



15 February 2024

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; pat.conroy.MP@aph.gov.au
CC: attorney@ag.gov.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 write in relation to the application for funding from the University of the South Pacific (**USP**) for the Pacific Islands Legal Information Institute (**PacLII**) which was submitted to the Department of Foreign Affairs and Trade (**DFAT**) in December 2023.

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 interest of the legal profession in the South Pacific region, both within the region and internationally.

The member organisations and legal profession representatives of SPLA are unanimous in their support for the continuation of PacLII, and endorse the application for PacLII's ongoing operation, administered by USP.

I am pleased to convey to you letters from the:

- American Samoa Bar Association;
- Law Council of Australia;
- Cook Islands Law Society;
- Fiji Law Society;
- Kiribati Law Society;
- Samoa Law Society;
- New Zealand Law Society Te Kāhui Ture o Aotearoa (in conjunction with the Pacific Lawyers Association of New Zealand);
- Papua New Guinea Law Society;
- Tonga Law Society;
- Tuvalu Law Society; and
- Vanuatu Law Society.

I also enclose letters from the Solicitor General of Niue and the South Pacific Lawyers' Association representative for Timor-Leste.

Nauru Law Society, a constituent member of SPLA, has directly conveyed its support for USP's funding application via a letter to Minister Wong dated 7 February 2024.

This correspondence follows the South Pacific Lawyers' Association previous [open letter](#) regarding ongoing support for PacLII dated 5 December 2022. As you will see from the enclosed correspondence, there is widespread support from across region for the services provided by PacLII.

Many jurisdictions have highlighted the importance of PacLII for access to justice, legal education, and the rule of law. In some jurisdictions it represents the only publicly available resource for legal precedent and legislation and represents a critical service for the legal profession, the judiciary, universities, governments and the broader community.

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.

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

Encl.



LORNALEI C. MEREDITH
President

AITOFELE B. SUNIA
Vice President

THOMAS B. JONES
Treasurer

ANGELA DRUMMOND
Delegate at Large

BRYAN RANDOLPH
ABA Delegate

P.O. Box 23, Pago Pago, American Samoa 96799 *www.asbar.org

January 31, 2024

Re: 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,

Lornalei C. Meredith, President



Law Council
OF AUSTRALIA

Office of the President

08 February 2024

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; pat.conroy.MP@aph.gov.au
CC: kym.freriks@usp.ac.fj

Dear Ministers

Funding for the Pacific Islands Legal Information Institute (PacLII)

I refer to the application from the University of the South Pacific (**USP**) to the Department of Foreign Affairs and Trade (**DFAT**), dated 27 November 2023, which seeks core funding to enable the continued operation of the Pacific Islands Legal Information Institute (**PacLII**) over a period of five years.

As you are aware, PacLII is the principal source of legal information for 20 Pacific Island jurisdictions and is relied upon by the legal profession, judiciary, researchers and the broader community across the Pacific—including Australia and New Zealand. PacLII is administered by USP, with extensive technical assistance from the Australasian Legal Information Institute (**AustLII**).

PacLII is an essential piece of legal infrastructure that underpins the political, economic, and social development of individual Pacific countries and the region as a whole. It is currently the only viable and credible model for the provision of free access to legal materials in the Pacific, due to the limited capacity of many Pacific jurisdictions to provide accessible and consolidated case law and legislation, as well as the prohibitive costs for practitioners to purchase legal materials from commercial providers.

Independent legal associations from across the Pacific—in Tuvalu, American Samoa, the Cook Islands, Fiji, the Marshall Islands, New Zealand, Samoa, the Solomon Islands, Tonga, and Vanuatu—have emphasised the extent to which Pacific legal systems and legal practitioners rely upon PacLII, and describe how PacLII facilitates the delivery of legal

Telephone +61 2 6246 3788 • *Email* mail@lawcouncil.au

PO Box 5350, Braddon ACT 2612 • Level 1, MODE3, 24 Lonsdale Street, Braddon ACT 2612

Law Council of Australia Limited ABN 85 005 260 622

www.lawcouncil.au

services, supports the development of Pacific jurisprudence, and promotes the rule of law and good governance.¹

The Law Council welcomed DFAT's extension of critical gap funding to USP to enable PacLII to continue its operations during the 2023-2024 financial year.

This funding also enabled the convening of the PacLII Summit on Maintaining and Enhancing Free Access to Law in the Pacific Region (**PacLII Summit**) in Port Vila, Vanuatu on 5 September 2023. The Summit brought together representatives of governments, courts, non-government organisations, law societies and other stakeholders from eleven Pacific Island jurisdictions, Australia, and New Zealand, and facilitated robust discussion on appropriate governance models, possible funding sources and models to build PacLII's financial sustainability and resilience.

