

SPEECH FOR 2026 OFFICIAL OPENING OF THE COURTS

(The Hon. Chief Justice V. Lunabek)

23 January 2026

- **His Excellency Stephen Felix, Acting President of the Republic of Vanuatu and the Speaker of Parliament and Mrs Felix;**
- **Hon. Johnny Koanapo, Acting Prime Minister of the Republic of Vanuatu, Deputy Prime Minister and Minister of Finances and Madame;**
- **Hon. Judges of the Supreme Court of Vanuatu and Spouses;**
- **Hon. Job Andy, Minister of Justice and Communities services;**
- **Hon. Ministers of the Government of the Republic;**
- **Hon. Members of Parliament;**
- **Magistrates of the Republic of Vanuatu;**
- **Justices of Island Courts around Vanuatu;**
- **Excellencies Members of the Diplomatic Corps;**
- **Public Prosecutor;**
- **Attorney General;**
- **Public Solicitor;**
- **Director General of Justice and other Director Generals and Heads of Government Departments;**
- **Commissioner of the Police;**
- **President of Malvatu Mauri (National Council of Chiefs);**
- **Members of the Judicial Service Commission**
- **Members of the Legal Profession;**
- **Chief Registrar of the Supreme Court, Court officials and Staff;**
- **Representatives of Women;**
- **Representatives of the Press/Media;**
- **Representatives of the Churches;**
- **Olgeta Chiefs blong Vanuatu;**
- **Big Men and Big Women, Pikinini mo People blong Vanuatu**

I bring to you all, Greetings from the Judges, Magistrates, Island Court Justices, court 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 2026 legal year and I thank you all for coming.

I wish you all: *“a Happy and Blessed New year 2026”*.

Let me remind us of the following events happening and affecting Vanuatu and its people:

- 2020 – 2022, Covid –19;
- 2023, the two sister cyclones;
- 17 December 2024, 7.3 Magnitude Earthquake.

We thank God for His divine protection. We continue on with life. We have to continue with what we do and do it the best we can. We are now in 2026. 2026 is a New Legal Year.

Again, as we begin a New Legal Year, we join together and reflect on the workloads and performances of the community including the courts in the past years and look back to the good things, and the challenges Vanuatu and the Courts have gone through in respect to the work of the community, the works of the courts, the development of the law in general and all other developments in our society as to how the laws impacted on the life of our people and Vanuatu as a nation. We must then reflect back on these achievements, values, strengths, weaknesses and challenges. We must stand and continue with our vision of:

“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.”

Before I report to you on the works of the Courts for 2025, I remind us all of the following:

- In 2025, the Parliament enacted the Evidence Act No. 18 of 2025. This Evidence Act is welcome and timely. It is an Act to which legislators, judges, legal practitioners, academics, and students should all have ready recourse.
- This Evidence Act continues usefully to bridge principles and practices of the common law construct (that we inherit), rules of admissibility – or inadmissibility of evidence in criminal and civil proceedings.
- This Evidence Act shows us that the rules of evidence are inextricably bound up with the historic and constantly evolving adversarial procedural law and practice.
- In recent years, there have been wide and far-reaching changes in procedure flowing from a surge in prominence of fundamental notions of fairness and due process. In the result, we go to seek help and assistance to England, Australia or New Zealand court decisions for guidance.

- This Evidence Act puts a halt to that legal and judicial procedural navigation. The local practitioners, academics, judges, students and all others are encouraged to resort to the principles enacted in the Evidence Act No.18 of 2025 for assistance.

I now report to you on the works of the courts for the year 2025.

THE WORKS OF THE COURTS OF THE YEAR 2025 IN REVIEW: AN OVERVIEW ON FOUR JURISDICTIONS

This report covers 4 jurisdictions -The Court of Appeal, the Supreme Court, the Magistrate Courts and the Island Courts.

2025 was also a very busy year for the Vanuatu Courts with respect to total cases filed;

A 5% increase overall, with 3,932 cases filed in 2025 compared to 3,749 cases filed in 2024 across the four jurisdictions, reflecting the workload on the courts and court administrators. This is achieved, despite Port Vila Magistrate Court experiencing a later start in Quarter One because of the 7.3 earthquake that happened on the 17th of December 2024. The Port Vila Magistrate Court building was severely damaged causing judicial officers and staffs to have no access to their building. For a period of 3 months, one on call duty rostered magistrate and one secretary were temporarily placed at the Island Court building rotating each week, to manage only urgent applications.

