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LAW



TOK



Defend Democracy, Uphold Justice

story page 4.





"We must ensure that in our race
to be efficient, we do not
compromise our ethical
obligations to the Court, the
client and the profession"

Deputy President
Catherine Hartigan
of the Industrial Court of
Queensland and Queensland Indus-
trial Relations Commission

PNGLS had the privilege of hosting Ms. Catherine Hartigan,
who presented on *Upholding Ethical and Practice Requirements*

Lawyers duty in summary page 11

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PRESIDENT'S REMARKS

Dear Colleagues,

I am pleased to welcome you all to Issue 8 of *Law Tok*, a publication that reflects our ongoing commitment to justice, the legal profession, and the rule of law.

Over the past years, much has transpired in our continued quest to fulfill our mandate - to serve our members through Continuing Legal Education, uphold the integrity of the legal profession, and advocate for the Rule of Law in the public interest, ensuring that justice is served for our clients and society at large.

Yet, the broader question of justice remains a pressing concern. Law and order challenges continue to plague our communities at an alarming rate, shaking the very foundations of our society. Year after year, we hear, see, and read about escalating violence and crime. We ask: *When will justice prevail? Where is the justice that should uphold the rule of law and bring perpetrators to account?*

As President of the PNG Law Society, I have consistently advocated for the rule of law to stand firm in every corner of our nation. Justice cannot be sidelined by authorities responsible for enforcing it. The government, law enforcement, and all institutions entrusted with upholding justice must act decisively.

One of the defining moments of our advocacy was the *Rule of Law March* held last year and this year, 2025, led by the Council of the Law Society under my leadership.

I deeply appreciate the strong turnout and solidarity shown by our members. The overwhelming support from lawyers across the country sent a clear message - the rule of law must be respected, and those who violate it must face the full force of justice.

The march also drew support from our international legal fraternity, including LAWASIA, the Commonwealth Lawyers Association (CLA), and the South Pacific Lawyers Association (SPLA). These organizations have echoed our concerns about the worsening security situation in PNG and have stood in solidarity with the Law Society's efforts to promote peace, security, and justice.



President – HUBERT NAMANI

Beyond advocacy, we have continued to build the capacity of our profession. Last year we successfully hosted several seminars in collaboration with key partners, including CLA, ICAC, FASU, and PNGWLA. We also had the privilege of hosting Ms. Catherine Hartigan, Deputy President of the Industrial Court of Queensland and Queensland Industrial Relations Commission, who presented on *Upholding Ethical and Practice Requirements*.

As I stated in my speech at the *Opening of the Legal Year 2025*, it is my considered view that the best gift our government can give to the people of Papua New Guinea as we approach our 50th anniversary of independence is a *reformed electoral process*.

True democracy and the rule of law begin at the ballot box. Without electoral reforms that restore integrity, transparency, and fairness, we cannot expect meaningful progress in governance, security, and national development.

We hope you find the insights in this publication valuable and inspiring.

Happy reading!

Hubert Namani
President
PNG Law Society

Defend Democracy, Uphold Justice

Speech delivered by the President of PNG Law Society Mr Hubert Namani during the Rule of Law March, 31st March, 2025



Speech as presented by the President Mr Namani pictured above.

Our march today is a commitment to **transparency, accountability, and democracy** - the fundamental principles that safeguard our nation from tyranny and lawlessness.

As lawyers, we stand as guardians of justice, ensuring that power is exercised lawfully and does not erode our democracy and the rights and freedoms of our people.

Our profession is not about politics or personal agendas; it is about upholding the legal framework that protects every citizen, regardless of status or influence.

Today, we walked in solidarity to remind the nation that the law is the foundation of a just society, and its integrity must never be compromised.

Our presence here today is a call to defend the principles that uphold our democracy, ensuring that justice, transparency, and accountability remain the pillars of our nation.

As lawyers we have sworn to uphold the Constitution and the Rule of Law.

We have sworn to uphold the Constitution and the Rule of Law, and today, we march because our democracy is also under threat.

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Defend Democracy, Uphold Justice

Speech by PNG Law Society President Mr Hubert Namani continues from page 4

We still have deep concerns for the alarming escalation of lawlessness across our nation, which continues to ravage communities. These incidents are not isolated; they are symptomatic of a much deeper issue that is eroding the fabric of our society.