The funding application dated 27 November 2023 reflects these discussions and outlines a proposal to maintain the PacLII service while enhancing PacLII's governance and financial resilience over a five-year term.

This proposal also reflects discussions between the Law Council of Australia, PacLII, AustLII, and USP—as well as with DFAT and the Attorney-General's Department—over the past 15 months regarding PacLII's sustainable operation.

The Law Council strongly encourages the Australian Government to favourably consider USP's application and continue to support PacLII's operations. In doing so, the Australian Government will support the delivery of legal services and access to justice, contribute to effective and accountable governance, and promote the rule of law, stability and prosperity – both in individual Pacific jurisdictions and the region as a whole.

Yours sincerely



Greg McIntyre SC
President

¹ [Letter from South Pacific Lawyers' Association](#) to Senator the Hon. Penny Wong, Minister for Foreign Affairs, and the Hon. Pat Conroy MP, Minister for International Development and the Pacific, 5 December 2022.

COOK ISLANDS LAW SOCIETY

19 January 2024

RE: Continued Support for PACLII

1. On 24 November 2022 the Cook Islands Law Society wrote in support of PACLII which, together with letters of support from law societies throughout the Pacific, were included in an open letter to the Australian Minister of Foreign Affairs and minister for International Development and the Pacific. The Pacific law societies once again express their unanimous support for PACLII's work.
2. The Cook Islands Law Society and its members fully recognise and appreciate the invaluable resources offered by PACLII to the Cook Islands. PACLII is an essential tool called upon daily on the Cook Islands.
3. 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.
4. 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.
5. 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.
6. The Cook Islands Law Society and its members offers their continuing support for the great work of PACLII.
7. Thank you.

Yours faithfully,



Benjamin Marshall

President

Cook Islands Law Society

Council:

President:

Vice President:

Secretary:

Benjamin Marshall

Jamie Crawford

Mariata Pittman

Council Members:

Nari Crocombe

Michelle Tangimama

Fronz Tiseli



LEX EST TUTISSIMA CASSIS

FIJI LAW SOCIETY

PRIVATE MAILBAG, GOVERNMENT BUILDINGS, SUVA
MOBILE: (679) 3319390/ (679) 7736146 Email: secretariat@fijilawsociety.com

13 February, 2024

Dr Gordon Hughes
Chair
South Pacific Lawyers Association
19 Torrens St Braddon ACT 2612
AUSTRALIA

Dear Dr Hughes,

RE: CONTINUED SUPPORT FOR PACLII

1. The Fiji Law Society strongly supports continuation of the Pacific Islands Legal Information Institute (PacLii).
2. The Fiji Law Society believes PacLii a critical resource for both lawyers and the general public. In relation to the latter, it is a critical element in ensuring access to justice and public awareness. Lawyers in Fiji heavily depend on having access to the legal materials available through PacLii for caselaw, legislation, court rules, tribunal and quasi judicial reports. In doing so, PacLii support for the legal profession raises standards and care of clients.
3. PacLii also provides an all too rare resource for academics and students to study and learn the law, cultures, experiences and lives of Pacific islanders. The cases in PacLii offer an insight into life in the Pacific islands that cannot be found elsewhere.
4. The importance of PacLii to Fiji and the Pacific cannot be overstated and that can be brought into sharp focus if we imagine life without it. Overnight, a platform that promotes the rule of law and supports many thousands of people across Pacific island countries would be gone and we would have nowhere to turn. That situation is unthinkable and our region much poorer as a result.

Yours faithfully
FIJI LAW SOCIETY

Wylie Clarke
PRESIDENT

3 February 2024

Our ref:
Your ref:

Re: Kiribati Law Society support for Paclii

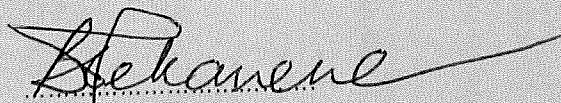
First of all, let me apologise for the delay in responding to the email that seeks our view on the above matter.

Kiribati is a very small country and the law society is still struggling to kick off the ground. However, as far as the Paclii is concerned, the Kiribati Law Society cannot deny that this has become a source for authorities not only for Kiribati case laws but also provide access to the region cases. Without a law report, Kiribati lawyers are very much relying on the paclii for authorities.

