

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**MONDAY, 10TH MARCH, 2025**

**[CORRECTED COPY]**

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**MONDAY, 10<sup>TH</sup> MARCH, 2025**

The Parliament met at 9.31 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

**PRESENT**

All honourable Members were present.

**MINUTES**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir,  
I move:

That the Minutes of the sitting of Parliament held on Friday, 7<sup>th</sup> March, 2025,  
as previously circulated, be taken as read and be confirmed.

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, I beg to second the motion.

Question put.

Motion agreed to.

**COMMUNICATIONS FROM THE SPEAKER**

Welcome

I welcome all honourable Members to today's Sitting and all those joining us in the gallery and those watching the live broadcast on television and the internet.

2025 Commonwealth Day

Honourable Members, today, as you all are aware, marks Commonwealth Day and this year's theme, 'Together We Thrive', resonates profoundly with us, especially as a small island nation, committed to fostering unity, peace and progress. The theme highlights the importance of fostering strong and connected communities that support and empower their members, enabling meaningful progress.

Parliament recognises the significance of empowering our citizens and ensuring that every voice is heard and valued in our legislative processes. Through our parliamentary activities, we strive to enhance transparency, accountability and inclusivity.

As we celebrate Commonwealth Day, let us reaffirm our dedication to the principles of family, unity and peace. Together, we can build a future where every member of our society thrives, and our communities are empowered to achieve meaningful progress. May this day inspire us all to continue working towards a brighter and more prosperous future for our beloved Fiji and the entire Commonwealth family.

Finally, I speak on all the honourable Members' behalf when I extend our hearty congratulations to the men's Drua Team for their outstanding performance in defeating the top of the Super Rugby Team - Waikato Chiefs, on Saturday at Churchill Park in Lautoka.

(Acclamation)

May this be the first of the many upsets the Team will deliver to their adoring fans this season. True to form, Ashwin my taxi driver offered a suggestion this morning that, perhaps, it is time for the Drua to start winning some of their 'away games'.

A footnote for the sporting activities over the last three days, I wish to update interested Members who had offered unsolicited views of their hope that their houses would win the interhouse athletic meet of a certain school last Friday. I am happy to report, and the honourable Leader of the Opposition might be chattering after, that the house of yellow came up champions once more, successfully defending their title. I hope its sister house at Lodonu will achieve the same success.

I have just read in this morning's dailies that the yellow also reigned supreme at Suva Grammar. This year is the Chinese Year of the Snake and is also the year to don yellow as the champion colour.

Thank you, honourable Members, we will proceed to the next item on today's Order Paper.

HON. S.L. RABUKA.- Mr. Speaker, Sir, before I present my papers, may I thank all the fathers who have worked yesterday and did not attend Father's Day celebration meals with their families. When I saw a whole group working on the road between Navua and Suva, I told my police security guards that I apologise to their families for taking them out from their Father's Day meals to be able to be on duty with me.

## **PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS**

MR. SPEAKER.- The following Reports were tabled by the Minister responsible, in accordance with Standing Order 38(1) and referred to the relevant Standing Committee for deliberation, in accordance with Standing Order 38(2):

### Standing Committee on Economic Affairs

- (1) Fiji Rice Pte Limited Annual Report 2018 (*Parliamentary Paper No. 256 of 2020*);
- (2) Fiji Rice Pte Limited Annual Report 2019 (*Parliamentary Paper No. 257 of 2020*);
- (3) Fiji Rice Pte Limited Annual Report 2020 (*Parliamentary Paper No. 17 of 2023*);
- (4) Fiji Rice Pte Limited Annual Report 2021 (*Parliamentary Paper No. 18 of 2023*);
- (5) Fiji Rice Pte Limited Annual Report 2022 (*Parliamentary Paper No. 92 of 2023*); and
- (6) Fiji Rice Pte Limited Annual Report 2023 (*Parliamentary Paper No. 146 of 2024*).

### Standing Committee on Public Accounts

- (1) Report of the Auditor-General of the Republic of Fiji – 2023 Audit Report – Infrastructure Sector (*Parliamentary Paper No. 188 of 2024*); and
- (2) Report of the Auditor-General of the Republic of Fiji - 2023 Audit Report - Economic Services Sector (*Parliamentary Paper No. 198 of 2024*).

### Standing Committee on Foreign Affairs and Defence

- (1) Fiji Revenue and Customs Service Annual Report 2020-2021 (*Parliamentary Paper No. 8 of 2025*); and
- (2) Fiji Revenue and Customs Service Annual Report 2021-2022 (*Parliamentary Paper No. 9 of 2025*).

Standing Committee on Foreign Affairs and Defence

Civil Aviation Authority of Fiji – Annual Report 2023 (*Parliamentary Paper No. 47 of 2024*)

Standing Committee on Natural Resources

Ministry of Lands and Mineral Resources Annual Report 2022-2023 (*Parliamentary Paper No. 2 of 2025*)

Honourable Members, please, take note that the following Reports are for information only and will not be referred to any Standing Committee:

- (1) Reserve Bank of Fiji, Quarterly Review - September 2024; and
- (2) Medium Term Fiscal Strategy - Financial Year 2025-2026 to Financial Year 2027-2028 (*Parliamentary Paper No. 16 of 2025*).

**REINSTATEMENT OF BILLS TO ORDER PAPER**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, pursuant to Standing Order 97, I hereby move:

That the following Bills be restored to the Order Paper:

- (a) Audit Bill 2024 (Bill No.17 of 2024);
- (b) Access to Business Funding Bill 2024 (Bill No. 18 of 2024); and
- (c) Sugar Industry (Amendment) Bill 2024 (Bill No. 23 of 2024).

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, I second the motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, Standing Order 97 primarily outlines the procedures for reinstating Bills to the Order Paper. Honourable Members will recall that Parliament was prorogued on Monday, 16<sup>th</sup> December, 2024. As a result of this prorogation, all Bills lapsed, leading to the suspension and cessation of all associated processes where applicable.

Mr. Speaker, Sir, Standing Order 97(1) provides that any Bill that lapsed during the previous session of Parliament may be restored to the Order Paper, and to proceed at the stage it had reached before the lapse, by resolution of Parliament.

As honourable Members may recall, Parliament is vested with the authority to enact laws for the State under Section 46 of the Constitution. This process involves Bills being passed by Parliament and then subsequently receive assent from His Excellency the President.

To ensure that Parliament can carry out or resume the necessary procedures as outlined in both, the Constitution and the Standing Orders, it is imperative for Parliament to vote on the reinstatement of these lapsed Bills. Upon the reinstatement of the three lapsed Bills, the relevant Standing Committees will be able to promptly continue their work from where they left off at the prorogation.

As stated in the rewording of my motion, Mr. Speaker, Sir, the Bill which had lapsed are the:

- (1) Audit Bill 2024 (Bill No. 17 of 2024);

- (2) Access to Business Funding Bill 2024 (Bill No. 18 of 2024); and
- (3) Sugar Industry (Amendment) Bill 2024 (Bill No. 23 of 2024).

Mr. Speaker, Sir, I, therefore, seek the full support of the honourable Members to the motion before this august House, as it is imperative for Parliament and its Standing Committees to fulfil their constitutional mandate and representative role.

In conclusion, Mr. Speaker, Sir, I emphasise that this is simply a procedural motion, aimed at facilitating the reinstatement and restoration of the three lapsed Bills to the Order Paper. I wholeheartedly commend this motion to Parliament and respectfully urge all honourable Members to extend their full support for its approval. This motion is critical, to enable Parliament and its Standing Committees to effectively carry out their legislative, representative, oversight and scrutiny responsibilities.

Sir, I thank you for the opportunity to address this esteemed Parliament on the motion before us. *Vinaka*.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. At the end of the debate, we will have the right of reply from the mover.

Since there are no interventions, honourable Leader of the Government in Parliament, do you wish to add any comments on your motion?

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- No, Sir, I do not have any further comments.

Question put.

Motion agreed to.

### **CODE OF CONDUCT BILL 2024**

HON. G.E. LEUNG.- Mr. Speaker, pursuant Standing Order 51, I move:

That the -

- (1) Code of Conduct Bill 2025 (Bill No. 04/2025), be considered by Parliament without delay;
- (2) Bill must pass through one stage at a single sitting of Parliament;
- (3) Bill must be immediately referred to the Standing Committee on Justice, Law and Human Rights;
- (4) Standing Committee on Justice, Law and Human Rights must report on the Bill at the April Sitting of Parliament; and
- (5) Upon presentation of the report on the Bill by the Standing Committee, the Bill must be debated and voted upon by Parliament, with the right of reply accorded to me as the Member moving this motion.

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, I beg to second the motion.

HON. G.E. LEUNG.- Mr. Speaker, I have no further comments at this juncture.

MR. SPEAKER.- Honourable Members, the floor is now open for debate on the motion. At the end of the debate, we will have the right of reply from the mover.

Since there are no interventions from honourable Members, I call on the Attorney-General for his right of reply, if he so wishes.

HON. G.E. LEUNG.- Perhaps, I might use this opportunity, Mr. Speaker, Sir, since I have presented it. The Code of Conduct Bill 2025 that is before Parliament seeks to modernise the integrity and accountability framework of public office holders by applying codes of conduct not covered under Fiji's existing laws to public office holders.

Mr. Speaker, the Bill intends that public office holders comply with the standards set in the codes of conduct that are proposed. There is and there will be a statutory obligation to promote and monitor compliance with codes of conduct, and the making of declarations conferred by the Bill on the chairperson of the Accountability and Transparency Commission when it is eventually established by law.

The activities and services of Government, Mr. Speaker, are broad and delivered in various ways. The Bill imposes an obligation on public entities that form part of the wider framework of Government so that any person in a public enterprise or board must comply with the requirements of the code of conduct that applies to them.

Mr. Speaker, importantly, the Bill also requires public entities to deliver policies, services and processes to our communities that are consistent with the standards of the code of conduct that will eventually be enacted by Parliament. It is intended that this obligation will require public entities to deliver on the expectations of the people of this country and that services to them will be provided in a way that is fair and respectful. The codes of conduct are established under the schedules to the Bill.

