



**5 December 2022**

Senator the Hon Penny Wong  
Minister for Foreign Affairs  
PO Box 6100  
The Senate  
Parliament House  
Canberra ACT 2600

Hon. Pat Conroy MP  
Minister for International Development and the Pacific  
PO Box 6022  
House of Representatives  
Parliament House  
Canberra ACT 2600

By email: [senator.wong@aph.gov.au](mailto:senator.wong@aph.gov.au); [pat.conroy.MP@aph.gov.au](mailto:pat.conroy.MP@aph.gov.au)  
CC: [mark.dreyfus.mp@aph.gov.au](mailto:mark.dreyfus.mp@aph.gov.au); [tass.liveris@lawcouncil.asn.au](mailto:tass.liveris@lawcouncil.asn.au)

Dear Ministers

**Support of the South Pacific Lawyers' Association for Pacific Islands Legal Information Institute (PacLII)**

On behalf of the South Pacific Lawyers' Association, I refer to the letter sent to Minister Wong's office on 24 October 2022 from the Australasian Legal Information Institute (**AustLII**), which provided a funding proposal to secure PacLII's ongoing operation for the next five years.

The Association understands that PacLII's financial situation is currently critical.

The South Pacific Lawyers' Association is comprised of legal professional associations representing seventeen jurisdictions across the South Pacific. It exists to:

- represent the interests of South Pacific lawyers on regional issues concerning the rule of law, access to justice and regional law and justice policy;
  - support the development of independent peak legal professional associations in the South Pacific region;
  - improve the standard of and access to legal education, including continuing professional development for South Pacific lawyers;
  - promote effective and robust regulation of the legal profession in the South Pacific;
- and

- represent the interests of the legal profession in the South Pacific region, both within the region and internationally.

The member organisations of the South Pacific Lawyers' Association are unanimous in their support for the continuation of PacLII, and endorse the application of AustLII to secure funding for PacLII's ongoing operation, administered by the University of the South Pacific.

I am pleased to convey to you a letter from Honorable Simon Robert Kofe, Tuvalu's Minister of Justice, Communication and Foreign Affairs, together with statements from the American Samoa Bar Association, Cook Islands Law Society, Fiji Law Society, Kiribati Law Society, Marshall Islands Law Society, New Zealand Law Society (in partnership with the Pacific Lawyers Association of New Zealand), Samoa Law Society, Solomon Islands Bar Association, Tonga Law Society and Vanuatu Law Society in support of PacLII.

These statements express, in their own words, how PacLII facilitates the administration of and access to justice, underpins the delivery of legal services, supports the development of Pacific jurisprudence, and promotes transparency, accountability and good governance.

In many of these jurisdictions, PacLII is the only source of legislation and legal precedent – and it is therefore relied on by governments, judiciaries, academics and students throughout the region. Many of the legal professional associations have noted the broader value of PacLII in providing free public access to legal materials in their communities.

The South Pacific Lawyers' Association hopes that the Australian Government will provide support to this important Pacific institution, which underpins and promotes the rule of law in 20 Pacific jurisdictions.

Together with the President of the Law Council of Australia, Mr Tass Liveris, I would welcome the opportunity to meet with you to discuss the Australian Government's support for PacLII's operation.

Yours sincerely



**Dr Gordon Hughes AM**  
**Chair, South Pacific Lawyers' Association**



**GOVERNMENT OF TUVALU  
MINISTRY OF JUSTICE, COMMUNICATIONS & FOREIGN AFFAIRS**

GPO Vaiaku, Funafuti, TUVALU Phone: (688) 20117, Email: [simon.kofe@gov.tv](mailto:simon.kofe@gov.tv)

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3 December 2022

TO WHOM IT MAY CONCERN

**SUPPORT LETTER  
PACIFIC ISLANDS LEGAL INFORMATION INSTITUTE (PacLII)**

I refer to the above matter and hereby express the Government of Tuvalu's support to the continuing operation of PacLii.

PacLii is an initiative of the University of the South Pacific School of Law, and it provides free access to law materials of Pacific Island Countries. These include legislation, court decisions, reports, court rules and bench books.