The Supreme Court saw 958 cases filed, a 9% increase from 875 on previous year. The Magistrates Court saw 2,492 a 4% increase from 2,393 of cases filed on previous year. The Island Court's filings increased by almost 3% across the country, with 399 cases filed compared to 389 cases in 2024.

Disposals in Supreme Court were 933, a 15% increase from 810 on previous year. The Magistrate saw 2,215 a 2% decrease from 2,268 disposed in the previous year. The Island Court saw 418, a 1% decreased from 423 in the previous year 2024.

With respect to the international court performance indicators, we have seen a decrease in Clearance Rate. Showing less than 100%, is Supreme Court with 97%, Magistrate Court with 89% and Court of Appeal with 93% – causing 3 out of four jurisdictions having their pending #s increase. Island Court with a clearance rate of 105% saw their pending #s decrease. In addition, the time to finalize cases across criminal and civil, all four jurisdictions have reduced, and same for civil matters all four jurisdictions have reduced, an extremely positive result.

Pending numbers has always been one of the key indicators of the courts, our overall numbers have increased.

A total of 3,227 cases are now pending across the four jurisdictions, with 48% (1536 pending cases) being in the Magistrate Court, 32% (1043 pending cases) in the Supreme Court, 19% (622 pending cases) in the Island Court and 1% (26 pending cases) in the Court of Appeal. The Pending to Disposal Ratio (PDR) is still higher than ideal – 1.1 in the Supreme Court, 0.7 in the Magistrates Court and 1.5 in the Island Court. The lower the PDR the better, and ideally 1.0 or lower for the Supreme Court and 0.5 or lower for the Magistrates Court and Island Court. The Court of Appeal is doing well with a PDR of 0.5

Another key indicator is the Attendance Rate (measures the number of visits/appearances at court to dispose a matter). The target for all courts internationally is to keep this indicator as low as possible. The attendance rates for completed cases in the year 2025 has seen a slight increase to 2024. On average, 5.3 in the Supreme Court, 2.7 in the Magistrate Court and 2.5 in the Island Court.

The productivity of our judges and magistrates in 2025, with respect to disposals per judicial officer on average in the Supreme Court is 109 cases disposed per Judge and in the Magistrate Court 269 cases per Magistrate. This is slightly down against 2024 numbers, potentially caused by more case complexity as measured by the higher attendance rates.

The Supreme Court cases appeal rate has decreased to almost 7% compared to 9% in 2024 – a positive result.

The ongoing commitment that the Supreme Court shows to the criminal workload has ensured the timeliness of cases to be finalized has decreased on average from 197 days in 2024 to 183 days in 2025, with attendance rates at 4.7. In addition, in the Magistrate Court timeliness of cases to be finalized has also decreased on average from 246 days in 2024 to 197 days in 2025, with attendance rate steady at 3.1.

With Supreme Court civil cases, timeliness of cases to be finalized has also decrease on average from 630 days in 2024 to 562 days in 2025 and the attendance rate at 5.4 due to the number of adjournments such as lack of compliance, which has direct impact and cost to the parties. And seen the same in Magistrate Court, timeliness of cases to be finalized has decrease on average from 408 days in 2024 to 309 days in 2025, with attendance rates at 4.3.

Reserved Judgments in the Supreme Court now stand at 51 cases and most of these judgments are older than 90 days and will continue to be a focus for Judges in 2026.

Over the last year, filing of Preliminary Inquiry cases in the Magistrates Court has increase by 9% from 366 in 2024 to 400 in 2025 and finalization decrease by 21% from 403 in 2024 to 320 in 2025.

Filing of DV (Issuing of Protection Order) cases has decreased by 5% from 1,226 in 2024 to 1,167 in 2025 and finalization increase by 2% from 1,113 in 2024 to 1,135 in 2025.

