



Office of the Attorney General

16 November 2015

Hon Speaker of the House
Legislative Assembly
Mulino

In accordance with the Attorney General's Act 2013, I am pleased to submit herein the Annual Report of the Office of the Attorney General for the year ending 30 June 2015.

The Report records the Office's key performance results during the financial year 1 July 2014- 30 June 2015, in accordance with its mandate and output structure.

I request that the Report be tabled before the Legislative Assembly of Samoa in its next sitting, for Members' usual perusal.

Ma lou faaaloalo lava,

Hon Tuilaepa Atonio Lupesoliai Dr. Sailele Malielegaoi
Prime Minister/Minister Responsible for the Office of the Attorney General

Annual Report

1 July 2014-30 June 2015

To ensure a safe and just society through the provision of quality and effective legal services



Foreword

I am pleased to present the 3rd Annual Report for the Office of the Attorney General ('Office') for the financial year, 1 July 2014 to 30 June 2015.

As with earlier reports, this report summarizes the many activities carried out by the Office as well provides a background to the management and role of the Office (as Principal Legal Advisor to the Government), and various projects, landmark cases and legislation, involving the respective divisions within the Office. The report also notes some of the challenges that were faced by the Office, how they were dealt with and advocates practical recommendations for the future.

Though there have been many challenges relating to the management of resources, capacity of staff, and the numerous tasks undertaken, the Office continued to function through good will, tireless efforts and commitment by its staff. For this I wish to thank the Attorney General and his staff for their hard work and significant achievements this year.

Soifua ma ia manuia.

Tuilaepa Fatialofa Lupesoliai Aiono Neioti Dr. Sailele Malielegaoi
**PRIME MINISTER/ MINISTER RESPONSIBLE FOR THE
OFFICE OF THE ATTORNEY GENERAL**



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Attorney General's Note

This year has been no exception in terms of our Office being very busy due to increasing civil litigation undertaken by our Office on behalf of the Government, ongoing prosecution matters and court of appeal cases, significant legal reforms and new legal developments, transference of the Law and Justice Sector Secretariat under the Ministry of Justice and Courts Administration, progress in the establishment of the National Prosecution Office as per Cabinet approval on 4 December 2014 as well as continuing efforts by the support staff to strengthen our Office.

As we had done in previous years, we try as best we can to operate our Office as effectively and efficiently as possible (with the continued support in administration, human resource, finance, and information technology) as we strive to provide the highest quality legal services to the Government.

As Attorney General, I am pleased to present our Annual Report for the financial year, 1 July 2014 to 30 June 2015.

Ming C. Leung Wai
ATTORNEY GENERAL



Introduction

The Office of the Attorney General of Samoa is made up of 4 Divisions: the Legislative Drafting Division, the Civil, Commercial and International Law Division, the Criminal Prosecution Division and the Corporate Services Division.

The Law and Justice Sector Secretariat which used to be a quasi division of the Office was transferred to the Ministry of Justice and Courts Administration on 1st July 2014. The Attorney General remains as Chairman of the Sector Steering Committee.

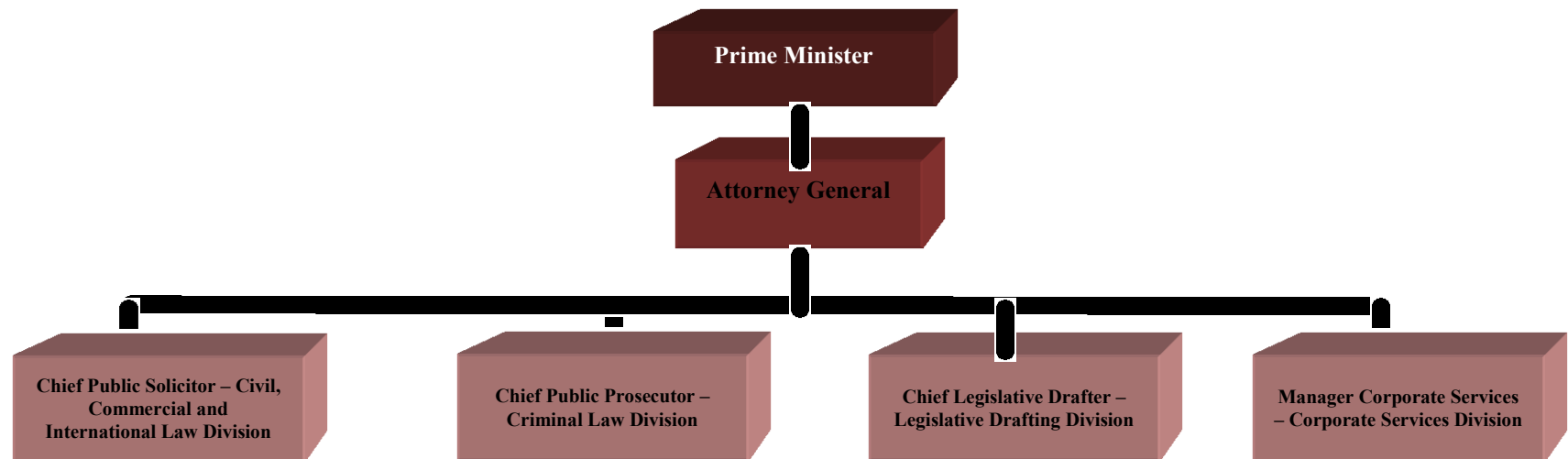
The other milestone that the Office achieved this year was the establishment of the National Prosecution Office. This initiative was approved by Cabinet on 4 December 2014. The National Prosecution Office Act 2015 was passed by Parliament in its sitting of 27 August 2015. It is anticipated that by the beginning of 2016 the Criminal Prosecution Division of our Office will break away and operate under the NPO.

Like previous years, this year is no different with our involvement in numerous legal activities, including landmark litigation in the Court of Appeal and Supreme Court and significant legal reforms (e.g. Agriculture Customs Act 2014, Lawyers and Legal Practice Act 2014, Tax Administration Amendment Act 2014, International Criminal Court Amendment Act 2014, Allied Health Professions Act 2014, Medical Practitioners Amendment Act 2014, Plumbers Act 2014, Commonwealth Youth Games 2015 (Sponsorships) Act 2014 to name a few). There has also been an increase in the number of contracts from ministries, corporations and authorities to clear, as well as improvements in finance management, human resource development and planning, information technology services, records management, secretarial work, and overall efficiency of support staff.

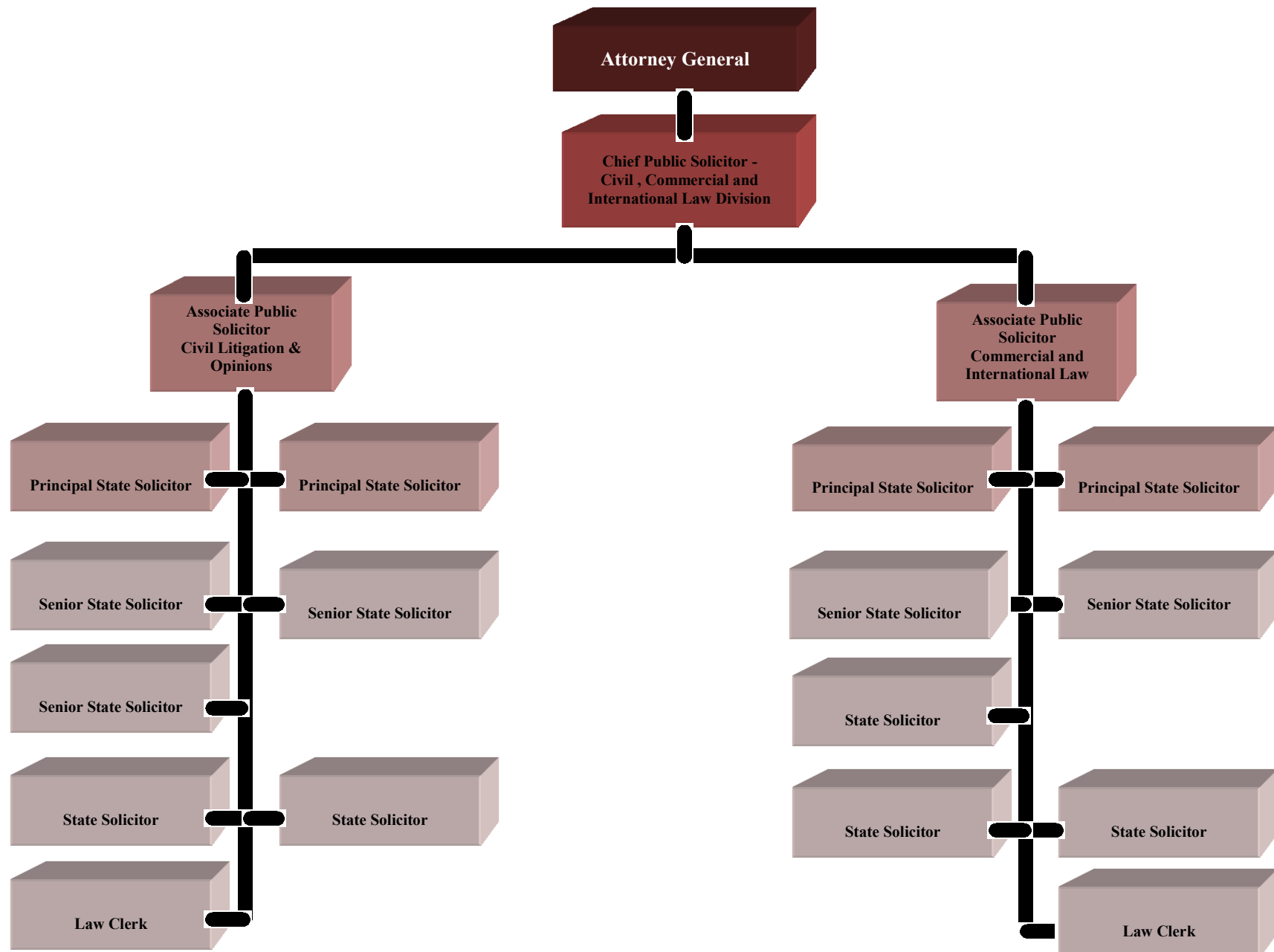
Our Office was again blessed this year to have received training for both legal and administrative staff through various mentoring and training programmes funded by our generous development partners and also via In-Country training offered by PSC.

