



STANDING COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS

**Consolidated Review Report on the Ministry of Justice Annual Reports
2018-2019; 2019-2020; 2020-2021 and 2021-2022.**



**PARLIAMENT OF THE REPUBLIC OF FIJI
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CHAIRPERSON'S FOREWORD



This Report captures the review findings and recommendations of the Committee with respect to the pertinent issues noted from the contents of the *Ministry of Justice Annual Reports 2018-2022*.

The Committee ensured due diligence by conducting a detailed review of the report in which certain pertinent issues were noted and clarified by the Ministry.

Some of the main areas of discussion addressed in this Report are as follows:

- The Progressive state of the Ministry on the implementation of digitization project for legal registries.
- Plans by the Ministry to decentralize other services such as managing of deeds and titles, to other remote areas in Fiji.
- The Challenges faced by the Ministry with late registration of births and deaths by the public.
- The Status of the “*birth registration mobile Application*” and its impact throughout 2018 to 2022.
- The need to review archaic legislations that guides the operation of the Ministry.
- The absence of gender analysis and Sustainable Development Goal achievement in the reported years.
- The low achievement on registration of births from 2016 to 2021 with respect to Civil Registration and Vital Statistics.

At the conclusion of the review, the Committee believes that majority of the issues identified in the review have been adequately addressed. The Committee also believes it be prudent to provide the following recommendation for consideration of the Ministry of Justice:

- The committee recommends that the Ministry create a stronger planning system. This system should include both a strategic plan and a cost operational plan.
- The Committee recommends that the Ministry create a step-by-step plan to decentralize all of its services thereby increasing access to its services by all in Fiji. The decentralization will reduce the burden on central offices.

- The Committee recommends that the Ministry work on increasing the use of e-services. This can be done through various methods such as:
 - effective promotion and outreach; and
 - exploring partnerships with community organizations to reach a wider audience.

- The Committee recommends that the Ministry should keep working on its REACH program and further strengthen and improve it, as the program has shown positive results and has helped many people in the community. Strengthening the REACH program will ensure it meets the changing needs of the community effectively.

- The Committee recommends that the Ministry should invest more resources into all the registries. This investment aims to improve how well these registries work and make them more effective. By enhancing the registries people who need help will find it easier to access the information and services they require. Such improvements can lead to better support for individuals and communities.

- The Committee recommends that the Ministry of Justice, the Ministry of Health, Ministry of iTaukei Affairs and Ministry of Women and Social Protection to work in collaboration to effectively achieve 100 % registration of CRVS as required by the Child Care Protection Act 2024.

I would like to acknowledge the Honourable Members of the Justice, Law and Human Rights Committee, Hon Iliesa Vanawalu (Deputy Chairperson), Hon. Lenora Qereqeretabua, Hon. Jone Usamate, Hon. Faiyaz Koya and former member Hon. Mosese Bulitavu for their deliberations and input and the secretariat for their support.



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HON. RATU RAKUITA VAKALALABURE
Chairperson

COMMITTEE REMIT AND MEMBERS

The Standing Committee on Justice, Law and Human Rights ('Committee') is established under Section 70 of the *Constitution of the Republic of Fiji* and Standing Order 109 of the *Standing Orders of the Parliament of the Republic of Fiji*. The Committee's mandate and functions are provided under Standing Order 109 (2) and 110 (1) (a)-(d) & (f). The Committee consists of the following Members:



Hon. Ratu Rakuita Vakalalabure
(Chairperson)



Hon. Iliesa Vanawalu
(Deputy Chairperson)



Hon. Lenora Qereqeretabua
(Member)



Hon. Jone Usamate
(Member)



Hon. Faiyaz Koya
(Member)

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1.0 INTRODUCTION

The *Ministry of Justice Annual Reports 2018-2019;2019-2020;2020-2021* and *2021-2022* ('**Annual Report**') were referred to the Standing Committee on Justice, Law and Human Rights ('**Committee**') on 20 May 2024, pursuant to Standing Order 38 (2) of the Standing Orders of the Parliament of the Republic of Fiji.

