



NATIONAL JUDICIAL STAFF SERVICES (NJSS) ANTI-CORRUPTION STRATEGY

2023 - 2025



NATIONAL JUDICIAL STAFF SERVICES (NJSS)
ANTI-CORRUPTION STRATEGY

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ABBREVIATIONS

CJ	Chief Justice
HR	Human Resources
JCC	Judiciary Complaints Committee
MoU	Memorandum of Understanding
NJS	National Judiciary Services
NJSS	National Judicial Staff Service
PNG	Papua New Guinea
TIPNG	Transparency International (PNG)

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FOREWARD



Jack Kariko
Secretary

All National Judicial Staff Services staff who are serious about eliminating corruption will welcome the National Judicial Staff Services (NJSS) Anti-Corruption Strategy. As the third arm of Government, the Judiciary plays a crucial role in delivering socio-economic justice for the citizens of Papua New Guinea. Corruption, wherever it occurs, represents a decline in our value system. If left unchecked, it poses a grave threat to the authority bestowed upon the Judiciary as established in sections 157 and 158 of the Constitution. Corruption is committed by individuals driven by greed and revenge, who set out to steal the Judiciary, business and civil societies resources intended for use to provide fair justice for all, to grow the economy, to eliminate poverty and to ensure the achievement of national development outcomes.

The NJSS Anti-Corruption Strategy is necessary to respond to this problem. Building on the fundamental tenets of our Constitution, our anti-corruption legal framework, the National Development Plan, and other instruments such as international treaties, the strategy uses research and stakeholder inputs to outline the actions needed to achieve a Judiciary free of corruption. This strategy is an NJSS effort that envisions an ethical and accountable judiciary characterised by high levels of integrity and respect for the rule of law. It supports the action of NJSS employees in holding leaders within the Judiciary accountable and empowers them to be on guard for corrupt practices emanating from internal or from external sources. It foresees a Judiciary where all members of the NJSS have zero tolerance for corruption.

Zero tolerance for corruption is a vision that can be realised if we join together in a social compact to fight this enemy on all fronts through practical measures and targeted efforts.

The strategy commits all employees of the NJSS to the following anti-corruption compact:

NJSS will champion a new spirit of business and Judicial leadership that upholds professionalism, ethics, and anti-corruption practices at all times. NJSS will enforce sound governance principles in all spheres and ensure consequences for corrupt individuals and organisations that do business with NJSS. The NJSS employees and stakeholders will always act with integrity and will not be hindered from acting against unscrupulous individuals through whistleblowing and other measures that promote transparency and accountability.

The NJSS procurement systems will be run with high levels of integrity, efficiency and effectiveness. NJSS will collaborate with state law enforcement and anti-corruption bodies to ensure that the implementation of the NJSS Anti-Corruption Strategy is realized and respected by all. The NJSS will build a resilient Judiciary and will commit to going above and beyond to protect vulnerable sectors and individuals in society who are at a high risk of experiencing corrupt practices and unethical conduct.

If NJSS staff work together in a focused, collaborative, and decisive manner, they will provide a strong defence against the scourge of corruption inflicting the Judiciary and the wider Public Service.

In conclusion, NJSS is fully committed to our national and international obligations that seek to mobilise the national and global community to fight corruption on all fronts.

Jack Kariko
Secretary
National Judicial Staff Services

NJSS ANTI CORRUPTION STRATEGY

1. NJSS Background

The National Judicial Staff Service (NJSS) was established by an act of Parliament, the National Judicial Staff Service Act 1987, to provide legal, clerical, research, and administrative support services to enable the National Judiciary to function effectively. The primary function of the Judges is to dispose cases in a timely manner. The National Judicial Staff Service consists of the Secretary and the Registrar and their staff. The Registrar is appointed under the National Court Act 1975. The Judiciary Service is given a separate appropriation by the Parliament and is managed by NJSS under the control of the Chief Justice.

The development of this Anti-Corruption Strategy is timely as it is aligned with the Chief Justice (CJ) aspirations of the Judiciary to maintain zero tolerance to corruption. The CJ has emphasized in his many remarks that the Judiciary will strive to eradicate corruption when delivering services to the people and stated that lawyers and officers of NJSS who were found to be engaged in corrupt practices would be heavily penalized.