Organisational Structure

MANAGEMENT STRUCTURE

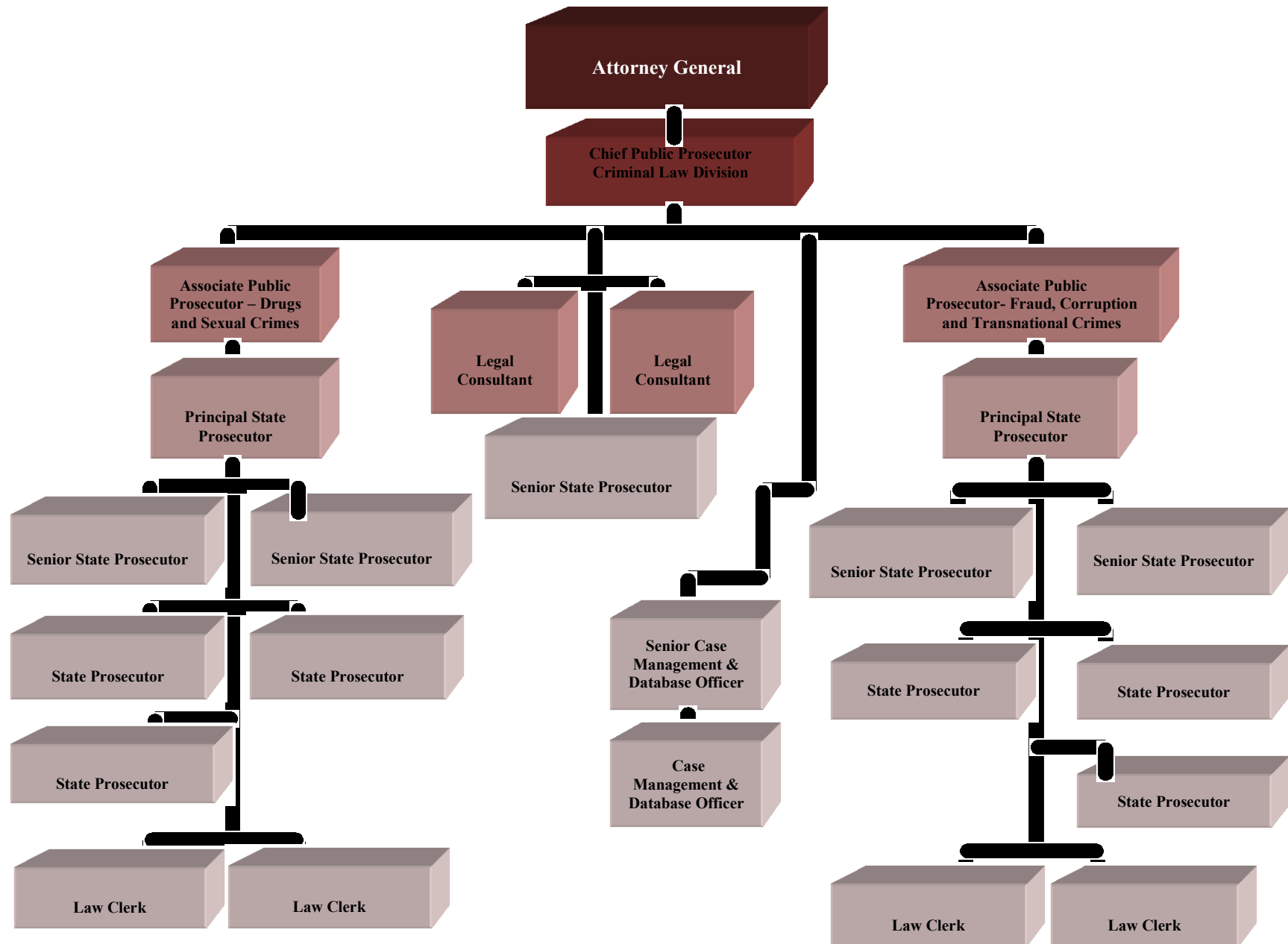


CIVIL, COMMERCIAL AND INTERNATIONAL LAW DIVISION

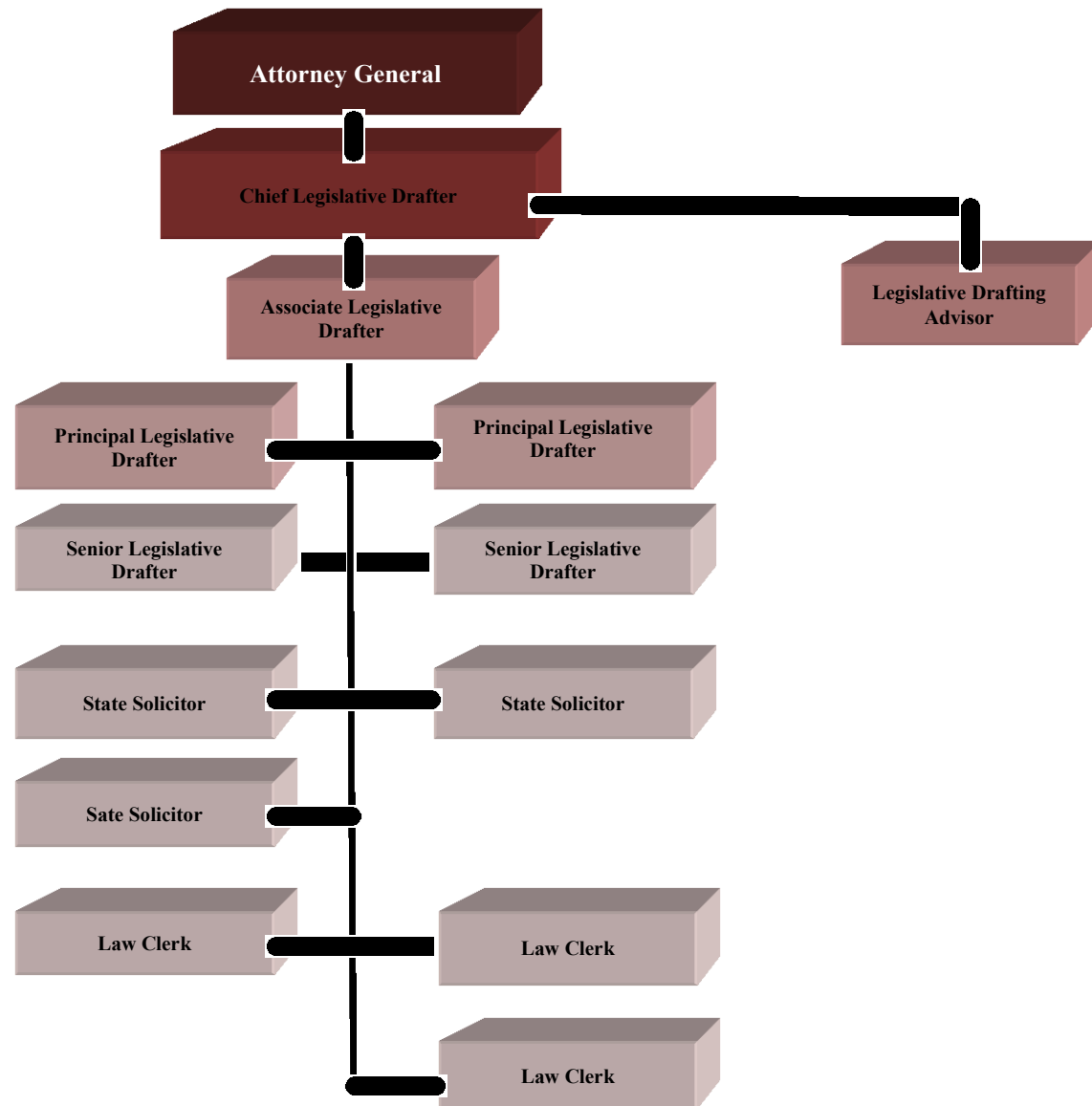


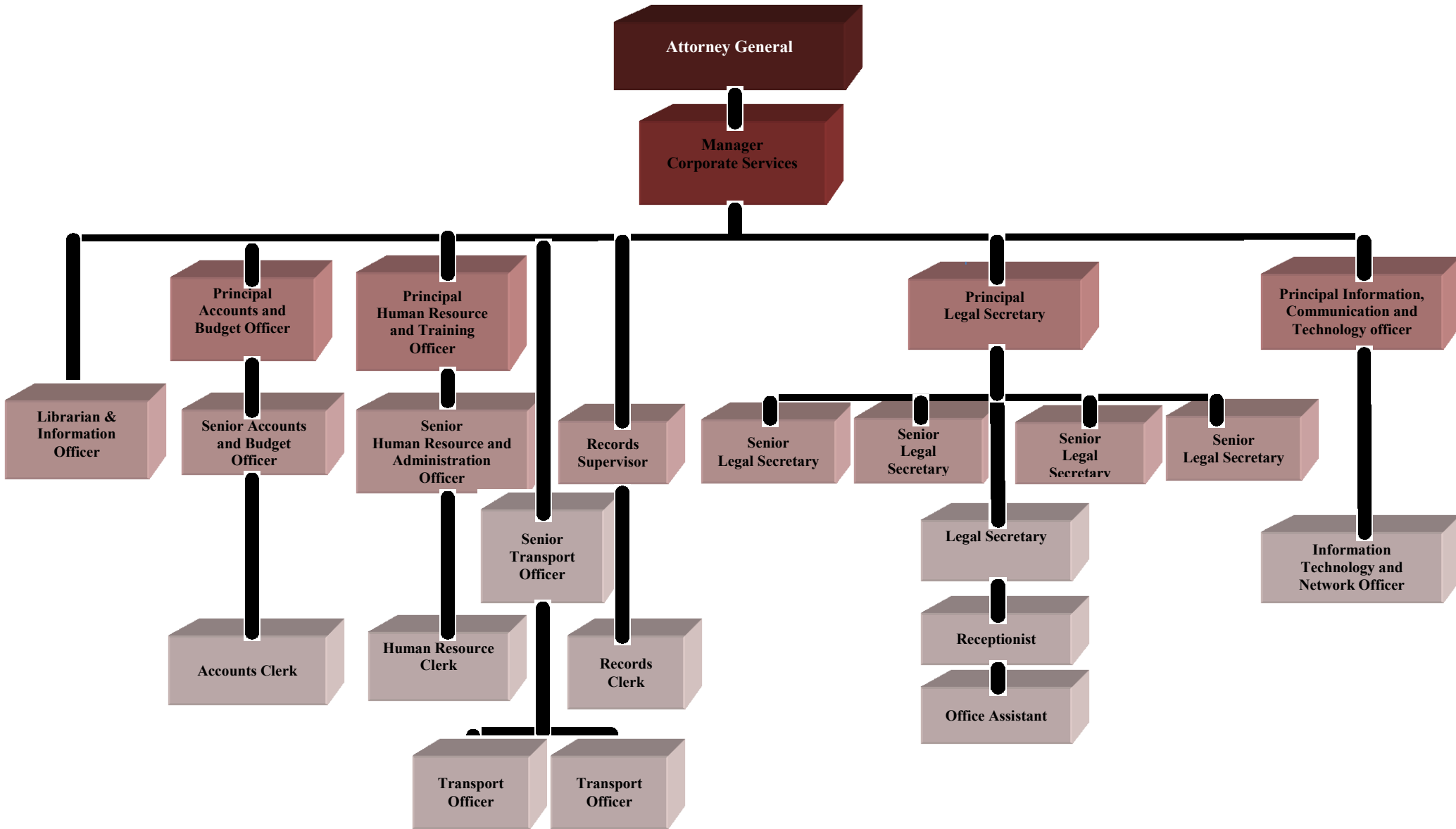
CRIMINAL LAW

DIVISION



LEGISLATIVE DRAFTING DIVISION



CORPORATE SERVICES DIVISION

Legislative Drafting Division

(A) OVERVIEW:

The Legislative Drafting Division (“Drafting Division”) is responsible for drafting of legislation and reviewing of legislative instruments that are legally effective and of high quality. The Drafting Division also ensures that all legislation drafted, vetted or reviewed are consistent with the Constitution, existing laws as well as the Legislative Drafting Manual and Directives issued by the Attorney General, under the authority of the Attorney General’s Office Act 2013.

(B) STRUCTURE:

(I) Current staff

Currently, not all the positions in the Drafting Division are filled. The Drafting Division consists of 10 legislative drafters, 1 law graduate working as a part-timer and 1 support staff member as follows:

No.	Name of officer	Position
1.	Tuatagaloa Aumua Ming C. Leung Wai	Attorney General
2.	Loretta Teueli	Public Legislative Drafter
3.	Rupeni Nawaqakuta	Legislative Drafting Advisor
5.	Meiapo Faasau	Associate Legislative Drafter
6.	Leitu Moananu	Senior State Solicitor
7.	Steffany Lisha Meredith	State Solicitor
8.	Siovia Florina Liu	State Solicitor
9.	Mearold Viliamu	State Solicitor
10.	Lizatalei Hakai	Law Clerk
11.	Titilua Aiono	Law Clerk
12.	Terina Sefo	Part- time Law Clerk
13.	Losa Kelekolio	Senior Legal Secretary – Legislative Drafting

(II) Appointments & Promotions

The following members were appointed and promoted:

No.	Name of officer	Appointment and Promotion
1.	Meiapo Faasau	Associate Legislative Drafter (promoted)
2.	Leitu Moananu	Senior State Solicitor (promoted)
3.	Siovia Florina Liu	State Solicitor (promoted)
4.	Mearold Viliamu	State Solicitor (appointed)
5.	Lizatalei Hakai	Law Clerk (appointed)
6.	Kylie Wilson	Law Clerk (appointed)
7.	Titilua Aiono	Law Clerk (appointed)
8.	Terina Sefo	Part-time Law Clerk (appointed)

(III) Transferal

One of the longest serving members of the Drafting Division, Constance Tafua-Rivers who held the post of an Associate Legislative Drafter was transferred to the Civil Division in February 2015. She is now an Associate Public Solicitor for that Division.

(IV) Vacant Positions

The following positions are vacant:

- (a) Principal Legislative Drafter – 2 positions
- (b) Senior Legislative Drafter – 1 position

(III) Resignations

The following staff resigned to take up another legal position in another Ministry:

No.	Name of officer	Position	Date of resignation
1.	Theodora Matalavea	State Solicitor	21 November 2014

(C) ACHIEVEMENTS:**(I) Legislative Programme:**

(i) The following Bills were passed

No.	Act	No.	Act
1.	<i>Customs Act 2014</i>	18.	<i>Public Holidays Amendment Act 2015</i>
2.	<i>Lawyers and Legal Practice Act 2014</i>	19.	<i>Metrology Act 2015</i>
3.	<i>Tax Administration Amendment Act 2014</i>	20.	<i>Health Promotion Foundation Act 2015</i>
4.	<i>International Criminal Court Amendment Act 2014</i>	21.	<i>Electoral Amendment Act 2015</i>
5.	<i>Allied Health Professions Act 2014</i>	22.	<i>Casino and Gambling Control Amendment Act 2015</i>
6.	<i>Medical Practitioners Amendment Act 2014</i>	23.	<i>International Companies Amendment Act 2015</i>
7.	<i>Plumbers Act 2014</i>	24.	<i>Food Act 2015</i>
8.	<i>Commonwealth Youth Games 2015 (Sponsorships) Act 2014</i>	25.	<i>Slaughter and Meat Supply Act 2015</i>
9.	<i>Supplementary Appropriation Act (No.1) 2014/2015</i>	26.	<i>National Provident Fund Amendment Act (No.1) 2015</i>
10.	<i>Public Bodies (Performance and Accountability) Amendment Act 2015</i>	27.	<i>Electoral Amendment Act (No.2) 2015</i>
11.	<i>National Kidney Foundation Amendment Act 2015</i>	28.	<i>Constitution Amendment Act 2015</i>
12.	<i>Scientific Research Organisation of Samoa Amendment Act 2015</i>	29.	<i>National Provident Fund Amendment Act (No.2) 2015</i>
13.	<i>Fair Trading Amendment Act 2015</i>	30.	<i>Supplementary Appropriation Act (No.2) 2014/2015</i>
14.	<i>Maritime Zones Amendment Act 2015</i>	31.	<i>Appropriation Act 2015/2016</i>
15.	<i>Personal Property Securities Amendment Act 2015</i>	32.	<i>Geneva Convention Act 2015</i>
16.	<i>Statistics Act 2015</i>	33.	<i>Community Law Centre Act 2015</i>
17.	<i>Public Finance Management</i>	34.	<i>Media Council Act 2015</i>

Amendment Act 2015

(ii) The following Bills were issued with an Attorney General's Certificate to be approved by Cabinet for translation and introduction in Parliament:

No.	Title of Bills	No.	Title of Bills
1.	<i>Broadcasting Amendment Bill 2015</i>	8.	<i>Evidence Bill 2015</i>
2.	<i>Fees and Charges (Miscellaneous) Amendment Bill 2015</i>	9.	<i>National Prosecution Bill 2015</i>
3.	<i>Fisheries Management Bill 2015</i>	10.	<i>Police Service Amendment Bill 2015</i>
4.	<i>Income Tax Amendment Bill 2015</i>	11.	<i>National Prosecution Office Bill 2015</i>
5.	<i>Competition and Consumer Bill 2015</i>	12.	<i>Foreign Investment Amendment Bill 2015</i>
6.	<i>Sentencing Bill 2015</i>	13.	<i>Village Fono Amendment Bill 2015</i>
7.	<i>Tax Information Exchange Amendment Bill 2015</i>		

(iii) The following subsidiary legislation (regulations, notices, orders etc) were made:

No.	Title of Subsidiary legislation	No.	Title of Subsidiary legislation
1	<i>General Price Order (No.4) 2014</i>	7.	<i>Public Finance Management (Government Vehicles) Regulations 2015</i>
2.	<i>Special Price Order (No.1) 2014</i>	8.	<i>Attorney General's Directive 2015, No.1</i>
3,	<i>Special Price Order (No.2) 2014</i>	9.	<i>Road Traffic Amendment Regulations (No.2) 2015</i>
4.	<i>General Price Order (No.1) 2015</i>	10.	<i>Road Traffic (Payment of Fines) (Schedule Amendment) Regulations 2015</i>
5.	<i>Customs Regulations 2015</i>	11.	<i>Land Transport Authority (Licence Fees and Other Charges) Amendment Regulations 2015</i>
6.	<i>Office of the Attorney General's Employment Guidelines 2015</i>		

(iv) The following subsidiary legislation were issued with an Attorney General's Certificate:

No.	Title of Subsidiary legislation
1.	<i>Metrology Regulations 2015</i>
2.	<i>Foreign Investment Amendment Regulations 2015</i>
3.	<i>Business Licence Amendment Regulations 2015</i>
4.	<i>Public Bodies Amendment Regulations</i>
5.	<i>Income Tax (Withholding Tax) Regulations 2014</i>
6.	<i>Slaughter and Meat Supply Regulations 2014</i>
7.	<i>Family Court Rules</i>

(II) Projects:

(a) Annual Consolidation of Laws of Samoa

The Consolidation of Laws of Samoa for 2014 was officially completed and released on 23 December 2014 to the members of the Judiciary, the Hon. Prime Minister, the Hon. Deputy Prime Minister, the Office of the Clerk of the Legislative Assembly and the Court Registrar. The compact discs containing the consolidated laws of Samoa 2014 were distributed to the Ministries and Government Agencies and Corporations in the beginning of 2015.

(b) Consolidation of Regulations Project

The aim of the project is to consolidate all the Regulations that have been signed/made in Samoa and remove the Regulations that have been repealed and revoked by the new Regulations. The Plan put in place for this project intended to source funding to carry out the same. However due to the delay in the funding being obtained the Drafting Division took the initiative of carrying out the first phase which is the collection of Regulations dating back to the 1950's which are still in force, to date. All the Regulations that do not have electronic copies are re-typed and recorded. The first phase has almost completed and the Division will continue this project despite the lack of funding. However, this means there is no set deadline as this work is done alongside many projects the Division is tasked with.

(D) SIGNIFICANT LEGAL REFORMS

(I) Significant laws that have been passed

(a) Customs Act 2014

The Act repeals and replaces the Customs Act 1977 (old Act). Overall, the Act modernises the old Act by reproducing its provisions in simplified and modern language. It also introduces some new provisions that are designed to make Samoa's

legislation consistent with Samoa's international obligations under such international bodies such as the World Customs Organisation and the World Trade Organisation. These changes are also designed to enhance the capabilities of the Samoa Customs Service to effectively manage Samoa's borders. The main changes include the replacing of the Customs Department with Samoa Customs Service, replacing Customs warehouse etc with Customs controlled area (with different categories of licenses for Customs controlled area), application of Customs seals for exported goods and use of approved secured export scheme for exported goods to be under Customs control until exported. The Act empowers the Minister to make orders to prohibit importation or exportation of goods, establishes the Customs Appeals Authority to deal with appeals under the Act and replaces Customs agents with Customs brokers.

(b) Lawyers and Legal Practice Act 2014

The Act repeals the Law Practitioners Act 1976 (repealed Act) and provides for the continuation of the Samoa Law Society and its Council established under the repealed Act as a body corporate under the Act. It also provides for permanent and temporary rolls of barristers and solicitors, the rules and practice of law through annual practicing certificates, including rules for solicitors' trust accounts and auditing, and disciplinary procedures.

(c) Allied Health Professions Act 2014

The purpose of the Act is to provide for registration of allied health professionals. For that purpose the Allied Health Profession Council is established to carry out registration of allied health professionals and put in place disciplinary measures.

(d) Plumbers Act 2014

The Act regulates the registration of plumbers. The registration will be undertaken by the Executive Committee of the Association. It also provides for disciplinary matters as well as the continuation of the Plumbers Association of Samoa.

(e) Commonwealth Youth Games 2015 (Sponsorships) Act 2014

The Act provides for sponsors (approved by the Board) and tax deductions for sponsors of the Commonwealth Youth Games 2015 (CYG) which is to be held in Samoa. Under the Act, the sponsors will be entitled to tax deductions under the Income Tax Act 2012 for the value of their sponsorship of the CYG 2015. The income for the CYG Company is also exempted from tax.

(f) Public Bodies (Performance and Accountability) Amendment Act 2015

This Act amends the Public Bodies (Performance and Accountability) Act 2001 (PB Act) to give effect to the newly established Ministry of Public Enterprise. It makes consequential amendments to the Public Finance Management Act 2001 to move sections and Parts dealing with public bodies under that Act to the PB Act. Under the

PB Act, it empowers the Financial Secretary or the Chief Executive Officer to review, investigate or inspect records pertaining to public bodies if they fail to implement their corporate plans and if there are any irregularities in managing their monies or properties.

(g) Scientific Research Organisation of Samoa Amendment Act 2015

This Act amends the Scientific Research Organisation of Samoa Act 2008, to allow the Scientific Research Organisation of Samoa (Organisation) to undertake the testing of narcotics and food. The assessment and analysis of food and narcotics will be included as an objective and function of the Organisation. Also, the assessment of environment impact will be regarded as both an objective and function of the Organisation. This change is a beneficial step for Samoa in terms of setting up a head lab that tests narcotics for criminal cases filed in Court. It will assist in the immediate hearing of possession of narcotics cases without having to send samples overseas as was done in previous years.

(h) Maritime Zones Amendment Act 2015

This Act amends the Maritime Zones Act 1999. The Act re-defines the “high and low water marks” and demarcates the contiguous zone for the purposes of the State carrying out its powers and the measures that can be taken within the contiguous zone. The Act also amends the term “continental shelf” broadening it, in order to be in line with international standards.

(i) Statistics Act 2015

The Statistics Act 2015 (“Act”) repeals and replaces the Statistics Act 1971. The objective of the Act is to update the law governing the collection, recording and analysis of statistical information, for the purpose of dissemination of official statistics. The Act also takes into account best-practice in relation to the same. The Act strengthens aspects of the Statistics Act 1971 which include the role of the Government Statistician in data collection, the independence of the Government Statistician in data collection; and the confidentiality of the information collected, except in certain circumstances which includes, but is not limited to matters of national interest or security.