The overarching principles for the three Codes of Conduct are that the public office holders must, first of all, act with integrity and uphold the public interest; be accountable for their actions and decision and, importantly, be respectful of the people that they serve. The Bill applies specific principles to each of the three types of public office holders.

Mr. Speaker, Sir, there will an opportunity for further discussion in this Parliament on the Bill, as this is the first reading, and I commend it to the House. Thank you.

MR. SPEAKER.- The Parliament will vote.

Question put.

Motion agreed to.

### **CONSOLIDATED REVIEW REPORT – LEGAL AID COMMISSION 2018-2023 ANNUAL REPORTS**

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, I move:

That Parliament debates the Consolidated Review Report of the Legal Aid Commission 2018-2023 Annual Reports, which was tabled in Parliament on 3<sup>rd</sup> December, 2024.

HON. V. LAL.- Mr. Speaker, Sir, I beg to second the motion.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, as we all know, the Legal Aid

Commission was established under the Legal Aid Act 1996 and the Legal Aid (Amendment) Decree 2009, which aims to provide access to legal services for individuals who cannot afford private legal representation, ensuring access to justice. It has expanded its national presence from three Offices in 2005 to 24 Offices, offering free legal advice; representation in Family, Criminal and selected Civil law cases; and specialised services for vulnerable groups such as women, juveniles and those with socio-economic or geographical challenges.

Mr. Speaker, Sir, the Committee identified several critical challenges facing the Legal Aid Commission. These include a high case load per lawyer with approximately 121 cases per lawyer as of 2024, which is exacerbated by a staff shortage across all Offices. To address this, the Committee recommends that the Ministry of Finance increase the Commission's budget, to enable the recruitment of the Commission's lawyers.

The Committee also highlights the need for increased awareness outreach in remote and maritime areas of Fiji, suggesting that adequate funding be allocated for this purpose. Furthermore, the Commission is experiencing a high staff turnover due to salary disparity between its legal staff and those working at other Government bodies, like the Office of the Director of Public Prosecutions (ODPP) and the Fiji Independent Commission Against Corruption (FICAC). The Committee recommends addressing this pay gap to increase staff retention.

Other issues include the lack of opportunities for Commission lawyers to attend important legal training, such training on cybercrime and money laundering, and the language barrier that also hinders the service to non-English speaking clients.

The Committee recommends that the Commission be provided resources to engage interpreters and ensure that its lawyers are given equal opportunity for professional development. Additionally, Mr. Speaker, Sir, the Committee suggests the creation of a dedicated 24/7 toll-free line for public access, as well as making the Commission's Offices more disability-friendly in terms of accessibility.

On that note, Mr. Speaker, Sir, I support the motion before the House.

HON. G.E. LEUNG.- Mr. Speaker, Sir, I would like to thank honourable Qereqeretabua for the motion that Parliament debates the Consolidated Review Reports of the Legal Aid Commission for the periods specified in Schedule 2 of the Order Paper. I am in support of the motion, Mr. Speaker.

As honourable Qereqeretabua has noted, the Legal Aid Commission was established in 1996. The Commission has grown in the years since its establishment, and put simply, its mandate is to promote greater access to justice.

The Commission, Mr. Speaker, Sir, began operations in July 1998, to provide legal services to those in this country, who are unable to afford the services of a private practitioner.

Mr. Speaker, Sir, the Legal Aid Commission is founded on the principle of equality and access to justice, and these are laudable and noble principles. In doing so, the legal services provided by the Legal Aid Commission should be accessible, sustainable, affordable and accountable.

This year marks the 29<sup>th</sup> anniversary of the Legal Aid Commission's existence in service to the people of Fiji. The Commission is a client-focused service to every organisation, and it plays a fundamental role in the administration and delivery of justice to all our people, irrespective of ethnicity, politics and race.



The work of the Commission is quite unique, and it provides a range of legal services, Mr. Speaker, Sir, to those members of our society who would, otherwise, fall through the cracks. It ensures that members of the public have equal access to justice, particularly the most vulnerable and the impoverished in our society.

The range of services offered to members of the public, Mr. Speaker, Sir, are quite extensive. They include, for example, advice and guidance on family law, the attestation and witnessing of legal documents, and legal representation in a range of civil and criminal matters.

Mr. Speaker, Sir, the Legal Aid Commission and its mandate is consistent with the Government's 2025-2029 National Development Plan and further emphasises the need for the strengthening of governance. The Commission's assistance through Legal Aid is available to individuals who are able to satisfy an eligibility criteria or a means test, and an applicant for legal aid must have a gross national annual income of \$15,000 or less.

Mr. Speaker, Sir, this criteria is strictly applied to ensure that the free legal services are extended only to those who are rightfully deserving of such services. The services of the Legal Aid Commission directly benefits the community, especially those who cannot afford legal services, supplied or extended by legal practitioners.

The Commission also provides services under the First Hour procedure, and that service is available for 24 hours, seven days a week.

Mr. Speaker, Sir, the strategic goals and activities of the Legal Aid Commission will take the Commission into the next era with plans to fully digitise the Commission's operations, and more importantly, devising practical ways to bring about greater efficiency in the delivery of free legal services.

Mr. Speaker, Sir, the Attorney-General's Chambers has noted the recommendations of the Sector Committee on Foreign Affairs and Defence and, in particular, the high case load, the need for greater awareness, the need to serve remote and outlying communities and the support for professional officers to stem the haemorrhaging of legal talent from the Offices of the Legal Aid Commission. It is our intention that those gaps and concerns which are valid will be addressed in the near future.

Mr. Speaker, Sir, I wish to conclude by stating that the Legal Aid Commission performs an important service to the people of this country, especially with respect to those less fortunate and less privileged members of society, who are unable to afford legal representation. Thank you.

MR. SPEAKER.- Thank you, honourable Attorney-General. Before I call on the next speaker, I would just like to remind honourable Members that you are allocated 10 minutes each for your intervention.

HON. V. LAL.- Mr. Speaker, Sir, esteemed colleagues, guests in the gallery and fellow Fijians; today, I rise to speak on the consolidated Review Report of the Legal Aid Commission's 2018-2023 Annual Reports. As a member of the Opposition, it is my duty to objectively analyse the findings, comment on the progress made and critically evaluate the areas that require further attention.

Mr. Speaker, Sir, recommendations and implementations include:

(1) Adequate Budgetary Allocation

The Report highlights the need for increased funding to expand outreach programmes and recruit more lawyers. I am pleased to note, that the Commission has received additional funding, which has helped manage the heavy load and improve service delivery. However, Mr. Speaker, Sir, we must ensure that this funding is sustained and further increased to meet the growing demand for Legal Aid Services.

(2) Pay Disparity

One of the most pressing issues identified in the Report is the significant pay gap between Government lawyers at the Commission and those in other jurisdictions, such as the Office of the Director of Public Prosecutions (ODPP) and the Fiji Independent Commission Against Corruption (FICAC). Efforts have been made to address this disparity, contributing to retaining experienced lawyers and reducing turnover. Nevertheless, Mr. Speaker, Sir, more needs to be done to ensure that the pay scales are competitive and reflective of the critical work these lawyers perform.

(3) Equal Training Opportunities

The Report recommends that, Commission lawyers have equal opportunities to participate in training and capacity building events. I am pleased to report that progress has been made in this area with more lawyers attending workshops on cybercrime, child representation, white collar crimes and money laundering.

However, Mr. Speaker, Sir, we must continue to prioritise and expand these training opportunities to ensure that our lawyers are well equipped to handle the complexities of modern legal challenges.

(4) Interpreters and Sign Language Services

Language barriers have been a significant challenge for the Commission, particularly for non-English speaking clients. The Report recommends acquiring interpreters, including sign-language interpreters, to better service all clients.

I am pleased to note that the Commission has made progress in this area but, Mr. Speaker, Sir, we must continue to invest in these services to ensure that all clients receive the support they need.

(5) Dedicated Toll-Free Line

The Report highlights the lack of a dedicated toll-free line for public access. Establishing a toll-free line that operates 24/7 is recommended to enhance accessibility and support for the public. I am pleased to report that a dedicated toll-free line has been established, significantly improving public access to legal aid services.

(6) Disability-Friendly Offices

Many of the Commission's Offices are not accessible to people with disabilities. The Report recommends, modifying these Offices to improve accessibility and ensure they are disability friendly. While efforts have been made to address this issue, more work is needed to ensure that all Offices are fully accessible to people with disabilities.

Mr. Speaker, Sir, on critical areas for improvement, while we commend the progress made in implementing these recommendations, there are still critical areas that require further attention, as follows:

(1) Payment System

One of the biggest challenges faced by the Legal Aid Commission is the current payment system. Payments are often made at the court, which can be costly and time-consuming for clients.

Mr. Speaker, Sir, to address this issue, we must implement modern payment systems such as M-PAiSA and MyCash, as well as bank-to-bank transfers. These systems will streamline the payment process, reduce costs, and improve efficiency. It is essential to recognise that many cases taken on by the Legal Aid Commission involve financial claims. Making an efficient payment system is crucial for the timely resolution of these cases.

(2) Sustainable Funding

While the Commission has received increased funding, we must ensure that this funding is sustainable and sufficient to meet the growing demand for legal aid services. This includes not only recruiting more lawyers, but also investing in infrastructure, technology and support services to enhance the overall effectiveness of the Commission.

(3) Staff Retention and Morale

Addressing the pay disparity is a crucial step in retaining experience lawyers, but we must also focus on improving staff morale and job satisfaction. This includes providing opportunities for professional development, recognising and rewarding outstanding performance, and creating a supportive work environment.

(4) Public Awareness and Outreach

The Report highlights the need for awareness outreach in remote and maritime areas. Mr. Speaker, Sir, we must continue to invest in public awareness campaigns, to ensure that all citizens are aware of their legal rights and the services provided by the Legal Aid Commission. This includes leveraging technology and social media to reach a broader audience and provide timely information and support.

(5) Training and Capacity Building

While progress has been made in providing training opportunities for Commission lawyers, we must continue to prioritise and expand these efforts. This includes not only attending workshops and seminars but also providing ongoing mentorship and support to ensure that our lawyers are well-equipped to handle the complexities of modern legal challenges.

