

INDEPENDENT LEGAL SERVICE COMMISSION

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Commissioner's Consolidated Interim Report [2019-2022]

Honourable. Siromi D. Turaga
The Attorney General & Minister for Justice
Office of the Attorney General
Suvavou House
Suva

Introduction

In my capacity as the Commissioner of the Independent Legal Services Commission ("the Commission"), I am pleased to present to you and the Honourable Acting Chief Justice Salesi Temo the Consolidated Interim Report for the period 2019 to 2022 by virtue of section 96 of the *Legal Practitioners Act 2009*.

I was appointed on 28 February 2022 for a term of three years. However, as I have tendered my resignation with effect from 30th June 2023, I am submitting this Consolidated Interim Report for your information as it has not been practically possible to compile the annual report due to the non-availability of the audited accounts.

Similarly, due to the non-availability of audited accounts, the previous Commissioners were also not in a position to submit their annual reports as required by Section 96 of the *Legal Practitioners Act*. However, Dr. Thomas Hickie did prepare and compile the Annual Reports for 2017 and 2018 and submitted the same as required by section 96 of the *Legal Practitioners Act*. These two reports have been returned due to the audited annual accounts not being attached to the said Annual Report of 2018.

Financial Statements

As the Commission did not have the audited accounts or the financial statements for the years 2016 to 2022, upon calling for quotations, the accounting firm, BDO was engaged to compile and prepare the financial statements for the years 2017-2022. This process commenced on 17

October 2022 and BDO has compiled and finalised the financial statements up to the year ended 31st December 2022 of which the Auditor General has audited the accounts for the years 2016 to 2018. The accounts for the years 2019 to 2021 have been submitted to the Auditor General for auditing purposes and the same is pending. The financial statements for the year ended 31st December 2022 prepared by BDO is in draft form, however, the same will be submitted for auditing in due course.

The Financial Statements for the years 2016 to 2022 are annexed hereto.

Statistics for the period 2019 to 2022

(a) *Total Number of Applications*

YEAR	NUMBER
2019	17
2020	16
2021	20
2022	19
Total	72

The above information and statistics for the period 2019 to 2022 is annexed.

(b) *Total number of applications withdrawn*

YEAR	NUMBER
2019	3
2020	3
2021	3
2022	4
Total	13

(c) *Total number of Judgments delivered*

YEAR	NUMBER
2019	4
2020	9
2021	7
2022	14
Total	34

Detailed information and statistics for the period 2019 to 2022 is annexed.

My Term

I am pleased to inform you that when I commenced my term of office in the beginning of March 2022, the total number of pending matters were **31** as follows:

YEAR	NUMBER
2015	2
2019	3
2020	7
2021	16
2022	3
Total	31

Similarly, the total new applications filed were **24** as follows:

YEAR	NUMBER
2022	19
2023	5
Total	24

The total number of Determinations and Rulings delivered during this period is **28** as follows:

YEAR	NUMBER
2022	11
2023	17
Total	28

As at 30th June 2023, the total number of pending matters is **20** as follows:

YEAR	NUMBER
2019	1
2020	3
2021	4
2022	8
2023	4
Total	20

Commission Staff

The staff of the Commission as at today consists of:

- (a) Secretary
- (b) Administrative Assistant/Court Officer
- (c) Court Officer

The Commission is in the process of recruiting a Clerical Officer/Court Orderly [iTaukei/English translator].

The Secretary of the Commission, Ms Watilala Takayawa has been serving since 21 June 2017 up to date. I observe that the Secretary *inter-alia* manages and oversees the entire office administration, maintaining accounts, organising and managing the Commission sittings, maintaining the cause lists, issuing notices and proof-reading, printing and circulating of Determinations and Rulings.

As there will be probably a new Commissioner upon my departure, it is advisable to ensure the continuity of the services of the present Secretary to ensure a smooth and uninterrupted functioning of this Commission. As such, I recommend that her contract which is due to lapse on 31st July 2023 be renewed and extended.

Consolidated Annual Report 2019 to 2022

I have endeavoured to compile and submit the consolidated Annual Report for the period 2019 to 2022, as required by the Legal Practitioners Act. However, due to the unavailability of the audited accounts, I have been unable to submit the annual report as expected. As such, I'm submitting this interim report and upon the finalising of the audited accounts, the new Commissioner may submit the consolidated Annual Report as required by the Legal Practitioners Act.

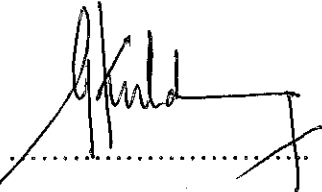
Conclusion

I am pleased to submit this Interim Report in view of my resignation with effect from 30th June 2023. In conclusion, I would like to formally record my sincere appreciation to the Chief Justice, the Attorney General and the Solicitor General for all support and assistance rendered to this Commission during my tenure of office. I also would like to place on record my

appreciation to the Chief Registrar and his team at the Legal Practitioners Unit for all their support and assistance rendered.

I would be failing in my duties if I don't place on record my sincere appreciation to the present staff of the Commission especially the Secretary Ms Watilala Takayawa, Mr Shelveen Dutt (Administrative Officer/Court Officer), Ms Shristy Karan (Court Officer) and also to the former court officer, Ms Ritika Sami for providing me the necessary support to efficiently perform the duties and functions as Commissioner and most of all for providing me with an extremely pleasant working environment. I must express my sincere gratitude to the Secretary, Ms Watilala Takayawa for helping me to compile this interim report.

A copy of this interim report is also submitted to the Acting Chief Justice Honourable Salesi Temo for his information.



Justice Gihan Kulatunga
Commissioner

Dated this 30th day of June, 2023 at Suva.