The Deputy Chief Justice in his recent remarks in a weeklong training of Certificate in Court Administration also stated the importance of developing a Code of Conduct for all National Judicial Staff Services employees. Having a well-written code of conduct in the organization clarifies an organization's mission, values and principles and linking them to standards of professional conduct. A code encourages decisions of ethics, compliance, empowering employees to handle ethical dilemmas countered in everyday work.

This demonstrates the Judicial Managements support towards development of an anti-corruption strategy for the National Judicial Service.

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2. NJSS Strategic Intent & Alignment



2.1. VISION

Administer and deliver a coherent Judicial Service that is based on Justice, Equality and Fairness in an independent, efficient, and effective manner to all people.



2.2. MISSION STATEMENT

Provide equal access to an independent, fair, and quality Judicial Service to all people.



2.3. VALUES

The organisational culture of NJSS is underpinned by the following core values:

- **Court-User/Customer Service:** To provide timely and professional services to all Court Users.
- **Justice and Fairness:** To embrace justice and fairness in the timely disposition of all Court Cases.
- **Honesty, Integrity, and Mutual Respect:** To ensure that working relationships are guided by the highest standards of personal and professional ethics, as every person is respected and valued as a team member and recognising one's expectations and aspirations.
- **Transparency and Accountability:** To ensure that the discharge of functions and responsibilities is done in a transparent, accountable manner and encourages probity to maintain, protect and promote the independence of the Judiciary.
- **Commitment to Excellence:** To ensure professional development of the Judges and staff to promote commitment, dedication, and excellence.

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3. The Alignment

The Vision and Mission statement of NJSS is centred around Justice, Fairness, and equality. Only when there is no corruption will there be Justice, Equality and Fairness in the way we provide service to the people of this nation. Therefore, this strategy aims to help assist NJSS achieve its strategic intent.

We look at certain areas within the organisation that corruption can easily creep into and develop strategies that will minimise and stop corruption, so we are seen to be providing a just, equal, and fair service to the people of this nation.

4. PURPOSE

This Anti-Corruption Strategy is developed in reference to the Memorandum of Understanding (MoU) signed between the National Judicial Staff Services (NJSS) and Transparency International PNG (TIPNG), which states that:

“The Anti-Corruption Strategy/Policy produced will address at least one of the following areas:

- HR and Recruitment e.g., as part of staff induction of in-service.
- Agency-wide Code of Conduct.
- Organisation-specific definition of terms, e.g., what is corruption, bribery, extortion, conflict of interest, etc.
- Whistle-blower policy (aligned with the new legislation).
- Corruption Complaints mechanism.”

The first year of the NJSS Anti-Corruption Strategy will focus on the areas of:

- HR and Recruitment
- Corruption Complaints Mechanism
- Code of Conduct

Work on the strategy will be carried out in the context of Judiciary Anti-Corruption Activities and the roll out of Anti-Corruption Initiatives that are built into the NJSS Corporate Plan. These activities and initiatives are listed in sections 5 and 6 below.

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5. Judiciary Anti-Corruption Activities

Recent Judiciary activities to support the aspirations of the Chief Justice to maintain zero tolerance to corruption include the joining of the United Nations Global Judicial Integrity Network in 2019 and the commencement of anti-corruption training for judicial officers at the end of 2022.

- 5.1. Membership of the United Nations Global Judicial Integrity Network
- 5.2. The Judiciary joined the United Nations Office on Drugs and Crime Global Judicial Integrity Network (UNGJIN) in 2019. The Global Judicial Integrity Network “aims to assist judiciaries across the globe in strengthening judicial integrity and preventing corruption in the justice sector, in line with article 11 of the United Nations Convention against Corruption.”
- 5.2 Anti-Corruption Training for Judicial Officers

The Papua New Guinea Centre for Judicial Excellence, a Division of NJSS, in partnership with the Federal Court of Australia and with funding from the Australia Department of Foreign Affairs and Trade, hosted an inaugural Pacific Judicial Integrity Program Fraud and Corruption Workshop for judicial officers in November 2022. The five-day program focussed on fraud and bribery cases: primarily the law and elements of related offence, along with evidence and decision-making considerations.

Attendees suggested further related topics of interest that could be run with Pacific Judicial Integrity Program support.