The erosion of public safety, the unchecked violence, and the diminishing authority of law enforcement are deeply concerning. It is imperative that the State confronts these challenges head-on, for they are a direct threat to the security, stability, and well-being of our nation.

The Rule of Law establishes that no one is above the law, ensuring that all actions - whether by government or individuals - are subject to legal scrutiny.

However, our democratic safeguards are currently facing unprecedented challenges. Recent legislative developments, including the **Counter-Terrorism Act 2024**, the **National Executive Council Act 2025**, and **Constitutional Amendment No. 48 (Motion of No Confidence) Law 2025**, threaten to erode the essential checks and balances that uphold our democracy.

We are seeing that piece by piece, the pillars of accountability are being dismantled.

Laws that once ensured executive transparency, judicial oversight, and parliamentary scrutiny are being replaced with measures that consolidate power, curtail legal challenges, and strangle dissent.

Democracy thrives on the ability to question authority and challenge decisions affecting our lives. Yet, with each new decree, we witness an increase in restrictions on our right to seek justice, demand accountability, and uphold constitutional principles.

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“The Rule of Law establishes that no one is above the law”

Defend Democracy, Uphold Justice

Speech by PNG Law Society President Mr Hubert Namani continues from page 5

The **Counter-Terrorism Act 2024** extends beyond its purported purpose of combating terrorism, granting the Police Force and the Counter-Terrorism Joint Security Task Force **immunity from criminal and civil liability**.

This raises alarming questions: When the very institutions tasked with enforcing the law place themselves above it, who will hold them accountable?

History has demonstrated time and again that unchecked power invites abuse, and without oversight, the specter of human rights violations loom large.

Even more concerning is the vague and expansive definition of terrorism within the Act, to include ***“the advancement of a political, religious, or ideological cause.”***

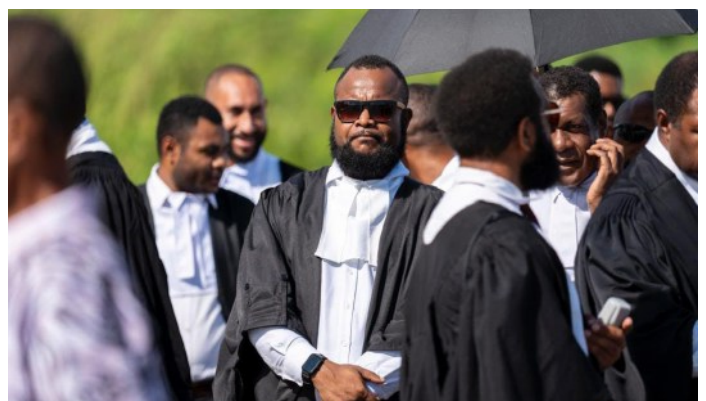
This creates a perilous landscape for our democracy, opening the door to potential misuse that could silence **political dissent, religious expression, and advocacy for social change**.

Under such provisions, any citizen, activist, journalist, or opposition member could be unjustly labelled a terrorist for merely speaking out against government policies.

Laws should be precise instruments of justice, not weapons of oppression. The poorly defined parameters of these laws grant the government arbitrary authority, facilitating the targeting of individuals or groups who express dissent.

Consequently, laws intended to safeguard public safety and promote fairness may instead stifle personal freedoms and violate human rights.

The very essence of justice is compromised when laws are wielded to crush basic rights - freedom of speech, association, and the press.



The corrosive effects of such legislation are deeply damaging to our democratic foundations. Trust between citizens and the state erodes, fostering a climate in which people hesitate to voice their opinions or engage in political activities for fear of retribution.

Political freedoms suppressed are exceedingly difficult to reclaim, as laws crafted to control expression and dissent become embedded in our legal fabric.

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Defend Democracy, Uphold Justice

Speech by PNG Law Society President Mr Hubert Namani continues from page 6

When laws transmute into tools of oppression, they pose a grave threat to democratic values and the fundamental rights that underpin a free society.

Compounding this erosion is the new National Executive Council Act 2025, which renders NEC decisions **non-justiciable**.

This troubling development means that the highest levels of government can make decisions beyond the reach of judicial review, effectively insulating the executive from necessary legal scrutiny.

By sidelining the judiciary, a crucial pillar of our democracy, we undermine the vital principle of checks and balances. If citizens lack recourse to challenge executive decisions when their rights are violated, what remains of our democracy?

Together, these legislative shifts signal a dangerous drift toward authoritarianism.