1.1 Procedure and Programme

The Committee commenced its review of the Annual Report on October 2024 with the agreed review process and a summary of this is as follows;

i) Initial Analysis of the Annual Report

The Members began with its initial reading of the Annual Report and discussed its contents. A variety of issues were then identified, prompting the Committee to seek clarification from the Ministry.

ii) Seeking Clarification on pertinent issues and Review of evidence obtained

The Committee sought clarification on its concerns by writing to the Ministry of Justice and the responses were analyzed and discussed by the Committee. The Committee also undertook its own investigation and desktop research on these issues identified.

The Committee then consulted with the Executives of the Ministry to listen to their explanations on the matters raised and to further address the performance of the Ministry.

The Committee subsequently examined all the information it had gathered to formulate a comprehensive review of the Ministry's work and performance.

iii) Drafting of Committee Report

The final step of the review process was the compilation of all issues identified from the evidence received. Through its deliberations, the Committee formed its own independent view on all issues identified. The Committee then compiled and finalised this Report for tabling before Parliament.

1.2 Ministry of Justice

The roles and responsibility of the Ministry of Justice ('**Ministry**') are to administer justice and deliver services through its main legal registries for registration of documents, maintaining official records and legal documents. This is done through the Office of the Administrator General, Office of the Registrar of Titles, Registrar of Companies, Births Deaths and Marriage Office and the Office of the Official Receiver.

1.3 Ministry of Justice Appropriation

The Ministry reviewed the annual budget and expenditure patterns of the Ministry over the period from 2018 to 2019, and identified key patterns and trends as outlined under the National Budget Estimates. The Committee noted a significant trend in the budget expenditure, which were allocated for the respective years:

Budget Year	Allocated Budget	Utilization (\$)	Utilization (%)
2018-2019	8,137,300	5,384,585	66 %
2019-2020	5,004,302	4,584,529	92%
2020-2021	4,561,089	3,927,931	86%
2021-2022	5,185,660	3,936,567	76%

The Committee noted the following:

- the decrease in approved budget for the first three (3) reported periods and the slight increase in the fourth period.
- The substantive percentage of unutilized funds, with the lowest budget usage seen in 2018-2019.

2.0 DELIBERATION AND FINDINGS BY THE COMMITTEE

2.1 Deliberation by the Committee

The Committee has identified several key issues from the Annual Reports that required further analysis, and these are provided below.

- The Committee noted that a digitization project for legal registries had been implemented and sought clarification on how well this had been progressing.
- On 1 August 2018, the Fiji Government introduced a Parental Assistance Payment Program(‘PAPP’) to assist low income earners with cost associated with young children born on or after this date. The Committee sought clarification on the status of this programme and how well this program had progressed from 2018 to 2022.
- In April 2019, the Fiji Government launched a birth registration mobile application called the e-services, under the ‘digitalFiji’ application that enables public to register births online. Clarification was sought on the status of this application and how well the program worked throughout 2018-2022.
- The Committee noted that there were certain agencies that co-hosted the awareness program in which the Ministry was involved. Clarification was sought on the status of the ‘REACH’ program and the progress of awareness program throughout 2018-2022.

- The work of the Ministry is guided by old legislation and clarification was sought on whether there was an intention of reviewing the *Charitable Trusts Act 1945 and Religious Bodies Registration Act 1881, the Money Lenders Act 1938 and the Credit Union Act 1954*.
- The Committee noted that the Registrar of Companies was replacing its manual system, and clarification was sought on the progress of this change.
- The Committee noted that \$300,000.00 was allocated for the opening of new offices in Nasinu, Lakeba and Rotuma for the decentralization of BDM services. The Committee sought clarification if there were plans by the Ministry to decentralize other services such as those relating to deeds and titles to other remote areas in Fiji.
- The Committee sought clarification on the meaning of the abbreviation CFA as listed under the Bankruptcy and Liquidation Receipt and Payment Analysis?
- The Committee sought clarification on the reason(s) there two sets of figures were provided for the revenue collected in 2018-2019, given that the budget allocated was for 2018-2019 fiscal year.