Criminal Cases with DV as an Influencing factor by percentage in the Supreme Court is 13% of the 255 registered in 2025; and in the Magistrate Court is 45% of the 692 registered in 2025. Overall, 36% of the 947 Criminal cases registered in 2025 with DV as an Influencing factor that were dealt by Supreme Court and Magistrate Court.

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 – for example, gender, parties, as well as the criminal charge outcomes and results associated with the cases in this 2025 detailed analysis that will appear on the website within the week.

Our ability to reflect on the performance of the courts at the end of 2025 is a credit to the Chief Registrar and his team, to be able to present to you, the Government and the Community, our 2025 performance analysis within the month of January is testament to the work of many.

2025 REVIEW AND FOCUS FOR 2026

Court of Appeal

The court of appeal conducted its four (4) sessions successfully in 2025 without interruption; and in 2025, a special appeal sitting was also conducted on 18 December 2025 to deal with an urgent appeal made by the Speaker of Parliament against a decision of the Supreme Court declaring that the Speaker was wrong when he concluded that the notice of motion filed against the Prime Minister was not in order. The appeal was dismissed. As a consequence, the Parliament has urgently convened and dealt with the Motion.

The Court of Appeal continues to demonstrate a consistent world standard in disposing of its matters and, that it will continue in 2026.

Supreme Court

We have 8 Active Judges of the Supreme Court in 2025 including the Chief Justice.

The Hon. Judge Edwin Goldbrough's contract ended at the end of November 2025, reducing the number of active judges to 7. A replacement will be recruited this year 2026.

Magistrates Courts

There are 9 active Magistrates at the beginning of 2025 including the Chief Magistrate. The Chief Magistrate and 4 other Magistrates are stationed in Port- Vila; Two Magistrates are stationed in Luganville, Santo; One Magistrate is located at Isangel, Tanna and one is stationed at Lakatoro, Malekula.

After the resignation of the Senior Magistrate Peter Moses on the first quarter of 2025, the number of active magistrates is down to 8. A replacement will be recruited this year 2026. A senior Magistrate will also be posted to Luganville, Santo at the beginning of this year 2026.

Island Courts

We have the following active justices around all Island courts in Vanuatu:

- 47 active Island Court Justices for Banks & Torres Island Court and 11 are active female Justices;
- 12 active Island Court Justices for Santo & Malo Island Court with 1 active female Justice;
- 23 active Island Court Justices for Ambrym & Pamma Island Court with 6 female active Justices;
- 14 active Island Court Justices for Malekula Island Court with 4 active female Justices;
- 23 Island Court Justices for Ambae & Maewo Island Court with 6 female active Justices;
- 23 active Island Court Justices for Pentecost Island Court with 5 active female Justices;
- 24 active Island Court Justices for Epi Island Court with 4 active female Justices;
- 26 active Island Court Justices for Tongoa and Shepherds Islands with 9 active female Justices;

- 12 active Island Court Justices for Efate Island Court with 4 active female Justices;
- 30 active Island Court Justices for Tanna, Aniwa, Futuna & Aneityum Island Court with 6 active female Justices;
- 23 active Island Court Justice for Erromango Island Court with 8 active female Justices.

Some Highlights/achievements

Judicial Education and Development Centre

In beginning 2025, the Supreme Court commences establishing the Judicial Education and Development Centre/Tren mo Dvelopmen Senta blong Kot – a long - time vision for the Chief Justice, for the Judiciary of the Republic of Vanuatu. The purpose of the Senta is to *“Build capacity within the Judiciary to promote continuous improvement and enable high-quality, professional, and fair court services for all people in Vanuatu”*.

In 2025, We signed the first annual grant agreement with the Vanuatu Australia Policing and Justice Program [VAPJP] and, we will be signing the 2026 grant agreement at the end of first quarter of this year 2026.

In 2025, a building extension was erected in the Supreme Court premises to house the Senta.

The Judicial Training and Development Coordinator, Wendy Raptigh was promoted and appointed by JSC as the new Senta Director on 16 May 2025.

The Senior Administrator of all Island courts, Robson Lapsai was promoted and appointed by JSC as the new Program Officer within the Senta on 10 December 2025.

The above Grant enabled the Supreme Court to contract a Technical Advisor – Ms Tina Pope to work alongside the Senta Director and commence working on ToR for the Training.