(6) Language and Cultural Sensitivity

The Commission must continue to invest in language and cultural sensitivity training for its staff, to ensure that all clients receive the support they need. Mr. Speaker, Sir, this includes providing resources for acquiring interpreters and sign language interpreters, as well as training staff to be culturally sensitive and aware of the unique needs of different communities.

Mr. Speaker, Sir, the Consolidated Review Report of the Legal Aid Commission's 2018-2023 Annual Reports, provides a comprehensive overview of the progress made and the challenges that remain. While we commend the efforts made to implement these recommendations, we must continue to critically evaluate and address the areas that require further attention.

We must ensure that the Legal Aid Commission receives the support and resources it needs to fulfil its mandate. This includes addressing the pay disparity, implementing modern payment systems and investing in training infrastructure and support services.

Mr. Speaker, Sir, we can ensure that the Legal Aid Commission continues to provide essential services to our most vulnerable citizens and uphold the principles of justice and equality for all.

Mr. Speaker, Sir, thank you for the opportunity.

HON. F.W.R. VOSAROGO.- Mr. Speaker, Sir, I am not going to spend too long on this contribution, as most of the Report and its content have been dealt with much ably by the honourable Attorney-General and, of course, the honourable Member before me.

I wanted to highlight parts of the Report, Mr. Speaker, Sir, against the background of being one of the Directors at the Commission, the third Director of the Legal Aid Commission from 2006 to 2009. We are all aware of the intent of providing legal services is because we understand that legal services cost. So, the Legal Aid Commission or Public Defender's Office, as it is known before, was established by law so that those who are unable to access justice are able to do so, and that is going to be borne by the State.

Mr. Speaker, Sir, much has developed since the inception of this Office from 1998 - from three Offices then to 24 Offices now. I had 14 lawyers at that time when I was the Director to almost 80 something lawyers now – quite possibly more. So, we have, by any measure, developed a very effective legal assistance scheme for the public.

However, what has happened since then, I think, has produced a result that was probably not intending, but it was meant that to increase the lawyers and increase the resources in the Commission, the intent was that lawyers would spread out their work, they would not have too much workload on a given day.

But I am sure that the Reports, in the past five to seven years, have been consistent in identifying this as a major issue, that lawyers in the Legal Aid Commission are handling over 100 files in a given calendar year. That figure, Mr. Speaker, is something that is worrying. It is worrying for a couple of reasons, as I probably think it is worth identifying for a few minutes.

You are quite likely to have, Mr. Speaker, with a lawyer that is handling that amount of case load, that they will not have quality time on each of those files. They will only have 24 hours in a day. They will not have enough time to take client instructions. They will not have enough time to do their reading - read up on the disclosures, read up on the court documents. They will then not have enough time to attend to those cases.

What would happen ultimately, Mr. Speaker, is the quality of justice that we will expect to increase or improve from these statutory offices, without intent, but even be compromised. That is one of the biggest issues that I think has been consistently identified in the Report of the Legal Aid Commission. They just have too many caseloads on their laps.

I do not know whether increasing the workforce would help because ultimately, there is more lawyers, they will take in more case load, so it might not help the ratio at the end of the day. We might even need to relook at the justice system itself to see whether therein lies a solution to all of these issues that we identified in the Review Report of the Legal Aid Commission Reports of 2018-2023.

The other one that I think is worth mentioning is in relation to pay, and I am sure that the honourable Deputy Prime Minister and Minister for Finance would take this on board. There is a recommendation that there must be a fair pay gauge for the Legal Aid Commission workers.

I fully endorse that, and I think it is time that we look at parity between State Offices - lawyers in the DPP's Office, lawyers in the AG's Office, lawyers in the Office of the Independent Commission Against Corruption and lawyers in the Legal Aid Commission, who are all performing State functions. The Legal Aid Commission is also performing State function which is, access to justice for those who are unable to afford it. They must also be paid commensurably with the workload that they carry.

Mr. Speaker, Sir, I also wanted to see that when we are discussing about opportunities for advanced learning for our Legal Aid lawyers, that conferences and workshops are identified for opportunities in which they can expand their legal knowledge, as well as morphed into a programme between Government Departments where, for example, a Legal Aid lawyer could be seconded for eight months to the AG's Office.

Why do we need that? The reason is because they are now taking on board cases which were traditionally not within the precincts of legal aid work. For example, they are doing a little bit of succession and probate work, they are doing a little bit of civil work these days, so those were largely areas of law that were left to the private bar. However, because we are now requiring them to handle quite a number of these cases, they will need to get exposure to places where it could teach them about procedures, law and how to handle clients, and that would be a place where, I think, relevant stock of knowledge and experience could be gleaned and gained from.

I think in the 1980s and 1990s, I am not too sure what year it became extinct, but there was a practice between Government Departments that they would shift lawyers, just to make sure that these lawyers have a little bit of knowledge in criminal law, little bit of knowledge in civil law and a little bit of knowledge on family law, before they can go on to find any other vocation or even graduate to the bench.

Mr. Speaker, Sir, the most important part that we had identified and gleamed from, from this Report is now identifying that there is an opportunity for toll-free line expressions. It is important because just as the First Hour Procedure is important, the opportunity to pick up the phone and call someone for any legal reference is equally important.

Mr. Speaker, Sir, the First Hour Procedure is a very good concept because it provides the opportunity for a person who has been arrested by the Police an early intervention time in which the accused person or the person of interest is able to have access to legal advice before he gets to be interrogated by the Police. Sometimes and quite often, we find accused persons trying to undo their caution interview inside the court.

The First Hour Procedure ensures that those who are accused of crimes have an opportunity to know firsthand what they can, what is available to them, what they must answer to and what their rights are when they are being interrogated by the Police. So, this toll-free line, Sir, is a perfect example of how we can continue to advance the interest of those who need legal aid and are unable to afford it. I support the motion that is before the House, Mr. Speaker, Sir.

MR. SPEAKER.- We will take a break, but before doing so, I have four more speakers, as follows:

- Honourable F.S. Koya;
- Honourable L.D.Tabuya;
- Honourable P.D. Kumar; and
- Honourable Deputy Prime Minister and Minister for Finance and Strategic Planning,

National Development and Statistics.

Before we take a break, honourable Members, you are also advised that the Medical Officials from the Ministry of Health and Medical Services are present here at Level 2 to conduct medical checks. You are invited and encouraged to visit them. The honourable Minister for Health and Medical Services has kindly approved, and we are grateful to the honourable Minister and his Officials.

Honourable Members, we will now suspend proceedings for a break and Parliament will resume at 11.00 a.m.

The Parliament adjourned at 10.25 a.m.

The Parliament resumed at 11.05 a.m.

HON. F.S. KOYA.- Mr. Speaker, Sir, right at the outset, let me commend the Committee on its report and the recommendations that have come forward. I also agree with the earlier speakers in terms of the submissions made with respect to those recommendations and legal aid in general.

The Legal Aid Commission is a very important institution that rests within our legal system. We both know, Sir, it gives everyone the right to access justice and legal services. This is why it is an integral and huge component and a part of our Act to set up as in our Constitution. In the Constitution, it basically says in Section 118(2) of the Constitution basically says that:

“The Commission shall provide free legal aid services to those members of the public who cannot afford the services of a legal practitioner, in accordance with such rules and guidelines as may be prescribed by or under a written law.”

It is important that, that is there, Mr. Speaker, Sir, because earlier before that, every accused person has a right to legal aid, et cetera, and all those provisions are very important to those who access the Legal Aid Commission services.

Historically, Mr. Speaker, Sir, I think it was about 2005 when there were only three officers at the Legal Aid Commission. Today, as mentioned earlier by the honourable Minister for Lands, we stand at some 20-plus officers around Fiji.

Again, I agree with all the recommendations that have been put forth by the Committee but there are some things that we must remember. There is an excerpt from a particular professor or person, David Nalo, from the Australian National University that reflects something that is very important. He says, and I quote:

“Fiji alone boasts a legal aid system with substantial national coverage and per capita funding. And that is better than that of many wealthy nations, including Japan and South Africa.”

We need to take our hat off to the present Government and successive or earlier governments, who have supported Legal Aid - one of the most important institutions that we do have. It is also very important to remember that the continuous funding of Legal Aid and the increase of legal aid is important. It is really the largest law firm in the country, so to speak. It employs about 100-odd lawyers.

I can see the honourable Prime Minister having a good chuckle so, yes, it is. There are about 100-plus lawyers; 100 lawyers in one room. We all have some jokes about it, Sir, but the point is, it is very important. We must ensure that we pay them well - we pay them comparable to the private sector. We must ensure that we attract the best out of universities because cutting your teeth at Legal Aid is quite an important step towards being a better lawyer that may one day decide to open up his or her own practice or be plucked up by the Office of Attorney-General, or even international institutions.

Initially, as mentioned by the honourable Minister for Lands, they were stuck too and just doing criminal work, but their work has now been extended into family matters and accession matters, et cetera. I know there are quite a few lawyers who jumped up and down in the initial stages about legal aid being too accessible and taking up so much of their work, but it is all about the accessibility of the service that lawyers provide. It is important that we remember that. Anyone who

has been a judge or a magistrate worth his salt will always ensure that a person is represented, and the institution stands by ready to provide those services to accused persons and also the persons who are aggrieved in terms of family law, et cetera. It is important that we do that.

Mr. Speaker, Sir, the recommendations that have been provided are very important for everyone to remember. I urge the honourable Minister of Finance, in this year's budget, please, seriously look at increasing their budget again and making sure that they are also paid and aligned with the Attorney-General's Chambers. We hope that the honourable Attorney-General will have a discussion with the Board to say, "Look, you must pay them really well so that we are attracting the brightest and the best for Legal Aid."

