

2019 OFFICIAL OPENING OF THE COURTS OF VANUATU

THE HONOURABLE CHIEF JUSTICE LUNABEK

- **His Excellency Pastor Obed Moses Tallis, President of the Republic of Vanuatu**
- **Hon. Charlot Salwai, Prime Minister of the Republic of Vanuatu and Madame Salwai.**
- **Hon. Esmon Sai , Speaker of Parliament of the Republic of Vanuatu**
- **Hon. Judges of the Supreme Court of Vanuatu and Spouses**
- **Magistrates of the Republic of Vanuatu and Spouses**
- **Hon. Don Ken, Minister of justice and Communities services**
- **Other Hon. Ministers of the Government of the Republic**
- **Hon. Ishmael Kalsakau, Leader of opposition in the Government of the Republic**
- **Excellency Members of the Diplomatic Corps**
- **Public Prosecutor**
- **Attorney General**
- **Public Solicitor**
- **Ombudsman**
- **Director General of Justice and Directors of Government Departments**
- **Commissioner of the Police**
- **President of the National Council of Chiefs**
- **Members of the Legal Profession**
- **Members of the Law Faculty**
- **Registrar of the Supreme Court, Court officers and Staff**
- **Representative of Women**
- **Representative of the Press/Media**

- **Representative of the Churches**
- **Ladies and Gentlemen, Big Men and Women, Pikinini mo People blong Vanuatu**

I bring to you all, Greetings from the Judges, Masters, and Magistrates, Island Court Justices and courts' officials and support staff of the Judiciary of the Republic of Vanuatu.

On behalf of the Judiciary, I extend a warm welcome to all of you to the Opening of the Legal Year. It is my privilege and pleasure to address you on this special occasion of the opening of 2019 legal year and I thank you all for coming.

As always we need to ponder on the workload and performances of the courts in the past years and look back to the good things, the bad things and the challenges Vanuatu and its people have gone through in the past legal years with the work of the courts and the development of the law in the life of the people. We must then reflect back on the achievements, values, strengths and weaknesses. We must learn from our mistakes and weaknesses so as to ensure that we set new directions for the future.

I believe the needs of the judiciary for reform as an institution must be undertaken as part of a national reform effort with the scope of enhancing its independence and core functions to enable the Judiciary to become a modern judiciary on the basis of the following vision:

“VISION OF THE ADMINISTRATION OF JUSTICE”

A Judiciary that is independent, effective and efficient, and worthy of public trust and confidence, and a legal profession that provides

quality ethical, accessible and cost-effective legal service to our people and is willing and able to answer the call to public service.”

Elaborating on this vision is the policy statement of this vision, which enunciates the following:

“POLICY STATEMENT”

The Judiciary is the constitutional designated arbiter of all legal disputes in our democratic system of government in this Republic and as such must, at all times, maintain its independence and remain immune from undue influence, not at the cost, however, of sacrificing comity with the co-equal branches of the Government. It is essential that the Judiciary and the members of the legal profession, as Officers of the Court, be of utmost competence and highest integrity.

As the Judiciary is meant to serve the people through the dispensation of justice, the Bench (Judges) must be fully accountable to the public by remaining transparent, yet not betraying those aspects of the judicial process, which require utmost confidentiality. Members of the Judiciary and court personnel must always adhere to the constitutional precept that public office is a public trust. Dishonesty, incompetence, inefficiency and any form of unbecoming conduct are impermissible and will not be tolerated in the Judiciary or in the legal profession.

The system of administration of justice must be geared to achieve the goal of delivering fair, impartial and swift justice. Therefore, the core values of the rule of law, equal justice, judicial independence and the pursuit of excellence should be preserved and at all times be predominant.”

2019 is a new legal year. We must prepare and look forward for it. I must say from the outset that the recent past years were certainly important historical years for the development of the law and the Courts in this Republic.

On this special occasion, I repeat and put emphasis on what I say in the past years. I invite you to reflect with me on the impact of the law on the community, and on the roles of the Judiciary and the legal profession within it.

Vanuatu society places important value on the concept of the rule of law as a cornerstone or pillar in our community. It is important to understand Vanuatu's legal system and how justice is administered. I say that because, conceptually, this is after all the purpose of the law. Vanuatu's legal system is mainly based on the laws enacted by Parliament, on the common law principles, some aspects of French law and judicially declared customary law by relevant tribunals.

Fairness, transparency and access to justice are also the foundational characteristics of Vanuatu's legal system.