The right to contest government actions, seek justice for wrongs, and hold leaders accountable is at the heart of the Rule of Law. Allowing this trend to persist unchecked could reduce our democracy to mere rhetoric,

As lawyers, we stand as guardians of justice, ensuring that power is exercised lawfully and does not erode our democracy or the rights and freedoms of our people.

Our profession is not about politics or personal agendas; it is about upholding the legal framework that protects every citizen, regardless of status or influence.

Our democracy was built on the dreams of men who believed in **justice, fairness, and the rule of law**.

Our Constitution, our National Goals and Directive Principles, they were not just words on paper. They were a call to action, a commitment to a just and free society. We owe it to ourselves and to future generations to defend and uphold these principles.



Our nation is at a critical juncture where criminal behaviour is increasingly conducted with impunity.

Our people face human rights violations daily. Women, children, persons with disabilities, and the most vulnerable among us continue to suffer from injustice, violence, and systemic neglect. Our communities need education and awareness on their rights and responsibilities.

The state of human rights in Papua New Guinea remains concerning. Violence, threats, gender-based violence, corruption, environmental destruction, state abuse, and community conflicts remain prevalent. International human rights bodies have consistently rated Papua New Guinea below average in the protection of civil liberties and political freedoms. This is not the legacy we want for our country, nor the future we want for our children.

Fifty years ago, our nation made a solemn promise - to protect the rights and freedoms of our citizens. These promises were enshrined in our Constitution, yet we have struggled, and at times failed, to uphold them. While some progress has been made in strengthening human rights protections through laws and policies, more needs to be done. Words alone are not enough - we need action. We need institutions that will serve as platforms for education, awareness, and advocacy, empowering our people to be responsible, respectful, and lawabiding citizens, and also provide inexpensive ways to redress human rights violations. If there is ever a moment to demonstrate our maturity as a nation, it is now, in our 50th year of independence.

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Defend Democracy, Uphold Justice

Speech by PNG Law Society President Mr Hubert Namani continues from page 7

A glaring example of our systemic failure is the deeply flawed electoral process, which undermines democracy at its core.

Widespread irregularities, violence, and compromised integrity have eroded public trust, making urgent electoral reforms essential to restore faith in our democratic institutions and governance.

It's a shame that today there is no real progress to reform our electoral process.

The legitimacy of any government depends on free and fair elections, yet we continue to operate under a broken system.

Our national priorities seem increasingly misaligned, with short-term political gains overshadowing the long-term well-being of our citizens.

Our ongoing concerns are heightened by the alarming possibility that Papua New Guinea is on the brink of being **Grey Listed by the Financial Action Task Force (FATF)**. This could have significant consequences on our international reputation, trade relationships, and financial stability. As a nation, we must urgently address these concerns and take decisive actions to strengthen our financial and legal systems.

As we stand together today, we call for greater accountability, transparency, and reform.

We are equally concerned with the transparency of public expenditure - there must be full transparency in the use of State funds to ensure accountability and public trust.

The Government must not mix its priorities. While development and economic growth are vital, they cannot come at the expense of law and order.

The current wave of lawlessness is a stark reminder that without security and stability, progress is impossible. Law and order must be a key priority, and it must be adequately resourced.

We cannot allow crime and impunity to undermine the very fabric of our society.

The rule of law will not defend itself. Silence in the face of injustice is complicity.

When we do not speak up against corruption, we enable it. When we ignore electoral fraud, we invite dictatorship. When we allow criminals to operate without fear of consequences, we weaken our country.

The rule of law in Papua New Guinea is not just a domestic issue, it is a concern for the region and the Commonwealth. Injustice here is a threat to justice everywhere.

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Defend Democracy, Uphold Justice

Speech by PNG Law Society President Mr Hubert Namani continues from page 8

Let me Call us to Action

The threats to our democracy and the Rule of Law are clear, but they are not irreversible. As Lawyers and as citizens, we have both a duty and an opportunity to push back against these encroachments on our constitutional freedoms.

We must act with urgency and resolve.

- **Continue to advocate for judicial independence and constitutional integrity.** The judiciary is the last line of defense against the abuse of power. We must support and defend its independence, ensuring that courts remain free from political interference and continue to serve as impartial arbiters of justice. If the judiciary is weakened, the very foundation of our democracy crumbles.