I must declare my interest also, Sir, having been part of all these. As the honourable Minister for Lands, we have all tried to assist Legal Aid with the best we can. The disparity in pay should be clearly addressed. Also, it is an equal opportunity place where they can attend to training, et cetera, that needs to be done. I think a lot of other legal officers around Government and other institutions get a lot of legal training. I am not quite sure, I could be corrected by the honourable Attorney-General if I am wrong, whether the Legal Aid gets the same, but they also need to be afforded those opportunities, it would be fantastic for them. The law has moved on in many things and I think it is important that we do that.

Accessibility also to disabled people or people who have some kind of disability is important. I think the Committee found that it is important that we acquire the services of interpreters in sign language. We have done the Constitution; we have turned it into Braille. Anyone and everyone who turns up to the Legal Aid Office is not just abled people, that is, again, important. The toll-free line is hugely important. I think every institution is getting that done nowadays so that complaints can be addressed.

The workload, as addressed by the honourable Minister for Lands is huge. It is phenomenal for Legal Aid lawyers, and some of them are burnt out by the time they finish their three years there, so it is important that we address that carefully.

I totally and 100 percent agree with the recommendations that are being put forward and with the motion before the House. I commend the Committee for coming up with such wonderful recommendations. However, it is an institution that is part and parcel of our Constitution. It is an institution that requires constant upgrade in terms of staff and facilities. It is an institution that needs to be digitised fully, Sir. There are a lot of things in the law that are accessible that you will know, I will know, the honourable Attorney-General will know and all of us will know that the lawyers need. It is important that we keep that institution alive and well and digitally savvy also.

Very importantly the figures, I am not sure if those are the right figures but that figure of 100 cases per lawyer is quite a substantial amount. So being digitally enabled makes your job a hell lot easier.

I commend the Committee again for the Report. I thank them and I wish Legal Aid Commission well in their endeavours.

MR. SPEAKER.- On my last count in my reading of the Register for Legal Practitioners 2023, there were 105 lawyers employed by the Legal Aid Commission. As you correctly said, it is by far the largest legal firm in the country.



HON. S.D. TURAGA.- Mr. Speaker, Sir, I also echo the sentiments expressed by the previous speakers, acknowledging the good work that Legal Aid has done and the challenges that face them. I would like to share that in the last 10 to 15 years, I can say that there has been significant improvement in terms of the services of Legal Aid. As a former Magistrate, the Legal Aid Commission always go on island circuit. That is when they connect to the people out in the maritime areas, such as in Lau.

Mr. Speaker, Sir, in terms of the Lau Group, almost all the islands, except a few; Lomaiviti, Kadavu, and there is also a special session in Rotuma. When they do arrive, they meet with the people, provide them with explanation and assurance. Some of those cases are dealt with there and then, instead of the villagers coming to Suva for their cases to proceed.

Mr. Speaker, Sir, I echo the same sentiments that have been noted in the recommendations, the terms and conditions of our lawyers at Legal Aid. Sir, FICAC lawyers are paid on a higher scale compared to the Legal Aid lawyers. I can remember that the number of files a Legal Aid lawyer will have far surpasses what a FICAC lawyer can handle in a day.

I am told that the Legal Aid lawyers are paid more, a slightly higher scale than the lawyers at the Attorney-General's Chambers, probably the same as the Director of Public Prosecutions Office. If anything, Mr. Speaker, Sir, to commensurate the hard work and the volume of work that they do, I ask the honourable Minister of Finance for consideration. If their salary cannot be increased, at least, an innovative way in terms of a bonus system be implemented so that they are fairly rewarded.

I recall that in Nadi with busy courts and there are four courts, a Legal Aid lawyer will have 20 to 25 files. So, they will run from Court 1, Court 2, Court 3 and to Court 4. These problems or challenges are not faced by private practitioners. They come in, sit down, hear the matter and they leave. The very next day, Mr. Speaker, Sir, it is the same. It is a routine from Monday to Friday. We are thankful to the Legal Aid Board. We are also thankful for some of the great steps they have taken, that is, collaboration between the Government of Solomon Islands and the Fiji Government in terms of legal aid.

We hosted them for dinner three weeks ago and the honourable Minister for Justice from the Solomon Islands said, "We are so grateful to the Legal Aid lawyers, not only to the lawyers but also the administrative staff." They have improved in terms of transparency and the work processes in the Solomon Islands. We hope that this could be spread out to other Pacific Islands. I have just been advised that there are some discussions between the Asian countries.

Mr. Speaker, Sir, if there is an improvement in legal aid, my Ministry receives a lot of feedback from members of the community. It is the discord or probably misunderstanding at the customer level between members of the public who come and ask for an update of their cases and not being briefed. In a week, I can receive five to ten, then I pass it on to the Director for Legal Aid so that they can be fully briefed. It is very important. These are vulnerable members of our society. They cannot afford lawyers, so they look to Legal Aid as the last bastion or option of hope so that they can save them. I also ask the Legal Aid Board to be innovative, if they can be discretionary in terms of cases where people who probably earn higher but because of their commitment, they need a lawyer and they can afford a private lawyer.

Mr. Speaker, Sir, you may recall during the 2000 cases where the court have said that even though there is a statutory bar on people who can apply, as a matter of right under the Constitution, a person who is charge for treason shall be afforded a lawyer and that is very important. There has been an increase in cases of civil matters, Mr. Speaker, Sir. While the focus is always on criminal,

these are people who are about to, whose property are at stake, their livelihood, their hard work, where the banks are on the other side. The question is, how do we meet their needs?

I ask the Legal Aid Board to be considerate to these cases. The table speaks for itself, as what is here, there are fewer civil cases, they are more focussed on criminal. There has been significant improvement in terms of family. I think they have established a skill set in terms of family, but it is in the civil where they really need to beef up. These are the very people who come to us to assist them, but we are unable to because of the rules. If anything, we ask that the Legal Aid Commission can be more discretionary, open it up so these people can be able to defend their property when they are taken to court. There have been many cases where, unfortunately, we advise them that there is nothing else we can do. The Legal Aid Commission is a very key part of the Government. In all my awareness or *talanoa* sessions, the Legal Aid team has always been a key component of that.

Mr. Speaker, Sir, a lot of our people in the community, despite there is a Legal Aid Office in their town, when you reach out to them, they really do not know where to go. So, these community engagements are really fruitful and productive. As I have said in my speech, as we engage on more discussions, reaching out to people in maritime, rural, even in the peri-urban, Mr. Speaker, Sir, a lot of people do not know what Legal Aid does, how to apply and it is an empowering exercise to do it, when they finally know that their problems, yes, can be resolved.

If anything, the Coalition Government is ready to commit and support the hard work of Legal Aid. I wish to acknowledge, Mr Speaker, Sir, that lawyers from Legal Aid Commission have actually advanced. May I mention Justice Sushil, who is a High Court Judge in Lautoka. He was a former Director of Legal Aid Commission. Ms. Samanunu, who is now a Magistrate and, of course, the former Commissioner of FICAC. It is a good training ground for lawyers because five days in a week, they are in court. I want to thank the hard work of the Deputy Director, Mr. Jeremaia Waqainabete, and the Legal Aid Commission and we stand firm to support the tremendous work that Legal Aid Commission has done.

HON. P.D. KUMAR.- Mr. Speaker, Sir, thank you for the opportunity to speak on this motion. The Legal Aid Commission has been providing a very valuable service to the vulnerable group within our society, who cannot represent themselves and they do not have the money to afford a lawyer. In that case, the State has provided this service to this vulnerable group.

I am glad that the honourable Attorney-General mentioned that there is a means test, which is very important. People who cannot afford a lawyer, by all means, go and get one.

I have also heard what the honourable Minister for Justice had just mentioned. He talked about customer service. Now, the customer service here is at two levels - one is from the Legal Aid Commission itself on how they are dealing with their clients and how well informed their clients are when they take their matter to the Legal Aid Commission, and the other one is when people get into trouble, they are picked up by the Police, they are taken in for questioning and they are charged. Are they informed about their rights to legal services or whether they are informed that they can have access to an interpreter if they cannot speak English or any other language in which the discussion was taking place, or they do not have a lawyer and are asked whether they would like to have one from Legal Aid Commission.

Mr. Speaker, Sir, two weeks ago, a 75 year old lady was picked up. She was taken to the police station, she was questioned, and everything was in English language, but she is illiterate. She did not understand anything. Her children are not staying with her. She went on her own and then she was charged in court. She had no knowledge about Legal Aid Commission, and she had to spend

the nights over the weekend in remand.

Mr. Speaker, Sir, the point I am trying to raise here is, how can we improve the system so that people are made aware of the Legal Aid Commission services and the choice is given to such vulnerable members of our society?

Mr. Speaker, Sir, I thank the Committee for coming up with various recommendations. One of the recommendations which we all have spoken about is the number of cases a lawyer has to handle. It is crystal clear that at Legal Aid Commission where vulnerable members of our community depend on these lawyers who are spreading thinly, how much time do they get to prepare the case? If I divide 121 cases per lawyer, as honourable Qereqeretabua just mentioned over 365 days, Sir, it barely comes to four days. A lawyer gets four days to prepare a case, and cases keep on coming to them. We need to definitely improve in that area if we are talking about access to justice.

Let us not forget simple problems that members of our society face. They fear court. They fear the judiciary. They fear the police. How do we take that fear out of them? One way is customer service. How they are spoken to, how the matter is handled, and that will build a lot more confidence in our community.

The other recommendation that I want to speak on is the lack of opportunity for training. We live in a time where things are changing very fast. There are lot of emerging issues and our lawyers at Legal Aid Commission need to be trained on these emerging issues so that they can handle cases much better, and they would be just like any other lawyer, that is, a lawyer in FICAC, DPP's Office or in private firms. They will be as good as that and we have to continue developing their skillset.

The last one, Mr. Speaker, is on the toll-free line. That is a very brilliant idea. We have seen toll-free lines working very well in many other organisations within the country, but I would like to suggest a step higher. We have e-services now and there is connectivity. People have access to internet, et cetera, where they should be able to access e-services, where the lawyer can appear and guide them rather than appearing at the customer service desk at Legal Aid Commission because when you go there, it is often chock-a-block. There are a lot of people out there. So, at the comfort of their homes, they will be able to discuss their matter and that will ease up congestion at Legal Aid Commission and that will just take it to another level where the customer experience is much better.