We thank the Government of Australia for the continue support to the financing of the paclii. We appreciate and acknowledge the invaluable resources that paclii continued to provide for the benefit of the Society and the people of Kiribati in general.

In that regards, Kiribati Law Society wish to support the continue funding and support for the paclii.

Yours faithfully



Birimaka Tekanene (Mr.)
President

15 January 2024

Charlotte Stubbs
South Pacific Lawyers Association
Via email: charlotte.stubbs@lawcouncil.asn

Dear Ms Stubbs

PACIFIC ISLANDS LEGAL INFORMATION INSTITUTE (PacLII) DATABASE

The New Zealand Law Society Te Kāhui i Ture o Aotearoa (Law Society) and the Pacific Lawyers Association of New Zealand (PLA) write jointly to express our support for PacLII and to endorse PacLII's most recent funding application to Australia's Department of Foreign Affairs and Trade (DFAT).

PacLII is a critical resource, both for our Pacific neighbours and for New Zealand. The recent funding application seeks core funding for PacLII for a period of five years to resource PacLII's capacity to maintain and develop existing and new partnerships to support PacLII's longer term sustainability. The Law Society and PLA strongly support this application as being vital to ensure PacLII's continuation of existing services while undertaking the work required to ensure financial sustainability in the long-term.

Pacific peoples comprise 8% of New Zealand's population and 3% of our legal profession. Members of our legal profession are often called upon to assist with matters in Pacific jurisdictions, and members of the New Zealand judiciary (both current and former) serve on the benches in a number of Pacific nations. In many Pacific nations, PacLII is the only database to publish legal material created within those jurisdictions and is the primary resource to access court rules, case law, legislation, and official reports.

For many of our Pacific neighbours, PacLII is the only source of legislation and legal precedent available to practitioners in those countries, as well as providing free public access to legal materials for their communities.

The Law Society and the PLA support the principles of the [Montreal Declaration on Free Access to Law](#) to which PacLII is a signatory. In line with these principles, PacLII ensures access to justice which is fundamental to the core principles of democracy.

Nāku noa, nā



Frazer Barton
President, New Zealand Law Society

Vinaka vaka levu



Arti Chand
President, Pacific Lawyers Association of
New Zealand



GOVERNMENT OF NIUE

CROWN LAW OFFICE

P.O Box: 70, Phone: (683) 4200, email: Niue.Crownlaw@mail.gov.nu

30 January 2024

On behalf of the Crown Law Office of the Government of Niue I would like to provide this letter of support for the continuing operation of PACLII.

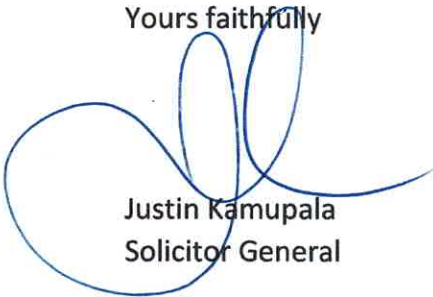
In recent times it has become more apparent that legal practitioners appearing in the Niue High Court have been able to avail themselves of copies of the Niue legislations provided and made available by PACLII to aid them in their submissions to the Court.

The resources made available by PACLII have also assisted consultants and legal counsel engaged but based overseas who have been assisting the Government Ministries and Departments with the review of legislation and other work assigned to them from time to time.

The information available from PACLII also assist students studying law and other courses at the small local USP campus.

Access to information in the Niue context can be difficult, so having this resource available to practitioners and students is most helpful.

Yours faithfully



Justin Kamupala
Solicitor General



Level Two
Port Tower Newcrest Haus
Hunter Street
P O Box 2004
PORT MORESBY, NCD
Papua New Guinea
Phone: 321 7344
Fax : 321 7634
Email : lawsocenquires@datec.net.pg

MEMO

17th January 2024

Charlotte Stubbs

Executive Policy Lawyer International
South Pacific Lawyers Association Secretariat
Law Council of Australia
24 Lonsdale Street
BRADDON ACT AUSTRALIA

PAPUA NEW GUINEA LAW SOCIETY'S SUPPORT FOR THE CONTINUATION OF FUNDING BY DFAT FOR THE SERVICES PROVIDED BY PACLII

Dear Charlotte,

The Papua New Guinea Law Society is deeply appreciative of the efforts of SPLA in approaching DFAT for funding for the continuation of PAC LII's services to all legal professionals, judiciaries, teaching institutions, academics and governments in the South Pacific region.

The Papua New Guinea Law Society is also grateful to DFAT for providing emergency funding for a one year period to end on 30 June 2024.