2021-2022

- The Committee noted that the Fiji Government had committed to the Asian and the Pacific Civil registration and Vital Statistics (“**CRVS**”) Decade (2015-2024) and clarification was sought on the outcome of this resolution.
- The Committee noted that there were 4,942 registered deaths for the reported year and clarification was sought why there were delays in registering deaths.
- The Committee noted that the 2022 report showed no applications received from the Ministry of Rural and Maritime Development to register Justices of the Peace, and clarification was sought on whether there has been any continuity in applications from this Ministry, as the registration of their staff as JPs would be beneficial for Fiji citizens living in rural and maritime areas.
- The Committee noted that in 2019 Register of Companies system established a new system whereby applicants can lodge online and receive business certificate instantaneously upon payment. The Committee sought clarification whether there was a vetting process in place before any renewal certificate was issued.
- The Ministry was allocated an Operating Budget of \$782,014.00 for Fijian Vaccine Pass with an actual expenditure of \$153,222. Clarification was sought on the lapsed appropriation for this allocation and reason(s) it was not fully utilized.

2.2 Clarification provided by the Ministry

The issues identified were addressed by the Ministry, and a summary of the clarification received is provided below.

- The Progressive state on the implementation of digitization project for legal registries:
 - It was advised that the digitization project was completed in 2018, with Yalamanchili, an Indian vendor, contracted through ITC. In 2019, Singapore Corporation Enterprise conducted a Business Process Redesign and Functional Requirements report for the Office of the Registrar of Titles. The Registrar of Companies underwent a reregistration process in 2019.
- The Strategic plan and costed operational plan of the Ministry:
 - The Ministry has established a Strategic Development Plan for 2019-2022 to modernize legal registries, but this Plan lacked specific reporting metrics.
 - The Costed Operational Plan for 2018-2019 focused on workforce investment but did not include measurable targets.
 - The Ministry is focusing on establishing clear targets and a regular reporting framework to track strategic and operational objectives, ensuring accountability and alignment with the Ministry's goals.
- The absence of gender analysis and Sustainable Development Goal achievement in the reported years:
 - The Committee was advised that the Ministry monitors staff gender breakdown and gender equality since 2018-2019, adhering to civil service guidelines and the Open Merit Recruitment System, and that its Strategic Development Plan aligns with the National Development Plan, prioritizing justice, inequality reduction, and inclusivity.
 - The Committee was advised that the Ministry will continue to improve its report on SDG 10-16 in the future.
- The Status of the '*Parental Assistance Payment Programme*', its impact, and the development progress from 2018 to 2022:
 - The Parental Assistance Payment Program (PAPP) was introduced from August 2018 to July 2020 to provide financial support to low-income families with children born between August 2018 and July 2020. The program facilitated early childcare needs and timely birth registration, with the Ministry of Justice handling the process. Parents received cash payments upon the enrollment of their children at Year 1.

- The \$1000 Parenthood Assistance Payment Programme (PAPP) for new born children provided financial relief to low-income families, enabling them to meet childcare needs and promoting financial support. It also improved birth registrations, with 95% of children registered on time, enhancing public service delivery.

- The PAPP was a successful program for eligible families. Despite challenges during the pandemic, the government provided support. Post-2020, feedback from participants highlighted its positive impact. Policy discussions are continuing to consider expanding coverage and refining eligibility criteria.

- The Status of the “*birth registration mobile Application*” and how well the program worked throughout 2018-2022.
 - The Committee was informed that the “digitalFiji” initiative launched a mobile birth registration service in April 2019, simplifying the process for urban and semi-urban parents. However, rural and maritime areas face challenges due to limited internet connectivity.

 - It was further noted that despite the introduction of the digital solution, it has seen limited adoption due to the lack of awareness and familiarity among remote citizens and overseas customers.

- The status of the ‘REACH’ program and the progress of the awareness program throughout 2018-2022.
 - It was advised that the ‘REACH’ program had successfully coordinated ministries to provide critical services at people's doorsteps, resulting in successful registration of marriages, births, and deaths throughout the communities.

- The Ministry’s stance to review the *Charitable Trusts Act 1945, Religious Bodies Registration Act 1881, Money Lenders Act 1938, and The Credit Union Act 1954*:
 - Committee was advised that there is a definite need for the review of the archaic legislation and that this would realistically initiated within 12-18 months.

- Replacement of the manual system by the Registrar of Company system and its progress:
 - It was advised that the ROC office implemented a fully automated system in June 2019, and all business and company registrations and lodgements were completed online through the ROC portal. The office is working to improve the ROC portal and collaborates closely with the Digital Government Transformation Office ('DGTO') to improve certain areas of the portal to make it as user-friendly as possible. One significant improvement that the office was able to

achieve was automating the renewal of applications, so that each client who has submitted a renewal application for their firms or corporations now receives their renewal certificate immediately upon payment.