The initiative was initially focused on providing law students with access to law materials of the region, however it has since grown to become a valuable resource for governments, legal practitioners, NGOs, academics and the general public.

PacLii is an excellent example of an initiative that truly promotes access to legal information and a tool that supports practitioners fulfil their responsibilities within the justice system. Given its importance to the Pacific, it is critical that the organization is adequately resourced to continue its service.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S. Kofe'.

Honorable Simon Robert. Kofe  
Minister of Justice, Communication and Foreign Affairs



AITOFELE B. SUNIA  
*President*

THOMAS B. JONES  
*Vice President*

LORNALEI C. MEREDITH  
*Treasurer*

STEPHANIE ROGERS  
*Delegate at Large*

ALEMA LEOTA  
*ABA Delegate*

P.O. Box 23, Pago Pago, American Samoa 96799 \*[www.asbar.org](http://www.asbar.org)

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**November 25, 2022**

**Letter of Support for PACLII**

The American Samoa Bar Association submits this letter in support of the continued operations of PACLII in the region. The American Samoa Bar Association understands the importance of the PACLII website database for many jurisdictions across the Pacific in academia and the workplace.

We support all efforts by PACLII to request and secure funding for its operations which include the maintenance of its database. The PACLII database is a priceless resource for many across the Pacific – it ensures access to justice which is fundamental to the core principles of democracy.

Respectfully,

Aitofele B. Sunia  
President

# COOK ISLANDS LAW SOCIETY

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24 November 2022

## RE: Support for PACLII

1. The Cook Islands Law Society and its members fully recognises and appreciates the invaluable resources offered by PACLII to the Cook Islands. PACLII is an essential tool called upon daily on the Cook Islands.
2. To many, indeed most, of Cook Islands Law Society our members, in many cases the Cook Islands judiciary itself, rely heavily upon the services provided by PACLII.
3. For members of the Cook Islands legal community, and the wider public, PACLII represents the only publicly available resource for legal precedent and legislation in the Cook Islands. The Cook Islands does not have its own law reports or periodic bulletin providing updates on important legal developments or historical precedents. Nor does the Cook Islands have public access to legislation and legislative instruments.
4. In that role, PACLII offers immeasurable value to the rule of law and contributes to the efficient and cost-effective administration of justice in the Cook Islands.
5. The Cook Islands Law Society and its members offers their continuing support for the great work of PACLII.
6. Thank you.

Yours faithfully,



Benjamin Marshall  
President  
Cook Islands Law Society

**Council:**

**President:**

**Vice President:**

**Secretary:**

Benjamin Marshall

Georgina Rood

Lavi Lotu Rokoika

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**LEX EST TUTISSIMA CASSIS**

**FIJI LAW SOCIETY**

PRIVATE MAIL BAG, GOVERNMENT BUILDINGS, SUVA

Phone Contact: (679) 3319390 Email: [fslsecfiji@gmail.com](mailto:flssecfiji@gmail.com)

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1. The Fiji Law Society strongly supports the continuation of PacLII.
2. PacLII is a critical resource for judges, lawyers, and laypeople in Fiji and throughout the South Pacific since its inception.
3. Across the Pacific, there are significant capacity constraints to access up-to-date case law and consolidated legislation; commercial legal information services have limited coverage and are very costly. PacLII's free and current and up-to-date service plays a vital role supporting access to justice, rule of law and development of Pacific jurisprudence.
4. The impacts that PacLII has had over the Pacific region is as follows:
  - a) **Supports legal research and education**

South Pacific law lecturers use PacLII for their teaching materials, case studies and assignments off from PacLII, as they have access to legislations and judgments from the 20 Jurisdictions in the South Pacific Region, and this enables lecturers to teach law effectively. Law lecturers also inform the students of PacLII and how important it is in their legal studies, and so throughout the years, law students have been using PacLII as a research tool to further inform and educate themselves on legislations and case laws of their nation and other pacific island nations.
  - b) **Preserves vulnerable collections**

It is the body of legal work that constitutes what is law – not just the most recent decisions or legislation. As such PacLII has historical documents such as the Kings and Queens Regulations from the colonial era. PacLII's historical legal collection is vital to the evolving jurisprudence of the Pacific Region.
  - c) **Supports good governance and the Rule of Law**

PacLII offers open and free access to legislations and case laws and this supports the free flow of information which is the basis of a more just and equitable society, as it ensures the maintenance of the Rule of Law; consensual policy development; transparency; accountability and responsibility.

