



Continuing Legal Education

WELCOME back to another edition of Court page.

This week we highlight some of the stories relating to a vital legal education workshop- PNG Continuing Legal Education which was hosted by the Commonwealth Lawyers Association recently in Port Moresby.

It is a structured training and educational programs designed for lawyers, magistrates, judges, and other legal professionals to maintain and improve their professional knowledge, skills, and ethical standards after being admitted to practice.

Stories relating to a recent Open Day hosted by the Constitutional Law Reform Commission at the University of PNG. The Open Day was held in line with the country's 50th anniversary celebrations to highlight the work of CLRC since its establishment.

Rabaul MP Dr Allan Marat, CLRC Secretary Dr Mange Marui and Secretary for the department of Justice and Attorney-General Dr Eric Kwa. We also feature other related court stories from the District and Committal Courts.

this page, either by commenting on articles published or questions arising from this page. We will publish your comments, questions and get the appropriate people to answer your queries.

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Chief Justice compares mentorship of young lawyers



CHIEF Justice Sir Gibbs Salika chatting with lawyers during a tea break at the Legal Education conference hosted by the Commonwealth lawyer's association in Port Moresby on Tuesday evening. PICTURE: MARK TALLA

BY MELVINE BAROI

THE Chief Justice of Papua New Guinea, Sir Gibbs Salika, recently attended a lawyers legal education event in Port Moresby and pointed out a striking difference between mentorship of young lawyers in the 80s compared to today, noting a dire need for proper mentoring for litigators.

Sir Salika said in the 1980's when he had just finished the legal training institute, he was put under the mentorship of a senior lawyer who trained, assessed and later

recommended his full admission to the bar to practice as a litigator.

He said unfortunately for this day and age, "there is no such thing" and lawyers go into the courtrooms "raw".

"Today you get admitted to the bar on full admission right on the dot and at that time when you get fully admitted you are not even ready to appear at the bar table but back in the 1980s when I practiced, after we finished LTI we got provisionally admitted and work under a senior lawyer for at least six months and after that, that senior lawyer will

recommend you for full admission in this day and age there is no such thing and that is a problem" he said.

"When you are ready for full admission that means you can run a trial on your own" he added.

Sir Gibbs shared his wholesome experience under mentorship of a senior Melbourne lawyer in the 80s as useful and prepared him for the real job.

"I too did a six months training under mentorship and after that I thought I would be admitted but

my mentor told me I was not ready so I did an extra four months and after 10 solid months of training and mentorship I was recommended to be fully admitted" he said.

Sir Gibbs became an admitted litigator at the age of 24 and continued on to be the chief justice of Papua New Guinea.

Now, 70, Sir Gibbs says he vies for more upskilled young lawyers and would love to see the younger lawyers get more training and guidance from seniors before representing people in court.

Former acting judge Tamade gives 10 tips for litigation

BY MELVINE BAROI

FORMER acting judge of the National and Supreme Court Gethrude Tamade provided an insightful advice for young lawyers on courtroom conduct and stressed on the importance of good mentorship by senior law practitioners.

Ms Tamade provided the "10 tips for litigators" at the Legal Education conference hosted by the Commonwealth lawyer's association in Port Moresby on Tuesday evening.

With 21 years of lawyering, 2 of which she spent on the bench as an acting judge, Ms Tamade now a special counsel in one of Australia's leading independent law firm the Corrs Chambers Westgarth, she says this tip can take a young lawyer far in their career.

She said the 10 tips for litigators (lawyers who represent people in court) were:

- Be well presented (groomed)
- Present proper written and oral submissions
- Always prepare and plan
- Know your judge
- The Power of Pause
- Reading the room
- Values
- Deal with defeat
- Get professional legal education
- Mentoring

"Being well presented, well groomed is a confidence booster. When you are dressed well, people take you seriously as you display confidence" she said.

"In my time as a judge I have realised that a good submission is one that is both orally and written

well because you may be a good speaker but sometimes a judges will reserve their judgements and when they go back to their chambers, your written submission is all they can rely on to make their decision" she said.

"In university you heard that you must always prepare but here I tell you, while you prepare, always plan too" she said.

Stressing on the other tips Ms Tamade said it was important for every lawyer to know the judge they are appearing before "not personally" but "know their views and previous decisions" as it helps in arguments.

Ms Tamade further urged lawyers to practice the power of pause in order to control overwhelming thought and nervousness.

She said it was always important to read the room to know the mood

of the judges and opposing parties and the progress in court so fit right in without looking lost or out of place.

The former judges further stressed on maintaining high values and not letting emotions get in the way of professionalism both inside of court rooms and in the offices (in arguments or emails).

Ms Tamade said in her 21 years of experience she had seen that some of the finest lawyers were the ones who failed the most but were "fluid with change" and dealt with defeat positively.

"The making of a very good lawyer is through the fires" she said.

She further stressed on the need for proper continued legal education in PNG and urged younger lawyers to find good mentors who can guide them in their career path.

Founding fathers hoped for PNG to prosper: Dr Marat

BY PRUDENCE AUVITA IPAPE

"Papua New Guinea leaders at the time before the Constitution was adopted by the Constituent, the house of Assembly, had a great hope."

Speaking during the recent Constitutional Law Reform Committee (CLRC) Open Day at the University of Papua New Guinea, Rabaul MP Dr Allan Marat reflected on the hopes of the founding fathers.

"The founding fathers great hope was that PNG, as a multicultural country, would prosper regardless of the different cultures and different languages, they hoped that PNG would be free and independent indeed and that the country would be able to determine our destiny in terms of development progress," Dr Marat said.

"We hoped for a wise and prosperous country, however, fast forward to present day, the country has encountered a lot of problems which we had not hoped for, these problems are the sources of our suffering as a nation."

"The country's hope that we are free, very progressive, well-developed, everyone would respect each other seem to be impossible, because we are still struggling to attain those objectives."

"We will celebrate 50 years of independence and as a nation, we have made some progress but at the same time, we have problems, I've asked myself this question that in spite of the progress, have we been able to resolve those problems?"

"The government has been trying its very best to make every citizen of this country satisfied with the progress that we have made so far, however, this year marks our 50 Anniversary

But not everyone is happy, there are still law and order issues where you see people killing fellow human beings as if they're chopping up pigs," Dr Marat added.

He said law and order issues were not what the founding fathers hoped for before drawing up the constitution before independence.

"We hoped that we would progress in strides for a better future, having State-of-the-art universities where highly qualified students graduating, becoming qualified doctors, technicians etc.... in their different fields but this is not the case today because we have just a few today," Dr Marat stressed.