- Plans by the Ministry to decentralize other services such as managing of deeds and titles, to other remote areas in Fiji:
 - Committee was advised that the The Registrar of Titles in Suva is overseeing Titles and Land Deeds in Fiji and that the Titles Office is collaborating with ADB for digitizing and expanding its services in various divisions.

- The progress of the Ministry in achieving its target of developing 12 new Birth, Deaths and Marriages sites in Fiji:
 - The Committee was advised that the Ministry had opened 13 BDM offices across the country, expanding services for Registrars of Companies and Registrar of Titles Office. The new offices are located in Viti Levu, Vanua Levu, and Maritime zones.

- The outcome of the Fijian Government commitment's with the Asian and the Pacific Civil Registration and Vital Statistics (CRVS) Decade (2015-2024):
 - The Committee was advised that the CRVS Decade aims to enhance civil registration and vital statistics systems in Fiji, ensuring legal identity proof and access to public services. In terms of Registration Coverage, Fiji has significantly improved on this aspect, with 95% of births were registered on time in coordination with the REACH Program and other outreach initiatives.

- Reason(s) on the number of delays in registering deaths for the reported years.
 - It was noted that the delays in registering deaths were primarily attributed to the following factors:
 - i) **Lack of Awareness:** Many individuals are unaware of the legal requirement to register deaths promptly.
 - ii) **Geographical Barriers:** Residents in remote or rural areas face challenges in accessing registration services.
 - iii) **Administrative Delays:** Sometimes, supporting documents such as medical certificates are not submitted on time.
 - iv) **Cultural Practices:** Some families delay registration due to traditional mourning periods.

- The Ministry's stance in receiving applications from the Ministry of Rural and Maritime Development in registering staff as Justices of Peace:
 - It was noted that the Ministry of Justice accepts applications for Justice of Peace (JP) services from individuals, church leaders, community leaders, and emerging society leaders. The Ministry also welcomes applications from the Ministry of Rural and Maritime

Development and plans to educate other government ministries about the significance of having registered JPs on staff for effective service delivery.

- The status of the Ministry's revised targets for processing time:
 - It was advised that the ROC office has improved its business and company registration turnaround time from 2021 to date. The office processes applications through three stages, aiming to reduce processing time to less than three days. It was further noted that additional staff and IT equipment are needed to achieve minimal processing time. Consequently, the ROC office is diligently working on processing business and company applications within a minimum of 3 working days.

Written copy of the issues and clarification documents are uploaded along with this Report onto the Parliament website: www.parliament.gov.fj.

2.3 Sustainable Development Goals impact analysis

Pursuant SO 110(2), the Standing Committees are required to consider gender equality and ensure that the impact on both men and women is explored in all matters during its review process.

From the review it was noted that the Annual Reports failed to provide details on the disaggregated distribution of gender within the Ministry of Justice. The Committee was informed however during the public submission that the 60% of the staff are females.

2.4 Key Findings

Following extensive deliberation of all the evidence and response received from the *Ministry of Justice*, the Committee has identified a few pertinent findings, which it believes are worth noting. A summary of these is provided as follows:

1. The development of Strategic Plans and Costed Operational Plans has been poor and needs to be improved in order to focus on the Ministry's activities and to map out and indicate performance expectations. This lack of direction made it difficult for the Committee to measure the Ministry's success effectively.
2. The Ministry has implemented effective decentralization for Births, Deaths and Marriages offices and establish 13 new sites across Fiji where these services are now provided.
3. The Ministry had a significant challenge with late registration of births and deaths which indicates that people were not registering these important events on time. Delayed registration can lead to problems for families such as difficulties in obtaining legal documents and also affect government's planning and resource allocation for the Ministry. The Ministry is working to improve the situation by raising awareness and simplifying registration process.
4. The Civil Registration of births results of the Ministry indicates an overall 86% achievement on registration of births from 2016 to 2021 with the lowest of 59% recorded in 2021.
5. The Ministry has made significant strides in its efforts towards gender equality by having more female staff at all levels of the Ministry's workforce. Currently, 60% female and 40% male.
6. The Ministry reported a low rate of online registration for births among the public which may be due to the lack of awareness on online services or limited

access to technology. Improving awareness and access to services provided by the Ministry would help increase the registration rate in the future.