6. NJSS Corporate Plan Anti-Corruption Initiatives

The NJSS Corporate Plan 2023 – 2027 provides direction for the delivery of projects across the Judiciary and will ensure that the intended outcomes of these projects are clearly aligned with the areas listed in 4 above.

Projects already in progress that are directly linked to the development of anti-corruption measures and mechanisms, and that will deliver by the end of the period of this Anti-Corruption Strategy are as follows:

1. **Registry Electronic Case Management Systems Projects:** will promote transparency and integrate automated control and oversight mechanisms into the judicial system.
2. **NJSS Finance Project:** will strengthen the budgeting process within the Judiciary.
3. **NJSS IT Network and Infrastructure Hardening:** will introduce control and oversight mechanisms to reduce the risk of internal and external corrupt or fraudulent activities.
4. **PngCJE Training:** will provide training for Judges and other judicial actors to promote judicial independence and high standards of professionalism.
5. **Judges Think Tank and Judges Portal Project:** will promote transparency of the judicial process, and the provision of relevant information to Judges and all court users.

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7. NJSS Anti-Corruption Plan 2023

We have identified six (6) priority areas for 2023. These are:

1. Procurement Process
2. HR and Recruitment Processes
3. Judiciary Complaints Mechanism
4. Court Registry Service
5. Proper Use of Public Assets
6. Staff Awareness Programs

8. Key Priority Areas

From the six (6) priority areas listed above, we have identified three (3) areas to be addressed which are:

1. Strengthen the HR and Recruitment Processes
2. Strengthen the Judiciary Complaints Mechanism
3. Develop an Agency Wide Code of Conduct

8.1 HR and Recruitment Processes

The planned NJSS HR Project will improve human resources management within the Judiciary and enable a strengthening of accountability and discipline through electronic capture of staff performance. This project will deliver in the area of HR and Recruitment listed in 4 above, by ensuring that NJSS Anti-Corruption Policy is developed, socialised, and monitored and adopted by new and existing staff members.

8.2 Corruption Complaints Mechanism

NJSS has an existing Judiciary Complaints Committee (JCC) which was established by the former Chief Justice Sir Salamo Injia during his term. The Judiciary Complaints Committee (JCC) was established pursuant to Constitution, s 169 (3). The formation of JCC gave provision for complaints made against Court Staff (judicial and non-judicial) to be investigated internally, for appropriate action to be taken or recommended. This does not only deal with corrupt practices or complaints against staff but also complaints on delayed Judgements. This shows that the Judiciary in its effort to eradicate the notion of corruption has developed a mechanism to address corruption complaints by the public.

This mechanism will be further expanded to meet the area of Corruption Complaints Mechanism for the Public, listed in 4 above.

8.3 Agency-Wide Code of Conduct

The development of an NJSS Code of Conduct will set an expectation for high standards of professionalism and integrity from all staff. Associated training in the Code of Conduct will assist staff in learning to consider ethical considerations and consequences when making decisions or undertaking procurement for goods and services.

9. Delivering The Anti-Corruption Strategy – Year One

9.1 Strengthen the Human Resources and Recruitment Processes

The Chief Justice and the Judicial Management is against any form of corruption within the organisation and so staff must be equally informed of what is corruption within the organisation and must be told and informed to play their part to avoid and minimise corrupt practices within the organisation. Staff awareness will be focused around the Key Priority Areas identified.

Objective: To conduct awareness to staff to instil anti-corruption practices for:

- Registry Services,
- Recruitment Process,
- Procurement Process, and,
- The Use of Public Assets.

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Table 1: Strengthen the Human Resources and Recruitment Processes

Key Activity	Output Indicator	Target & Delivery Time	Operational Capability & Costing (K)	Responsibility
1. Conduct Induction & Refresher Programs for all new staff regarding anti-corruption practices.	<ul style="list-style-type: none"> No. of Induction Courses. Survey of staff participants to check understanding of materials presented. 	Quarter 1 to 4 2023	Recurrent Budget	Training Manager/ Director HR
2. Develop and distribute an Anti-Corruption Manual.	<ul style="list-style-type: none"> Use of the Manuals by Managers and their Staff. Survey of Staff to measure understanding of anti-corruption practices and their role in fighting corruption. 	Quarter 4 2023	Recurrent Budget	<ul style="list-style-type: none"> Deputy Secretary Director/Policy & Director HR
3. Court User Forums: This will be a very good avenue to discuss anti-corruption within the organization and how to avoid and minimize it with other stakeholders in the meet.	<ul style="list-style-type: none"> Number of Court User Forums. Survey of participants to gauge interest and involvement. 	Quarter 1 to 4 2023	Recurrent Budget	<ul style="list-style-type: none"> Registrar Manager Case management/Public Relations Officer