- **Challenge unconstitutional laws through legal avenues.** The courts remain a powerful tool for safeguarding the Rule of Law. We must not allow unconstitutional legislation to go unchallenged. Through judicial review and constitutional petitions, we must put these laws to the test and demand that they be struck down if they violate our fundamental rights. The legal profession must take the lead in mounting strong and well-founded legal challenges against laws that undermine democracy and human rights.

- **Educate and engage with the public. The greatest threat to democracy is an uninformed citizenry.** Many of our people are unaware of the legal and constitutional implications of these changes.

It is our duty to bridge this knowledge gap, to explain what is at stake, and to ensure that every Papua New Guinean understands their rights. Public awareness and civic engagement are key to holding leaders accountable and preventing further erosion of our democratic institutions.

We cannot afford to be complacent. If we do not act now, we risk a future where power is concentrated in the hands of a few, shielded from scrutiny, and unaccountable to the people. The time to stand up for the Rule of Law is now.

Our country stands at a crossroads. The choices we make today will determine whether we uphold democracy or allow it to wither under unchecked authority.

We march today not in defiance, but in duty - to our profession, to our Constitution, and to our nation.

Let this be the beginning of a renewed commitment to the Rule of Law.

Colleagues, let me remind us again, as we approach 50 years of independence, we must recognize that the future of Papua New Guinea is not just in the hands of politicians.

It is in our hands. We must stand for the principles that built this nation.

We must defend our democracy. We must uphold Justice.

Our people deserve better. The rule of law must prevail. Defend Democracy, Uphold Justice!

Thank you.

Hubert Namani
President
PNG Law Society

The first Rule of Law march was held on the 15th of March 2024 and this year, 2025, it was held on the 31st of March.

CJ welcomes 95 trainees

A total of 95 trainees were welcomed by the Chief Justice of Papua New Guinea Sir Gibbs Salika at the Legal Training Institute (LTI) in Port Moresby on Friday May 30, 2025. "I encourage you to finish the race and to never look down to anyone. Try to help the country and be good citizens irrespective of your situations and finish the race," he said.

As the main speaker in welcoming the trainees, CJ He said there is no substitute to hard work and encouraged students not to get their studies for experience, but they must take their time. "You are granted as their respective families had invested a lot not lawyers yet so you should focus on your studies in them. "Work hard in your training and studies so and finish the race to become better and good you can become good lawyers and help the country," lawyers," said Tanuvasa. he said.

Following CJ's speech, Papua New Guinea Law Society (PNGLS) President Hubert Namani shared the same sentiments but emphasized more on digital and AI era adding they must be original to their work. "Be original and not to rely on AI. AI can generate the same results but need to stick to the original in your work," he said.

Acting secretary of the PNGLS Tauvasa Tanuvasa also urged the trainees to finish the race and never look

Amongst the invited guests who were there to witness the welcoming of the 95 trainees including CJ, Namani and Tanuvasa were senior council Loani Henao, PNG Law Society Council Member Philip Tabuchi, George Kult of Young & William Lawyers and the representatives of the Australian High Commission

Out of 300 applicants, 95 of them were selected to attend the legal training at the LTI. The welcome took place at three o'clock.

L-R: Senior council Loani Henao, CJ Sir Gibbs Salika & Acting Secretary of PNGLS Tauvasa Tanuvasa



In concentration & photo session



Uphold Ethical and Practice Requirements



L-R: PNG Law Society Council member Justin Wohuinangu, Secretary of the Department of Attorney General Dr Eric Kwa, Deputy President of the Industrial Court of Queensland and the Queensland Industrial Relations Commission Ms Catherine Hartigan

BY BRIAN JEMEJEME

Upholding Ethical and Practice Requirements are essential for maintaining public trust in the legal profession and ensuring access to justice for all members of society says, the President of the Papua New Guinea Law Society Mr Hubert Namani

He was speaking at the Ethical and Practice Requirements seminar held at the Holiday Inn Hotel on 25 June 2025 in Port Moresby.

He said lawyers play a crucial role in upholding justice, protecting rights, and maintaining the rule of law in the society.

He said to ensure the effective functioning of the legal profession and maintain public trust, lawyers are bound by ethical and practice requirements that govern their conduct both in and out of the courtroom. He said these requirements are designed to uphold the integrity of the legal system and ensure that lawyers act in the best interests of their clients

and the administration of justice.

