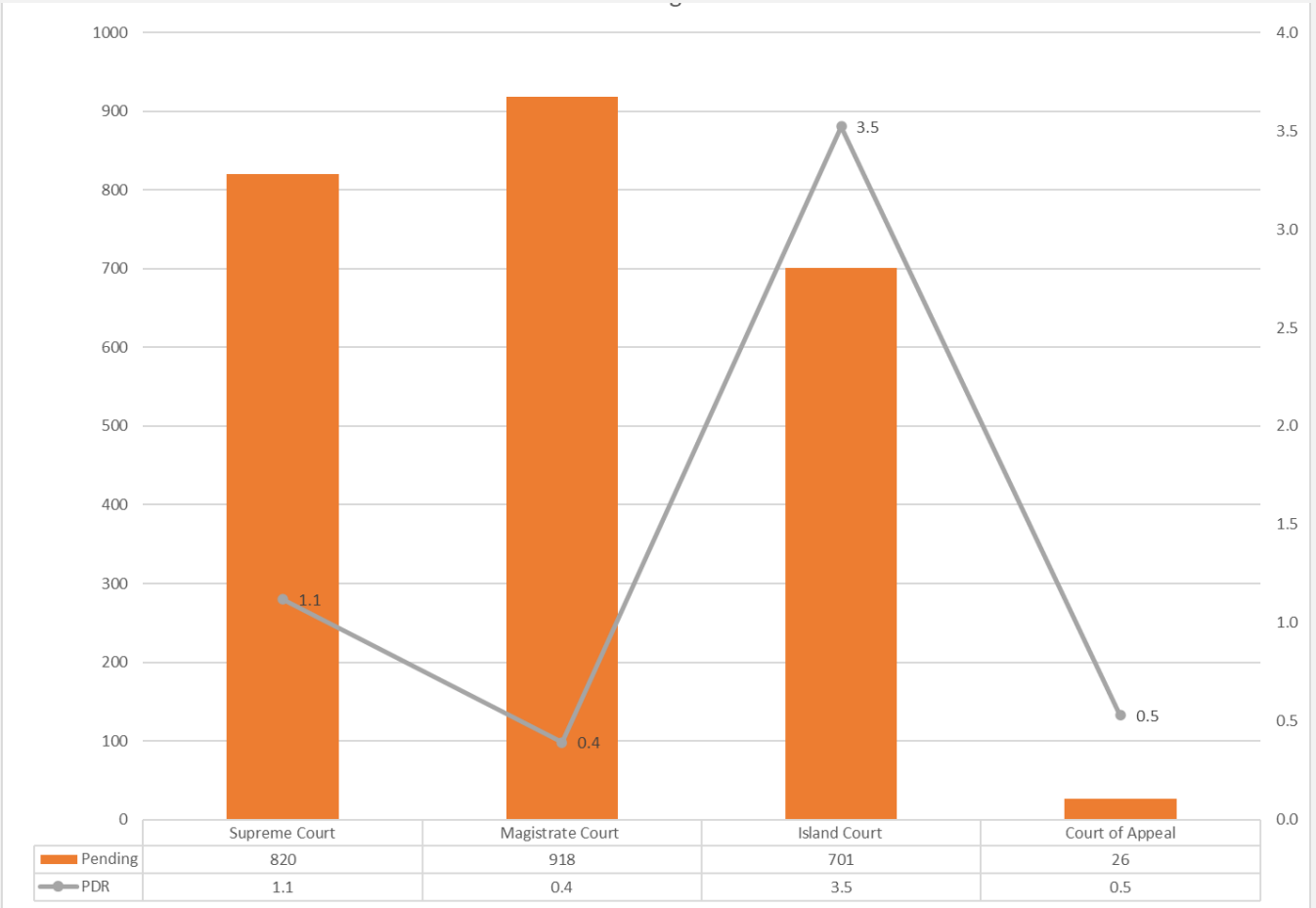
Clearance rate at 89% less then 100%.

Note : 2022 Data is made of system data till the end of October 2022 and manually collected data for November and December.

