

Position:
Puisne Judge

Duration:
12 months with a
possible extension

ARF Classification:
D4

Supervisor:
Chief Justice (for legal
and Performance
matters) Head of
Program (operational
performance and
administration matters)

Counterparts:
SI National Judiciary

Location:
Honiara, Solomon Islands

PUISNE JUDGE, HIGH COURT OF SOLOMON ISLANDS

Australian Aid to Solomon Islands

Australia has an enduring interest in a stable Solomon Islands, underpinned by economic growth and viable institutions. Under the Solomon Islands Aid Investment Plan, Australia's aid program in Solomon Islands focuses on three strategic objectives:

1. Supporting stability
2. Enabling economic growth
3. Enhancing human development.

Solomon Islands Justice Program (SIJP)

The Solomon Islands Justice Program (SIJP) works towards the Solomon Islands Government's overall vision for the justice sector as expressed in the Justice Sector Strategic Framework; "Communities in Solomon Islands have greater access to a credible justice system that supports the rule of law".

SIJP works with a number of agencies including:

1. Ministry of Justice and Legal Affairs (MJLA) which includes
 - Office of the Director of Public Prosecutions
 - Public Solicitor's Office
 - Law Reform Commission
 - Attorney-General's Chambers;
2. National Judiciary (including the High Court and Magistrates Court);
3. Police Prosecutions Directorate;
4. Correctional Service Solomon Islands (CSSI);
5. Seif Ples Gender Based Violence Crisis and Referral Centre;
6. Solomon Islands Bar Association; and
7. Non-government stakeholders.

The program works closely with the Solomon Islands Governance Program and the Australian Federal Police's Solomon Island Police Development Program. These three programs work in a coordinated manner towards a common goal: communities in Solomon Islands are safer and have better access to services.

Solomon Islands National Judiciary

The National Judiciary consists of the Court of Appeal, High Court, Magistrates' Court, Local Court and Customary Land Appeals Court. The Chief Justice (CJ) oversees the High Court and the subordinate courts. The jurisdiction of the High Court is as set out in section 77(1) of the Constitution. It has unlimited original jurisdiction to hear and determine any civil or criminal proceedings under any law and such other jurisdiction and powers as may be conferred on it by the Constitution or by Parliament.

This position will be remunerated in line with the Australian Government's Adviser Remuneration Framework (<http://dfat.gov.au/about-us/publications/Documents/adviser-remuneration-framework-2016.pdf>) and will be offered at a level commensurate of the successful candidate's experience relevant to the role within the following **Discipline Group D, Job Level 4**.

Puisne Judge of the High Court of Solomon Islands

The role aims to strengthen the institution of the National Judiciary in support of Program objectives and planned outcomes through the provision of in-line support to the High Court.

Expected Outcomes

The Puisne Judge will be guided by the directions of the Chief Justice of the Solomon Islands and his/her duties may include:

- adjudicate matters before the High Court of Solomon Islands efficiently and effectively
- where appropriate, deliver mentoring to members of the judiciary
- provide assistance to the Chief Justice in identifying and implementing operational reforms in the High Court, including those which address delays and court backlogs.

Roles and Responsibilities

Subject to the direction and supervision of the Chief Justice, the Puisne Judge of the High Court may be required to:

- Process, manage and adjudicate a docket of cases, primarily civil cases.
- Conduct circuit courts as required from time to time to dispose of cases arising in the provinces.
- Hear and determine appeals from the Magistrates' Court and from the Customary Land Appeal Court.
- Provide Duty Judge services to hear urgent and interlocutory matters from time to time, as per the High Court roster.
- Perform other duties as may be required by the Chief Justice.

Agency Supervision

Day to day supervision will be undertaken by the Chief Justice or his nominated delegates.

SELECTION CRITERIA

Qualifications

1. Tertiary qualification in Legal studies or relevant area

Essential Experience and Knowledge

2. Minimum of 15 years of legal experience including at least ten years as a judge of a court of superior civil jurisdiction in a common law jurisdiction.
3. Demonstrated experience in courtroom management and an ability to efficiently manage cases.
4. Demonstrated commitment to gender equity and disability inclusion issues in planning, practices and in support of service delivery.
5. A sound (or the capacity to quickly acquire) understanding of Solomon Islands or Pacific development context

Travel Requirements

Provincial travel may be required.

Solomon Islands Resource Facility (SIRF)

Cardno has been engaged to provide a facility management team to manage the Solomon Islands Resource Facility operations to ensure effective service delivery, including:

- Conducts procurement and contract management of technical assistance and supports performance management
- Provides support services for Australian Government's deployees and technical advisers; and
- Financial management and reporting including monitoring and evaluation of the Facility

The Facility is a critical source of operational support to DFAT, deployees and Technical Advisers as they attempt to navigate a shifting operating context, consolidate previous achievements while also prioritising new ways of working to ensure Australia's assistance better achieves service delivery impact.

The Puisne Judge will enter into an agreement with the contractor, Cardno through the Solomon Islands Resource Facility as a means of facilitating a suite of administrative services including but not limited to payroll, allowances (accommodation), mobilization, demobilization, security and welfare issues. This agreement and the provision of these services is not intended to, nor will it impinge on the independence of the position of Puisne Judge in the carrying out of his/her functions. The Puisne Judge will perform his/her duties in accordance with the directives of the Chief Justice of the Solomon Islands.

The Solomon Islands Justice Program is supported by the Solomon Islands Resource Facility and the successful candidate will be recruited through SIRF.

Other Information

Amendments to the position's Terms of Reference may be made during the period of the engagement as required by the Chief Justice.

All personnel must abide by Cardno's Code of Conduct, DFAT's policies in relation to Child Protection; Environmental and Resettlement safeguards; Gender Equality; and Disability.