“Ethical requirements form the foundation of a lawyer's professional responsibilities. These requirements are typically outlined in a jurisdiction's rules of professional conduct or code of ethics. One of the key ethical obligations of lawyers is to maintain client confidentiality.

“This means that lawyers must not disclose any information shared by their clients unless authorized to do so or required by law,” he said.

This duty helps foster trust between lawyers and their clients and ensures that clients can speak freely with their legal counsel.

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“Lawyers must not disclose any information shared by their clients”

News: Uphold ethical and practice requirements



Participants at the seminar

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He said another fundamental ethical requirement for lawyers is the duty of loyalty to their clients.

“This means that lawyers must always act in their clients' best interests, free from any conflicts of interest.

“Lawyers are expected to provide competent representation to their clients, which includes possessing the necessary skills and knowledge to handle their cases effectively.

“Additionally, lawyers are prohibited from engaging in dishonesty, fraud, or any other conduct that reflects negatively on the legal profession,” he said.

He said in addition to ethical obligations, lawyers are also subject to various practice requirements that govern how they interact with clients, courts, and other parties in legal proceedings.

For example, lawyers are expected to communicate effectively with their clients, keeping them informed about the progress of

their cases and explaining legal matters in a way that is easily understood.

He said lawyers are also required to act with diligence and promptness in representing their clients, ensuring that legal matters are handled in a timely manner.

Furthermore, he said lawyers have a duty to uphold the integrity of the legal system by adhering to court rules and procedures.

“This includes presenting accurate information to the court, respecting the authority of judges, and avoiding tactics that are intended to delay or obstruct the administration of justice,” he said.

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“Lawyers are also required to act with diligence and promptness in representing their clients”

News: Uphold ethical and practice requirements

from page 12

He said by following these practice requirements, lawyers help maintain the efficiency and fairness of the legal system.

In conclusion, he said lawyers are held to high ethical and practice standards to ensure that they uphold the values of justice, fairness, and integrity in their profession.

“By adhering to these requirements, lawyers not only protect the rights of their clients but also contribute to the effective functioning of the legal system,” he said.

“Contribute to the effective functioning of the legal system”



L-R: Secretary of the Department of Attorney General Dr Eric Kwa and former PNG Law Society Council Member and former MP Alfred Manase.

Below: Seminar pictorials



Lawyers duties in summary

Ethics & Etiquette

Professional ethics and etiquettes are important aspects of any workplace. Professional ethics refer to the moral principles that guide the behavior of individuals in a professional setting. It is important to adhere to these principles to maintain a positive reputation and build trust with colleagues, clients, and other stakeholders.

On the other hand, business etiquette refers to the customary code of behavior that indicates the proper and polite way to behave in a professional setting. It includes aspects such as punctuality, dress code, communication, and respect for others.

It is important to note that ethics and etiquette are **not interchangeable** terms. Ethics relate to principles or conscience, whereas etiquette is related to behavior.

In summary, professional ethics and etiquettes are essential for maintaining a positive and productive work environment. By adhering to these principles, individuals can build trust and respect with their colleagues and clients, and contribute to the success of their organization.

Lawyers duties in summary

A lawyer has several duties to the court, which are outlined in the Model Rules of Professional Conduct. These include using legal and honest tactics that are respectful of courts and tribunals, acting with integrity and professionalism, and educating clients about court processes to promote public confidence in the administration of justice.

In addition to these duties, a lawyer should also demonstrate respect for the legal system and those who serve it, including judges, other lawyers, and public officials. While it is a lawyer's duty to challenge the rectitude of official action when necessary, it is also their duty to uphold legal process.

It is important to note that a lawyer's duty to the court is separate from their duty to their clients. A lawyer must balance these duties and ensure that they do not compromise their professional ethics.



From left to right:

PNG Law Society Council member
Justin Wohuinangu

Secretary of the Department of
Attorney General Dr Eric Kwa

Deputy President of the Industrial
Court of Queensland and the
Queensland Industrial Relations
Commission Ms Catherine Hartigan
&
The President of the PNG Law
Society Mr Hubert Namani

Combating Corruption seminar



BY BRIAN JEMEJEME

The Independent Commission Against Corruption (ICAC) in collaboration with the Papua New Guinea Law Society (PNGLS) hosted an important legal education seminar on July 4, 2024, at the Lamana Hotel in Port Moresby.

The seminar saw 140 attendees from the legal fraternity discussing vital issues on how to combat corruption in the country.