11.11.22

**KIRIBATI LAW SOCIETY**  
Suite A, KIOSU Building, KIOSU-KIT Road, Betio  
Tarawa, Republic of Kiribati

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Our ref:  
Your ref:

28 November 2022

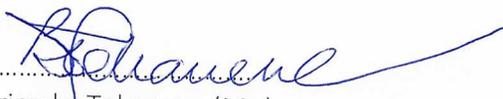
Re: Support for Paclii

Our sincere apology for the late in responding to your email on the above matter.

In any case, the Kiribati Law Society is very much in support for paclii to continue. Being a small jurisdiction and without an official law report, lawyers in Kiribati have to turn to paclii for their authorities, hence the need to have paclii service continued.

We thank those who have continued to support it and hope that our support is noted and that the support continues.

Yours faithfully

  
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Birimaka Tekanene (Mr.)  
President



# Marshall Islands Law Society

P.O. Box 4145, Majuro, MH 96960

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## TO WHOM IT MAY CONCERN

Yokwe and Greetings from the Republic of the Marshall Islands!

On behalf of the Marshall Islands Law Society, I am grateful to join the other law societies and bar associations throughout the Pacific region in showing our support towards the effort to secure funding for the continuation of the Pacific Islands Legal Information Institute (“PacLII”).

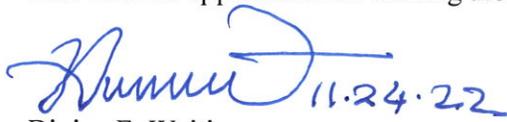
The Marshall Islands Law Society was founded in 2008 as an independent professional body which established to provide forum for development and promotion of law and justice in the Marshall Islands, to facilitate and to encourage legal education for the members of the Law Society and encourage public services, to provide forum for which members are able to discuss issues affecting them, and to promote ethics and professional responsibilities of the members .

Over the past years the Law Society have strived to facilitate more participation and involvement of the lawyers in the Marshall Islands, especially for the newly law graduates from the University of the South Pacific Law School. Now, we have seen lawyers who have graduated from the USP Law School engaged and participated actively not only in the functions of the Law Society, but also in providing legal services to the Government and the People of the Marshall Islands. These are groups of people who were once students and who have earned their law degree and have benefitted greatly from the PacLII during their years at the USP Law School at Emalus Compus and through the extension centers. Myself included, I have had the great benefit of accessing the PacLII’s free law materials online during my years at the USP Law School at the Emalus Campus. In fact, I was one of those early law students who went to study at the USP Law School at the Emalus Campus in Port Vila, Vanuatu. During those early years student have difficulty in accessing online materials and we have to rely so much on printed law materials from the library books and printed materials provided by the lecturers including textbooks provided. It was not until PacLII was established at the Emalus Campus that students were able to have free online access to law

materials easily and has been a great initiative since then which provides a vast collection of information on regional case laws, legislations and other relevant materials where students can freely access from anywhere and throughout the region. On a personal note and experience, during the early years of the beginning of the establishment of PacLII at USP Emalus, I was able to assist as an intern, helping PacLII staff with the scanning and converting of old case laws and materials into digital format and uploaded to the PacLII online portal. Later, when I became the Parliament Counsel for the Parliament (Nitijela) of the Marshall Islands, I was still assisting the PacLII in providing the enacted laws, cases and other materials needed especially for student from the Marshall Islands who could easily accessed the materials through PacLII for their studies.

The Marshall Islands Law Society fully supports the effort to seek funding for the continuation of the PacLII.