(j) Metrology Act 2015

The Metrology Act 2015 (Act) repeals and replaces the Measures Ordinance 1960, to revamp the national system of measurement for Samoa in accordance with international standards. The Act provides standards for units of measurements, approval process of all types of weights and measures or measuring instruments used in trade. The Act also makes provisions for the functions and responsibilities of the Ministry of Commerce, Industry and Labour in relation to certification of inspection of agencies, measurement standards, packaging, verification, inspection and adjustment of equipment and measuring instruments.

(k) Health Promotion Foundation Act 2015

The Health Promotion Foundation Act 2015 (Act) establishes the Samoa Health Promotion Foundation (Foundation) and provides for its objectives, functions and powers, as a result of one of the Government initiatives on health sector reforms. The purpose of the Act is to separate the 2 basic health service roles of preventative and curative roles. The Foundation is now responsible for the preventative role such as focusing on the promotion of health and the delivery and implementing of activities which promote the health of the Samoan people. The Ministry of Health on the other hand carries out the curative role which focuses primarily on its regulatory and monitoring roles.

(l) Electoral Amendment Act 2015

This Act amends the Electoral Act 1963 to give effect to the recommendations in the 2012 Commission of Inquiry into Electoral Matters which includes:

- (a) the removal of the power of the Pulenu'u in certifying candidates;
- (b) the presentation of the O'o and momoli to be undertaken after the declaration of polls; and
- (c) also general increases in penalties under the Act.

(m) Slaughter and Meat Supply Act 2015

The Act seeks to regulate livestock slaughtering and meat distribution for domestic supply and for related purposes. The objective of the Act is to promote the agriculture industry in Samoa through an efficient, effective and appropriate livestock slaughter, meat inspection and meat distribution system providing consumers with safe and wholesome locally produced meat and meat products.

(n) Electoral Amendment Act (No.2) 2015

The Act amends the Electoral Act 1963:

- to allow a candidate to challenge the qualification of another candidate to be elected as a Member of Parliament;
- to provide for 6 months residential requirement for those wishing to be registered in the urban constituencies; and
- to re-define the boundaries of the urban constituencies.

This Act basically replaces the individual voters roll with two urban constituencies, but to be restricted to the boundaries of Faleata and Vaimauga Territorial constituencies only.

(o) Constitution Amendment Act 2015

The Act:

- changes the procedures for the appointment of the Head of State by the Legislative Assembly so that the names are not nominated by individual Members of Parliament but by the party in Government;

- changes the procedures for the appointment of the Speaker or Deputy Speaker so that the nomination of the party with majority seats is treated to be endorsed by the Legislative Assembly as Speaker or Deputy Speaker;
- implements the recommendations of the 2012 Commission of Inquiry into Electoral Matters to change the individual voters' constituency to two urban constituencies;
- establishes the Office of the Ombudsman as a Constitutional Office.

(II) ***Significant law reforms in drafts***

(a) ***Agriculture reforms***

(i) Plant Protection Bill

The purpose of the Bill is to prevent the introduction or spread of plant disease or pests through the regulation of imports and the use of phytosanitary measures (means any official measure having the purpose of preventing the introduction or spread of quarantine pests or limiting the economic impact of regulated non-quarantine pests in Samoa) and to regulate the movement of plants and plant products in Samoa.

(ii) Agriculture and Fisheries Sector Bill

The purpose of the Bill is to guide and facilitate the management and development of a sustainable agriculture and fisheries sector. It further provides the function and powers of the Minister and Chief Executive Officer as well as the administration and functions of the Ministry. In addition it further provides for the establishment and appointment of committees and the remuneration and notice of establishment and dissolution.

(iii) Animal Welfare Bill

The proposed Bill will focus on the welfare of animals both livestock and companion animals (pets) for the purposes of improving production in order for Samoa to be self-sufficient in terms of local's supplying quality meat for consumption instead of importing overseas meat. The implementation of this Bill will complement the Slaughter and Meat Supply Act 2015.

(b) ***Environment reforms***

(iv) Environmental Management and Conservation Bill

The Bill aims to protect and manage the environment, promote sustainable development and facilitate compliance with Samoa's international environmental obligations. Additionally, it provides the functions and powers of the Environmental Management and Conservation Board, Minister, Chief

Executive Officer as well as the administration functions of the Ministry. The Bill aims to ensure that the most pressing environmental issues in Samoa today are comprehensively managed.

(v) Climate Change Bill

This Bill will basically strengthen the institutional and policy framework for climate governance in Samoa also further mainstream climate change to most likely cross-cut sector planning and development policy.

(vi) CITES Bill

The Bill will provide for the protection and conservation of endangered species of wild fauna and flora by regulating the export and import of these species and any product derived from those species.

(vii) Review of Disaster and Red Cross Laws

This project is a review of all laws relating to disaster response. The main objective of the project is to conduct a Legal Preparedness Study for Strengthening the Legal and Policy Framework for Foreign Disaster Response in Samoa. This is to strengthen Samoa's legal preparedness for the facilitation and regulation of foreign disaster assistance in times of disasters in Samoa.

(c) ***Justice reforms***

(viii) Alcohol and Drugs Court

This reform aims to establish a specialist Court to deal with alcohol and drug related offences.

(ix) Coroners Bill

The Bill will provide a coronial system to investigate sudden or unexplained deaths or deaths in special circumstances through inquiries and inquests to help prevent deaths in circumstances similar to those deaths. It will also provide for the appointment of coroners, their functions and powers.

(d) ***Other Specific Reforms***

(x) Village Fono Amendment Bill

The Bill seeks to amend the Village Fono Act 1990 (Act). The object of the Bill is to strengthen our culture to ensure stability in Samoa by strengthening the role of the Village Fono and to ensure that the exercise of the powers of the Village Fono are in accordance with the Constitution.

(xi) Child and Care Protection Bill

The Bill will provide for the care and protection of children in Samoa. It will also recognise and enforce the rights of children in a manner which is consistent with international conventions and standards.

(xii) Civil Aviation Review

The aim of the project is to review the Civil Aviation Act 1998 by taking into account the comments from the following:

- Law Reform Commission Report on the Civil Aviation Act 1998
- Law Reform Commission Report on Ministry of Transport Act 1978
- ADB Technical Assistance Project, Volume 8 Report
- Peter O'Brien's Review 2009
- Interim Safety Oversight Audit Report – Samoa June 2010

(E) ISSUES

(I) Capacity

The issue of vacancies in the senior level in the Division has been a challenge for many years now. Out of the 10 drafters in the Division, only 3 have extensive experience. Therefore much of the development of the Division has been intended in building the capacity of the junior drafters. Solutions identified in addressing the gap between senior and junior levels in the Division include building capacity of junior drafters in order to meet requirements for promotions. Salaries have also been increased at senior levels as an attempt to retain drafters longer in the Division before leaving the Office or Division.

(II) Drafting Instructions

This challenge has been identified in previous years. As an attempt to address it the Division held its first training for Government Ministries and Corporations on how to prepare drafting instructions that better inform the drafting and reviewing of the legislation. This training was held in May 2014. It is the Division's intention to hold this training annually, however awareness and continued guidance is also provided during discussions of on-going projects. The drafting Manual provides templates for drafting instructions has been very useful in addressing this challenge.

Civil, Commercial and International Law Division

(A) OVERVIEW

Overall the Civil, Commercial and International Law Division (Civil Division for short) is responsible for meeting the following objectives for the AGO:

To review and draft commercial and other related legal documents as well as advising on national and international legal matters to ensure that Government's interest is advanced and/or protected.

Duties and responsibilities include:

- Draft, review and/or negotiate commercial legal documents involving Government;
- Provide legal support to procurement activities and processes of Government both national and international; and
- Give legal advice on issues arising from commercial and national/international matters.

To supervise and conduct civil proceedings involving Government and provide legal support to or representation for Government in other formal enquiries.

Duties and responsibilities include:

- Ensure high quality representation for Government in all relevant civil and tribunal proceedings;
- Provide professional assistance to Government Ministries and Agencies in relation to all legal matters that require legal opinions; and
- Ensure high quality legal support to our representation for Government for formal enquiries.

(B) STRUCTURE

The Civil, Commercial and International Law Division consists of two (2) sections which are the Civil Litigation and Opinions Section and the Commercial and International Law Section. Not all positions in both sections have been filled but are in the process of being filled. There are currently within the entire Civil Division, fourteen (14) legal staff, two (2) part time staff and two (2) support staff.

(I) Current staff

The Civil, Commercial and International Law Division consists of the following:

No.	Name of officer	Position
1.	Tuatagaloa Aumua Ming C. Leung Wai	Attorney General
2.	Muriel Lui	Assistant Attorney General-Civil/Chief Public Solicitor
3.	Constance Tafua-Rivers	Associate Public Solicitor (Commercial and International Law)
4.	Sefo Ainuu	Associate Public Solicitor (Civil Litigation and Opinions)
5.	Kalameli Seuseu-Soo	Principal State Solicitor
6.	Regena Sommers	Senior State Solicitor
7.	Ane Iati	Senior State Solicitor
8.	Dominic Talouli	State Solicitor
9.	Esekia Soloi	State Solicitor
10.	Glory Fuimaono	State Solicitor
11.	Ryan Masinalupe Tusipa	State Solicitor
12.	Gemma Nelson	State Solicitor
13.	Darius Shahtahmasebi	State Solicitor
14.	Eleanor Fruean	Law Clerk
15.	Rebecca Lauola Schuster	Law Clerk
16.	Angeline Seiuli	Part – time Law Clerk
17.	Faalau Lagaaia	Part – time Law Clerk
18.	Toitua Suena-Mulipola	Senior Legal Secretary
19.	Fagalele Tualatamaalelagi	Senior Legal Secretary

(I) Appointments & Promotions

The following staff were appointed and promoted within this year period:

No.	Name of officer	Appointment and Promotion
1.	Constance Tafua Rivers	Associate Public Solicitor (promoted)
2.	Sefo Ainuu	Associate Public Solicitor (promoted)
3.	Regena Sommers	Senior State Solicitor (appointment)
4.	Glory Fuimaono	State Solicitor (promoted)

5.	Ryan Masinalupe Tusipa	State Solicitor (promoted)
6.	Gemma Nelson	State Solicitor (internal Office transfer from the criminal division)
7.	Darius Shahtahmasebi	State Solicitor (appointment)
8.	Angeline Seiuli	Part – time Law Clerk (appointment)
9.	Faalau Lagaaia	Part – time Law Clerk (appointment)

(II) Resignations

The following staff resigned to take up other legal positions in other Ministries / Agencies / Public Bodies or due to personal circumstances:

No.	Name of officer	Position	Date of resignation
1.	Loukinikini Vili	Principal State Solicitor	31 October 2014
2.	Sine Lafaialii Koria	Principal State Solicitor	13 February 2015
3.	Posesione Toma	Law Clerk	13 March 2015
4.	Sosefina Faamausili	Senior State Solicitor	12 June 2015

(III) Vacant Positions:

The following positions are vacant:

- (i) Principal State Solicitors – 2
- (ii) Senior State Solicitors – 3
- (iii) Law Clerks – 1

(C) ACHIEVEMENTS

(I) General

Contracts/Advice/Litigation

The Civil Division continues to receive an abundant amount of contracts from Government Ministries, Corporations and Authorities to clear. The Civil Division continues to strive to meet its timeframes in order to clear such contracts accordingly in light of the continued increase in workload.

Furthermore the Civil Division continues to also provide Government Ministries, Corporations and Authorities legal advice where needed. Such advices range from statutory interpretation relating to various areas of law including land, environment, shipping, civil aviation, commercial, employment, foreign affairs, contract interpretation, interpretation of legal instruments, and interpretation of foreign law to name of few and various other specialized areas.

The Civil Division has also dealt with all civil litigation matters thus far, a considerable amount being successfully settled and defended.

11th Tuna Commission meeting (Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean) 2014

Further, members of the Civil Division together with a member of the Drafting Division were also part of Samoa's delegation to the 11th Tuna Commission meeting (Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean) that was held in Apia from 1-5th December 2014 at the Faleata Sports Complex. Our Office used this opportunity to sit in and note what was discussed about various areas of the fisheries industry so as to gain knowledge to assist for future works assigned to our Office for advice or clearance, including information relevant to conservative management measures introduced to preserve and manage our tuna fisheries resource and the need to draft and pass national legislation for effective implementation of such measures.

Commonwealth Youth Games 2015

The Civil Division is also heavily involved in the preparations of the Commonwealth Youth Games 2015 to be held in Samoa. The Attorney General is the Chairman for the legal subcommittee that oversees all legal work that is needed to be cleared by the main Organizing Committee in preparations for the Games. Such works include clearing all contracts, tender documents and other legal agreements as well as advising on the different legal implications of hosting a world class event of this size and magnitude. Furthermore members of the Civil Division will also be assisting the running of the event through volunteering some of their time for various sub-committees like the Catering Committee and Accommodation Committee.

Debt Collection

There is also an increase in collection of revenue for civil works done by the Civil Division in relation to civil litigation work, advices and opinions. However as expected the difficulties are experienced with the collection of these debts and following up the debtors to make payment.

Procurement and Contract Templates Manual

The Civil Division had also launched its Procurement and Contract templates manual ("the manual") which provided a guide to all procuring entities on the updated and standardized procurement and

contract templates to be used by Government entities in all Government procurement and Contracts for Services, Goods, Works and Construction.

Civil Practice Standards

Furthermore the Civil Division also launched the Civil Practice Standards which are the standards required for each individual involved in the provision of legal services within the Civil Division.

(II) Cases

These are some of the more significant cases handled by the Civil Division in the last year period.

(i) Court of Appeal

There was one Court of Appeal case completed during this period, where our Office represented the First Respondent.

In the Supreme Court decision, the Chief Justice had dismissed the Applicants Notice of Motion/Application by way of Judicial Review and upheld the our Offices' application for Strike – Out.

It was this decision that was appealed by the Applicant.

The Court of Appeal dismissed the appeal by the Applicant with costs to our Office of \$5000 tala and disbursements as fixed by the Registrar.

(ii) Supreme Court Cases

There have been various civil litigation matters which have been completed during this period.

The first matter was in relation to an application by the Applicant for the enforcement of their fundamental rights, particularly their right to property and the right to a fair trial. Our Office acted for the Respondent and sought a Strike – Out Motion stating that the Applicants application is frivolous and vexatious, an abuse of process and has no prospects of success upon various grounds. The Strikeout motion was granted by the Supreme Court and the application struck out.

The Second matter was in relation to a Notice of Appeal brought by the applicant against the first, second, third and fourth respondents. Our Office acted for the first and second respondents. In the matter it was noted that the language of the notice of appeal was similar to that of a judicial review. As such the Applicants sought to amend their motion to suit an appeal. However our Office objected as the notice filed was more of a judicial review and therefore should be struck out and if the Applicant wanted to file an appeal then to file fresh proceedings. The Chief Justice concluded that

the Applicants Notice of Motion for Judicial Review is struck out and leave granted to the Applicant to file a motion of appeal should they wish.

The third matter involved a claim by the Plaintiff on alleged loss suffer due to a decision of the Government to reinstate the Second Defendant as to the position of Sui o le Nu'u. Our Office was named as the First Defendant and as such filed a Strike – Out Motion on the grounds that the claim by the Plaintiff was frivolous, vexatious and abuse of Court process. The Supreme Court agreed with our Strike Out Motion and struck the matter out.

The fourth major case involved an action brought against the defendant by the plaintiff alleging wrongful termination and breach of contract and therefore claiming subsequent damages. Our Office acted for the defendant. In this matter the plaintiff did not give notice as required under section 21 of the Limitation Act 1985 and on that basis we submitted that the plaintiff's action should be struck out. Counsel for the plaintiff conceded that section 21(2A) of the Limitation Act 1985 prevents their action from proceeding. Section 21(2A) specifically bars the granting of leave to file if the plaintiff had commenced an action but no notice had been filed under section 21.

(1). Therefore the plaintiff's action was struck out by His Honour Chief Justice Sapolu.

There were also various civil litigation matters which were the subject of mediation. The first matter settled being a claim against Government in relation to a sale agreement. The claim was based on alleged breaches of Warranties. The second matter settled was a claim of negligence against Government regarding treatment received by the Plaintiff at the National Health Services. The third matter against Government was a claim for unpaid goods. All matters were successfully settled between the Government and those bringing the claim.

The Civil Division has also been working together with the Criminal Division on considerable civil litigation matters pertaining to proceeds of crime. This area of law is fairly recent and should see an increase in the coming years. There were various proceeds of crime matters received within the year period including a proceeds of crime matter that was a subject to an appeal hearing.

One proceeds of crime matter was an application for forfeiture of an amount of cash which was found in a bag of marijuana during a Police raid. In this matter the Respondent consented to our Motion for Forfeiture Order.

Another proceeds of crime matter included an application by our Office via a Motion for Forfeiture Order to the Honourable Court against various tainted property of the Respondent. The tainted property included a vehicle and Two Thousand Samoan Tala in cash. There were applications by

third parties, which included a Bank with legitimate interest in the property, that such an order would cause undue hardship. In light of this 3rd party claim and the legitimacy of it, our Office withdrew its motion for forfeiture to allow the Bank to claim the property themselves.