Ref: COA WK Load

2. PENDING CASES

PENDING CASES BY COURT



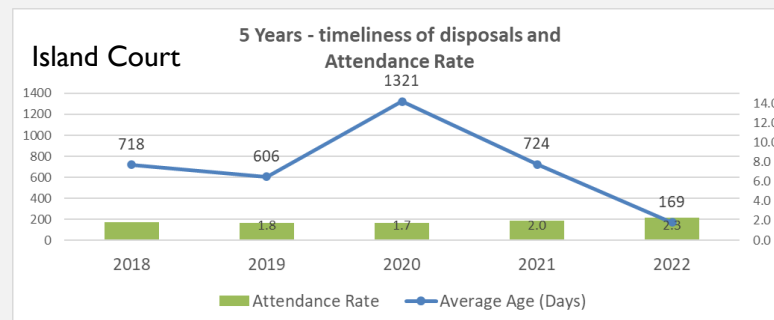
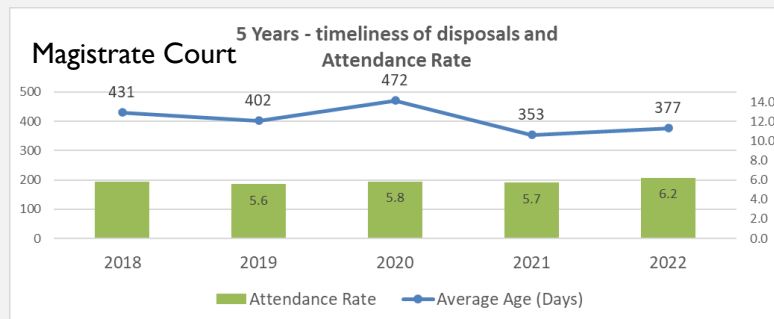
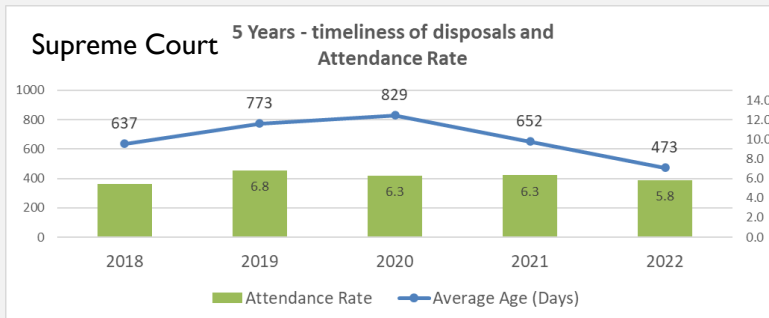
2,465 cases are now pending across the four jurisdictions, with 33% in the Supreme Court. Of concern is the high Pending to Disposal Ratio (PDR) in the Island Courts. The lower the PDR, the better - and ideally under 1.0 for the Supreme Court and 0.5 for the lower courts.

Note : 2022 Data is made of system data till the end of October 2022 and manually collected data for November and December.

Ref: AllPending

5. TIMELINESS

TIMELINESS DISPOSED CIVIL CASES

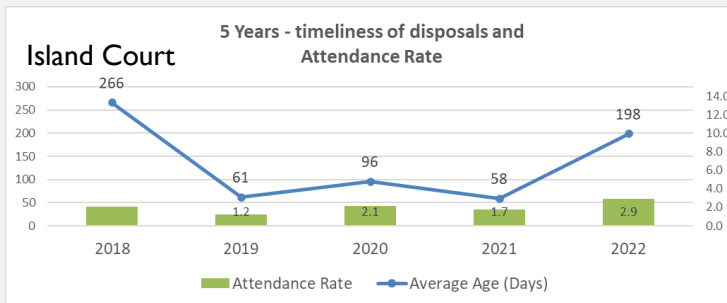
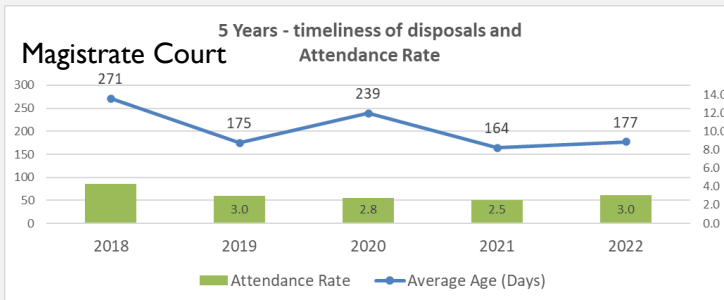
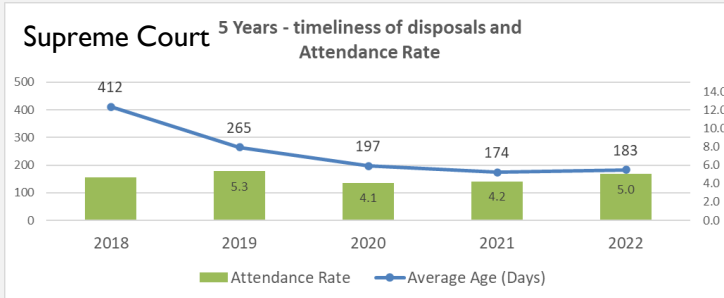


Civil cases in the Supreme and Island Court have decreased and Magistrate Court a slight increase in 2022 compared to 2021.