On behalf of the Marshall Islands Law Society we wish the Law Council of Australia all the best with the application for seeking the funding of the PacLII.



Divine F. Waiti

President of Marshall Islands Law Society

15 November 2022

Charlotte Stubbs  
South Pacific Lawyers Association  
Via email: [charlotte.stubbs@lawcouncil.asn](mailto:charlotte.stubbs@lawcouncil.asn)

Dear Ms Stubbs

### **PACIFIC ISLANDS LEGAL INFORMATION INSTITUTE (PACLII) DATABASE**

This is a joint letter from the New Zealand Law Society | Te Kāhui i Ture o Aotearoa and the Pacific Lawyers Association of New Zealand (PLA) in strong support of the continuation of PaCLII.

Both the Law Society and the PLA consider PaCLII a critical resource. New Zealand has strong links to the Pacific Islands with 8% of its population identifying as Pacific peoples. New Zealand lawyers are often called upon to assist in matters in Pacific jurisdictions. In such cases, their work is dependant on having access to the legal materials available through PaCLII.

Many of the jurisdictions covered by PaCLII do not publish their own law reports. In those jurisdictions PaCLII is therefore the only source for caselaw accessible by Law Society and PLA members. Aside from caselaw, PaCLII is also often the primary source for casenotes, tribunal reports, ombudsmens' reports as well as court rules. Without this resource, our lawyers would not be able to keep up to date with the developing jurisprudence in the Pacific. Moreover, we are aware that PaCLII is also a resource for members of the NZ judiciary, some of whom are also members of judiciaries in Pacific nations.

The PLA is also seeing greater demand for New Zealand lawyers to contribute to the legal training resources for lawyers in the Pacific. In this context, a resource like PaCLII is critical.

However the benefits of PaCLII extend beyond the legal profession and jurisprudence. Law that is available and accessible to those subject to it, is a contributing factor to the overall rule of law. In this regard the Law Society and the PLA support the principles of the [Montreal Declaration on Free Access to Law](#) to which PaCLII is a signatory.

The Law Society and the PLA consider PaCLII an immeasurably valuable resource, not just for New Zealand but for all nations in the Pacific. We strongly support the continuation of PaCLII.

Nāku noa, nā

Vinaka vaka levu



Frazer Barton  
President, New Zealand Law Society



Arti Chand  
President, Pacific Lawyers Association of  
New Zealand



# SAMOA LAW SOCIETY

Please address all correspondences to  
the President of the Samoa Law Society  
c/- Stowers & Su'a Lawyers  
Tuutuuleloloto Hall  
Mulivai  
**SAMOA**

Email: samoalawsociety21@gmail.com

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## **SUPPORT FOR PACLII CONTINUOUS OPERATIONS**

This letter serves to confirm and verify the genuine support of Samoa Law Society for the continuous operations of PaLii in the region.

The PaLii website is an essentially fundamental tool that is heavily relied on by the Samoa Judiciary and members of our Society for legal research. There is a very genuine and professional network that is already developed by PaLii and the Ministry of Justice and Courts Administration of which the PaLii operations is always updated of Samoa Courts Judgments (District Court, Supreme Court and Court of Appeal). These cases are then made accessibly and instantaneously free for anyone on the internet.

It is also understood, the PaLii website is mostly used by secondary schools and universities in Samoa, both by students and academic staff.

The impact that is felt by both the Judiciary and the bar in Samoa due to PaLii is deeply rooted and has seen the progressive and efficient development of its legal jurisprudence and the timely return of its Court Judgements. It is none other than an extensive and well archived library of the most relevant legal resources that anyone can access by a simple typing on the internet.

The information that is uploaded and shared on PaLii is developed and tailored most specifically for the Pacific which sees the contextualization of Pacific culture and standards, making a very unique jurisprudence of laws that can also be shared by and for the rest of the other regions.

The Samoa Law Society stands by to support the greatest and progressive influence that PaLii has and will continue to offer for Samoa and the Pacific region and pray there will always be funding to support its ongoing operations for the development of the legal jurisprudence and the rule of law that is Pacific oriented.