(iii) *Public Service Board of Appeal*

The Civil Division on behalf of the Office also acts for the Public Service Commission against appeals brought by applicants who are not satisfied with the decisions of the Public Service Commission regarding various job selections and termination decisions. The amount of appeals received this year has only slightly increased by one appeal compared to the previous year period.

We note an appeal determined in this year period in which the Appellant brought an appeal against a decision to terminate his employment. However the Appellant requested to withdraw his appeal due to difficulties in further supporting his matter.

Furthermore, there was also an appeal by an Appellant against an appointment made by the Public Service Commission. However the Appellant failed to appear twice when it was called for preliminary matters before the District Court. As such, on application by our Office the matter was dismissed.

(D) SIGNIFICANT INITIATIVES/PROJECTS

(I) *Trainings/ Seminars*

The Civil Division continues to encourage its lawyers to attain experience through:

- (i) Ongoing quarterly legal trainings on contracts, legal advice writing, case file management, civil litigation and procurement conducted by senior members of the Civil Division;
- (ii) Legal trainings during team retreats where every member of the civil Division contributes by researching and presenting on a topic;
- (iii) Legal Research training throughout the year period concentrating on developing skills on using online databases such as LexisNexis and Westlaw;
- (iv) Ongoing training workshops conducted by DLA Piper team from Australia and Centre for Asia Pacific Pro Bono on various topics selected by the Civil Division;
- (v) Various members of the Civil Division attending overseas workshops; and
- (vi) Lawyers of the Civil Division attending local legal workshops within the Office and others provided outside of the Office such as those provided by other Ministries, Corporations, Aid Donors or the by Samoa Law Society

(II) *Mentoring Program*

The Civil Division continues its Mentoring Program, now funded by the office itself, which provides an opportunity for the lawyers in our Division to observe and absorb techniques, practices and knowledge from senior and experienced mentors. Furthermore to provide junior lawyers within the Civil Division a senior to approach regarding whatever area of law or other that concerns them.

The Civil Division was also fortunate and privileged in this year period to have Mr. Peter Lithgow a Barrister, from Melbourne Australia visit the Civil Division on two occasions to assist and provide mentoring to the Civil Division. As always this mentoring program is a vital aspect of capacity building for the Civil Division, given that each year new lawyers are added to the Division.

While Mr. Lithgow was here he assisted in file reviews, advice reviews, clearance of legal research, providing second opinions on various files and assisting in various other works. Mr. Lithgow also provided training on cross-examination and examination in chief. He also aided the senior members of the Civil Division in providing feedback and comments during the team retreat in which each member of the team presented on a certain legal topic.

(III) Ongoing Trainings with DLA Piper

DLA Piper is one of the world's leading commercial firms, boasting some 4,200 lawyers across some 30 countries, and has a long-held reputation for firm pro-bono culture and best practice in corporate social responsibility. In 23 and 24 of July 2014 our Office together with DLA piper coordinated and arranged training for the benefit of lawyers in office and other members of the Law Society that had attended voluntarily. For this training the topics discussed were essentially in:

- (i) Administrative law;
- (ii) Statutory Interpretation;
- (iii) Judicial Review; and
- (iv) Various hot topics in Samoa.

Each topic was presented by a different member of DLA Piper who based the topics and area of law on Samoan legislation and common law. The training was also interactive and free discussion and questions were encouraged.

After the training those who attended the training were provided with a feedback form. As such the DLA piper trainings received an overall positive feedback.

(IV) Civil Contract and Procurement Manual

As stated before, in February 2015, the Civil Division launched its manual which provided a guide to all procuring entities on the updated and standardized procurement and contract

templates that are used by Government entities in Government procurement. However the templates do not replace the use of contract and procurement templates required by donors to be used where it is a requirement for the use of such donor funds.

The Contract templates have been revised by the Civil Division to cover all procurement and contracts for Services, Goods and Works, Construction and Works.

(V) Civil Practice Standards Manual

As briefly stated above, the Civil Practice Standards are required for each individual involved in the provision of legal services within the Civil Division. The Civil Practice Standards reflects and ensures compliance with the mandatory professional obligations imposed by regulators of Solicitors and legal practices. However importantly, the Civil Practice Standards goes beyond compliance and encapsulates the standards of excellence and objectives required of employees of this Office within the Civil Division.

(VI) Performance Appraisals

The Civil Division has also revised their performance appraisals. The revised performance appraisal consists of Part A regarding to the various requirements the member of the Civil Division must attain. The performance appraisals also consist of Part B which pertains to ethical standards that also must be attained. This performance appraisal is directly linked to the CPS in that generally, the solicitors must generally comply with all of the standards in the CPS in order to be ranked highly in their performance appraisals. Therefore the Key performance indicators in the Performance appraisal forms are directly derived from the CPS.

To gain level one (1) Competency in the performance appraisals, the members of the Civil Division must attain at least eighty percent (80%) of the requirement in Parts A and at least ninety per cent (90%) in Part B. Currently this performance appraisal system is designed for those with State Solicitor, and law clerks positions.

The members of the Civil Division and Manager may also comment on their performance appraisal form after she or he is assessed and marked accordingly. This gives the chance for both the assessed and the assessor to weigh in on whether they think that the right mark has been given and/or whether it is a fair determination of their work.

(C) CHALLENGES

- (I) The Civil Division continues to experience a high turnover rate which creates a shortage of experienced lawyers.
- (II) Furthermore the high turnover rate combined with the increase of workload has also added pressure on the Civil Division.

Criminal Law Prosecutions Division

(A) OVERVIEW

The Criminal Prosecutions Division's key responsibility is to supervise and conduct criminal prosecutions and appeals in a fair and just manner. The main function of this Division includes handling of all Supreme Court prosecutions, criminal appeals to the Court of Appeal and criminal appeals from the District Court. The Division also handles some District and Youth Court matters including prosecution against police officers and other complex matters. Government Ministries also refer some of their complex enquiries and cases to the Division on separate occasions. The criminal division also handles mutual legal assistance with other countries as well as proceeds of crime applications.

The Division is headed by the Assistant Attorney General for Criminal Prosecutions. The team consists of two Associate Public Prosecutors, two legal consultants, one senior state solicitor, 5 state solicitors and three law clerks. Given the workload undertaken the Division continues to be one of the busiest divisions in the Attorney General's Office.

(B) STRUCTURE

(I) **Current staff**

The Criminal Division consists of the following:

	Name of officer	Position
1.	Tuatagaloa Aumua Ming C. Leung Wai	Attorney General
2.	Precious Chang	Assistant Attorney General - Criminal
3.	Rexona Titi	Associate Public Prosecutor
4.	Leone Sua-Mailo	Associate Public Prosecutor
5.	Fetuliai Lagaia	Legal Consultant
6.	Katie Hogan	Legal Consultant
7.	Ōfisa Tagaloa	Senior State Prosecutor
8.	Lucymaria Sio	State Solicitor
9.	Brigitta Faafiti-Lo Tam	State Solicitor
10.	Lagafuaina Tavita	State Solicitor
11.	Fuifui Ioane	State Solicitor
12.	Chrisanthly Amosa	State Solicitor

13.	Alesana Tumua	Law Clerk
14.	Ann Luaipou Matalasi	Law Clerk
15.	Iliganoa Atoa	Law Clerk
16.	Ariota Finau Pilimai	Senior Legal Secretary
17.	Dora Schwenke	Senior Database Management Officer
18.	Maureen Tyrell	Database Management Officer

(II) Appointment & Promotions

The following staff were appointed and promoted:

No.	Name of officer	Appointment and Promotion
1.	Rexona M Titi	Associate Public Prosecutor (promoted)
2.	Leone Sua - Mailo	Associate Public Prosecutor (promoted)
3.	Fetuliai Lagaia	Legal Consultant (promoted)
4.	Ofisa Tagaloa	Senior State Prosecutor (promoted)
5.	Lagafuaina Tavita	State Solicitor (promoted)
6.	Alesana Tumua	Law Clerk (appointment)

(III) Resign Staff & Transfers

The following staff (Talesulu) resigned to take up other employment whilst Gemma was transferred to the Civil Division of our office.

No.	Name of officer	Position	Date of resignation & Transfer
1.	Talesulu Matau	Law Clerk	31 October 2014
2.	Gemma Nelson	State Solicitor	18 February 2015

(IV) Vacant Positions

The following positions are vacant:

- (i) Principal State Prosecutor – 2 position,
- (ii) Senior State Solicitors - 2 positions,

As shown in the report, the new re-structuring of the office has successfully achieved its objective in retaining senior experienced prosecutors within the Office of Attorney General. It has created a career path for the senior prosecutors within the office which has resulted in the retention of these senior prosecutors with court experience.

Auafa Mau Database Annual Report from 1 July 2014-30 June 2015

This report is based on the records of all the criminal completed cases or closed files from the Supreme Court, within the period of July 2014 to June 2015. The criminal division is currently using the Auafa Mau Database System to register all files and all information regarding criminal cases. It's a great system that centralized all information for easy access and a quick point of reference.

The report outlines number of closed files, total of Working Hours of all cases and estimate the value of the work put in by the solicitors for each case, the estimated value for hours spent on each file is based on a rate SAT \$175.00 per hour which is the rate of a state solicitor charged by this office non-Ministry Government corporations.

The Auafa Mau Database System is divided into four (4) categories of Charges:

1. Crimes Against Person
2. Crimes Against Property
3. Drugs and Narcotics Offences
4. Sexual Offences

Criminal File Statistics

The following table and graph illustrates, a total count of 822 criminal files registered in the Auafa Mau Database to have been referred to the Criminal Division from July 2014 to June 2015. Of the total count, 618 of the criminal files have been closed and 204 are still pending completion.

Total Amount of Cases from June 2014-June 2015	
Closed Cases	618
Cases are Still progress in Court	204
Total amount of all criminal cases	822

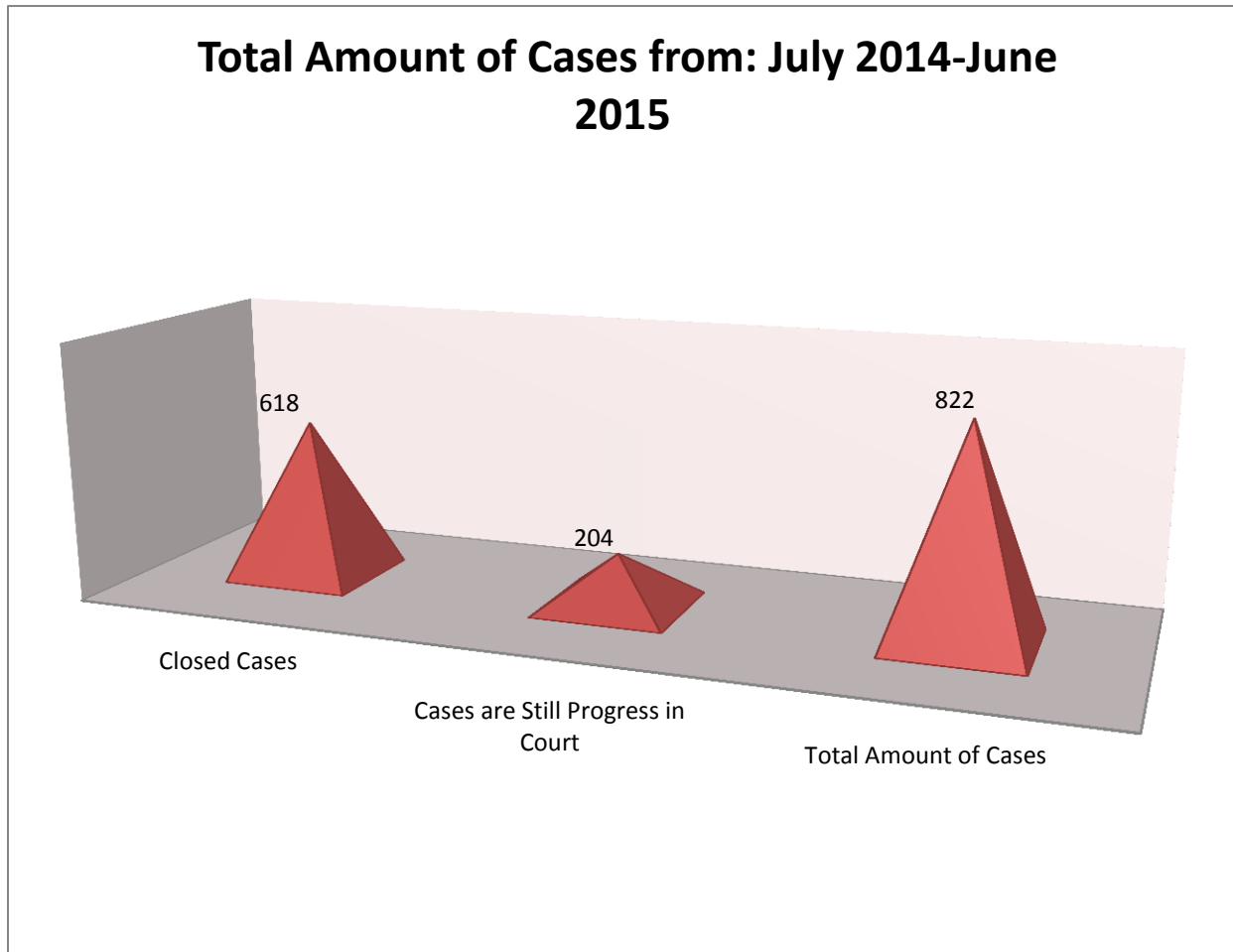


Figure 1: Total Amount of Cases from July 2014 – June 2015

Inward Files From: July 2014-June 2015

Crimes Against Person	267
Crimes Against Property	276
Sexual Offence	85
Drugs and Narcotics	194
Total Of Inward Files	822

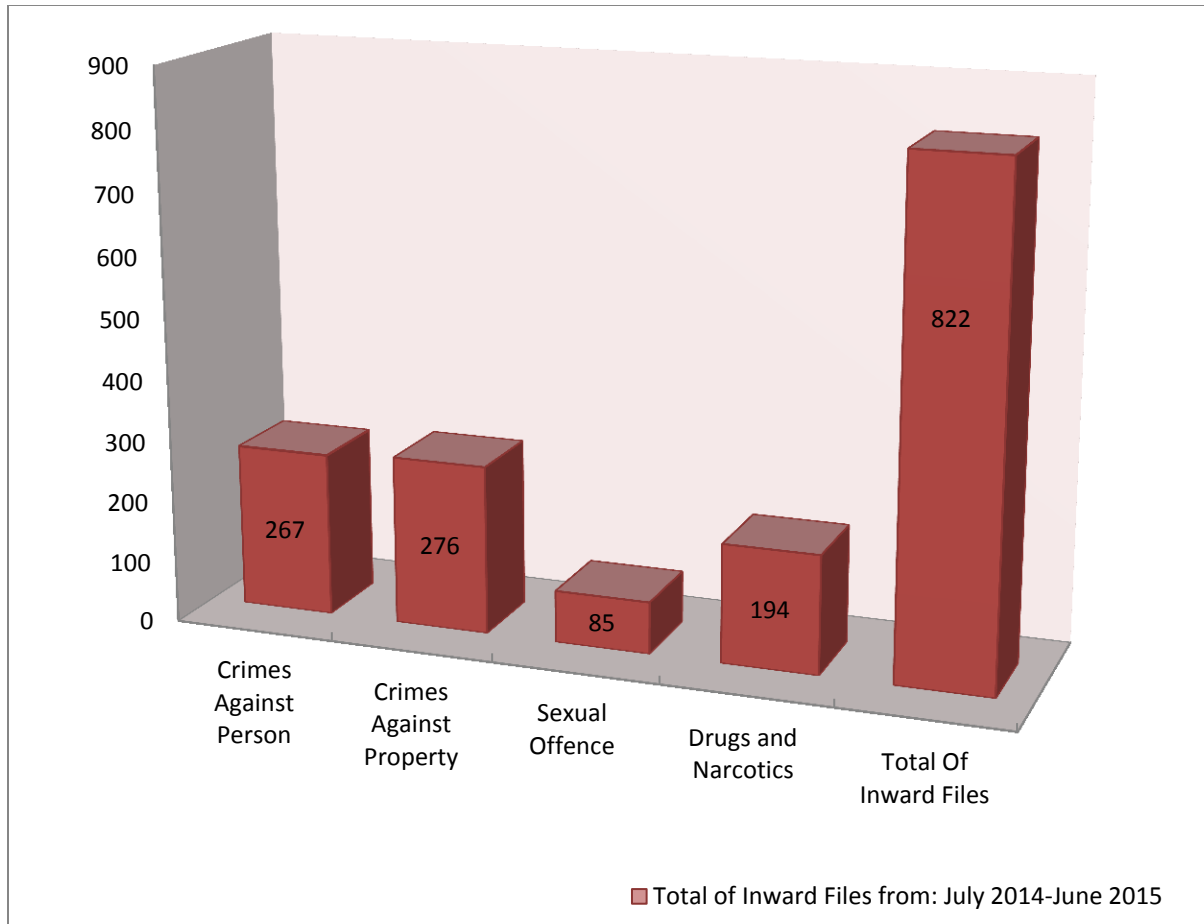


Figure 2: Inward Files from July 2014- June 2015

Crimes Against Property	
Cases Are convicted with Imprisonment terms	98
Convicted and Fine and Under Probation	71
Convicted and suspended Sentence	13
Withdrawn matters	12
Dismissed matters	5
District Court	2
Total Amount of closed Cases	201