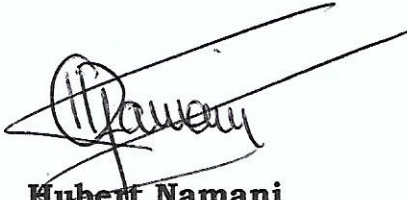
At present the Papua New Guinea Law Society has a membership of 1415 lawyers and this number increases each year.

The PACLII service is used by, I would say, almost all of the lawyers in PNG whose interest the Papua New Guinea Law Society represents, as well as by the Papua New Guinea judiciary, and teaching Institutions in PNG (such as the School of Law at the University of Papua New Guinea and Papua New Guinea's Legal Training Institute). They all rely heavily on PACLII's services.

PACLII is an extremely valuable source of legal information and is highly regarded as such in Papua New Guinea.

While the Papua New Guinea Law Society is extremely grateful to DFAT for the one years emergency funding, the Society would like, through SPLA, to make an urgent appeal to DFAT for the continuation of funding of the PAC LII's services as part of DFAT's assistance to the island nations of the South Pacific.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Hubert Namani", is written over a circular stamp. Two long, parallel diagonal lines are drawn across the signature and the stamp.

Hubert Namani

President

Papua New Guinea Law Society



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

22 January 2024

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. 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.

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 accessing internet by his/her fingertips.

PaLii is a significant tool and platform that 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 its operations and pray there will always be funding to support its ongoing operations for the Pacific including Samoa.

Ma le fa'aaloalo tele lava,

(Alexander K Su'a)

PRESIDENT

TONGA LAW SOCIETY

P.O Box 2815
Nuku'alofa
Kingdom of Tonga

Telephone: (676) 27671
Facsimile: (676) 27675
Email: lozenituli@gmail.com

1 February 2024

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

Subject: Tonga Law Society Support for Funding Application for Pacific Islands Legal Information Institute (PacLII) from the University of the South Pacific (USP)

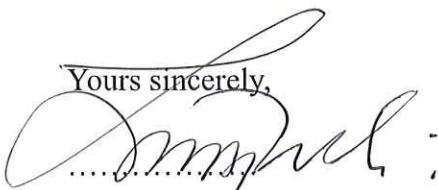
Hon Minister,

I write on behalf of the members of the Tonga Law Society to first, express our appreciation for the DFAT emergency funding that was approved in May 2023 for PacLII for the 12 months' period, July 2023 to June 2024.

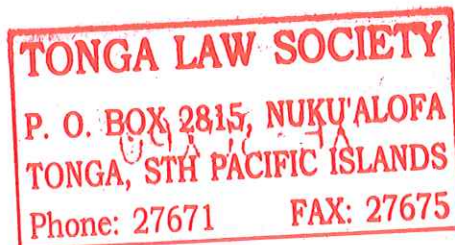
We understand that the University of the South Pacific has again submitted a 5 – year funding application to DFAT to provide core funding from June 2024 onwards, thus enabling PacLII to maintain and improve its essential service to the countries of the Pacific and beyond. PacLII coverage includes 20 island countries jurisdictions in the Pacific (including Tonga) most of which do not publish their own law reports. Apart from case law, PacLII is also the primary source for tribunal reports, ombudsmen reports, court rules, practice directions, legislation, and case notes which all the members of the Tonga Law Society utilise.

The members of Tonga Law Society join the other legal professional associations that are members of the South Pacific Lawyers Association (SPLA) in expressing our total support for continued DFAT funding for PacLII.

Yours sincerely,



Mr Lopeti Senituli
President





Da Silva Teixeira & Associados, Lda
Lawyers/Advogados
Share Capital: USD 5,000.00
Company Number: 1156635
Suco Vila Verde
Dili, Timor-Leste
www.dasilvateixeira.com

Please direct all responses/queries to:
Sahe Da Silva (Partner)
T: +670 7739 7641
E: sahe.da.silva@dasilva.tl

29 January 2024

To whom it may concern,

I write to you in my capacity as the Timor-Leste representative on the South Pacific Law Association¹ to express unwavering support for the Pacific Legal Information Institute (PacLII) and to advocate for the continuation of its vital operations.

Timor-Leste, with its unique and often isolated legal environment, stands to benefit significantly from resources like PacLII. Unlike many jurisdictions, Timor-Leste is yet to establish a bar association, making external legal resources such as PacLII even more indispensable in our legal landscape.