Thank you, Mr. Speaker, Sir, and I also thank the Committee for their recommendations. I support the motion which is before the House.

MR. SPEAKER.- I only wish to comment on your example of the old lady. In my experience, as far as a court is concerned, it should not have happened because invariably when they appear before the court or when someone appears before the court, the first question that a court will ask is, "are you legally represented? If not, do you wish to be represented?" Those are two essential ingredients. Then they will refer the matter to the Legal Aid Commission, then the Legal Aid will assess whether they are able to represent the person or not. I do sympathise with the case that you referred to there, honourable Member.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, I thank the honourable Assistant Minister for her Report and also thank all the honourable Members who have spoken before me. I could not agree more with the sentiments expressed with respect to the role that the Legal Aid Commission plays in supporting those who are socially and economically challenged, and the legal advice and support that they get is important in ensuring that proper justice is meted out to everyone.

However, Mr. Speaker, Sir, I want to put these things into context, as well as in the context of independent institutions and from the point of view of the finance or the budget that these institutions need to have. Firstly, if you look at the original intention of the Legal Aid Commission, it was purely based on a needs assessment or a means test. In other words, those who are socially, financially and economically challenged, and there is a guideline.

I am not sure whether the Committee had looked at the guidelines that the Legal Aid Commission has with respect to how it is going to assess but there are a number of criteria in there. The first one, of course, is the means tests, which says that your net disposable income must be less than \$15,000, therefore, you would be eligible for Legal Aid support. The other one is what they call merit. It is based on the assessment that the Legal Aid Commission will do itself. The third one is at the discretion of the Director. If someone turns up at the office and falls outside the guideline of the means test and the merit and the Director feels that in the circumstances the explanations given by that individual also deserves that, he or she will get it. Those are arbitrarily provisions within the guideline.

Mr. Speaker, Sir, without taking away the important role that Legal Aid plays in supporting those who really need support and honourable Kumar is right when she talked about the quality of services, in economics, we say that supply creates its own demand. When the services are available, when people feel that they can get to Legal Aid support instead of going to a private lawyer, they will, obviously, go there where they can get it free. So, over the years, the demand for the services at the Legal Aid Commission has got itself into a life of its own. I think that there are similar situations with other independent institutions as well, Mr. Speaker.

If you look at the budgetary allocations since 2017 and until 2024, we have allocated about \$70 million. In fact, in the 2024-2025 Budget, we have allocated \$11 million and as of 7<sup>th</sup> March 2025, \$6.3 million has already been spent. If you look at the recommendations of the Committee, and I understand the Committee's recommendations fully with respect to the disparity in pay, I was looking at the statistics, the Commission's Principal Legal Officer is paid less by 2 percent when compared to the Office of the Attorney-General and the Office of the Director of Public Prosecutions' Principal Legal Officers. However, the Commission's Senior Legal Officer is paid more by 4 percent when compared to those in the AG's Office and the DPP's Office. As the honourable Minister for Justice pointed out, FICAC's salaries are way above the other independent institutions.

Mr. Speaker, Sir, what honourable Vosarogo talked about is actually very good because it allows us to see what the Legal Aid Commission provides in the context of the budget and the services they provide. We had some very good discussions with the Legal Aid Commission during the last Budget. Obviously, the Director is doing an excellent job. He is very passionate, he wants to help as many people as possible and I do not blame him, Sir, when people end up at the office.

Right now, the guideline is quite broad. You have the means test and merit. This is a decision that the Director can make in terms of deciding what sort of people get their help. As of February 2025, the Commission has 113 lawyers and as honourable Koya said, it is the largest legal firm. The important thing is, if each lawyer is handling 162 active cases, it does not help the situation if we keep thinking in terms of the budget, in terms of the number of lawyers and in terms of the number of cases each lawyer handles without actually looking at the quality of service and the need for Legal Aid Commission to focus on people who deserve to be supported, together with the quality of service that they actually deserve. What is happening now, and I mean, I get this from a lot of people who end up at the Legal Aid Commission. They said, "Oh, I was advised wrongly" or "I did not know, I have been to the Legal Aid Commission", which suggests, as honourable Kumar said quite rightly, that those people at that level who are really in need of the support of the Commission are not getting

that quality service.

I would recommend to the Legal Aid Commission to review its service delivery scope and the guideline. I know there are people who can afford, for example, in civil cases, who can afford to argue their case, who would not be able to provide that basis which is a means test but try to get legal aid service for free. The Legal Aid Commission staff are obliged to accommodate as many people as possible who end up at their doorsteps. As soon as someone goes there, then the next thing, they go and put an item on social media saying, "I was rejected by Legal Aid Commission because they do not have staff, they do not have a budget." These are the kind of things that put pressure on those very hardworking people of the Legal Aid Commission.

Mr. Speaker, Sir, I hope the next report from the Legal Aid Commission that goes to the Standing Committee, that the Committee would be able to dive a little deeper into what is happening and see how we can improve and get quality in the service that is being delivered by the Legal Aid Commission. I commend the report and thank you, Mr. Speaker, Sir.

MR. SPEAKER.- I thank the honourable Deputy Prime Minister for his contribution. It is heartening to hear him and the honourable Kumar are able to agree on some important issues before the House.

HON. J. USAMATE.- Mr. Speaker, Sir, thank you for giving me the opportunity to talk on this report. First of all, I would like to thank the Committee for the work that it has done in putting together the report on the Legal Aid Commission. I would just like to talk about some of the recommendations.

First of all, I would like to say, it is like a transformational shift in the country. A few days ago, I talked about the transformational shift that took place in education when no fees were paid, everyone was given free access. This was another transformational shift in Fiji where people who would not normally afford lawyers, were given the opportunity to have trained lawyers to represent them. I believe that that has been a transformational shift that gave people access to the support from professionals. Normally, if you do not have money, you cannot compete in the courts. So, I think that has been a transformational shift across the country, people getting access to lawyers who are trained to be able to fight for their issues in the courts.

The first recommendation, Mr. Speaker, Sir, is talking about providing budgetary allocation to allow for more outreach programmes and recruitment of more lawyers. I think this is critical. As you and other honourable Members have pointed out, it is the 'largest law firm' in the country. But for a long time, the most marginalised, those who do not have the access to resources have not been able to use the services of professional lawyers. I think it is very important.

If you look at the cross-section of our population, between the haves and the have-nots, there is a far lot of percentage at the bottom. So, it is important for the Government to find a way in which we can increase the budget of this unit so people can have this. I think you can refer to it as a right. The right to good legal representation. So, I am very much for this recommendation, for us to be able to find ways in which we can have that budgetary allocation so that we can have the recruitment of more lawyers.

I was just listening to some of the debates, we are talking about how the kind of work that they do in the Legal Aid Commission is expanding. I think when it was initially brought in, the scope of work was quite limited, now it is expanding to a large extent. That means also that we also have the challenge. You know, when you expand the scope of work, it has two things. One, it can be a

challenge for the people who are already there, in terms of now they have to do maybe 15 to 20 different things. In the past, they only did five or four different things.

When it is expanded, there is a challenge for them to be able to understand more. But there is also an opportunity for the young lawyers who are there to get their hands involved, become involved in a wider range of things. I was just thinking, in my mind, one of the things that the honourable Deputy Prime Minister talked about is that the means testing is limited to people on a salary of \$15,000 or less. Am I correct? I think a disposable income of \$15,000 or less.

I think it is probably necessary to review that, because with the 6 percent VAT increase and all of this, people who used to earn \$15,000, \$16,000, \$20,000, now they have less disposable income. Maybe that figure needs to go up a bit, \$20,000, \$25,000. I recommend to Government after the VAT increase and all these things that the Government has done, maybe we need to review that so we can provide that services to the people who really need it in this country.

The other thing that I was thinking about, as you expand the scope, there is a challenge, there is also an opportunity. I was thinking, Mr. Speaker, Sir, one of the problems that we have in terms of teachers, I think in nurses too, they graduate and sometimes they do not have jobs. Maybe, in our country, we need to look at how we can use, we used to have a graduate volunteer programme in the Ministry of Labour and Employment.

Maybe we can have a programme somehow, with the lawyers coming out, they can come in as semi-volunteers for six months or so and become involved in the Legal Aid Commission. In that way, they pick up competencies and skills that they might not have in a law firm. Sometimes they go into a law firm and just do law clerking or things like that, but this is an opportunity for them to develop the repertoire of skills that they have.

Mr. Speaker, Sir, Recommendation 2 talks about the disparity in the pay between the Government lawyers at the Commission and the Government lawyers who serve in other jurisdictions. This is a very important issue. We know, generally, across the board, that in the civil service, at the lower end, they get better pay than in the private sector. I do not know whether that is 100 percent correct, but that tends to be the way it is. So, what happens is in the public sector, people get trained, and once they have that competence, we lose them. I think this is an issue that Government and the Legal Aid Commission needs to look at.

How are we able to manage them? So, as they build their repertoire of skills and development and their competency and their ability to deliver, that they are not lost. I am not too sure how that can be done, but I am sure my good friend, the honourable Minister for Justice, will find a way, using his Lomaiviti (inaudible) to be able to address that.

(Laughter)

Thirdly, Mr. Speaker, Sir, the recommendation that we have here, the lawyers employed at the Commission to be provided equal opportunities to attend training. It worried me a bit the way this was written.

It says for them to be equal opportunity. Does that mean that some people get more opportunity than others? I hope not. I hope that there is a comprehensive system to do a training policy. A training needs analysis to know job specification and person specification; match this all up and have a programme in place, so that these people are in place, and they can deliver what they need to do.

Mr. Speaker, Sir, the last one that I want to talk about, recommendation six. The Commission offices be modified to allow easy access to people with disabilities. I think this issue has been talked about before. Normally, when we think about disabilities, we think about people with physical disabilities. But there are more disabilities in addition to physical disabilities. They can be psychosocial; they can be mental. So, I think as we are looking at this, our definition of what it means to be disabled needs to be a bit more comprehensive and in all agencies of Government, we need to be able to see how we can make sure we can provide the services to all of our citizens. All our citizens have that equal right to be given the best service by government agencies.