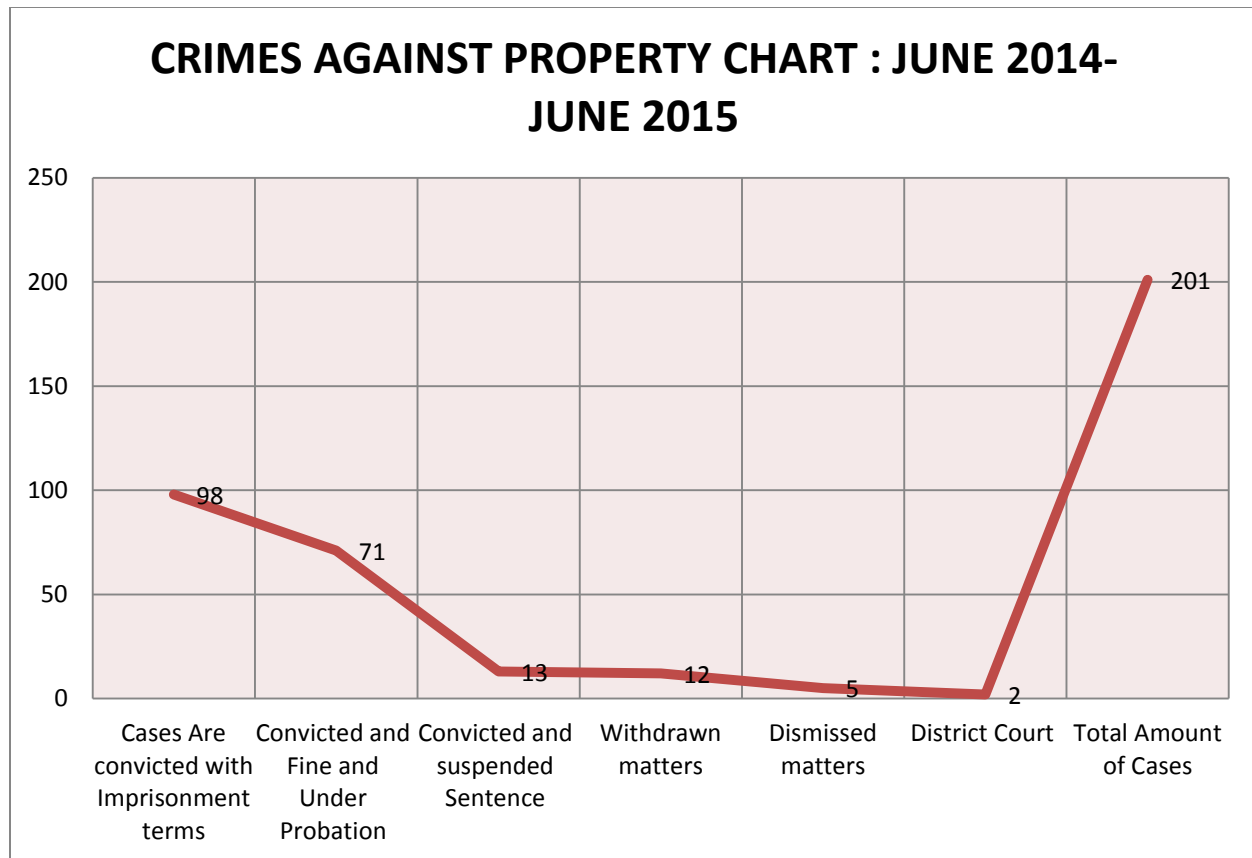


Figure 3: Crimes Against Property

Crimes Against Person	
Cases Are convicted with Imprisonment terms	44
Cases Convicted and Fine and Under Probation	106
Cases Convicted and suspended Sentence	19
Withdrawn matters	17
Dismissed matters	2
Discharge without conviction	6
Total Amount of closed cases	194

Crimes Against Person Chart: July 2014- June 2015

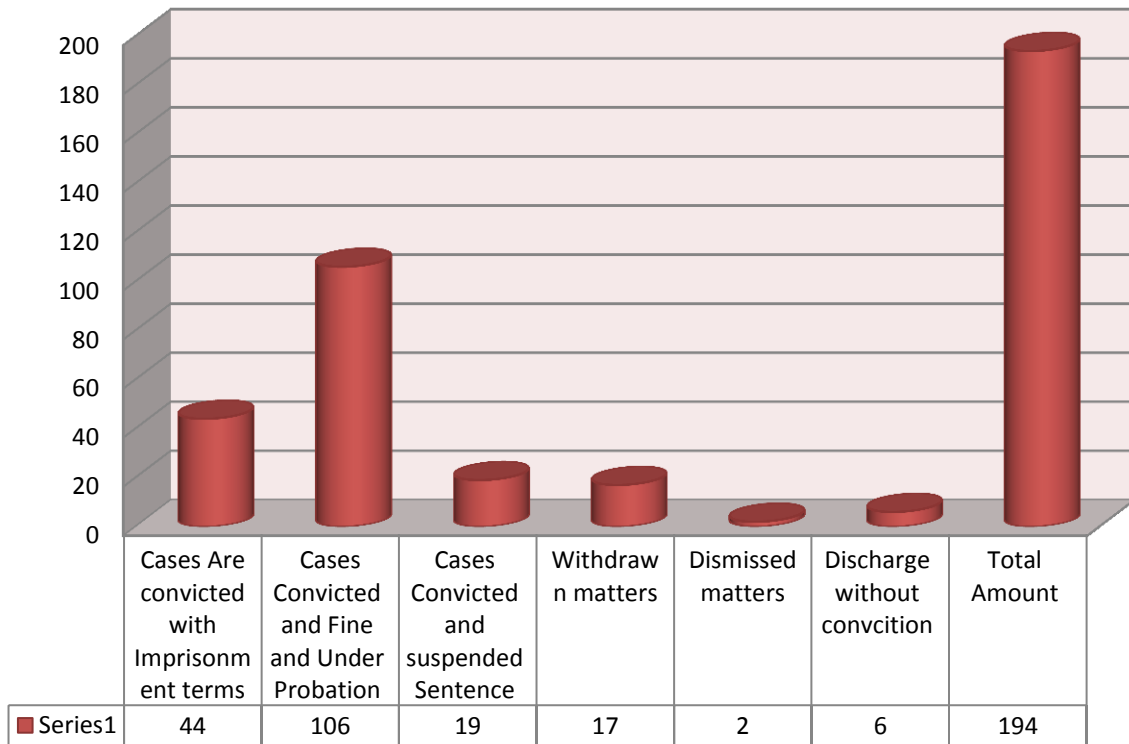


Figure 4: Crimes Against Person

Drugs and Narcotics

Cases Are convicted with Imprisonment terms	89
Convicted and Fine and Under Probation	68
Convicted and suspended Sentence	3
Withdrawn matters	1
Dismissed matters	3
Discharge without conviction	2
Total amount of Closed Cases	166

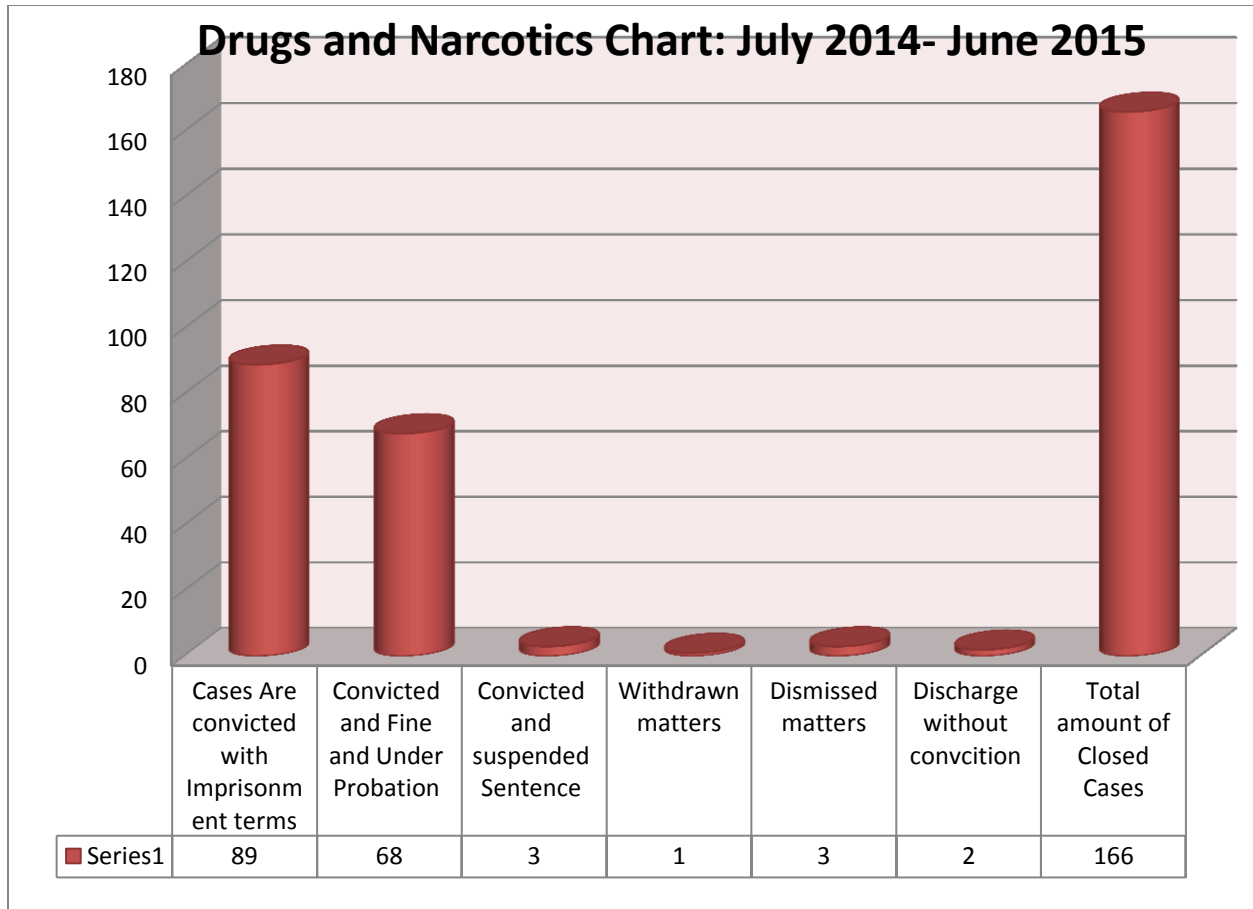


Figure 5: Drugs and Narcotics

Sexual Offences	
Cases Are convicted with Imprisonment terms	48
Convicted and Fine and Under Probation	12
Convicted and suspended Sentence	1
Withdrawn matters	6
Dismissed matters	5
Total Amount of closed cases	72

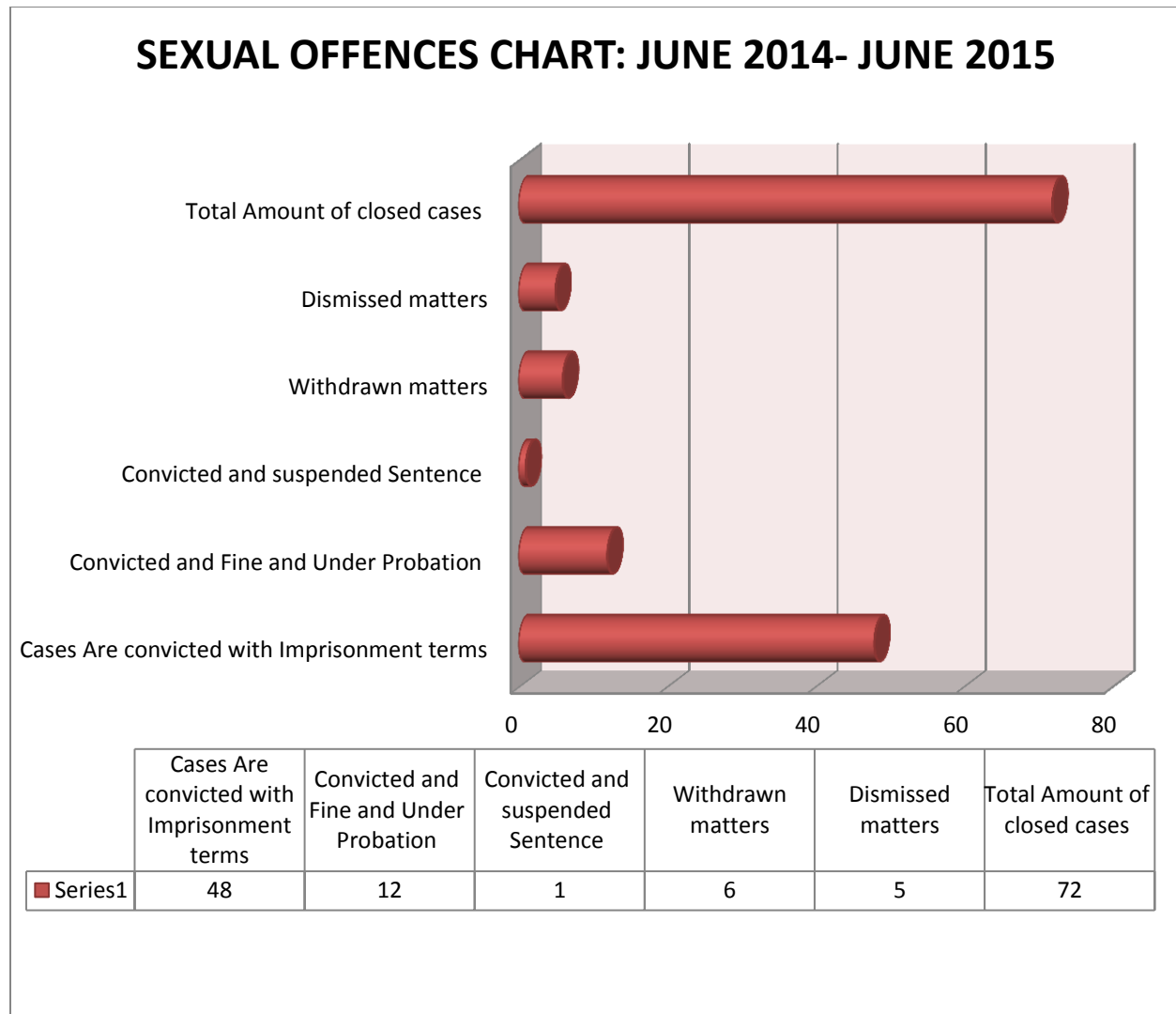


Figure 6: Sexual Offences

CLOSED FILES TABLE ON EACH CATEGORY: JULY 2014- JUNE 2015

Crimes Against Person	189
Crimes Against Property	193
Drugs and Narcotics	164
Sexual Offences	72
Total Amount of Closed Files on each charges	618