It is important to say that the Key players include those who are most intimately connected with the law's operation, the courts and the legal profession, but of considerable importance is also the understanding and acceptance by everyone especially those with influence or power (among whom is of course the government and all those within it), the purpose of the law.

The law is there to facilitate the well-being of the people of Vanuatu and society. It is not to be seen as somehow obstructing them.

Some basic fundamentals are necessary. Laws regulate the activities and the often complex interactions between persons or institution. The object is to enable Vanuatu people and their families to realise their ambitions as best as possible, and to achieve mutual respect between all those within the community. To realise these objects, it is necessary to have in place an infrastructure to ensure that those objects can be fulfilled.

The infrastructure of the law starts with the important requirement that all laws must conform to certain constitutional norms and requirements.

The Constitution, as the Supreme law of the Republic, on/with which all laws in Vanuatu must conform to it, *recognizes that all persons are entitled to the following fundamental rights and freedoms of the individual without discrimination...:*

- (a) life;*
- (b) liberty;*
- (c) security of the person;*
- (d) protection of the law;*
- (e) freedom from inhuman treatment and forced labour;*
- (f) freedom of conscience and worship;*
- (g) freedom of expression;*
- (h) freedom of assembly and association;*
- (i) freedom of movement;*
- (j) protection for the privacy of the home and other property and from unjust deprivation of property;*
- (k) equal treatment under the law ...*

(2) Protection of the law shall include the following –

- (a) everyone charged with an offence shall have a fair hearing, within a reasonable time, by an independent and impartial court and be afforded a lawyer if it is a serious offence;*
- (b) everyone is presumed innocent until a court establishes his guilt according to law;*
- (c) everyone charged shall be informed promptly in a language he understands of the offence with which he is being charged;*
- (d) if an accused does not understand the language to be used in the proceedings he shall be provided with an interpreter throughout the proceedings;*
- (e) a person shall not be tried in his absence without his consent unless he makes it impossible for the court to proceed in his presence;*
- (f) no-one shall be convicted in respect of an act or omission which did not constitute an offence known to written or custom law at the time it was committed;*
- (g) no-one shall be punished with a greater penalty than that which exists at the time of the commission of the offence;*
- (h) no person who has been pardoned, or tried and convicted or acquitted, shall be tried again for the same offence or any other offence of which he could have been convicted at his trial*

The Constitution also contains provisions that help define Vanuatu's system of law. Article 95 says:

- (1) Until otherwise provided by Parliament, all Joint Regulations and subsidiary legislation made thereunder in force immediately before the Day of Independence shall continue in operation on and after that day as if they had been made in pursuance of the Constitution and shall be construed with such adaptations as may be necessary to bring them into conformity with the Constitution.
- (2) Until otherwise provided by Parliament, the British and French laws in force or applied in Vanuatu immediately before the Day of Independence shall on and after that day continue to apply to the extent that they are not expressly revoked or incompatible with the independent status of Vanuatu and wherever possible taking due account of custom.

(3) Customary law shall continue to have effect as part of the law of the Republic of Vanuatu.

The Constitution also makes reference to the ratification by Parliament of Treaties negotiated by Government, among other matters, when they affect the status of people (Article 26). Treaties include International conventions. Vanuatu has ratified the International Covenant on Civil and Political Rights (ICCPR) which shall be implemented through Vanuatu's laws. It is to be noted that many of the rights I have referred to earlier are to be found in the ICCPR as well.

In examining the content and substance of the rights contained in the convention, one must have regard to recognised international jurisprudence. One such right is equality before the law.

The concept of equality is critical to an understanding of Vanuatu's system of law. It is important to understand that the law applies equally to every person. No one person or institution is above the law and the application of the law. Therefore, the Government is subject to the law in precisely the same way as everybody else.

No special group, institution or person is above the law and equal application of the law.

Equality is a fundamental component of the rule of law. The proper understanding and acceptance of this means a proper respect for the rule of law.

This brings me to the roles of the Court in our community. The Courts only become active when legal disputes require adjudication. This may be in a criminal context when the guilt of a person has to be determined. It may be in a civil context when civil rights, commonly about money or property, have to be resolved. It may be in a public context which engages not only the rights of the parties actually before the courts, but more importantly, the public interest as a whole. I will say more about public law, constitutional and judicial review type cases later.

The constitutional role of the courts is clear from the Vanuatu Constitution and the courts are to act independently. The independence of the Judiciary is enshrined in the constitution. Much has been said about the independence of the Judiciary but it always bears repetition to say that an independent Judiciary is pivotal to the existence of the rule of law.