The theme of the event, *"ICAC. The First Year, Where To From Now?"* was supported by the United Nations Development Program through a European Union funded project - *Preventing and Combating Corruption in PNG*.

In the opening speech, the President of the PNG Law Society (PNGLS), Hubert Namani, welcomed the 140 attendees and highlighted the importance of strong collaboration between lawyers and legal professionals with the Independent Commission Against Corruption (ICAC) in combating corruption.

He said understanding the roles and structure of ICAC was crucial, whether they are handling complaints or defending clients. "Knowing how the ICAC operates is the key to ensure that we do our part in upholding justice and integrity," he said.

The seminar panelists included ICAC Commissioner Andrew Forbes, Deputy Commissioner Prevention

and Corporate Graham Gill, Chief Justice of PNG Sir Gibbs Salika, Public Solicitor Leslie Mamu, and Commissioner General for the Internal Revenue Commission (IRC) Sam Koim.

The attendees were informed of the main roles and functions of the ICAC, their investigation processes, their engagement and prevention activities and the interaction of ICAC's roles and functions with other regulatory agencies.

The European Union Ambassador to PNG Jacques Fradin congratulated ICAC on its one-year anniversary, encouraging ICAC to forge strong partnerships with anti-corruption agencies, maintain existing partnerships and continue the fight against corruption.

Fradin said that the ICAC should be granted the necessary independence to conduct its functions fully adding that the establishment of ICAC was in line with Article 6 of the United Nations Convention Against Corruption (UNCAC), requiring the State to establish a body responsible in the prevention of corruption and the implementation of prevention policies.

Midway through the seminar, Commissioner Forbes took the attendees through the roles and the functions of ICAC. He highlighted that dealing with corruption was an exercise that needed a combination of many anti-corruption agencies.

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Combating Corruption seminar

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In supporting the work of ICAC, Mr Koim commended the ICAC for hosting the seminar and bringing together legal professionals and sharing their views on combating corruption.

“Corruption can be addressed by agencies co-operating and coordinating their efforts. The move by ICAC to host such an event in collaboration with the PNG Law Society was an important step forward in combating corruption by educating lawyers,” Mr Koim said.

The seminar was held to celebrate ICAC’s first year of operation as an established organization in the country.

“The move by ICAC to host such an event in collaboration with the PNG Law Society was an important step forward in combating corruption by educating lawyers”

Left and right: Seminar pictorials



Top and right:

Pictures of the seminar before, after and during the seminar.

Driving reformation and transparency within the Law Society

By **BRIAN JEMEJEME**

Driving transparency, accountability and transformation within the Papua New Guinea Law Society (PNGLS) are the aims of Mr Hubert Namani, the Principal of Namani & Associate Lawyers.

And these aims are being implemented since he was elected as the new President of the PNGLS.

Mr Namani and the Council Members met with the staff of the Law Society three (3) weeks after the Council of the Law Society were declared elected in October 2023 and encouraged them to work alongside him and the Council Members for the good of the Law Society in terms of transparency, accountability and transformation.

He said: "It is my vision to align the Law Society with the best practices observed within the Commonwealth and the wider region.

"Transparency and accountability will be at the core of our operations - ensuring that the interests of the public and lawyers are safely guarded.

"To achieve our vision, I will lead and drive the implementation of comprehensive governance structures, provision of enhanced training opportunities, and active engagement with members to address concerns and issues affecting the legal community."

Mr Namani has the full confidence in the capabilities of the Council Members who were elected alongside him. "We will strive to create an inclusive, ethical and supportive environment for our members - promoting the highest standards of professional conduct," he said.

He said this commitment extends to fostering collaboration with stakeholders, including government bodies, organizations and fellow



2025 Legal Year Opening march and parade



Meanwhile, he thanked lawyers for participating in the 19th Council General Election of the PNG Law Society and said he is humbled by the trust that learned colleagues have placed on him by electing him as the President of the Nineteenth (19th) Council of Papua New Guinea Law Society.

The new Council Members elected, including Mr Namani were Anthony Roden-Paru and Jonathan Holingu.

Councillors re-elected were Tauvasa Tanuvasa, Christine Copland, Phillip Tabuchi, Eunice Parua, Emmanuel Asigau and Justin Toliman Wohuinangu.