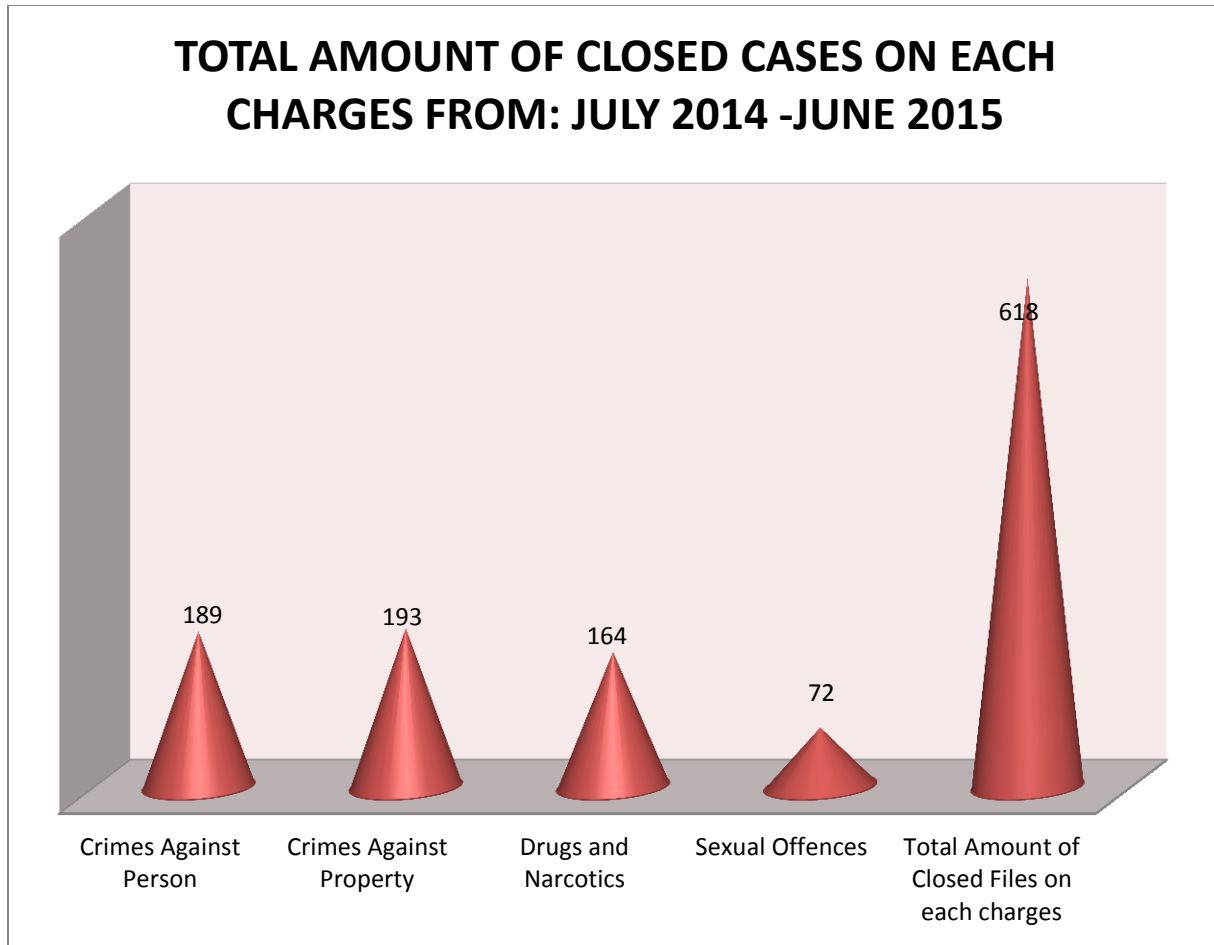


Figure 7: Closed Cases on each Category

Working Hours	
Crimes Against Person	3133.28
Crimes Against Property	3236.27
Drugs and Narcotics	1749.4
Sexual Offences	2231.26
Total Working Hours	10350.21

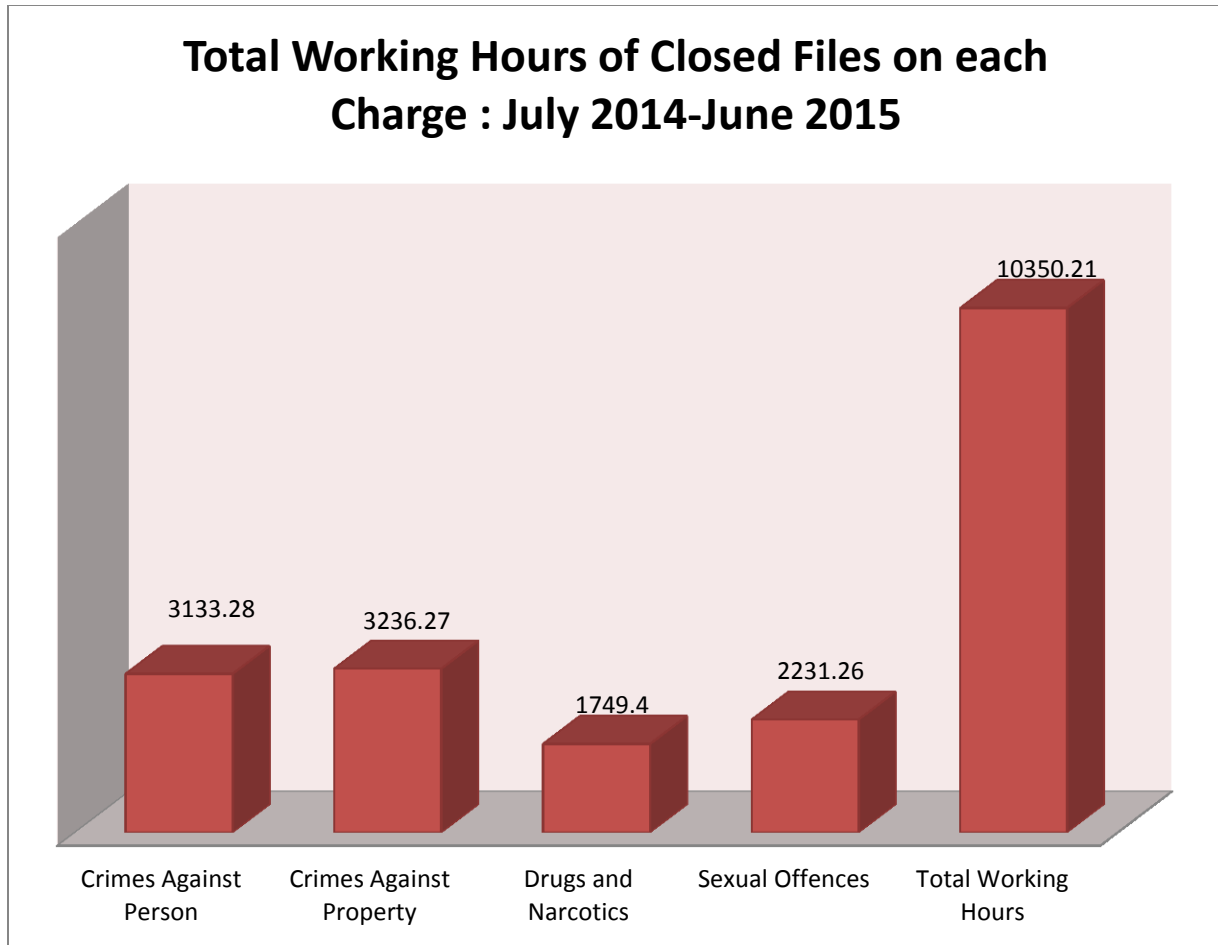


Figure.8; Total Working Hours of Closed Files

ESTIMATED COST OF EACH CHARGES	
Crimes Against Person	\$ 548,324.00
Crimes Against Property	\$ 566,347.25
Drugs and Narcotics	\$ 306,145.00
Sexual Offences	\$ 390,470.50
Total Estimated Cost	\$ 1,811,286.75

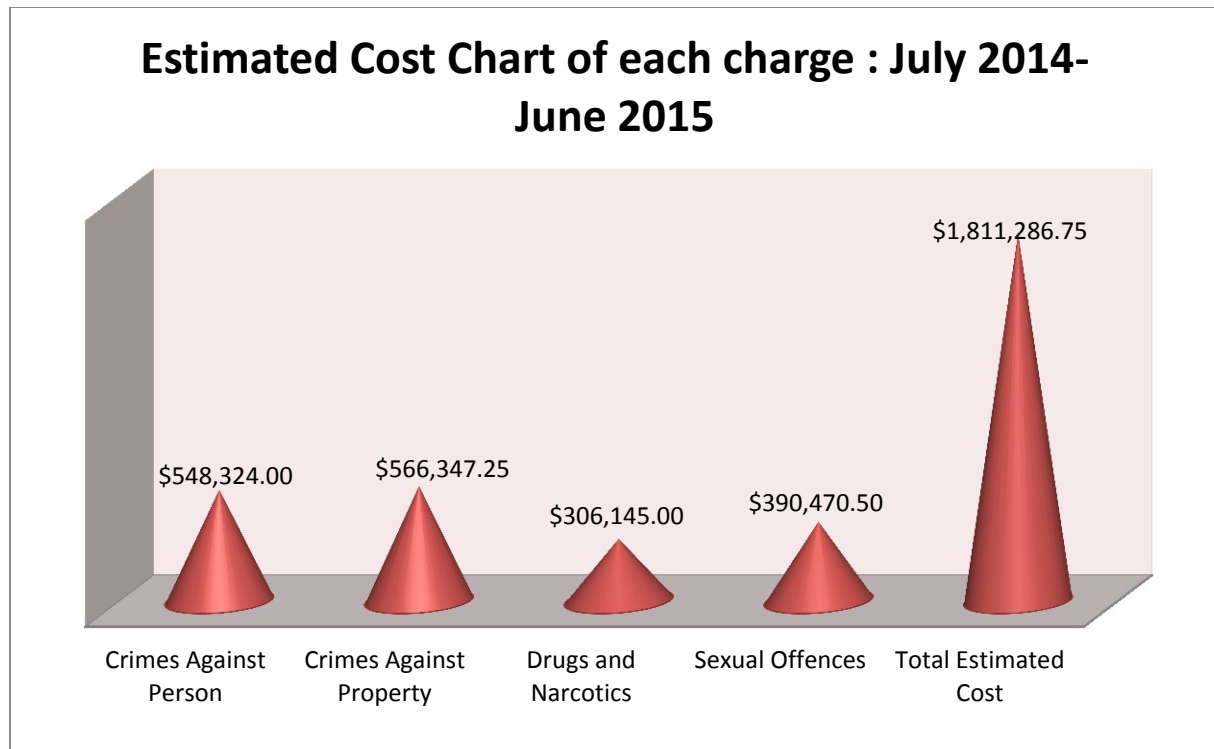


Figure 9: Estimated Cost of Closed Files

The numbers or costs associated with cases in this report only reflect closed files but they do not include the number for cases that Solicitors are currently working on or active files.

The majority of the inward files as displayed by Figure 2 are that of crimes against a property, while the least amount of files that are brought into the Division, are sexual offences. There is a slight reduction in the number of cases received on sexual offences when compared to last year but offences against property and persons and drugs are still on the top three. It must be noted however, that the total amount of inward files into the Division alone, is still a significant total.

ACHIEVEMENTS/SIGNIFICANT MATTERS IN CRIMINAL LAW

(I) Proceeds of Crime

The Criminal Division, in consultation and coordination with the Civil Division, has identified 16 potential proceeds of crime applications over the last year. Of the 16 identified proceeds cases:

- nine (9) applications for forfeiture have been filed with the Courts – three (3) of these applications have been successful, resulting in forfeiture of property to the value of \$707.00 and a vehicle; one (1) application has proceeded and was dismissed; one (1) application proceeded to hearing and was later withdrawn due to third party interests; and the remaining four (4) are awaiting hearing.

- four (4) identified proceeds matters upon further investigation have been discontinued due to either the property been written off (in the case of one vehicle) and third party interests;
- two (2) matters pending the filing of forfeiture applications;
- and one (1) matter is awaiting the completion of the Criminal proceeding, as the proceeds of crime application is pending upon the entering of the conviction against the defendant.

SIGNIFICANT LEGAL REFORMS

(II) Criminal Procedure Bill 2015

The Criminal Procedure Bill contains significant amendments to the current Criminal Procedure Act of 1972. The need to update procedures is necessary. The Bill was tabled and approved by Cabinet at its 2nd reading on the 22 April 2015. After its 2nd reading the Bill has now been referred to the select committee.

(III) Sentencing Bill 2015 and Evidence Bill 2015

The new Sentencing Bill will greatly assist not only the Court but the Criminal Prosecution team in having proper consistent guidelines when sentencing offenders. The Bill was tabled and approved by Parliament at its 2nd reading on the 13th August 2015 and it has already been referred to the select committee. The Evidence Bill was already approved by Parliament at its 2nd reading on the 13th August 2015 and it has also been referred to the select committee.

INITIATIVES/PROJECTS

(I) National Prosecution Office (NPO)

The Criminal Prosecutions Division of the Attorney General's Office is preparing to become the independent National Prosecution Office in Samoa (NPO). The establishment of the NPO was initiated by the Hon. Prime Minister of Sāmoa and was prompted by a number of factors, including the need to improve prosecution services and for prosecutions at all levels in Samoa to be conducted uniformly by one office. Currently, prosecutions at District Court Level are handled by Police whilst the Attorney General's Office is responsible for prosecutions before the Supreme Court.

In late 2014 legal consultants from the Commonwealth Secretariat were deployed to consider the need for a NPO. They sought opinions from various members of the public sector, the judiciary and the Sāmoa Law Society. All wholly approved and supported the initiative. In December 2014, upon the submission of a public proposal and policy, Cabinet endorsed the initiative.

Mr Nick Cowdery AM, QC, BA, LLB, HonLLD, FAAL, the former Director of the New South Wales Public Prosecutions Office, has now been engaged by the Commonwealth Secretariat to consult with and advise Samoa on the structure and implementation of the NPO. A documented action

plan has already been settled, which is a major milestone towards the NPO's establishment. Mr Cowdery is assisting with the drafting of foundation documents for the required legislative changes, to secure cabinet approval, establishing procedural guidelines and for the efficient and effective functioning of the NPO.

The NPO will be headed by the Director of Public Prosecutions (DPP), whose function will be to carry out the prosecutorial powers currently held by the Attorney General. The NPO will include the prosecutors of the Criminal Prosecutions Division of the Attorney General's Office and police prosecutors. All Ministerial prosecutions will continue to be the responsibility of the relevant Ministry (and in-house counsel), until it is in the interests of justice for the DPP to take over.

The Bills to establish the NPO is now passed by Parliament.

The vision of the NPO is to ensure the independence and transparency of prosecution decisions and procedure in Samoa. It is anticipated that the NPO will be established by the end of 2015 and be in full operation by the beginning of 2016.

(II) Attachment Program

In preparation for the break away from the AGO to the new NPO, three senior prosecutors from the Criminal Division were attached to the Australian Department of Public Prosecution in New South Wales for a month each to learn the ways of a DPP. Another prosecutor was also attached locally with the Police Prosecution division to learn and understand their system. These attachment programs are important to survey and evaluate ways to improve and integrate systems into one National Prosecution Office.

(III) Narcotics Laboratory

The Office of the Attorney General (AGO) through the Criminal Division initiated a partnership with the Scientific Research Organisation of Samoa (SROS) and the Ministry of Police (MOP) to establish a Laboratory in 2013 dedicated to the testing of Narcotics. This initiative was supported and contributed to by the Law and Justice Sector of Samoa.

In 2013 the capability of the Narcotics Lab was that it had two qualified analysts with the ability to identify and test for the presence of cannabis substances. To date, there are now four (4) qualified analysts who can test for cannabis due to the assistance of both New Zealand Aid and Australian Aid.

The increase in narcotics cases being prosecuted in Samoa has been well assisted by the Lab and its specialist services, providing prompt testing and reporting of results for court purposes. This in turn has allowed for timely prosecution and disposition of narcotics cases before the Courts. This initiative has also proven to be a cost effective project, saving the government of Samoa thousands of dollars every year from sending samples overseas for testing, when Samoa can do the same at a fraction of the cost, as well as saving costs for scientists to travel from overseas to

Samoa to give evidence in court. The project has also provided further opportunity for young scientists in Samoa to pursue another area of expertise as a career in the field of science.

The Prime Minister of Samoa in his speech in the opening of the Laboratory in 2013 announced that phase one of the project is now completed with the three partners (AGO, SROS, MOP) working together to complete phase two of the project. Phase two of the project was to enhance the capability of the lab to test for harder narcotics such as methamphetamine, otherwise known as “ice”.

Since 2013 the partnership has worked on increasing the capabilities of the Lab to test for methamphetamine and its precursors. The Lab is now equipped with high-quality machinery for the testing and identifying of methamphetamine and its precursors, and two (2) local scientists have completed the requisite training and obtained certification as qualified analysts to test for these more serious narcotic substances. This second phase of the project would not have been completed but for the commitment of SROS, New Zealand Police who have supported and assisted with this project from the beginning, and New Zealand Government in funding the training of these two scientists for this additional level of expertise in analysing methamphetamine. The Ministry of Revenue and the Ministry of Health are also acknowledged with their continual support in assisting the Office of Attorney General in obtaining the necessary documentation and approved quotas from the International Narcotics Control Board to ensure certain requirements are met for SROS to provide this additional service for the enforcement of law in the country.

For the benefit of our communities and our future, this Lab is now armed with the capabilities to fight against drugs in our Country. The vision of this partnership to be a leader in the Pacific in establishing such a Lab has been realised and we hope in the near future, countries from around the Pacific will be able to utilise this well established facility to assist in fighting drug crime in their respective jurisdictions.

The continual development of the lab is now under the care of SROS and its management. The Criminal Team has enjoyed working together with SROS on this project. The project was only successful through the commitment of SROS and its management to this partnership.

(IV) Criminal Team Guide For Dummies

It was a struggle in the past for young lawyers to at least know the basics or what to expect at the early stages of their career as prosecutors. The need for a manual was necessary. The manual called “Criminal Team Guide for Dummies” was successfully launched on the 12 February 2015. The guide has greatly assisted our team especially our young prosecutors with the basic work on files including simple case management guides and processes involved in filing documents at first stage of hearing and sentencing. The manual was created to assist new lawyers attain their Level 1 prosecutors.

(V) PILON Litigation Skills in November 2015

The Office of the Attorney General through the Criminal Division won the bid to host the next PILON litigation training in November from the 26th to the 3rd of December 2015. This very crucial training will be co-hosted with the NZ Crown Law Office as well as the NZ Law Society and the NZ Ministry of Foreign Affairs and Trade. Qualified legal counsels from other countries will be attending this important event in Samoa.