PacLII has proven to be a critical resource for legal practitioners, researchers, and members of the judiciary across the Pacific region, providing access to essential legal materials. In Timor-Leste, where access to legal information is crucial but challenging, PacLII plays an invaluable role in bridging the gap and fostering legal development. Also, as a relatively new country, Timor-Leste can learn from the experience of Pacific jurisdictions in a number of important socio-economic areas such as land rights, environment, natural resource management, climate change and intellectual property rights.

The absence of locally published law reports in many Pacific jurisdictions underscores the importance of PacLII as a primary source for case law, casenotes, tribunal reports, ombudsmen's reports, and court rules. This accessibility is particularly vital for our legal professionals who may not have alternative means to stay abreast of the evolving jurisprudence in the Pacific.

I consider PacLII an immeasurably valuable resource not just for Timor-Leste but for all nations in the Pacific. I strongly endorse the continuation of PacLII and urge your support for its continued operation.

If you have any queries, please do not hesitate to contact me on +670 7739 7641 and sahe.da.silva@dasilva.tl.

Yours faithfully,

Sahe Da Silva
Partner
Da Silva Teixeira & Associados, Lda

¹ Note: Timor-Leste does not yet have a Bar association and I am in this role on an ad-hoc basis until such time as the Association is formed.

TUVALU LAW SOCIETY

(Interim)

TO WHOM IT MAY CONCERN

11th January, 2024

Subject: **Full Support for PACLII**

I write on behalf of our newly elected executive for the Tuvalu Law Society, to show our full support for the continuation of PACLII.

PACLII has been a useful tool for our legal practitioners in Tuvalu and abroad in legal research, writing and particularly case-law precedents. It is the primary online search tool used and referred to by our practitioners to search for legal precedents in Tuvalu and within our neighboring Pacific countries.

Any setbacks with PACLII is a disservice to our members since we do not own a publicly available online/offline source that stores all the relevant Court decisions of Tuvalu and all the Pacific region. We, the Tuvalu Law Society and its member heavily rely on the services and information provided by PACLII.

We hope that you continue to provide funding support to PACLII to continue its invaluable services to us all. Fakafetai lasi,

Sincerely,



Nele Semu Tusipese (Mrs)

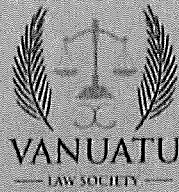
President of the Tuvalu Law Society (Interim)

Nele S Tusipese – President | (nele.sem@gmail.com) | (+6887119033)

Filiga N Taukiei – Vice President | (filigataukiei@gmail.com)

Losafou Ampelosa – Secretary | (lampelosa@gov.tv)

Melissa Ako – Treasurer | (sweet.laevan@gmail.com)



To: The SPLA Secretariat

Date: 2 February 2024

Subject: Letter of Support for the Pacific Islands Legal Information Institute (PacLII)

Dear Charlotte Stubbs, Law Council of Australia (SPLA Secretariat)

On behalf of the Vanuatu Law Society (VLS), I am writing to express our unequivocal support for the Pacific Islands Legal Information Institute (PacLII) and its crucial role in advancing access to justice across the Pacific region.

We appreciate the initiative to collate letters of support from bar associations and law societies across the Pacific for submission to the Australian government. Recognizing the vital importance of PacLII's impact on Vanuatu and the broader region, the VLS wholeheartedly joins this collective voice of support.

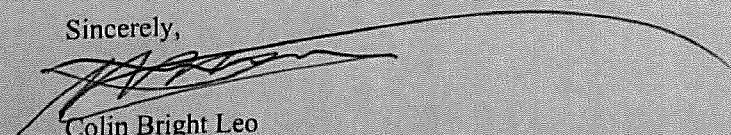
PacLII's dedication to compiling and freely providing access to legal resources has been transformative for Vanuatu. It empowers lawyers, judges, academics, and the public to navigate the legal system with greater confidence and knowledge. Having readily available access to Vanuatu's legal materials and those of our Pacific Island neighbors fosters regional collaboration and knowledge sharing, strengthening the rule of law throughout the region.

Therefore, the VLS strongly endorses continued Australian government support for PacLII. By ensuring its long-term sustainability, we strengthen the foundation for a just and equitable Pacific where everyone has access to the tools and information they need to pursue their rights.

The VLS stands ready to continue collaborating with PacLII and other stakeholders to further enhance access to legal information in the Pacific. We are confident that through united efforts, we can create a region where the law serves as a beacon of justice for all.

Thank you for your tireless advocacy for PacLII. Please count on the unwavering support of the Vanuatu Law Society in this crucial endeavor.

Sincerely,



Colin Bright Leo
Chairman, Vanuatu Law Society