Rule of Law march in pictorials 2024



From Ela Beach Mobile Service Station Roundabout to Apec Haus, March 15th 2024



Law-and-order crisis demands a decisive and resolute response

BY BRIAN JEMEJEME

Law-and-order crisis is increasing in the country and demands a decisive and resolute response from all sectors of society including the government and from the law enforcement entities. A response that should provide safety and security for us.

With these thought in mind, the Papua New Guinea Law Society organized and staged a "RULE OF LAW" march led by the Council of the Society under the leadership of President, Mr Hubert Namani in March 2024.

The march was a demonstration of lawyers' commitment to inform the public to uphold justice, accountability and the rule of law in Papua New Guinea. The march came at the back of lawlessness that had shaken the core of our society, especially the barbaric killings in the highlands from tribal fights using high-powered firearms.

In the strongest possible term, the PNG Law Society condemns these acts and demands justice for the loss of innocent lives. The safety and the security of citizens, regardless of the geographic location, should be safeguarded at all costs.

Mr Namani emphasized more on the rule of law as he led the members of the Society in a march from Ela Beach Roundabout to the Apec Haus.

*Read Mr Namani's speech (unedited) on the **Rule of Law** on page 20.*

Some points in his speech includes:

- barbaric killings from tribal fights using high-powered firearms
- drug cases involving syndicates and cartels responsible for illicit trades
- lack of transparency and accountability of public funds

- implementation of biometric voting system
- uphold Rule of Law &
- calls for ethical practice for lawyers to uphold the Rule of Law



Rule of Law march in pictorials



PRESIDENT'S SPEECH - RULE OF LAW

Colleagues Lawyers, Members of the Magisterial Services, Representative of the Commonwealth Lawyers Association, Members of the Press, Ladies and Gentlemen,

On behalf of the 19th Council of Papua New Guinea, I extend my heart felt gratitude to each of you for joining us this morning in our walk for the "Rule of Law."

Your presence and support is truly appreciated and adds immense significance to our event today.

Walking together in solidarity for the Rule of Law sends a powerful message to our nation and beyond.

It demonstrates our collective commitment to upholding justice, accountability, and the principles of fairness and transparency in Papua New Guinea.

Your participation underscores the importance of this cause and reaffirms our shared dedication to building a society where the Rule of Law prevails. Let us continue to stand together in our pursuit for a brighter and more just future for us all.

Let me remind us that Section 7(a) of the Lawyers Act 1986 mandates the PNG Law Society "to promote the interest of the public and the interest of lawyers in relation to legal matters and generally to promote and uphold justice and the rule of law',..."

Thank you once again for marching with us this morning. Today as President of the Papua New Guinea Law Society, I stand before you with a heavy heart.

The recent barbaric killings in Enga from tribal fights using high-powered firearms have shaken us to our core.



Some of the senior councilors and the public sitting and listening attentively during the Rule of Law march in March 2025

Pictured by Robert Mellor Karava

The PNG Law Society condemns these acts in the strongest possible terms and demands justice for the innocent lives lost.

But Enga is not an isolated incident. We are witnessing a worrying build-up of arms in the upper highlands, fueling tribal conflicts that threaten the safety and security of our entire nation.

It is no longer an option but a critical necessity for the Government to prioritize the disarming of the highlands and to take immediate action to address this escalating crisis.

The safety and security of our citizens, regardless of their geographic location, must be safeguarded at all costs.

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PRESIDENT'S SPEECH - RULE OF LAW

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We call on the Government to allocate sufficient resources and manpower to enforce the disarmament process effectively. This initiative should involve a multi-faceted approach combining community engagement, law enforcement efforts, and intelligence gathering to identify and neutralize the resources of these illegal arms.

Furthermore, proactive measures need to be implanted to prevent the spread violence beyond the highlands. The "Connect PNG" road linkage, while essential for development, also represents a potential conduit for the proliferation of conflict into our major cities.

Let us not turn a blind eye to the looming threat that these armed conflicts pose to our nation's stability and prosperity. The time for action is now.

We call upon the Government to demonstrate strong leadership, commitment, and resolve in addressing this pressing issue. Our collective peace and security depends on it. We cannot afford to ignore this serious threat any longer.

Drawing from the wisdom of Martin Luther King Jr, we must recognize that "Injustice anywhere is a threat to justice." Within this context, it becomes evident that allowing justice to persist in the highlands not only jeopardizes the safety and well-being of those communities but also undermines the fabric of justice and security for the entire nation.