I move onto that part of the infrastructure that represents the practice of the courts. This is the day to day activity of the courts: what judges do in dispensing justice, how they do it and how litigants access justice.

The determination of legal disputes by the courts is a constitutional responsibility. I emphasize the term “legal disputes” because the business of the courts is to determine disputes in accordance with the law. The types of dispute coming to the courts for determination arise from a variety of circumstances and the motives behind the cases brought in our courts also vary a great deal. Be that as it may, as far as the courts are concerned, it is only the legal outcome of the dispute that is relevant. As has been pointed out on numerous occasions by

the judges, the courts only deal with the legal questions that arise for consideration. This is after all the concept of justice itself, the adherence to the law, legal principle and the spirit of the law.

In the handling of legal disputes, judges must give fair consideration to the viewpoints of all parties. Fairness – one of the principal characteristics of the system of law in operation in Vanuatu, I have earlier identified – requires that everybody who comes to court will have their arguments fully and properly considered. It is sometimes said that all litigants should have “their day in court”, but it is more accurate to say that each party has a right to be heard. This is the essence of a fair hearing. The disputes before the courts are often complex, requiring different viewpoints to be carefully analyzed before a just outcome can be reached. Sometimes, hearings can be lengthy and this is reflected in the judgment of the court, but the reason for this is almost always indicative of the complex nature of the dispute and, more important, the need to deal carefully and fairly with the arguments before the court. This is an indication to the public that the court has come to a properly considered view and has acted fairly. A losing party is entitled to be assured that a fair hearing is always guaranteed by the courts.

It is important that the work of the courts and the way cases are handled by judges is open for all to see. Openness is an objective indicator to test the effectiveness and fairness of our legal system; if you like it is a measure of the rule of law operating in practice. Transparency in the judicial process becomes critical in our legal system, and this takes the form of almost all court proceedings being open to the public or in the publication of almost all the written judgments of the courts. I say “almost all” to exclude those few cases

where the subject matter is of such sensitivity that it would not be in the public interest to make them public.

Transparency in the activity of the courts accordingly provides useful objective tool to measure the effectiveness of the legal infrastructure I have described earlier. But there must also be access to justice - the last of the three characteristics of our legal system. The existence of user – friendly and effective court procedures contributes to this and was one of the main reasons for the Civil Justice Reform, which came into operation nearly fourteen years ago since 2002. This can be measured objectively. Objectivity is important. Many people have different points of view – and they are entitled to them – but in the final analysis, the only way properly to assess these views, positive or negative, is to do so objectively.

Access to justice can also be measured by reference to the existence of legal assistance through public legal institutions. Legal assistance has over the years provided the necessary access to justice for many litigants. These have included people who have suffered serious injuries, their families, those persons who have had matrimonial problems and other people who have needed the protection of the law but who did not have the private means to engage legal representation.

It is to public law cases and judicial review I now turn.

For the public, it is in this type of case where the three important characteristics of fairness, transparency and access to justice can best be seen and tested. Public law case, very often with constitutional principles at stake, involves by definition the public interest. Thus, since 1980 Vanuatu courts have had to deal mainly with many important constitutional and public law issues.

Public law cases on the whole involve the very rights and liberties that are protected by the Constitution and which, as are enjoyed by every member of the community. They reflect fundamental societal values. A greater awareness of rights and liberties means that in the public sphere, proper responsibility and accountability for decisions affecting every aspect of life and activity in Vanuatu are now expected by the community. Proper responsibility and accountability in the public sphere is called good governance, and good governance is another term for an adherence to the requirements of the law and to its spirit. In other words, it embodies the concept of the rule of law. This is the essence of that type of case known as constitutional challenge and or judicial review and, most often, these types of case involves the Government or a department within the Government, although it can also involve other public bodies. In judicial review or constitutional case, the public interest is always engaged and the effects of a decision of the court in this type of case will almost always affect sections of the public beyond the immediate parties in court. Sometimes, the whole community is directly affected. A decision of the court in public law litigation will often serve as a guide to good governance, whether looking at events in the past or perhaps more importantly, the future. Although there may occasionally be inconvenience, constitutional challenges and or judicial review overall serve the public interest and facilitate the well-being of our society. This status should properly be recognized.

