

A letter from Honiara

By John Cauchi, 'barrister-at-large', in the Solomon Islands.

When I told people I worked in Tonga, in the past, they usually recounted the famous story of Queen Salote Tupou III attending the coronation of Queen Elizabeth II on a stormy London day. Queen Salote is remembered for her friendly smile, her ability to engage the crowds and her refusal to cover the carriage she was in. I recall a Malaysian diplomat was also soaked through because of it. Of course the terrible joke from Noel Coward is also mentioned.

When I worked in Vanuatu comment was always made about the wonderful restaurants and the French influence.

Now I am working in the Solomons people tell me it is very necessary, adopting very serious tones asking: 'What's it like there?'

Honiara used to be known as the 'Pearl of the Pacific'. Everyone of a certain age in Australia has heard of this place because of the battles fought here in the Second World War. HMAS *Canberra* is in Iron Bottom Sound with US and Japanese ships. PT 109, JFK's patrol boat, was here. Oh those days!

More recently the news about the Solomons has been more notorious. The Istabu Freedom Movement, the Guadalcanal Liberation Front, the Malaita Eagle Force, various so-called 'freedom fighters' and wait for it - the Central Neutral Force - are the names on the tongues of the people here. Our foreign policy called this place a 'failed state' and commenced an exercise which has been termed a 'permissive intervention'.¹ Here it is called the Regional Assistance Mission to the Solomon Islands (RAMSI) and *Operation Helpem Fren*.

The initial emphasis in August of 2003, when it commenced, was to re-establish law and order in the country. This was done by deploying troops and police from the region, led by Australia. The largest numbers were from Australia. The first task of RAMSI was to secure to custody various members of the different factions. Even brief investigations revealed offences for which these offenders were able to be arrested.



Part of Operation Helpem Fren: Australian Federal Police officer Tim Dahlstrom with Royal Solomon Islands Police officers. Photographer John Feder. News Image Library.

AusAID, our overseas development department increased its spending from around \$37m to \$90m.

Part of the AusAID programme was an existing project managed by GRM International to assist the police and prison service. It is called the Solomon Island Law and Justice Institutional Strengthening Project or SILAJISP. This project was given additional responsibilities to find staff for the Attorney-General's Chambers, the Magistrates Court, the Public Solicitor's Office and the Office of the DPP. AusAID, in this way, funds the positions of two magistrates, the solicitor-general, a deputy legislative drafter, the public solicitor, seven solicitors in the Public Solicitor's Office and four prosecutors in the DPP's office. I am one of those in the DPP's office - the other three are from Melbourne.

'One of the larger matters is called the *Marasa* brief. The offences alleged are numerous and include multiple murders, abductions, arson and general terrorising of a number of villages on the weather coast.'

What do you say about a place when the repeatable gossip around town is whether the parts for the generator have arrived from Brisbane? They have, you will be pleased to know. However, there are still periods of each day with no power. It was a problem for us before we moved into our air conditioned and newly renovated offices (complete with standby generator). Our old premises were not air conditioned but it was comfortable to have a ceiling fan going at least to complement the louvre windows.

There have been about 95 new prosecution files opened since the efforts began and these deal with the recent period of unrest, also called the time of 'ethnic tension' or just 'the tensions.' 'Ethnic' tensions you might ask? The local people here identify very strongly with their home island. Rather more seriously than we regard our home states in Australia. So it is common for locals to tell you they are Malaitan or from Guadalcanal or the Western Province.

There are many theories that abound about the source of the tensions' in this country. One is the land and access to it: a perennial South Pacific problem with more people and less land available each year. Foresters have also been a problem and businesses which take resources away from the Solomons at low cost to sell in markets for high profit. None of which finds its way back here. On Guadalcanal there was a problem as the local people said that inadequate compensation was paid for the capital being here. Added to this was the greater number of Malaitan people in government and administration meant their use of Guadalcanal land became a catalyst at least for coups and unrest.

The Solomon Islands are much more beautiful away from Honiara. There are resorts close by [1-3 hrs by boat] for weekend relief if you need it, or short flights to other resorts. The fishing is good and, I am told, so is the diving.

One supposes for a journal such as *Bar News* I should say something more about the work here. One of the larger matters is called the *Marasa* brief. The offences alleged are numerous and include multiple murders, abductions, arson and general terrorising of a number of villages on the weather coast. The weather coast is the area on Guadalcanal generally along the south west of the island. It is turning out to be a bit like the 'killing fields' of Guadalcanal. This was the area of operation of the GLF in an effort by them to take over the island and to create a sort of a Republic of Guadalcanal. As part of the familiarisation with the area I attended a view, together with another prosecutor and the AFP investigators. This involved a helicopter ride across the island. Unfortunately our purpose was to see burial sites and the like.

On the lighter side of life I was here for the annual Rotary fundraising event - a 'black tie' ball to rival the Bench and Bar Dinner and raise funds to attempt to reduce the incidence of infant mortality in the Solomons.

One wonders in a place like this whether you make a difference. Then suddenly you see a truck load of people who wave at you with big smiles (the biggest in the world) and say '*halo yu gud?*' You feel welcome and walk safely down the street not worried about being shot at. Which was how, I am told, people felt.

After the Easter break I get to go on one of the High Court circuits to Ghizo Island in the Western Province, a common



Left to right: John Cauchi, Victoria Aitken (Attorney-General's Chambers) and Brian Liddy (Public Solicitor's Office).

feature of court work in the islands. At least Ghizo has power, a decent place to stay and some of the best swimming and snorkelling around. So with copies of *Blackstone*, *Archbold* and the laws of the Solomons all on the hard disk of the lap top, off you go to some fantastic place. You just need to be assured the DeHavilland Twin Otter is leaving. One tends to understate the infrastructure problems of a place like this; you just have to get on with it. As you do, I am sure, when you sit in a traffic jam or your train doesn't arrive.

Today you might think you could stay in the Solomons for many years but tomorrow you will be looking to catch the next flight home- it's that sort of place.

Lukim yu

¹ Michael O'Connor, 'Rebuilding the Solomons: A case study in developing principles for permissive intervention', *Australian Army Journal*, 1(2), December 2003 p.121ff.

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