Note: 2022 Data is made of system data till the end of October 2022.

Ref: Quarterly Report

TIMELINESS DISPOSED CRIMINAL CASES



Criminal cases average days to finalize case have increased in 2022 compared to 2021.

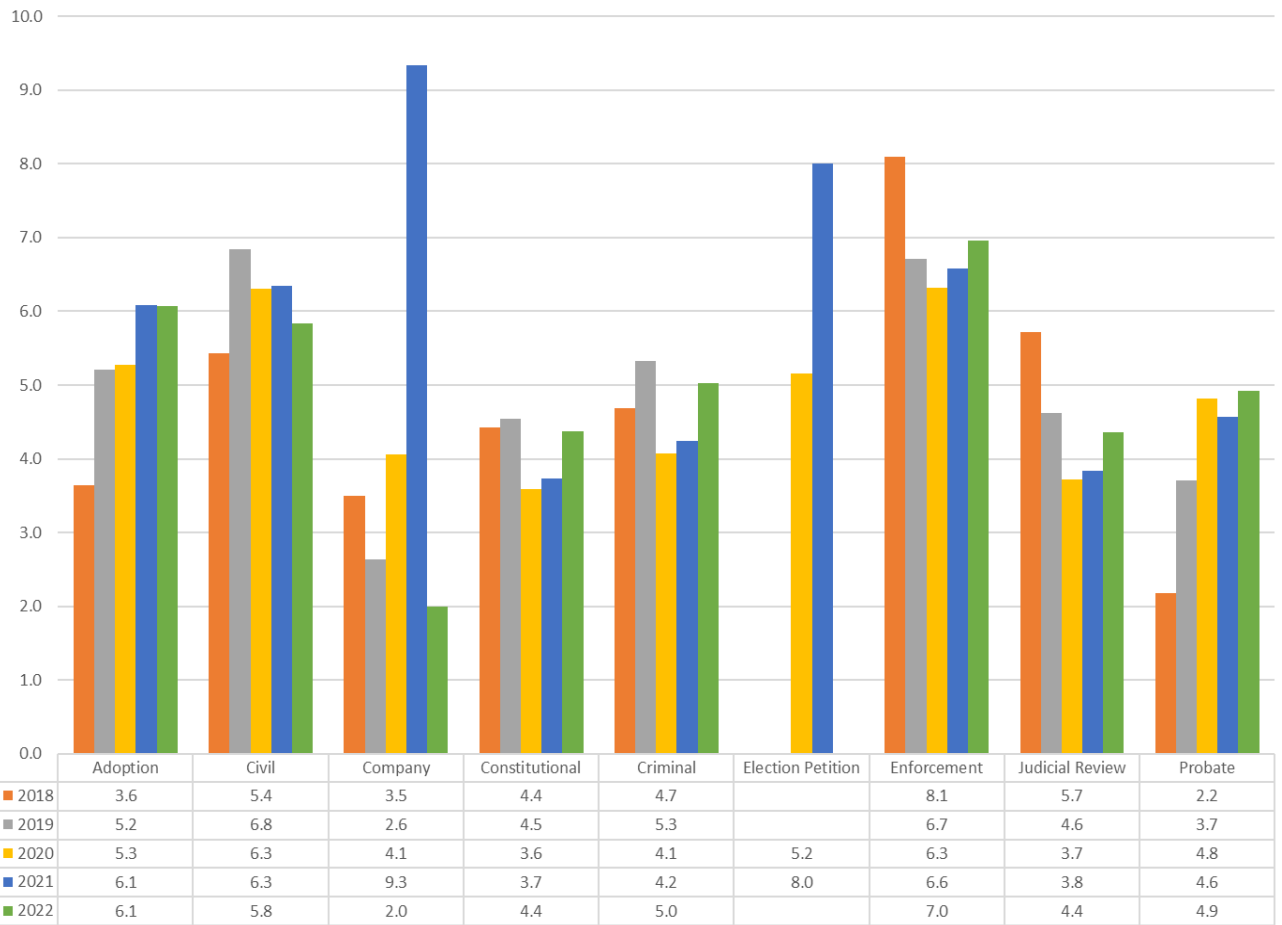
Note: 2022 Data is as of end of October 2022 from the court system.

Ref: Quarterly Report

9. ATTENDANCE RATES

Attendance rates, as measured by the number of visits/appearances at court to dispose a matter is now being tracked.