It is precisely because of the public interest being engaged in this way that in dealing with constitutional and or judicial review cases, the court will be anxious to ensure that all proper legal arguments are permitted to be ventilated before a decision is made. Owing to the fact

that in public law case, reliance is often placed on various rights and liberties that operate in different directions, the court is faced with difficult and complex arguments. As in any type of case, a judge must fairly hear all proper points of view. I have earlier referred to the aspect of fairness as being a characteristic of justice in the courts. Constitutional and Judicial review cases are certainly to be treated in no different a way. It cannot be otherwise when the public interest is engaged.

It is inevitable given, the nature of the type of case that is involved in a constitutional or judicial review that political, economic and social factors form a part of the background to such cases. However, as Judges have said on numerous occasions, the court is only involved in the legal questions which arise. It is usually simply irrelevant to enquire into the motives, political or otherwise, of the parties before the court: what matters are the legal merits. To be preoccupied with the motives of the parties before the court will not be helpful in reaching a proper legal outcome. I reiterate this point: that constitutional or judicial review type case is all about legality and not the merits or demerits of a political, economic or social argument.

It is for this reason that in judicial review or constitutional cases, the court is required to be particularly astute in ensuring that only proper cases ought to be considered. Unlike most other types of claim processes, the permission of the court is required before any constitutional application or application for judicial review can be instituted. Where the required standard is satisfied, a court will proceed to consider the arguments in the same way as any other cases to arrive at a result that is in accordance with the law. The infrastructure of the law is there to ensure such a result.

And it is open for all to see and ultimately to judge for themselves.

The importance of the law in Vanuatu makes it imperative that the quality of our Judiciary and the court houses where the members of the Judiciary do their work should be of the highest possible standard. Judicial appointments, proper and friendly court houses with easy access for and to all must reflect this and must be among the national priorities of the National government.

There is, however, a continuing need to be aware of practicalities as well. For this reason, following a detailed internal review, the Judiciary has written to the Government within proposals to improve the conditions of service of judges and the conditions under which the judges, magistrates and support staff are working and most importantly the Supreme Court Hall of justice building and the Magistrate's Court building in Port Vila. These matters are of considerable importance to the community to ensure and encourage recruitment of the best lawyers/judges to the Judiciary. The maintenance and improvement of the competence of the members of the Judiciary is essential to the judicial functions and responsibilities I have earlier described.

The Government has over the years supported the needs of the Judiciary, and we acknowledge and are grateful for the support. The Judiciary has for some time also been discussing with the Government its mid- and long-term accommodation requirements.

However, since June 2007 (date of destruction of the Supreme Court building by the fire) however, since the destruction of the Court House

by the fire on 7 June 2007, the Supreme Court Hall of Justice project was put at hold. I ask the Government to revive this important national project for the benefit of the community in this country and treat it as a priority in the national project of the government.

I have attempted today to give a brief overview of the way justice is administered in Vanuatu. No doubt improvements can be and will be made but I believe that structure I described to be sound. I welcome the public's greater awareness of our legal system, for therein lies the key to its continuing utility and acceptance.

Allow me now to mention about some events for this year 2019.

EVENTS FOR 2019

- 1) A judge of the Supreme Court will be appointed in the first part of this year in replacement of the Hon. Justice David Chetwynd. It has taken longer than expected to finalize this process but I am sure that it will be finalized in the early part of this year 2019.

- 2) Mr. Shemi Joel is now Acting Chief Registrar of the Supreme Court of Vanuatu after Former Chief Registrar (John Obed Alilee) has ceased his employment with the Judiciary at the end of December 2017. I ask you all, lawyers, Court users, judicial officers and court support staff to support him in his interim appointment. The position of the Chief Registrar of the Supreme Court of Vanuatu will be regularized at the end of the current 6 months interim arrangement.

3) Following activities has happened and /or will be happening in 2019:

1. Ongoing development capacity of the Members of the Bench and Members of the Bar:

- A 1 week judicial workshop has been organized for the Judges of the Supreme Court on appellate procedures and processes and Judgment writings in the Court of Appeal in November 2018 and facilitated by Justice Ronald Young;
- A ½ day workshop has been organized for the lawyers on the techniques and methodologies of cross examination in criminal trials on Wednesday 24th January 2019 and facilitated by Justice Gus Wiltens;
- A 5 days' workshop will be organized on effective judicial case management from 28 January to 1 February 2019 (3 days will be for the Judges and 1 day will be for the Lawyers). This workshop will be facilitated by Justice John Mansfield. The purpose of this workshop is to find ways as to how to deal with the issue of attitude and mindset of most lawyers in civil litigations.
- We will continue with the CERTIFICATE OF JUSTICE PROGRAM which is provided by the University of the South Pacific (USP) and under the coaching/ supervision of the Pacific Judicial