Ma le fa'aaloalo tele lava,

(Alexander K Su'a)

**PRESIDENT**

# *Solomon Islands Bar Association*

25 November 2022

## TO WHOM IT MAY CONCERN

RE: LETTER OF SUPPORT FOR PACLII

We write to express the support of Solomon Islands Bar Association for the continuation of PacLii's legal information service. This service is an invaluable resource for the legal community in Solomon Islands. Members of Solomon Islands Bar and the legal community more broadly, including the courts, academics and law students, rely very heavily on this service. It is the first port of call for both primary and secondary materials.

There has always been a problem with access to legal materials in small Pacific countries, caused by short print runs and absence of up to date law reports and consolidations of legislation. Hard copies of materials are therefore in short supply.

This service is particularly necessary in small Pacific islands, where the colonial legacy includes the continuing application of some foreign laws. This often means that it is necessary to do a considerable amount of research to ascertain the current position. PacLii gives access not only to current material but also to important historical documents without which it would not be possible to provide accurate advice to clients. The absence of this service would also impede the courts' ability to ensure that their judgments reflect the correct position.

Without this service the chances of development of a regional jurisprudence are dramatically diminished. There will be little opportunity for cross-fertilisation of ideas or consistency of approach where this is appropriate.

Many lawyers are still developing their practices and often provide pro bono advice, as does the Public Solicitors' Office. A subscription would place PacLii's service outside the reach of many of our members and of many other individuals and institutions in this country.

We wholeheartedly support the continuation of this important service.

Yours faithfully,



**Eran Soma**

President



### CONTACT ADDRESS:

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**SOLOMON ISLANDS**

P: 7468465

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# TONGA LAW SOCIETY

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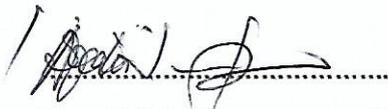
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18 November 2022

To Whom It May Concern:

1. The Tonga Law Society stands in solidarity with its fellow members of the South Pacific Lawyers Association who are in strong support for the continuation of PacLII because it plays a very important role for the legal profession in Tonga.
2. We understand that PacLII publishes several valuable legal materials from over many Pacific Island jurisdictions providing insights into all areas of law. PacLII has been accessible to the legal profession in Tonga for many years to date.
3. PacLII has been and continues to be a very helpful tool not only to the legal profession, Magistrates and Judges here in Tonga but also to our students pursuing a career in law or other related fields of study.
4. There is no better search function and platform for pacific case law materials including regional legislation and constitutions than PacLII.
5. It is in this spirit that the Tonga Law Society expresses their support for the operations of PacLII to be maintained.

Your Sincerely,



Mrs. 'Alisi Taumoepeau K.C

President



14 November 2022

**To whom it may concern**

The Vanuatu Law Society fully supports the work of PaCLII in providing access to justice through free access to the up-to-date legal information in the Pacific.

PaCLII is the only publisher of legal information in the country, providing free access to Vanuatu's case law, legislation, and regulatory instruments.

As a legal information tool, PaCLII is used daily not only by legal professionals and the judiciary but also by law enforcement officers and public servants charged with administering vital services to the population. It is available to citizens throughout the country, even on the remotest islands, provided a basic internet connection is available for browsing the Web.

The legal maxim *ignorantia juris non excusat* (ignorance of the law is not a defense) is true in practice and not just in theory. There is no rule of law without legal information being broadly available to all without discrimination.

To quote the UNESCO on the Article 19 of the Universal Declaration of Human Rights:

***"Access to information serves as an integral part of freedom of expression and is an important tool for promoting the rule of law, other rights and building trust. It is an enabler for sustainable development in areas such as health, environment, addressing poverty and fighting corruption."***

The right to information is a matter that is critical and even more so legal information.

Thank you for your consideration in granting the necessary funding to PaCLII to continue and improve on this crucial mission.

Warm Regards,



Didier Hamel-Landry

Chairman, Executive Committee of the Vanuatu Law Society