Mr. Speaker, Sir, as I said, Legal Aid Commission has been a transformative shift in providing that legal service to our people that obviously normally would not be able to afford it. I thank the Committee for its support, and I hope the suggestions we make here will go some way to further improving it so people can have that right to be defended by the professionals in the courts and to fight for the issues.

MR. SPEAKER.- I thank the Honourable Jone Usamate for his contribution.

I recognise and welcome an old friend, Reverend Akuila Yabaki, who is present in the gallery. He is someone who has spent so many decades both within and outside of Fiji as a social worker, contributing on many occasions in the NGOs and other church organisations for the welfare of the people of Fiji. You are most welcome, good Reverend, to our Parliament.

I will now call on honourable Qereqeretabua, the Chairperson of the Standing Committee on Foreign Affairs and Defence, to speak in reply.

HON. L.S. QEREQERETABUA.- Mr Speaker, Sir, I do not have anything further to add, except to say thank you very much to each and every honourable Member of this House who contributed positively to this motion before us.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

**CONSOLIDATED REVIEW REPORT –  
OFFICE OF THE ATTORNEY-GENERAL 2006-2023 ANNUAL REPORTS**

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, I move:

That Parliament debates the following Reports that were tabled on 3<sup>rd</sup> December 2024 -

- (a) Consolidated Review Report of the Office of the Attorney-General 2006-2013 Annual Reports;
- (b) Consolidated Review Report of the Office of the Attorney-General 2014-2022 Annual Reports; and
- (c) Consolidated Review Report of the Office of the Attorney-General 2022-2023 Annual Reports.

HON. R.R. SHARMA.- Mr. Speaker, Sir, I second the motion.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, the Office of the Attorney-General (OAG) is responsible for providing independent legal advice to the Fijian Government and public office holders, preparing draft laws for Cabinet, maintaining a publicly accessible register of written laws, representing the State in legal proceedings (except criminal cases), and performing other functions as assigned by the Constitution, written law, Cabinet, or the Attorney-General.

This Report, Mr. Speaker, Sir, and honourable Members, spans a 17-year period in which the Committee decided to separate them into three sets due to changes in Government and in the Constitution. The first set, as I have said before, is from 2006 to 2013 and covers a period without Parliament and an unelected government, with no recommendations made regarding the OAG due to the lapsed time. The second set is from 2014 to 2022 and focusses on the first eight years under the 2013 Constitution, during which seven recommendations have been made for the OAG, although no response was received during the review process. The third set, from 2022 and 2023, pertains to the new Government formed after the 2022 Elections.

Mr. Speaker, Sir, the OAG represents the State in litigation, with government vehicle accidents and general miscellaneous actions being the highest recorded cases. The OAG also provides legal advice across various areas, including public law, immigration, intellectual property, and more, while drafting laws to align with the Government's policy objectives.

The Committee has made several key recommendations, including implementing measures to reduce Government vehicle accidents, including liquor licence statistics in future reports, and continuously revising laws to address the evolving needs of Fiji society. Other suggestions include providing desegregated data on gender and vacant positions, reviewing the Patents Act 1879, and appointing a chairperson for the Fiji Law Reform Commission.

Additionally, the Committee commended the OAG for re-establishing the Law Reform Commission. The Committee further noted the full functionality of the Commission on the Prerogative of Mercy, the ongoing law revision efforts, and the approval of a \$400,000 budgetary allocation for the Fiji Law Reform Commission in the 2023-2024 Budget. And a recommendation that future reports be written in a language that is accessible to the general public.

The Committee appreciates the OAG for providing comprehensive information and data, as well as maintaining a consistent and organised structure to its Annual Reports, and it commends the OAG for its efforts in ensuring that these Reports remain current and up to date.

On that note, Mr. Speaker, Sir, I commend the Report to Parliament.

MR. SPEAKER.- I have a list of speakers before me. I will first call on honourable Attorney-General for his contribution.

HON. G.E. LEUNG.- Mr. Speaker, Sir, I would first of all like to thank the Standing Committee on Foreign Affairs and Defence for their Report and the recommendations which will be considered in earnest.

Mr. Speaker, Sir, the Chairperson of the Standing Committee on Foreign Affairs, honourable Qereqeretabua, has spoken of the principle constitutional and legal responsibilities of the Office of the Attorney-General (OAG). In essence, it is to provide legal advice to the Government and the bureaucracy.



Mr. Speaker, Sir, the constitutional responsibilities of the OAG include the provision of litigation services and advocacy for the Government, the Legal Advisory Council services, the Drafting Section, as well as numerous Boards and Committees of the Government the Liquor Board, the Foreign Censorship Board, the Mercy Commission, the Constitutional Officers Commission, as well as the other commissions that are mandated by other laws or, indeed, the Constitution itself.

Mr. Speaker, Sir, the honourable Qereqeretabua has made mention of the Fiji Law Reform Commission. It had not been operational since the events of 2006, but following Cabinets approval the Fiji Law Reform Commission was revived in April 2023, and it is progressing well since its re-establishment. The Commission has made significant progress and has been instrumental in various law reform initiatives.

Mr. Speaker, Sir, the important functions of the Attorney-General's Office is the consolidation and revision of the Laws of Fiji. Law revision has been a key focus in ensuring that Fiji's Legal Framework remains updated and effective. As such, the Office undertook the revision in consolidation, the Laws of Fiji in 2016. The revised edition of the Laws of Fiji includes all Acts of Parliament, as well as subsidiary legislation, including regulations and even bylaws.

The Office of the Attorney-General together with the global legal publisher, LexisNexis from Australia has produced, what I believe is a publication that is modern and in line with international best practices. One of the features of the revised edition is the use of more historical notes as well as annotations. The inclusion of this information means that the origin of a particular section can be tracked back through time, if necessary.

The last revised edition, the Laws of Fiji, Mr. Speaker, Sir, was produced and prepared in 1985, a lapse of over 31 years. This has been a key achievement, especially since the 20 volumes of the revised editions of the Laws of Fiji can also be accessed online and credit must be given to the last Government, under whose watch this initiative took place, and I recognize that.

Mr. Speaker, Sir, the Honourable Qereqeretabua, has mentioned the delay of the tabling of Reports. Of course, they are quite stale and to a large extent redundant, because they go back to 2006. Mr. Speaker, Sir, it is only proper that I address the delay in tabling of these Reports. In part, the delay has been the result of political transitions or events in our history. Following the Dissolution of Parliament in 2006, the country remained without any legislature until 2014. Thereafter, the management at the time did not prioritise the preparation and submission of the office's annual reports.

However, under the current administration, we have taken steps to ensure the preparation and timely submission of all annual reports moving forward, will take place in a prompt manner. I will now wish, Mr. Speaker, Sir, to address just some of the Committees recommendations, which have been very constructive and thoughtful.

The Office takes note of the recommendations put forward by the Committee and acknowledges the importance of these findings, because they will help strengthen institutions, governance as well as enhance transparency. The Committee has recommended, Mr Speaker, Sir, that continuous and rigorous measures be implemented to reduce the occurrence of government vehicle accidents, given the high number of litigations, or law actions that have been undertaken by the Office of the Attorney-General Defence of Accidents.

I wish to clarify that all leased government vehicles are covered under comprehensive insurance and losses arising from those accidents are managed by the Ministry of Finance through

the surcharge process, in accordance with the relevant Finance Instructions of 2010. On the revision of laws to meet the revolving needs of our society, the office is sure this honourable House that this remains an ongoing commitment.

The Cabinet Sub-committee on Legislation, Mr. Speaker, Sir, established in October last year, now plays a critical role in overseeing legislative drafting in identifying areas requiring urgent law reform. The Office will continue to ensure that new laws and amendments remain relevant and are responsive to the changing economic, legal and social landscape.

Mr. Speaker, Sir, with respect to the Committee's recommendations to review the Patents Act 1879, I am pleased to inform this House that this has been addressed. The Patents Act 2021 has been passed by Parliament and is now available on the official Laws of Fiji website. This new legislation reflects modern intellectual property standards and aligns with global best practises, ensuring that Fiji's legal framework remains competitive and conducive to innovation.

Mr. Speaker, Sir, the Committee also raised concerns regarding the absence of liquor licencing statistics in past reports. I do wish to clarify, that the Central Liquor Board is responsible solely for appeals and policy matters, while the issuance and monitoring of liquor licences falls under the purview of the Ministry of Rural and Maritime Development. Relevant licencing statistics are maintained by the respective Divisional Liquor Licencing Authorities under the Ministry.

The Committee has further recommended the inclusion of gender-segregated staffing data and total vacant positions in future reports. While this data was unavailable in previous reports due to changes in personnel within the Human Resources Division, the Office has since introduced a Human Resource Management Information System. Mr. Speaker, Sir, this will ensure that such information is now recorded and easily accessible.

Mr. Speaker, Sir, in conclusion, I wish to thank the Standing Committee on Foreign Affairs and Defence for its thorough review and valuable recommendations which have been noted. Those insights provided in the reports will contribute to enhancing the performance, efficiency and accountability of the Office of the Attorney-General. We remain committed to upholding the rule of law, in faithfully serving the people of this country with dignity and diligence. Thank you, Mr. Speaker, Sir.

HON. F.S. KOYA.- Mr. Speaker, Sir, first of all let me thank the Committee for this report and consolidation has made our jobs easier in terms of meeting the recommendations. I would also like to thank the Attorney-General for filling us in on what has transpired earlier on, years ago, and also what is actually transpiring now. I think a lot of the things that may end up being brought up with respect to the reports being missing, now become a mood point, Mr. Speaker, Sir, we need to move on. It is important that we remember that.

But just to get to the crux of the matter, I think it is quite important, the honourable Attorney-General pointed out with respect to the Law Reform Commission and the Mercy Commission that has been set-up, that it has been pursued to ensure that that has been in place all the time. The report actually pertains that, and I am talking about the last report that has the recommendations in it, and that is the 2022-2023 report. The earlier report, the first one, the first batch does not have any recommendations, Mr. Speaker, Sir. I think it is fairly innocuous, but there is one particular part of the Attorney-General's Office that needs to be given some serious funding from the Ministry of Finance.