Strengthening Initiatives (PJSI) and funded by the New Zealand Government. We train 7 Justices of the Island Courts under this program (3 females and 4 males). All completed successfully the 1st and 2nd Semesters courses. The Vanuatu National Judicial Training Coordinator coordinates the Certificate of Justice Program and also provides tutorials to them. They will complete the Program at the end of the 1st Semester this year. This certificate is to enable those Justices of the Island Courts with the legal skills and knowledge to deal with unrepresented litigants they have in the Island Courts almost every day.

- As part of the processes of enabling rights and access to justice to unrepresented litigants and those unfamiliar with their legal rights and the function of courts who may otherwise suffer barriers to justice, it is envisaged that from 18 March to 29 March 2019, consultations in 3 – 5 remote communities and/or islands will be organized in order to identify and assess the legal needs of these vulnerable persons such as women, children and disabled including the uneducated ones. This will involve 1 week consultations with to be conducted by a representative of the PJSI, identifying the legal needs of these persons ,provides report on findings; Workshops to be held and a court guide for unrepresented litigants will be issued and translated into French, English, Bislama and local languages if possible.

- At the beginning of this year, we are going to launch the Domestic Violence Plan of activities for the Magistrates courts.

2. Another consideration for this year is to progress on the Evidence Bill. I have asked for a team of 3 lawyers to work on this since last year (The Public Prosecutor, Hon Justice Fatiaki and Mr. Robert Sugden) I am informed it is ongoing.

ISSUES AFFECTING THE NATIONAL JUDICIARY AND THE COURTS

- 1) Supreme Court Hall of Justice. I am informed that it is now the priority of the Government. I hope the Government will make it official and start on the project this year 2019.
- 2) Magistrate's Court building in Port Vila. Consideration on this project has also to be advanced.
- 3) Repairs and extension of Provincial Courts.
 - Isangel, Tanna Court house;
 - Lakatoro, Malekula Court House;
 - Luganville ,Santo Court House;
 - Tongoa, Banks and Court Houses.
 - Chief Registrar residence in Port Vila;
 - Residence of magistrate at Isangel Tanna.

I now provide you with all courts cases data information for the past year 2018.

- From a case management perspective, 2018 has proven to be a challenging year with respects to variations of cases being filed across our 4 courts– some increasing – some decreasing
- We have also seen the transitioning of judicial officers into new roles, e.g. the promotion of Chief Magistrate Felix to the bench of the Supreme Court, the arrival of our NZ judge – His Honour Gus Andree Wiltens, our new Deputy Master – Aurelie Tamsul, and the appointment of Senior Magistrate Anna Laloyer to Acting Chief Magistrate.
- Our ability to reflect and review not only at this time of the year, but at the end of each month, on how we are performing with respect to key court indicators ensures we monitor and adjust our operation and resources as best as possible. This is a credit to the staff and the Acting Chief Registrar overseeing the all-important data quality of our case records.
- I personally attended a regional workshop for the courts in the Pacific, in Port Moresby in December of 2018, and pleased to say we are well placed to utilize the information that our Case Management System provides.
 - I have also committed to exploring the introduction of time standards across the court, and the reduction of Reserved Judgments to an acceptable level
- As I mentioned last year, am still concerned with the reduction in matters being filed in the Magistrates Court, particularly those originating from the VPF/SPD office. In contrast – it is quite visible to us that the work emanating from the OPP to us – in both the Magistrates Court and Supreme Court is on the increase. We need to be very cognizant of these trends and work with both SPD and OPP to provide our judicial resources appropriate to their workload.
- Within the Supreme Court, we are well aware of the volume of Pending cases (approximately 1,200 cases), and the all-important ratio of pending cases to our yearly disposal rates – often referred to as the PDR. The higher this ratio – the potentially longer timeframes we will take to finalise your cases. In the early part of this year - 2019 – our focus with support from Justice Mansfield, who many of you know well, will be to

lower our adjournment rates, lift our productivity, and thus reduce our pending workload numbers.