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9.2 Strengthen the Complaints Mechanism

The staff of NJSS are custodians occupying positions in the organisation to assist the core function of Judges hearing and disposing of cases. Staff are expected to perform mandated tasks efficiently and effectively. If the public or court users are not satisfied with any service provided by our NJSS staff or if the staff are seen to act in a way that is unfair, unjust or if they are seen to be asking favours, then it is reasonable for the public to lodge complaints through the established Complaints Committee.

Objectives:

- To have lawyers, court users and members of the public make complaints to the Judicial Complaints committee if they suspect that NJSS staff members are involved in corrupt practices, and,
- To refer complaints lodged to authorities for disciplinary action to assist in minimising corrupt practices within the organisation.

Table 2: Strengthen the Complaints Mechanism

Key Activity	Output Indicator	Target & Delivery Time	Operational Capability & Costing (K)	Responsibility
1. Raise awareness of the existence of the Complaints Committee to staff and Court Users.	<ul style="list-style-type: none"> • Number and type of awareness raising sessions completed. • Survey of awareness raising sessions attendees. 	Quarter 1 to 4 2023	Recurrent Budget	EO JCC
2. Process complaints.	<ul style="list-style-type: none"> • Response time to complaints received. • Number of complaints answered per complaints received. 	Quarter 1 to 4 2023	Recurrent Budget	EO JCC

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9.3 Develop an NJSS Code of Conduct

The Deputy Chief Justice has stated the importance of developing a staff Code of Conduct that can be adopted and followed by all NJSS employees and used to build and develop integrity and anti-corruption awareness across the organisation. It is envisaged that having an agreed and established NJSS Code of Conduct will increase the standard of professionalism and build a culture of integrity and compliance that will empower staff to react appropriately when making decisions of an ethical nature.

Objectives:

- To create an NJSS Code of Conduct with input from all staff and key NJSS stakeholders, and,
- To train all staff in the value and application of a Code of Conduct.

Table 3: Develop an NJSS Code of Conduct

Key Activity	Output Indicator	Target & Delivery Time	Operational Capability & Costing (K)	Responsibility
1. Research Code of Conduct examples from similar organizations in the Papua New Guinea Public Sector and from Justice sector organizations from across the Commonwealth.	Draft Code of Conduct discussion document created.	Quarter 1 to 2 2023	Recurrent Budget	Director Policy and Planning
2. Develop training in the use and understanding of a Code of Conduct.	Code of Conduct Training provided to Division Heads.	Quarter 2 2023	Recurrent Budget	Training Manager
3. Develop Draft Code of Conduct with input from all Staff.	Draft Code of Conduct created.	Quarter 3 – Quarter 4 2023	Recurrent Budget	Director Policy and Planning
4. Seek organizational approval and adoption of the agreed Code of Conduct.	Code of Conduct submitted for approval.	Quarter 4 2023	Recurrent Budget	Deputy Secretary

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10. Monitoring, Evaluation and Reporting

It is necessary to monitor, evaluate and report on the performances of our anti-corruption strategies to assess their performance against the performance indicators and determine if the key objectives have been achieved.

In the development of this strategy, the monitoring and evaluation and reporting will be actioned as for the monitoring and evaluation of Key Result Areas within the organisation.

Quarterly Reports and Quarterly Reviews will be conducted on the implementation of the planned activities.

We plan to have this strategy run parallel with the Annual Plan for this year so we can run the monitoring and evaluation process together.

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Appendix A: References

Supreme Court and National Court Corporate Plan 2018 – 2022: Building 21st Century Courts of Excellence

National Judiciary Services Corporate Plan 2023-2027

<https://www.unodc.org/unodc/en/treaties/CAC/> United Nations Convention Against Corruption

<https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary> Basic Principles on the Independence of the Judiciary

<https://www.unodc.org/ji/> United Nations Global Judicial Integrity Network