I am sure the honourable Attorney-General will agree with me, that there is a particular section in his office, which is the Drafting Section that requires utmost assistance, in light of the reform that is taking place, and it is not just this Government, obviously. It will be successive governments that will come along that will want to do this. We must make sure that that particular Division is housed with the best lawyers, or in the absence of, just ensure that they are fairly well-armed in terms of what may come and what needs to be removed, and what is actually happening around the world.

Mr. Speaker, Sir, the revision of our laws is taking place constantly. Many of our laws are quite old and again, the office will require the support of the Ministry of Finance on a larger scale than they actually get now, to ensure that they actually get that done. One of the reasons why I say that, that it is one of the most critical components in the Chambers of Attorney-General is that all of these things are looked at, and it affects the work that the Ministry of Trade does, it affects the work that the Ministry of Finance does. When Fiji goes on international missions, the first thing that we are asked about or looked at is, are your laws sufficient enough to protect us, when we actually come to invest? It is important that we align ourselves with the best practises.

In order to do that, Mr. Speaker, Sir, the best thing to do is to ensure that the Office of the Attorney-General is empowered by that particular number of staff, to make sure that we are one of the best in the world to actually get all of this done. The Office of the Solicitor General, also following under their umbrella and takes up a lot of time, not just locally, but a lot of advice et cetera that needs to be done from a civil perspective. We must remember, Mr. Speaker, Sir, the law will always require reform.

Mr. Speaker, Sir, in the digital world that we live in now, it needs constant addressing. We see what is happening in the digital space, do we have the necessary laws to protect those things that we want to do and that are being done, that are being shown to our general public, et cetera, and the laws that need to be put in place. Again, this affects us, as an investment destination, we must make sure that all of that is aligned and properly put in, and the only way to do it is to ensure that the Office of the Attorney-General is sufficiently provided with respect to do that. It must be financially capable to do all these things.

It is not cheap in this digital world to get these things done. I think the honourable Attorney-General realises that sometimes he has his hands tied. We also, from our committees, when having to bring the Attorney-General's drafting people into the Committee work, it becomes difficult. You can see them, they are kind of becoming like Legal Aid lawyers, they got 100 cases on their plates, and they are unable to deal with it because of the sheer volume of matter that are before them.

So, I urge the honourable Minister for Finance to see if he can support the Office of the Attorney-General more, in light of the fact that there is a lot of reforms happening and a lot of digital spacing activity et cetera, and new things have come up in the world. In order to align ourselves with international best practises, in order to ensure we are one of the best investment destinations in the world, all of these things start at the Office of the Attorney-General.

Large companies look at our laws, look at our judicial system, and they look at all of that, the whole spectrum, before they decide to come and invest in Fiji. It is an important point and something that the honourable Minister for Finance, I think, is quite well aware of. Please, Sir, in the next budget, please, ensure that the Office of the Attorney-General gets more money to actually ensure that they are able to do that.

With those few words, Mr. Speaker, Sir, I support the motion before the House.

HON. S.D. TURAGA.- Thank you, Mr. Speaker, Sir. I also echo the same sentiments aired by the honourable Attorney-General and honourable Koya, regarding the great work that has been done at the Office of the Attorney-General and what needs to be done. I also thank the Committee for the two Reports covering from 2014-2022, 2023 and 2006.

Mr. Speaker, Sir, before I begin, I would like to acknowledge the women in terms of the law and justice sector. This morning, we invited the First Lady to officiate the function at the Grand Pacific Hotel (GPH) in recognition of the contribution of women in the law and justice sector.

There were three women who spoke online expressing their journey, one of which is Ms. Imrana Jalal, Ms. Florence Fenton and, of course, Judge Mere Pulea. The two ladies, Mr. Speaker, Sir, were former staff of the Attorney-General's Chambers and Ms. Fenton was probably the first Director of the Fiji Law Reform. It is evident today, that there are more women lawyers than men. In the Attorney-General Chambers, I would say probably 75 to 80 percent, and that trend will continue to do so in years to come. So, I stand today on behalf of the Coalition Government, to acknowledge the contribution of women lawyers in the law and justice sector that it will continue to rise just like their predecessor before.

Mr. Speaker, Sir, I want to ask the first question, why all these reports are now being tabled? It is a measure of a leader, as a Minister that you are accountable in this House, whatever you do. As you travel first class, business class, travel the world, at the end of the day as the Attorney-General, you must table this report before this House to indicate what you have done.

Unfortunately, Mr. Speaker, Sir, something I had to pick up and do it in 2023. You have asked what we have done? That is what we have done! We have delivered this. Clear example, not only that we have set up the Fiji Law Reform. This is the legacy of the former Attorney-General. Well, we want to be different, Mr. Speaker, Sir, what we are going to say to the people of Fiji, we are going to do what the law requires of us. That means as the Minister of Justice, I am authorised to table Annual Reports. We did that last year, and we will do it at the end of this year, because this is where our work has been scrutinised.

Yes, you can say whatever in social media, at the end of the day, this august House must scrutinise the work and as I look through the reports, one thing strikes me, Mr. Speaker, Sir. Page 10 of the 2022, 2023 and 2014 to 2022, regarding the Mercy Commission, and I ask this very simple question. If this blue book, the Constitution says there must be a Mercy Commission who must be chaired by the Attorney-General. Why has not the Attorney-General appointed the members during those years? Why were those implications from the Fiji Corrections Service are being put on the side? The people want to know!

Mr. Speaker, Sir, and this is what I want to say, the Coalition Government actually set-up the Mercy Commission in 2023, deliberated, we also, not only the Mercy Commission, Mr. Speaker, Sir, the Constitutional Offices Commission (COC). When we came in, there was no record of COC over the past years, but we have put up a committee, work in progress and there is transparent process and of course the honourable Leader of the Opposition can attest to that.

It is sad that much of the work that we do, has not been properly articulated or probably forgotten by the other side. But the people of Fiji do know that, because this is what we have done. We have tabled Annual Reports all the way of those years until to date, and this is what we have promised the people of Fiji, and we will continue to do that. That is expected of us, and I thank the Attorney-General's Chambers for the hard work that they have done, the Solicitor-General, and all the young lawyers particularly in the drafting. Yes, so much has been said, drafting, drafting, drafting!

Last year, honourable Premila Kumar was saying, Bill.

Well, I can tell you that there is an ambitious plan coming, you will see! The ambitious plan of how we are getting things done because, Mr. Speaker, Sir, this is the fact that I want to say very clearly. It is difficult, the challenge is huge when you come on board, and take out the dirt, the garbage and then set the boat on sail. Once the boat is on sail, then you can start talking about the laws. I am sure the Deputy Prime Minister is going to labour much on this, but it is just an illustration of what is expected of us as leaders, what we do. At the end of the day, it must be demonstrated in your Annual Report.

Mr. Speaker, Sir, thank you for the work of the Committee and their recommendations. I just hope for the best for the Attorney-General's Chambers and for the young lawyers that they will provide a future for them. They are living at a time when they will see the debates about the Constitution and other important laws and it will inspire and motivate them, that Yes! We can do it! This country can do it! We do not need an outside influence, this August body will deliberate, be fair and honest throughout for a better and prosperous Fiji.

Mr. Speaker, Sir, I endorse the recommendations in this Report.

MR. SPEAKER.- I thank the honourable Minister for his contribution. I would just like to point out that I have to agree with him on the observation that the preponderous of women lawyers needs our, both the private and public sector. And many times, I have sat in Chambers, and I am completely delighted to see that the whole of the court room is just full of women, not a single lawyer appearing before me. So that is a tribute to the efforts of the women of the country getting to the profession.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, first, I do acknowledge the Standing Committee for the preparation of this report. Of course, we all admit the fact that the report covers a span of 17 years, and of course we learn from it, and we take responsibility as well in terms of the way forward. It is perhaps not a good example, but both sides of the House should learn from this and move on. And when you come in to take over Government, you take the responsibility whatever has been left out.

We acknowledged the former Attorney-General for the report, as I have stated, this is something that needs to be done, and of course one thing that is expected too out of the office is the quality legal advice that the Attorney-General provides to the Prime Minister and Government. So, I will not deliberate further on that, but it is obvious that the quality of legal advice that this Government is getting is questionable.

HON. J. USAMATE.- Very poor!

HON. I. B. SERUIRATU.- Mr. Speaker, Sir, there are a few things. I note that there are similarities in the reports, particularly for the period covering 2006-2013 and 2014-2022 period and, of course, the latest in 2023.

Mr. Speaker, Sir, on the first issue, the continuous rigorous measures to be put in place to avoid or reduce the re-occurrence of Government vehicle accidents amongst relevant ministries and agencies. Sir, I would call on Government to put on more pressure on Permanent Secretaries. Put aside vehicles being involved in accidents for reasons, but there is a public service regulation that clearly outlines the processes and control systems for Government vehicles, Mr. Speaker, Sir.

I travelled from here to Tailevu, to my village, you will see Government vehicles almost in every compound in most villages, there is a special regulation for the garaging of vehicles. In the Public Service Regulations, Mr. Speaker, Sir, there are only two officials in any Ministry that are entitled to vehicles, the Minister and the Permanent Secretary. I do not believe that has changed but look at the way Government vehicles are abused. This brings extra costs and of course leads to some accidents as well when they have to drive from wherever they reside in the morning to come to the workplace.

I call on Government to check with the Permanent Secretaries so that they can enforce what is already in the Public Service Regulations.

HON. J. USAMATE.- Hear, hear!

HON. I.B. SERUIRATU.- The honourable Deputy Prime Minister has spoken about some attitude in the Civil Service today that as a responsible Government, we need to address. Mr. Speaker, Sir, when I came into Ministry of Rural Development as a Permanent Secretary in 2011, every morning downstairs in the Ministry of Rural Development, it is full of government vehicles. In the afternoon or in the evening, no vehicle there. I called on the staff, “who is entitled to a vehicle here?” From tomorrow, I want the key press, all keys must be put there after work. The drivers are not entitled to claim because bus services in Suva continues until 11 midnight.