(VI) Memorandum of Understanding with the Audit Office

On 15 May 2015 this Office and the Audit Office entered into a memorandum of understanding of which the purpose is to work together for the efficient and effective prosecution of fraudulent activities and corruption. Expertise in the handling of complicated fraudulent activities and corruption is necessary for the effective prosecution of such alleged offending. The Samoa Audit Office has such expertise that is crucial for the effective prosecution of such complicated fraud matters. The partnership will hopefully lead to more efficient and effective prosecution of fraud cases.

The Attorney General Office has already conducted two trainings with the audit office in terms of dealing with the investigation of fraud matters within the Government. The Office of the Attorney General under this MOU is responsible for the continual training of the Audit Office in the area of forensic accounting or accounting used for fraud and corruption cases. The Criminal Division in a long term view of this MOU has established a network with the New Zealand Serious Fraud Office to provide a continual training for the Audit Office.

The New Zealand Serious Fraud Office specializes in the investigation and prosecution of serious fraud matters and corruption. Thus, its exercise targets the specific specialty created under this MOU with the Audit Office. The first training by the New Zealand Serious Fraud Office is set for the end of November this year.

(VII) Pacific Prosecutor Association

The Pacific Prosecutor Association (PPA) was an initiative by the Criminal Division within the Office of Attorney General. The idea was that it was to provide a forum for all prosecutors from around the Pacific to meet and discuss particular issues of prosecution within the Pacific Region. It is acknowledged that prosecution in the Pacific Region already has unique issues such as the taking into account of customary practices in criminal proceedings, and the PPA was accepted by all prosecution offices from around the Pacific to be a good forum for such discussions by prosecutors from around the region. The success of the PPA is shown with the fact that in July 2015, members of the PPA came to meet on its 6th Annual meeting to discuss the role of the prosecutor in the protection of the rule of law and the lack of forensic expertise capability within the Pacific Region.

ISSUES

There are still a number of issues that the Division continues to face in our line of work.

(I) No Forensic Pathologist

There is still a vacant position of a permanent forensic pathologist at the National Hospital since the passing away of the late Dr Rahman in 2010. As such overseas forensic pathologists continued to be brought in on volunteer basis to carry out post mortem of for our homicide cases and to give evidence in Court. The arrangements of travelling and accommodation costs are still an unavoidable hassle.

The ad hoc partnership created by this Office with the New Zealand Forensic Pathology service where services would be provided to Samoa without a fee for homicide cases is now terminated by the New Zealand Pathology Services. New Zealand has been more than generous in the provision of such a vital service for Samoa with the help of the New Zealand Police.

However, the service is now terminated due to the following reasons:

- (a) Shortage of forensic pathologists in New Zealand;
- (b) Health risks to the pathologists in the NHS Laboratory (this issue has already been raised with NHS);
- (c) Frustrations from the New Zealand pathologist with the police service in Samoa.

We now have to obtain this vital service from Australia of which fees are charged for the service.

(II) Capacity of Police

The capacity of Police officers in investigating cases and preparing criminal files is a constant issue actively addressed by the Division with the Ministry of Police in Office meetings. So far there is a continual issue with the quality of files provided to our office from the police. Our office has put together fortnightly reports to the Commissioner of Police on some of the common issues from the police files or issues arising during court cases with police witnesses in the hope that the Commissioner of Police will attend to these issues.

There is also an in issue with delays in the police investigation of themselves in terms of issues raised by this office on conduct of some of the police officers such as losing evidence or losing files by the time of the hearing.

(III) Need for more Senior Lawyers

The number of cases continues to increases as evident in the now weekly calling of Criminal mentions instead of fortnightly. There are only 5 senior lawyers and the rest of the team is

made up of young diligent prosecutors. The seniors are mostly involved in court cases as such there are competing demands with limited time to supervise and train junior lawyers.

(IV) Complicated Fraud Matters

The police do not have the capacity to investigate complicated fraud matters. They do not understand financial statements which increase the work load of the prosecutors because prosecutors then have to perform the work of the police to try and understand the financial documents and work with the victim company in identifying the financial documentation required for the matter to be successfully prosecuted. Hence, the reason for the Criminal Division to seek assistance from the Audit Office in the form of an MOU already mentioned under the achievements part of this report.



Corporate Services Division

(A) OVERVIEW

The key purpose of the division is to provide efficient and effective services in administration, human resource, finance, information technology, information management, policy and planning, and public relations in support of the Office's legal and strategic objectives.

This year we successfully filled all our staff positions and we became a big and strong team of 23 members to serve the Attorney General, Management and legal staff. We led, facilitated or assisted with a number of significant achievements for the Office including the successful roll out of the Office's new organisational structure and salary scale (approved by Cabinet in December 2014), new Employment Guidelines, new Information Communication and Technology Policy, improved records and finance system and new Performance Appraisal System. Also new was the preparation and submission of Annual Reports for our Office to Parliament. We also improved coordination and overall performance relating to customer service, budget support and accounts preparations and provision of monthly progress reports to management on support services provided by Corporate Services.

We had Team building exercises which helped to boost staff morale that took place inside and outside of the office. Team morale improved also with the building of the new office space last year specifically for the Corporate Services Division. Our team has worked very hard to create a supportive environment to enable each member to strive to reach his or her full potential.

This year our Office greatly improved and accomplished important milestones. Staff who did well with their performance appraisals were rewarded with increments in salary early this year. This included both legal and non-legal staff. The flexibility afforded by the new organisational structure and revised salary scale had directly resulted in senior legal staff deciding not to leave our Office for other organisations.

Our Division hardly now hears any complaints from legal staff about the support services we provide. Support for activities relating to transportation services, internet connection and catering for meetings to name a few have tremendously improved hence enabling legal staff to concentrate without unnecessary distraction from their legal work.

Our Division is always looking for ways to improve matters. We are at the moment preparing for our Office a new Corporate Plan, Workforce Plan and Corporate Services Manual.

Aside from our usual work duties our Division has also been handling other matters such as providing ongoing technical and administrative advice or support to the Law and Justice Sector Secretariat, the Pacific Islands Law Officers Network Secretariat, Returnees Charitable Trust, Samoa Law Reform Commission and the Ombudsman's Office.

(B) STRUCTURE

The Corporate Services Division is led by the Manager Corporate Services and consists of six key sections that include Policy and Planning, Finance Management, Human Resource Management and Development, Information and Communications Technology, Legal Secretariat, Information Management and General Administration Support (inclusive of Records, Archives and Library Services as well as Public Relations, Reception and Transport).

(I) Current Staff

The Corporate Services Team consists of:

No.	Name of officer	Position
1.	Tuatagaloa Aumua Ming C. Leung Wai	Attorney General
2.	Manusamoa Christine Saaga	Manager Corporate Services
3.	Taumuli Saena-Papalii	Principal Legal Secretary
4.	Michael Malua Wulf	Principal Human Resource and Training Officer
5.	Pisila Tikeri	Principal Accounts and Budget Officer
6.	Uitiriai Uili	Principal Information and Communications Technology Officer
7.	Tepora Tutagalevao	Records Supervisor
8.	Toitua Suenā Mulipola	Senior Legal Secretary – Civil
9.	Fagalele Tualatamaalelagi	Senior Legal Secretary – Civil
10.	Losa Kelekolio	Senior Legal Secretary– Legislative Drafting
11.	Ariota Finau Pilimai	Senior Legal Secretary – Criminal
12.	Leutu Leuluaialii	Library and Legal Information Officer
13.	Jason Iputi	Senior Accounts and Budget Officer
14.	Muriel Schuster	Senior Human Resource/ Administration Officer
15.	Marcus Ofoia	ICT & Network Officer
16.	Gerry Toafa	Legal Secretary
17.	Ruta Togiola	Records Clerk
18.	Faauuga Faaletatau	Senior Transport Officer
19.	Paulo Leapai	Driver

20.	Evala Faitui	Receptionist
21.	Kome Siatulau	Human Resource Clerk
22.	Naomi Faamanatu	Office Assistant
23.	Chanel Iosefa	Driver
24.	Bryan Patea	Accounts Clerk

(II) Appointments and Promotions

The following staff were appointed and promoted:

No.	Name of officer	Appointment and Promotion
1.	Jason Iputi	Senior Accounts & Budget Officer (promoted)
2.	Muriel Schuster	Senior Human Resource/Administration Officer (appointed)
3.	Marcus Ofoia	ICT & Network Officer (appointed)
4.	Kome Siatulau	Human Resource Clerk (promoted)
5.	Evala Faitui	Receptionist (promoted)
6.	Bryan Patea	Accounts Clerk (appointed)
7.	Faauga Faaletatau	Senior Transport Officer (promoted)
8.	Chanel Iosefa	Driver (appointed)

(III) Resignations

The following staff resigned to reside overseas:

No.	Name of officer	Position	Date of resignation
1.	Faatoialemanu Tafao	Transport Officer	16 January 2015

(C) ACHIEVEMENTS, HIGHLIGHTS, DUTIES AND RESPONSIBILITIES

(I) Records Management

The Records Team is progressing well with implementation of systems introduced and passed by Cabinet for the Government Ministries and Corporations to keep good records and filing processes. We set and promote standards for the creation and management of our records as we believe quality record keeping underpins efficient government frontline service delivery to the community, supports good governance and it is also an integral part of efficient public administration.

Quality record keeping depends on the support from our staff to ensure that all records are kept safely and confidentially. This year we have achieved much on the COBP (Code of Best Practice) and CARS (Common Administration Retention Schedule).

Purpose of COBP

- Systemize/Standardise recordkeeping practice across all government Ministries, Cooperation, and Private Sector as well.
- Easy retrieval of Information when needed,
- Good management of Records,
- To provide a guideline (Recordkeeping Tool) for users and creators (Public Service) of records on the how, why and what of good recordkeeping practices.

Purpose of CARS

- Business functions form these categories
- Categorizing in this may provide better control over titling
- And assists with capture, Retrieval maintained and disposal of Ministry's documents.
- We keep only common-function, but core-function is kept by secretaries of each teams.

Achievement

- i. Our office was acknowledged and congratulated by the Records Task Force through implementing the systems that had been approved by Cabinet for all Ministries and Government bodies to manage and save files and data.
- ii. The Records Task Force Sub-Committee visited Government Ministries and Corporations late last year (2014) to follow up and ensure whether the CARS had been implemented and actually put into practice, plus any other progress work done towards filing and record keeping.
- iii. Out of 14 Government Ministries and Corporations that were visited, the Attorney General's Office stood out in implementing the CARS; it was completed and it was done well. The shelving of files, the 1st and 2nd storage, the boxing and listing and also monitoring of the system. Everything were actually in place and our Office was declared by the Records Taskforce as a lead example to other Government Records Officers that did not reach the required standards.

(II) Secretariat and Administration

The Secretarial and Administration Section consists of the Principal Legal Secretary, 4 Senior Legal Secretaries that are placed in each legal division, Legal Secretary, Receptionist and Office Assistant. Our major function is to provide the highest standard of secretarial and administrative role to the Management which includes the Attorney General, 3 Assistants Attorney General, Manager Corporate Services and rest of the legal staff in the office. This year we continue to provide the best service to our office. We also had team building activities and office training that helped develop our capacity to be more effective and efficient in carrying out our role in the office. This financial year we were fortunate to get salary increments based on our hard work through our office's performance appraisal exercise. We were also fortunate to have local trainings- that we have

attended to strengthen our knowledge and skills to improve our work. We strive to tackle successfully all challenges coming our way throughout our journey in the next financial year.

(III) Information and Communications Technology

The ICT section is responsible for identifying the technology environment required to support the activities of the Office and provide estimates of costs associated with its deployments. This information technology report presents some of the most significant works done by our ICT Department in the last financial year.

As our office grew in numbers every year, the request for an ICT Officer to assist the lone Principal ICT Officer was put through our management and to Ministry of Finance and we are happy to say that our request was approved and now we have an ICT Officer on board. The other major achievement for the ICT section this year is that our Internet Contract Plan has been substantially improved. Our Office now has more internet data at a lower cost than our previous year's plan. We now get a very high monthly data allowance for a much lower price and this means we can now host conferences, video conferences and Skype sessions with our witnesses for criminal cases and we no longer have to worry about exceeding our internet usage which results in higher costs.

The ICT section is currently in the process of upgrading all of our computer equipment including our servers from Win XP to Win 7 and 8, Win Server 2008 to Win Server 2012.

Summary of relevant training attended by the Principal IT Officer

Date of Training	Name of Training	Host	Name
13/07/2014	Values and Ethics	PSC	Uitirai Uili Kapeteni
18/10/2014	MDaemon (Reporting)	CSL	Uitirai Uili Kapeteni

(IV) Library Services

Our Law Library is mainly for the use of the Attorney General's Office Staff, other law firms and students who are studying law. The Legal Library and Information Officer is responsible for providing library and research services for the Office and maintenance of the library and its collection.

Our main responsibilities are:

- Establish and implement library and information policies and procedures.
- Regularly review the document and electronic data storage systems of the Office and suggest improvements
- Ensure efficient retrieval by users
- Provide effective access to library collections and resources
- Ensure that the Offices electronic data services are maintained and serviced regularly and to ensure that outside computer services are efficient, effective and cost friendly

- Develop and manage convenient, accessible library and information services.
- Provide library services in response to the information needs of library users.
- Maintain the organisation of library materials.

External requests for research services, mainly from Ministries, Corporations and Private Law Firms have notably been on the rise. Partially for this reason we decided to start charging fees starting this financial year.

Achievements

Resources that are available in the library

- Collection of relevant Samoan text books
- Up-to-date collection of law reports

International meetings, workshops, placements and training facilitated or attended by our Librarian.

The Pacific Law Library Twinning Program offered our Librarian a professional development opportunity to attend the Australian Library and Information Association (ALIA) National Conference and participate in a short-term work placement in Australia at the Attorney General's Department. Our Librarian was able to experience first-hand how other law libraries operate and how to further strengthen ties between the Attorney General's Office of Samoa and the Australia Attorney General's Department's library.

(V) Transport Services

This year we strengthened internal controls regarding the monitoring of usage of our Office vehicles. For instance we added the position of Senior Transport Officer to our team which resulted in not only having a dedicated senior staff member to vigilantly monitor vehicle usage and supervise our team of drivers but it also meant we can have one staff member or driver assigned to driving and looking after each vehicle. Prior to this year the number of Office vehicles had exceeded the number of official drivers which presented some challenges. Our Office also put in place the Skyeye vehicle tracking system in 2014 to track the movement of vehicles as well as a radio communications system for ease of contact between the Office and all the drivers and vehicles. Furthermore we utilised our budget savings to add a new vehicle to the fleet of the Office expanding our total car fleet from 3 to 4. This has helped greatly with better meeting the transport requests of our ever growing staff.

(VI) Human Resource Section

The Office of the Attorney General through its Human Resource Section continues to deliver its services through the conducting of various training, updating policies, emphasizing and supporting implementation of the Performance Appraisal System of the Office, and executing the Recruitment and Selection process and other Human Resource management and development duties.

The Office for this Financial Year consists of 62 permanent staff and 6 part timers. The Corporate Services Division comprises of 24 staff. The Recruitment and Selection process for the Office is constant as legal staff enter and leave the Office. Retaining senior and experienced staff, as well as high performing staff, became less of a challenge this year as a result of the implementation of our new organisational structure and salary scale. In previous years staff retention was a huge issue but this year we have had significant success with ameliorating this.

The new structure for the Office was approved by Cabinet in December 2014 and the Office has since been working to fill this new structure. By June 30 2015 we had filled 77% of positions.

The Office gained nineteen (19) new staff positions under the new structure. Moreover Cabinet approved the new salary scale for our Office.

The Performance Appraisal System for the Office was intensely enforced from early 2014 and high performing staff have been rewarded for their efforts. In the beginning of 2015, 4 staff were promoted and 14 were incremented as a result of our Performance Appraisal System.

The new Employment Guidelines of the Office were formally introduced this year and the Office held a special workshop to familiarise and discuss the contents of the guidelines.

This year also saw the launch of our Office's internal training calendar coordinated and co-conducted by the Human Resource Section.

In-house training

The Human Resource Section conducted training on our Performance Appraisal System for all divisions this year. Induction Courses have been delivered every time new staff came on board.

Early 2015, we conducted the Time Management Training for the whole Office for two days. This training was identified through our Performance Appraisal System through individual performance plans where most of the staff noted that they needed time management training.