The Committee developed policies to guide the Centre’s operation, and designed a Professional development Plan for the Senta Director.

Access to Justice Special Project aimed at strengthening and revitalizing the island courts

In 2025, the Chief Justice requested and approved a Special Project aiming at the strengthening and revitalizing of all ten Island Courts in the country with the support of the Pacific Judicial Strengthening Program and supervised by the Senta Director. The initiative

focuses on improving court functionality and ensuring that justice services are accessible, affordable, timely, and fair. Particular emphasis is placed on the protection of vulnerable groups, including children, women, persons with disabilities, and other at-risk members of the community.

This special Project allows the court to set up a Steering Committee working group that consists of; The Police (FIU & Deputy Commissioner operations), Internal Affairs targeting Area Administrators, the Public Solicitor's office, the Ministry of Justice, the Sisters, Malvatumauri, VAPJP, Vanuatu Women's Centre, the Magistrate Court and the Island courts, enabling open discussions on issues raised and sharing of existing resources.

The Supreme Court has contracted an Officer for this special project; new Project Officer Joan Vuti appointed by JSC around September 2025.

Strengthening Judicial Capacity

In 2025, twenty (20) new Island Court Justices were appointed to serve the Tongoa and Shepherds Island Courts. The cohort comprised nine (9) women and eleven (11) men, contributing to improved gender balance and reinforcing public confidence in the Island Court system. These appointments addressed existing capacity gaps and enhanced the courts' ability to conduct regular hearings and dispose of pending cases in a timely manner.

The Judiciary of Vanuatu has updated the Organizational Structure, to capture all existing and new positions within, including reviewing of Job descriptions for all court personnels to reflect and align with the GRT salary review determinations.

PacLII & Vanuatu Courts – Island Court Digitizing Project

In November 2024, PacLII and the Courts embarked on an Island Court Judgments Digitizing Project that was funded by the Canadian Fund for Local Initiatives and supported by USP/PacLII. The Project commenced in the Luganville Island Court in November 2024, and continued on in July 2025 in Tanna, Malekula, Banks and then Efate Island Court in December 2025.

The number of decisions scanned in each Island Court registry:

- Santo island Court – 186 decisions
- Tanna Island Court – 307 decisions
- Malekula Island Court – 535 decisions
- Banks Island Court – 541 decisions
- Efate Island Court – 1000 decision

The project was carried out by Mr. Ephraim Ruddley from PacLII and Pauline Kalo from the Supreme Court. As part of the digitizing project, a 1-day work shop was carried out in each location which involved local community leaders, chiefs, Judicial Officers, and was aimed at providing training on accessing legal information online specifically on the PacLII and the Court Website.

On November, 2025, both Mr. Ruddley (PacLii officer) and Ms. Kalo attended the "*Law via the Internet Conference*", held in Sydney, Australia where they presented a paper on the digitization project. The conference provided an opportunity to showcase Vanuatu's commitment through the use of technology to support and improve the preservation and accessibility of legal information.

Use of Technology to Improve Service Delivery

A trial installation of Starlink internet connectivity at Tongoa Island Court was successfully completed in 2025. This initiative enabled the court to utilize digital tools for communication, record management, and service delivery, demonstrating the potential of technology to overcome connectivity challenges in remote island locations.

Other specific highlights

Training & Professional Development

The two new appointed judges, Judge Beverleigh and Judge Naigulevu, as part of their orientation attended the Te Kura Judgment Writing Seminar held in Wellington, New Zealand in August 2025.

New Legislation Training - Evidence Act: For all judicial officers, Facilitators were Judge Goldsbrough, Judge Naigulevu and Justice Mansfield.

Court of Appeal Workshop: For judges of the Supreme Court, facilitated by Justice Mansfield and Judge Goldsbrough.

Judge Beverleigh attended the Global Judicial Integrity and Well-Being Conference in PNG on behalf of the Chief Justice. The theme is, From Principles to Action: Advancing Judicial Well-being as the Foundation for Integrity, Resilience and Public Trust.