There are already regulations in place, but this is abused. I urge the Government to look into this. And then when it comes to accidents, I hope ministries will take serious responsibility, particularly in conducting their own investigations and, of course, the report that goes to the ministries. I know that the surcharging, et cetera is there, but this is something that we need to look into.

Mr. Speaker, Sir, I know the honourable Prime Minister and are few military officers who are here, there is a responsibility of the most senior person travelling in a vehicle, particularly when you go to New Zealand. There will be a note covered on the dashboard of every military vehicle and civilian pattern vehicles as well. The most senior person in that vehicle is responsible for anything that happens to the vehicle, not the driver. This is something probably that will help us because the drivers need to be controlled so that we can minimise these accidents, Mr. Speaker, Sir.

I will go quickly to the second issue. No statistics provided on the number of approved or renewed liquor license. I am glad that the honourable Attorney-General has clarified what I was going to ask. What I was going to ask is, “has this changed?” Because there is a responsibility that this is delegated and decentralised to the Ministry for Rural Development. The Divisional Commissioners control the Divisional Liquor Boards. If there is a Ministry that is equally responsible in these missing statistics, then it is the Ministry for Rural Development and the Office of the Commissioners have to be answerable because they have that responsibility, Mr. Speaker, Sir, on the Central Liquor Boards or the Divisional Liquor Boards for that matter.

Continuous revision of laws - definitely. As a former Minister of Agriculture and as a former Minister of Policing, we need to update our laws. This is something, when we want to create that investor-friendly environment, I have always argued that we have become victims of the archaic laws that we have. We want to grow the economy, we want to broaden the economic base, but there are so many things that restrict us, simply because of the existing laws that we have, and I fully support that, Mr. Speaker, Sir.

On the issue of data segregation, the honourable Minister for Justice has clarified that as well because I know for a fact that in the law and justice sector, this is a sector that is heavily populated by our qualified women for that matter. And for us, as a responsible global player, we ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), SDG5 is on gender equality and when we report as IPU members again on our implementation of SDGs, I hope that this will be factored into the reports, because we must be seen to be walking the talk as global responsible citizens having ratified these Conventions.

On the issue of the establishment of the Fiji Law Reform Commission, I thank the Government for this. I also have this question about, I think honourable Koya did mention about the Drafting Unit within the Attorney-General Chambers. I am not sure, I am not a lawyer whether the Law Reform Commission takes over the responsibility completely or there still this unit, but this is a unit that needs assistance because we need qualified drafters. We need a lot of them so that they can work in the Office of the Attorney-General's for the review, modernizing, making our laws simpler and fairer, and of course, make it cost effective as well.

I wish to acknowledge the Government for the establishment of the Fiji Law Reform Commission, and I only hope again, responsibility of Governments, particularly this Parliament as well, that we have made policy decisions to have structures to implement the policies that we have, the Government must ensure that they are properly resourced so that they can do their work effectively and efficiently. I will urge the Government to continue provide the necessary resources so that they can do their work. Thank you once again to the Committee for this Report and I do support the contents of the Report that is before Parliament today.

MR. SPEAKER.- Honourable Members, given that we are almost at the end of our list of contributors to the debate, the honourable Leader of the Government in Parliament and the Whips, I think, are agreeable for us to continue until adjournment before we break for lunch and for the day. For the purpose of complying with Standing Orders with respect to sitting times, I now call upon the honourable Leader of the Government in Parliament to move his suspension motion.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, I move that:

Under Standing Order 6 that so much of Standing Order 23(1) is suspended, so as to allow the House to sit beyond 12.30 p.m. today to complete the remaining items listed in today's Order Paper.

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, I second the motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, we have one more contributor but I have been used to getting the Standing Order to move to after 4.30 p.m. I think some of the Members too are querying so I will just read Standing Order 23(1), and I quote:

“During a sitting period, Parliament sits Monday to Thursday, 9.30 a.m. to 12.30 p.m. and 2.30 p.m. to 4.30 p.m. and Friday from 9.30 a.m. to 12.30 pm...”

That is why we have to move this motion.

MR. SPEAKER.- That is my understanding also of the effect of that Standing Order.

Honourable Members, the floor is open for debate, if any. If there is none, honourable Leader

of the Government in Parliament, are you foregoing the opportunity to do that?

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- I have no further comments, Sir.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

### **RESUMPTION OF DEBATE ON THE CONSOLIDATED REVIEW REPORT – OFFICE OF THE ATTORNEY-GENERAL 2006-2023 ANNUAL REPORTS**

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, I thank the honourable Assistant Minister for her motion and all the contributions from honourable Members as well. The context in which these reports are being discussed is important and from the Ministry of Finance's point of view and from the Government's point of view in terms of budget, since these reports are from 2006 to 2024-2025 Budget, the Attorney-General's Office has been budgeted \$172.7 million in terms of the allocation. The usage has been about \$141.2 million, out of that, on average, the utilisation of the budget stands at about 82 percent.

Mr. Speaker, Sir, the issue raised by the honourable Minister of Justice and the response from the honourable Leader of the Opposition is very important for us to reflect. I want to say to the honourable Leader of the Opposition that when you were in Government, and then when you end up in Opposition, you got to understand that as Opposition who was in Government, you have to take the responsibility of some of the things that went wrong and were not done.

I think the honourable Minister of Justice is absolutely on the dot when he says that, "it is this Government that is now trying to ensure that we get these reports on time." As you saw this morning, I presented the Auditor-General's Report for 2023 as opposed to reports that used to take five or six years late in terms of arriving at Parliament. Those are very important elements of governance, accountability, transparency and of budgeting and making sure that a particular ministry or a particular department or a particular entity is able to produce the services that is needed.

Mr. Speaker, Sir, the issue that the honourable Minister of Justice talked about also extends to other things. In fact, if you look at it very carefully, the previous government did not even follow through its own Constitutional provisions in giving effect to some of those issues that were there. It is this Government that is now bringing the Code of Conduct, the Freedom of Information Act, Transparency Commission; all these institutions were provided for in the Constitution which was never given effect. I think the people need to understand that we do not claim to be the perfect Government; no government is perfect, but the point that we need to make all the time, and we have to take responsibility, and I am saying to the Opposition, that you have to take responsibility for some of these things and move on.

HON. S.T. KOROILAVESAU.- Rhetoric.

HON. PROF. B.C. PRASAD.- It is not rhetoric, it is a fact and these discussions on the reports we are having today, Mr. Speaker, Sir, is ample evidence that they did not do what they were supposed to do when the Opposition was in Government. We are doing that now.



Mr. Speaker, Sir, the other point that honourable Koya raised and I agree with him that the Office of the Attorney-General, and this is also a reminder to us as Government is, probably the most critical Ministry in terms of facilitating the work of all other Ministries, whether it has to do with laws, agreements or constant legal advice, has to come from the Office of the Attorney-General and that is why the efficiency and the speed at which things happen in that office is very critical, and we understand that. Our honourable Attorney-General understands it, our Minister of Justice understands it.

Let me also assure the Opposition and honourable Koya that the Office of the Attorney-General is funded adequately. As soon as we came into Government, I said to the then Attorney-General, now Minister of Justice that there is no shortage of funds for the Office of the Attorney-General because as a government, we realise the critical importance of that. It goes without saying, honourable Koya that that Ministry will be adequately funded.

On the issue of litigation and leasing of vehicles, the Office of the Attorney-General had entered into a master lease agreement on the leasing of vehicles, which is now controlled by the Ministry for Finance pursuant to Regulation 64 of the Finance Instructions of 2010. Any loss to Government is reported by the respective Ministry to the Ministry of Finance in the course of surcharges processes for recovery.

Mr. Speaker, Sir, one of the things that the previous government did was to ensure that the vehicle lease management was done properly, and the vehicle management system for the Whole of Government, given that the existing vehicle management system for the Whole of Government was controlled by ITC, in fact it was controlled by ITC which has not been used since 2018. So when we came in, we realised that we had this leasing arrangement but the system to manage it was not in use. So, the vehicle software will be used to manage both leased and State-owned vehicles, it will be used by the Government Fleet Management Unit of the Ministry of Finance to manage all Government vehicles. We will be able to produce timely reports, and we will have a very good view of what is happening in every Ministry and that will help us to manage this.

On the issue of accidents and abuse of Government vehicles, I agree with the honourable Leader of the Opposition, and we have admitted publicly. I have said this publicly, Mr. Speaker, that there is an abuse of Government vehicles. We have already placed, for example, a toll-free number is in place. We have plates within the vehicles, and we have asked the public to also look at and report this. The number is 1526 for the general public to lodge complaints against the Government vehicles or the drivers. We are going to be very strict, and we will not tolerate any abuse of Government vehicles by drivers or anyone within the Civil Service. The message that the Government has sent out is very clear and we, as I said, we are not going to tolerate abuse of Government vehicles. The system that we are putting on place, Mr. Speaker, Sir, is going to help us manage that and also ensure that the policy guideline is followed by all Ministries, and the Permanent Secretaries would be responsible to make sure that there is no abuse, given what we have seen had happened over the years in terms of the fleet management and proper use of Government vehicles.

With those, I want to thank all the honourable Members and the honourable Assistant Minister for the Report.

MR. SPEAKER.- I will now call on the Chairperson of the Standing Committee on Foreign Affairs and Defence for her right of reply.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, I want to thank all the honourable Members who spoke before me. To the honourable Attorney-General, thank you for the clarification

and the updates on some of the recommendations made by the Committee. Honourable Koya, on sufficiently empowering the Office of the Attorney-General, making us same as international best practise, thank you very much; the honourable Minister for Justice, thank you for acknowledging the women lawyers; and the honourable Leader of the Opposition for also highlighting the Public Service Regulations, which the Deputy Prime Minister also talked about and the assurances in regards to the fleet management of the Government fleet. With those words, Sir, I thank you for this opportunity.

MR. SPEAKER.- The Parliament will now vote.

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, that brings us to the end of the sitting today. I thank all of you for your contributions. The Parliament stands adjourned until tomorrow at 9.30 a.m.

The Parliament adjourned at 12.42 p.m.