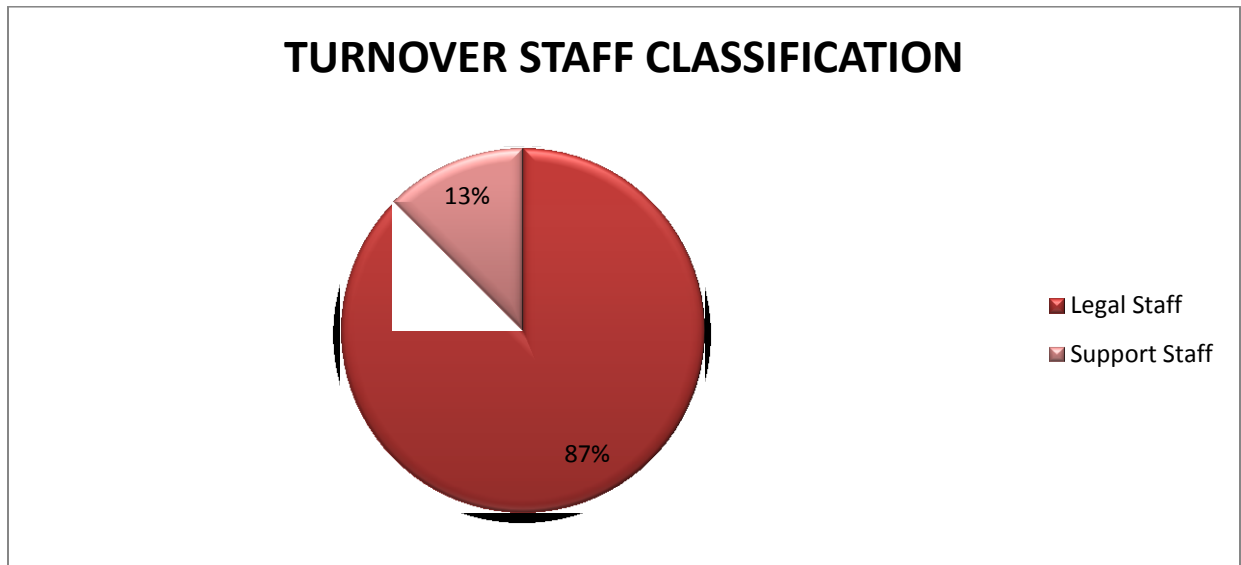
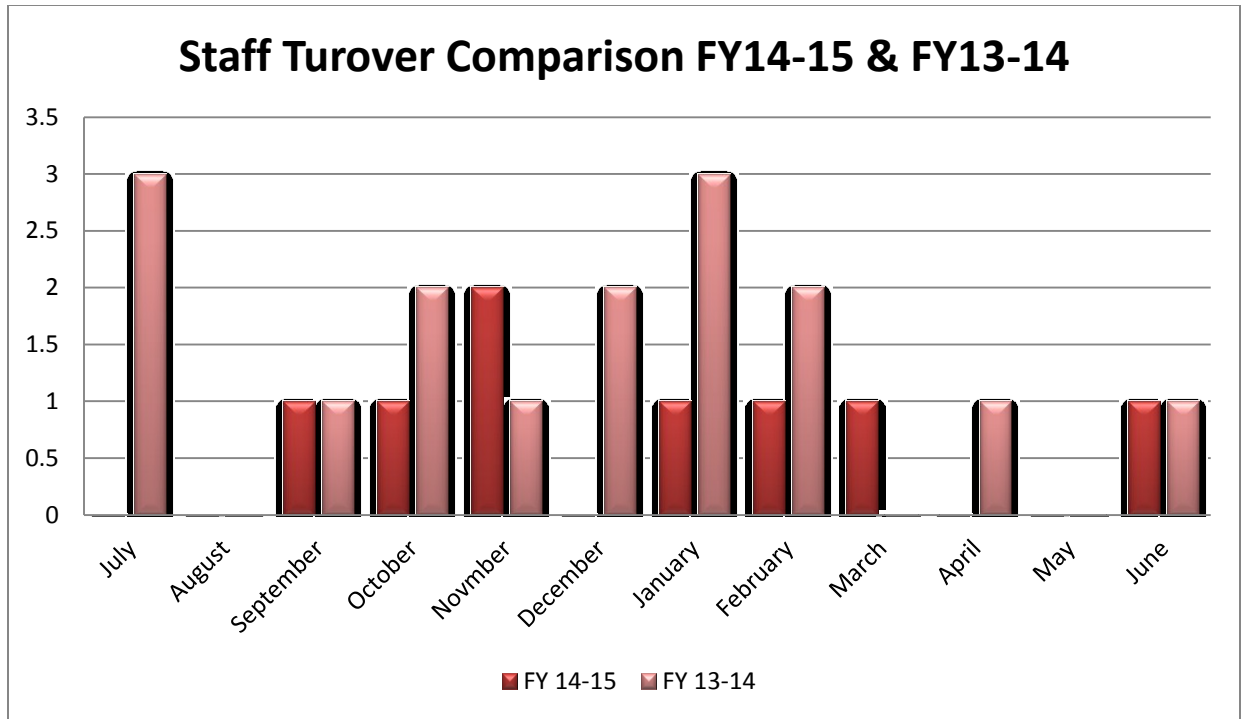
The legal staff on the other hand conducted their own internal training especially to cater for the young or junior lawyers.

Overseas training

The Office of the Attorney General has been fortunate to receive several overseas training this year. The legal staff and the Corporate Services Division were recipients of these overseas training.

Staff Turnover

As of the end of this Financial Year, eight (8) staff resigned. This is a positive change as compared to last financial year where almost up to nineteen (19) staff resigned by the end of it.



Both graphs reflect the staff that resigned within this Financial Year. Others resigned to take up higher salary job offers while others left for personal reasons.

Overseas Training and Workshops FY 14/15

Name of Training	Location	Date/s	Participant/s
The 8th Pacific Islands, Australia & New Zealand Electoral Administration (PIANZEA) Network Meeting	Brisbane, Australia	7 – 18 July 2014	Theodora Matalavea
Course in Legislative Drafting – Institute of Advanced Legal Studies	London, England	9 June – 6 July 2014	Leitu Moananu
12th Annual Workshop Marine Law for the Pacific Islands	Sydney, Australia	14 – 18 July 2014	Constance Rivers
IDLO Workshop for the Development of Legal Staff for Africa, Caribbean and Pacific Islands	Italy	28 July – 1 August 2014	Constance Rivers
Seminar on Legislation on Road Procurements for America, Caribbean and Pacific	Beijing, China	8 - 28 July 2014	Ane lati
Pacific Lawyers Association Meeting	Suva, Fiji	19 – 22 August 2014	Loretta Teueli
Australia Library and Information Association National 2014 Conference	Australia	15 – 26 September 2014	Leutu Leuluaialii
Training on Criminal Justice Response to Corruption	Japan	3 October – 12 November 2014	Manusamoa Christine Saaga
Pacific Prosecutors Conference	Fiji	20 – 24 October 2014	Precious Chang Ofisa Tagaloa Rexona Titi Fetuliai Lagaaia Leone Sua Gemma Nelson

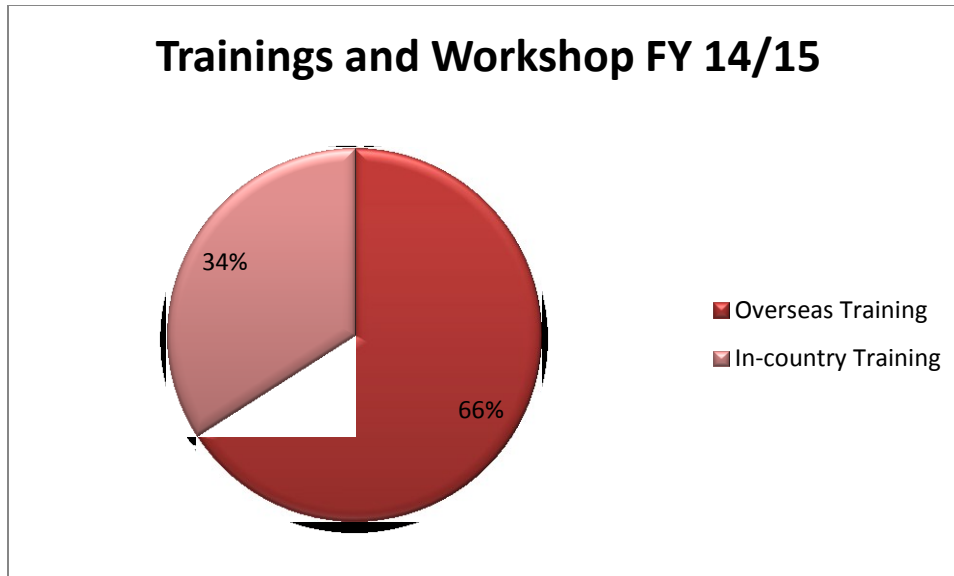
PILON Conference	Kiribati	10 – 14 November 2014	Ming C. Leung Wai Loretta Teueli Precious Chang
Regional Consultations on Gender and Law	Fiji	10 – 14 November 2014	Sosefina Faamausili
International Association of Prosecutors	Dubai	23 – 27 November 2014	Muriel Lui Precious Chang
Virgin Samoa Board Meeting	Australia	4 December 2014	Ming C. Leung Wai
13th Annual Global Conference Criminal Court	New York, US	8 – 17 December 2014	Muriel Lui
World Bank Group's International Corruption Alliance	Washington, US	8 – 10 December 2014	Precious Chang
13th Pacific Workshop Ocean Regulations	Australia	16 – 27 February 2015	Constance Rivers
Post 2015 Intergovernmental Negotiations (Sustainable Development Goals & Targets)	New York, US	23 – 27 March 2015	Loretta Teueli
United States Pacific Commands and French Armed Forces Workshop on Maritime Security in the Pacific	New Caledonia	20 -24 April 2015	Brigitta Lo Tam
Exclusive Economic Zone Course	Fiji	20 – 24 April 2015	Dominic Talouli
Pacific Islands Forum Secretariat (request of Assistance for preparing Nauru Guide for Development Legislation)	Nauru	25 April – 3 May 2015	Loretta Teueli
Workshop for Pacific	Australia	4 – 15 May 2015	Constance Rivers

Island Countries In Regards to Supreme Law				
United States Pacific Command 28th Annual International Military Operations and Law Conference	New Zealand	17 – 21 May 2015	Fetuliai Lagaaia	
Pacific Forensic Legislations Review	Australia	25 – 29 May 2015	Ofisa Tagaloa	
Pacific Ocean Alliance Meeting on Areas beyond National Jurisdiction	Fiji	25 – 27 May 2015	Constance Rivers	
Regional Conference on Women's Leadership and Political Participation	Solomon Islands	31 May – 6 June 2015	Loretta Teueli	
On-going Part time Job in the National Prosecution Office	Australia	6 April – 26 April 2015	Leone Sua	
		26 April – 16 May 2015	Rexona Titi	
		16 May – 6 June 2015	Precious Chang	
PILON Sexual and Gender Based Violence Working Group	Fiji	8 – 11 June 2015	Fetuliai Lagaaia	
Assets Recovery	South Korea	16 – 19 June 2015	Ofisa Tagaloa	
Human Resource Management Training	China	10 – 29 June 2015	Michael Wulf	

In-country Training for the FY 14/15

Name of Training		Date/s	Participant/s
Human Resource Management (PSC)		07 – 11 July 2014	Manusamoa Christine Saaga and Michael Wulf
Public Policy Analysis and Advice (PSC)		22 – 25 July 2014	Manusamoa Christine Saaga
Policy Research		29 July – 1 August 2014	Manusamoa Christine Saaga

Development and Analysis (PSC)		and Taumuli Papalii
Conflict Management (PSC)	5 – 9 May 2014	Manusamoa Christine Saaga
Train the Trainers (PSC)	20 – 24 October 2014	Michael Wulf
Administration Ethics and Professionalism (PSC)	02 – 04 December 2014	Uiti Uili and Jason Iputi
Gender based violence in the Samoan workplace (PSC)	4 December 2014	Manusamoa Christine Saaga
Time Management Training (PSC)	16 – 20 February 2015	Gemma Nelson, Fagalele Tamaalelagi and Muriel Schuster
Report Writing Training (PSC)	16 – 20 March 2015	Faauga Faaletatau and Ruta Togiola
Customer Service Training (PSC)	23 – 25 March 2015	Naomi Faamanatu and Evalu Faitui
Time Management Training (PSC)	7 – 9 April 2015	Losa Kelekolio and Kome Siatulau
Workforce Planning (PSC)	20 – 24 April 2015	Manusamoa Christine Saaga and Michael Wulf
Performance Management Training (PSC)	04 – 08 May 2015	Jason Iputi and Muriel Schuster
Workforce Planning Training (PSC)	08 -10 June 2015	Muriel Schuster
Training Need Analysis (Oloamanu, National University of Samoa)	10 June 2015	Manusamoa Christine Saaga and Kome Siatulau
Training for Local Trainers (Oloamanu, National University of Samoa)	11 June 2015	Manusamoa Christine Saaga, Taumuli Papalii and Kome Siatulau



As this graph illustrates, this Financial Year is similar to previous years in that the Office received more overseas trainings/meetings and workshops than local trainings.

Internal Training

Name of Training		Date/s	Participant/s
Legal Policy Development (AGO)	Appraisal	May 2014	All Staff
Performance System Mid-Year Review (CSU)	Appraisal	22 August 2014	All Staff
Performance System Phase 3	Appraisal	24 November 2014	Drafting Division
Performance System Phase 3	Appraisal	28 November 2014	Criminal and Civil Divisions
Employment Workshop	Guidelines	2 April 2015	All staff
Time Management Training		16 – 17 April 2015	Interested Staff
Legal Research Training		28 April 2015	Junior Lawyers
Samoan Advocacy Training		7 – 8 May 2015	Interested Staff
Court Etiquette Training		5 and 8 May 2015	Junior Lawyers
Court Etiquette Training		14 May 2015	Junior Lawyers
Case Law Training		19 and 21 May 2015	Junior Lawyers

(VII) Finance and Accounts

Financial expenditure and non tax revenue 2014-2015.

The approved estimate for the Office was \$4,020,339.00 inclusive of Personnel, Operating Budget, and Transactions on Behalf of the States.

The budget allocated for Personnel was \$3,106,447.00, Operating was \$430,317.00 and Transactions on behalf of the States was \$483,575.00.

The approved estimates allocated for the Office were utilized for the resources required and needed in order to carry out the duties and responsibilities to meet the Key Performance Indicators of each Division in achieving the Office's vision, which is "To serve the people of Samoa by upholding the Constitution and provide the highest quality legal services to Government"

The statement of Receipts and Expenditure by Outputs reflects the activities and funds spent to accomplish the organization's mission and provide the best resources to meet the goals of the Office. Although the indicated spending is more than the revenue collected, the appropriation account approved for our Office remained within pro-rata. In addition, the Office provided and continues to provide its legal services to all Government Ministries free of charge.

The Office also purchased new assets like furniture, office equipment and photocopier machines for its daily work and for replacing some old furniture which were outdated and uneconomical to repair. More so, the Office also received furniture and office equipment from SIDS Assets which is equivalent to the value of 125,000.00

ITEMS

COST (GST EXCLUSIVE)

TOTAL

Vehicle	83,479.00
Computers	22,694.00
Photocopiers	57,834.00
Printers	12,520.00
Servers(software)	6,461.34
Wall for PILON	8,955.00
Devices(Hard drives, scanners)	7,039.00
TOTAL	\$263,357.48

STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY AND EXPENDITURE BY OUTPUT
APPROPRIATION ACCOUNT
For the financial year ended 30 June 2015.

	2015	Estimate	(Over)/Under	2014
ATTORNEY GENERAL'S OFFICE	\$	\$	\$	\$
<u>RECEIPTS</u>				
Ordinary Receipts				
Other Revenues				
Fees a& Charges	32,165	45,004	12,839	16274
TOTAL RECEIPTS	<u>32,165</u>	<u>45,004</u>	<u>12,839</u>	<u>16,274</u>
<u>PAYMENTS</u>				
Output				
1.0 Legal Advice to Head of State	492,114	496,161	4,047	405,945
2.0 Legislative Drafting	745,141	809,794	64,653	714,770
3.0 Criminal Prosecution	915,223	1,147,263	232,040	706,735
4.0 Civil Claims and Opinion	953,474	1,083,545	130,072	510,478
5.0 Commercial and International	0	0	0	516,277
6.0 Sector Coordinator Unit	<u>0</u>	<u>0</u>	<u>0</u>	<u>223,756</u>
TOTAL Outputs	<u>3,105,952</u>	<u>3,536,764</u>	<u>430,812</u>	<u>3,077,960</u>
Transactions on Behalf of State				
Membership Fees				
Lexis Nexis	11,874	18,000	6,126	13,335
Brookers Online	<u>17,998</u>	<u>18,000</u>	<u>2</u>	<u>16,592</u>
	29,873	36,000	6,127	29,927
Government Policies/Initiatives				
Overseas Counsel's	10,510	20,000	9,490	8,541
Rents & Leases	315,664	315,664	0	286,464
Rents & Leases Sector	0	0	0	32,784
	<u>326,174</u>	<u>335,664</u>	<u>9,490</u>	<u>8,541</u>
Total Transactions on Behalf of State	<u>505,000</u>	<u>483,575</u>	<u>21,425</u>	<u>474,505</u>
TOTAL PAYMENTS-ATTORNEY	<u>3,610,952</u>	<u>4,020,339</u>	<u>409,388</u>	<u>3,552,465</u>
RECEIPTS OVER PAYMENTS	<u>(3,578,787)</u>	<u>(3,975,335)</u>	<u>(396,548)</u>	<u>(3,536,192)</u>
<u>GOVERNMENT DEVELOPMENT PROJECTS</u>				
GRANTS- GDP	801,266	0	(801,266)	103,099
Expenditure Donor Funded	608,775	0	(608,775)	1,294,154
RECEIPTS OVER PAYMENTS	<u>192,492</u>	<u>0</u>	<u>(192,492)</u>	<u>(1,191,055)</u>