Her participation came after the Supreme Court joined with all other courts around the world to celebrate the International Day of Judicial Well-being Day on 25 July – The Nauru

Declaration highlights that judicial well-being is not only essential for individual judicial officers but is fundamental to upholding judicial independence, integrity, and public trust in our justice systems.

Dr. Carolyn Graydon, Human Rights Advisor under PJSP Program has facilitated Trainings for Magistrate Court Secretaries on 9 & 12 June focusing on receiving application for Temporary Protection Orders under the Family Protection Act, and improving relevant forms for DV matters, that should help speed up the process on initiating urgent applications in the magistrate court.

Dr. Carolyn Graydon has also conducted a workshop with Supervising Magistrates of the Island Courts on strengthening Management Skills and revisit Supervisory rules.

As part of the Digitization Project (mentioned earlier) a training was conducted in Port Vila in June 03- 11 2025, which included all Island Court Clerks. The training was designed to equip clerks with the skills needed to continue digitizing court decisions and ensuring the project's sustainability across all courts.

Court Judgment Services

In 2025, 96 batches of judgments, containing 433 decisions were sent to PacLII for publication. These decisions are also published on the Court website.

49 decisions were from the Court of Appeal, 367 from the Supreme Court, and 10 from the Magistrate Courts and 7 from the Island Courts.

Court Website

The Court website experience approximately 880% growth in unique visitors from 2024 to 2025 – this is a significant increase.

In 2024: 53,407 unique visitors;
In 2025: 469,836 unique visitors.

The most pages viewed in 2025 were the Court Daily Listings, followed by Court judgments.

Cessation of employment in 2025

Resignation of Josepha Teguebu in the beginning of the first quarter of 2025.

Resignation of Senior Magistrate Moses Peter towards the end of the 1st quarter.

Recruitments in 2025

Appointment of Jaquiline Basil as Secretary to Judge of the Supreme Court on October 2025.

Appointment of Williambi Walter as Secretary to Magistrate on Santo on September 2025.

Appointment of James Tom Haoul as Assistant Registrar to Magistrate Court on October and to commence this 12 January 2026.

Appointment of Senta Director

Appointment of Project officer for the Access to Justice 1 year Project.

Appointment of the Program Officer as support officer within the Senta

Court Buildings

The Office of the Chief Justice is working in collaboration with the Government of Vanuatu through the Prime Minister' Office, together with the VPMU to engage with designers of the National Supreme Court building to remodel the previous design to fit a construction budget of about 2 billion vatu approved by the government. (the budget is to be considered with the new design parameters, regardless of the number of courts, chambers, holding cells etc ...).

The approved budget does not cover the cost of the National Court Administration as an important component of the court; however, the office of the Chief Justice is liaising with the office of the Prime Minister to ensure the new Supreme Court building covers all components of the courts so that Vanuatu has a complete national court building when construction is completed.

The Council of Ministers instructs the VPMU to fast-track the design and facilitate the construction.

Santo Court building has been recently been certified by an engineer to undergo extensive repair as the building is very old. The Supreme court will put emphasis in the first quarter of 2026 to address the Santo court relocation.

Penama province needs a new court building at Saratamata, Ambae;

In 2026 the Supreme Court will work with the Vanuatu Government through the Ministry of Justice to put emphasis on erecting **a new Court building on Ambrym** to improve court

facilities to better serve the people on Ambrym as the semi court building build some years ago has been certified unsafe for use.

Some on-going activities into 2026 based on the Management Improvement Plan 2026

A new judge to be recruited after Judge Goldsbrough's contract ended last year;

A new Magistrate will be appointed in replacement of Senior Magistrate Peter Moses.

The Judicial Education & Development Centre will conduct a national Training need assessment to help design the needed curriculum for the Senta.

Expanding Access to Justice' special Project will continue into 2026 more focus on:

- Introducing a Free line for DV applications;
- Equipping justices of the Island court as Authorized persons;
- Revive Mobile Court in the Island courts;
- Strengthening Magistrate supervisory role in the Island Courts

More appointments for new justices targeting; Sanma Island Court & the Efate Island courts in 2026.

This is to ensure cases are dealt with, reducing the backlog and ensuring timely resolution of disputes.

Digitization of judgments for the remaining Island Courts is scheduled for completion in 2026.

Thank you for your understanding.