7. The Ministry operates under several old laws including the *Charitable Trust Act 1945*, *Religious Bodies Registration Act 1881*, *The Money Lenders Act 1938* and *The Credit Union Act 1954*. A review of these Acts is necessary to ensure they remain relevant.
8. The Ministry has worked to improve the Titles Office through digitization. The process will make it easier for people to access and manage property titles. The Ministry is collaborating with ADB to get technical help for this project. These developments aim to enhance efficiency and transparency in handling property records and ultimately will benefit both government and citizens by streamlining services and reducing delays.
9. The Register of Companies (“**ROC**”) office has a fully automated system which came into effect in June 2019 and all registration and lodgement for any business and companies are done online using the ROC portal. The office is continuously trying to enhance the ROC portal and works closely with the Digital Government Transformation Office (“**DGTO**”) to improve certain aspects of the portal to make it user friendly as much as it can. One such major enhancement that the office was able to achieve is make the renewal of application automated, whereby any client who has lodged a renewal application for their businesses or companies now receive their renewal certificate instantaneously upon payment.
10. The Ministry has improved its turnaround time from 5 -7 days to 3-5 working days for business and company registration.
11. The Ministry has received unqualified audit which is a positive outcome for its financial practices. This result shows that the Ministry is managing its funds and following necessary rules.
12. The Committee notes that there were no goals set by the Ministry from 2018 to 2022 in achieving targets with respect to Civil Registration and Vital Statistics.

3.0 RECOMMENDATIONS

In principle, the Committee recommends that the members of the August House adopt the recommendations put forth by the Standing Committee to enable the Ministry of Justice to provide its service efficiently to the public.

The Committee also put forth a few recommendations for consideration of the Ministry of Justice and these are as follows:

1. That the Ministry create a stronger planning system. This system should include both a Strategic Plan and Annual Cost Operational Plan. A strategic plan will help set long-term goals and outline the steps needed to achieve them. Meanwhile, a cost operational plan will ensure that the necessary resources are available and used effectively. By improving the planning process, the Ministry will enhance its overall efficiency and success rate in future.
2. That the Ministry create a step-by-step plan to decentralize all of its services thereby increasing access to its services by all in Fiji. The decentralization will reduce the burden on central offices.
3. That the Ministry work on increasing the use of e-services. This can be done through various methods such as:
 - a. effective promotion and outreach; and
 - b. exploring partnerships with community organizations to reach a wider audience.
4. That the Ministry should keep working on its “REACH” program and further strengthen and improve it, as the program has shown positive results and has helped many people in the community. Strengthening the “REACH” program will ensure it meets the changing needs of the community effectively.
5. That the Ministry should invest more resources into all the registries. This investment aims to improve how well these registries work and make them more effective. By enhancing the registries people who need help will find it easier to access the information and services they require. Such improvements can lead to better support for individuals and communities.
6. The Committee recommends that the Ministry of Justice, the Ministry of Health, Ministry of iTaukei Affairs and Ministry of Women and Social Protection to work in collaboration to effectively achieve 100 % registration of CRVS as required by the Child Care Protection Act 2024.

4.0 CONCLUSION

The Standing Committee on Justice, Law and Human Rights has fulfilled its mandate approved by Parliament, which is to examine and review the *Ministry of Justice Annual Reports* with due diligence.

The Committee's review highlighted numerous findings, which are reflected in this Report. The Committee also put forth a few recommendations for consideration of the Ministry of Justice.

The Committee through this report commends the *Ministry of Justice Annual Reports 2018 to 2022* and the contents of its Report to the Parliament.

MEMBERS SIGNATURE



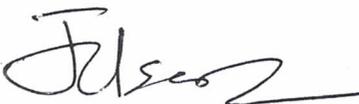
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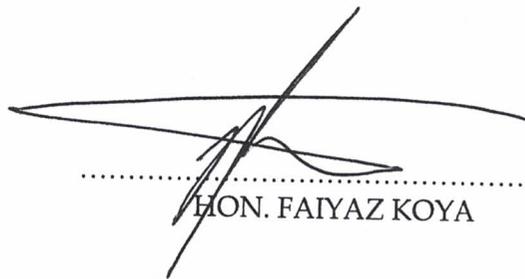
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Date: 12/03/25
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