SUPREME COURT COMPLETED ATTENDANCE RATES

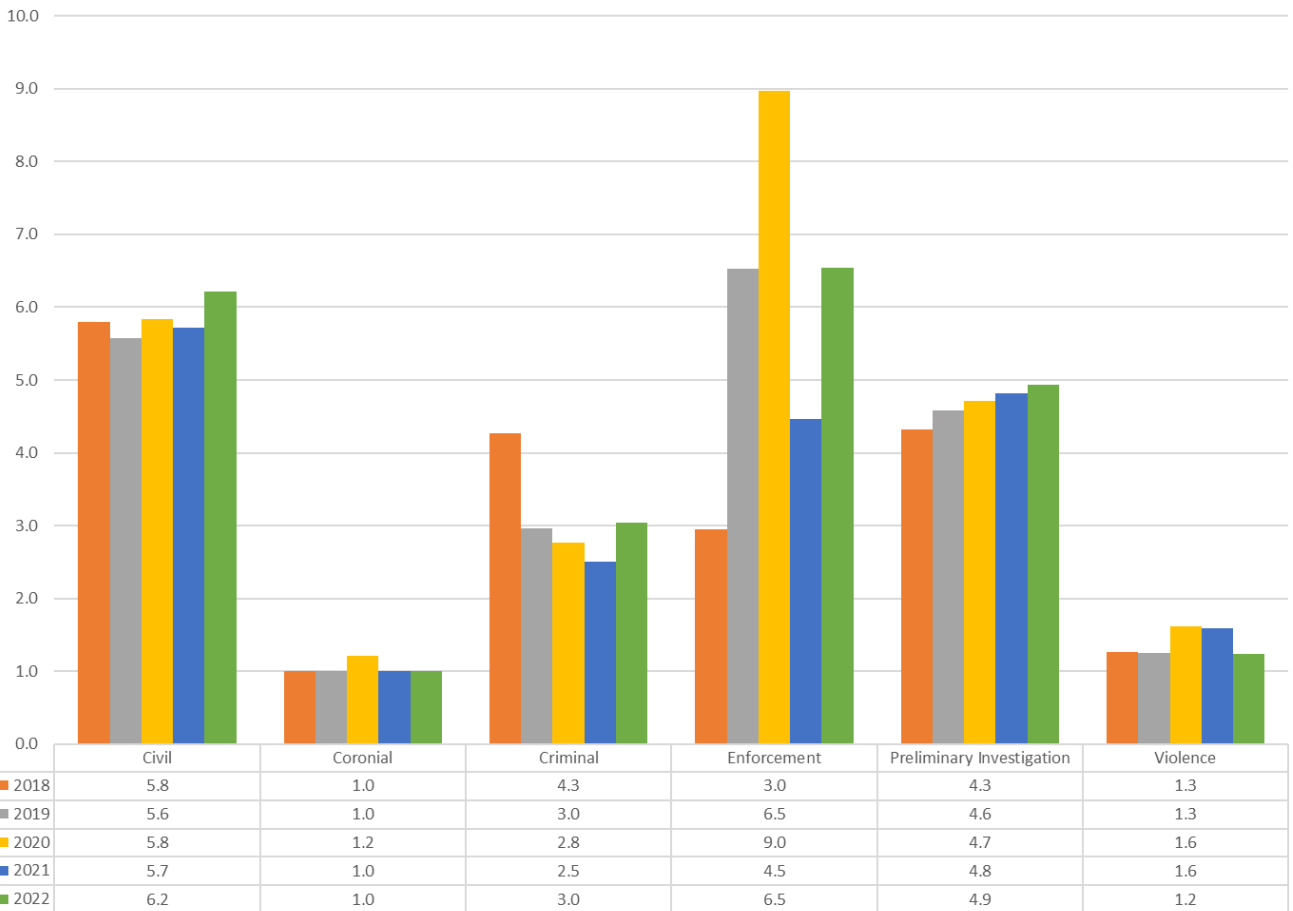


Of concern is the high number of attendances for Enforcement and Criminal, which has direct impact on inconvenience and costs to parties. This is to be reviewed. A decrease in Civil, while others are stable.

Note: Note : 2022 Data is made of system data

Ref: SC AttCompleted

MAGISTRATE COURT COMPLETED ATTENDANCE RATES



Of concern, Civil, Criminal, and Enforcement – an increase in the number of the attendance rates and a decrease in attendance for Violence (Protection Order), are generally in-line with good practice for Magistrate Court.

2022 Data is as of end of October 2022 from the court system.

Ref: MC AttCompleted