- We recognize as well that the % of matters with a future listing is lower than international benchmarks, and we will strive to ensure all cases that can be listed before a judge – will be
- As we know in the legal sector, changes to process, practice and behavior take time, and I flag here today we will be looking to Government for some additional short term judicial assistance to help reduce our pending workload numbers in the Supreme Court
 - We want to bring our pending caseload down to approximately 900 cases, a reduction of 300 – and this will require significant effort and resources from all of us
- While we have been very proud of our average timelines to finalise criminal matters in the Supreme Court, 2018 saw focus placed on those pending cases where there had been outstanding warrants of arrest for many years. Led by his Honour Gus Wilkens, working with the OPP and the VPF, many of these old cases have in effect been addressed. Our average time to finalise criminal matters has increased as a result of this work – but this is a good thing.
- From an Island Court perspective, we have seen less matters filed due to the closure of some court locations, plus our ability to fund/resource the provision of judicial officers to hear the Island Court matters has been a problem area for us
 - As a result, our pending numbers in the Island Court have risen – and using the PDR indicator – this has risen to unacceptable levels for such a court.
 - This will be a focus for us in 2019 – to reduce the pending caseload in the Island Court, and ensure people can access the Island Court from anywhere in the country.

- Our Magistrates Court as mentioned earlier has seen a decline in workload, and while the all-important Clearance Rate indicator was just over 100% - a good thing - we have noticed a slight decline in the productivity as measured by disposals per Magistrate per year. This is something that I will personally work with the Acting Chief Magistrate to address in 2019.
- Our Court of Appeal filings in 2018 continue to grow, so much so – that an extra CoA sitting will be required to ensure timely delivery of the appeals.
- Finally, as we reflect on the performance of cases dealt with across the four jurisdictions, we will continue to drill into more specifics such as who appears before us – their age, gender for example, as well the orders and outcomes associated with the cases. On our website will be the 2018 detailed analysis and this information will be available within the week.
- As I have been reminded – being in a position to open the Legal Year – and reflect on the year just gone, reflects the hard work of so many around the court, and for that – we have greater transparency about the performance of the courts, and insights into case management.
- Supreme Court
 - SC filings rose from 712 cases to 769, an increase of 8% - on top of the 3.5% in the previous year
 - SC disposals rose slightly from 708 to 717 cases, an increase of 1.3%
 - Clearance rate was again below the target 100% - 93% for the 2018 calendar year
 - Pending has steadily grown from approx. 800 at the end of 2013 to now 1206 cases – a concern.
 - PDR has grown from approx. 1.2 to 1.7 – a worrying sign
 - Potential 300 cases in excess of ideal position – equating to 3 judicial resources and/or quick improvements in case management handling of our cases
 - Timeliness for completing Criminal cases rose from an average of 180 days to 433 days due to finalising a number of very old matters - while Civil cases reduced from 800 days to 640 days

- Magistrates Court
 - MC filings increased slightly from 2065 cases to 2094 - a modest increase of 1.4%
 - MC disposals dropped sharply from 2495 to 2109 cases, a significant decrease of 15% - a concern
 - Clearance rate was an acceptable 101%
 - Pending has remained steady at approximately 880 cases
 - PDR has remains at .4 - good overall position
 - There are still approximately 160 cases older than 2 years that should be assessed.
 - Timeliness for completing Criminal cases – has reduced to 265 days - a positive direction

- Magistrates Court:
 - Similar #s of Pending cases to last year, with overall Pending to Disposal Ratio sitting at .4 (target for a Magistrates Court is typically .5 or less)
 - Judicial output has reduced to an average of approximately 240 cases per year - a decrease of over 10% from 2017
 - Overall # of cases with a future listing is sitting has dropped to 35%, with less than 15% of cases neither under case management or a future listing
 - Approximately 50% are under 'case management'
 - Only 9 cases have a Reserved Judgment, down from last year's 22
 - The decline in criminal registrations is still of concern and needs to addressed with VPF/SPD

- Key Messages
 - IC filings dropped again - from 539 cases to 395 - a decrease of 27% (29% in 2017)
 - IC disposals dropped from just on 450 cases to 350, a decrease of 22%
 - Pending has increased accordingly to over 660 cases
 - PDR has increased accordingly and is now at 1.9 - a worrying result

- There are 460 cases approximately greater than desired
- Clearance rate was lower than desired at 88% - the 4th year in a row less than 100%

- Overall
 - Not making in-roads into Pending, and Age of Pending naturally growing
 - Overall # of cases with a future listing is only 4% - a major concern
 - And 56% of all pending cases are deemed to be awaiting resources before a listing can be made - affecting the community at large.

I now hereby declare that that the court session for 2019 is officially open.

I thank you for your attention.