Let us remember that turning a blind eye to the injustices in the highlands is tantamount to tolerating injustice on a national scale.

The perpetrators behind these heinous crimes must be swiftly apprehended and brought to justice in order to restore faith in the rule of law.

Disturbing videos circulating on social media, depicting the killers flouting their brutality with impunity, underscore the urgency of accountability.

It is imperative that State authorities act decisively to track down those criminals, ensuring they face the full consequences of their actions.

The gruesome acts captured in these videos serves as a stark reminder of the need for swift and resolute legal action to deliver justice to the victims and their families.

Upholding the principles of justice and lawfulness is essential in quelling such atrocities and maintaining the fabric of a civil society.

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PRESIDENT'S SPEECH - RULE OF LAW

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Furthermore, it is crucial that we address the problem of drug trafficking, as well as the illegal arms trade crossing our borders. The rise in drug cases poses a profound and ongoing threat, with our country increasingly becoming a significant transit point for dangerous substances that jeopardize the well-being of our children and future generations.

The syndicates and cartels responsible for propagating this illicit trade must be uncovered and brought to justice to safeguard our society.

Those engaging in criminal enterprises under the façade of legitimate businesses must be met with the full weight of the law. By adopting holistic approaches to address these interlinked challenges, we can establish a more secure and equitable society that upholds the safety and well-being of all citizens.

It is imperative that we unite in our efforts to root out these threats and preserve the integrity and tranquility of our beautiful nation.

We also call on the Government to seriously address all governance, service delivery, and security concerns to prevent our country from sliding into the risks of failing as a State.

Good governance and accountability in the public sector are non-negotiable. The lack of transparency and accountability in the expenditure of public funds is a grave concern that must be addressed urgently.

Compliance with prescribed processes of law in procurement and expenditure is paramount to ensure the responsible use of public funds.

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PRESIDENT'S SPEECH - RULE OF LAW

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We also call for the respect of the independence and separation of all constitutional offices and mandates.

The government must uphold the integrity of these offices and refrain from undue interferences.

Very importantly, we the Law Council express our serious concerns over the long-delayed electoral reforms, stressing the critical need for the implementation of a biometric voting system to uphold the integrity of our democratic process.

Without these essential reforms, our electoral system remains vulnerable to manipulation and fraud, undermining the very foundation of democracy.

The adoption of biometric technology is seen as imperative in verifying voters identities accurately and efficiently, reducing the risk of electoral malpractice and ensuring transparent elections.

By modernizing our voting system with biometric technology, we can enhance the credibility of election results, instill public trust in the democratic process, and uphold the fundamental principles of fairness and accountability.

The Law Council emphasizes that these overdue reforms are essential in safeguarding the democratic rights of citizens and strengthening the legitimacy of our electoral outcomes for a more robust and trustworthy democratic system.

Urgent measures are required to address civil disobedience, maintain public order, and shield businesses crucial for serving our community from economic harm.

The disturbing events of January 10 (2024) were unprecedented and entirely unacceptable. The Council vehemently denounces these

actions and demands that the Government acts against those responsible.

Holding these individuals accountable is essential to uphold the rule of law, ensure the safety and well-being of our citizens, and protect the stability of our society.

Efficiency in our criminal justice system is essential. Perpetrators of heinous crimes must not evade justice, and the lack of arrests and convictions in cases like the burning down of the aircraft in Mendi and multiple tribal fights is unacceptable.

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PRESIDENT'S SPEECH - RULE OF LAW

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Justice must be served to prevent our people from taking the law into their own hands, ensuring that the fabric of society remains intact, and the principles of fairness and accountability are upheld.

Our Law Council emphatically urges the Government to responsibly exercise its legislative mandate by adhering to established best practices.

It is essential that policies guide legislation, with national interests taking precedence over political interests and or private commercial interests.

Furthermore, we urge the Government to exercise caution and extreme restraint when contemplating any constitutional amendments.

Finally, the Law Council under my Presidency calls for ethical practices from all lawyers to uphold the rule of law wherever you are practicing.

As legal professionals, we play a critical role in advising and guiding decision-makers, as well as in making decisions that shape our country's legal landscape. It is paramount that we maintain a steadfast commitment to ethical practice and the rule of law in our endeavors.

By adhering to ethical standards without bias or undue influence, we contribute to a just and fair legal system that upholds the principles of justice and equality. Our dedication to ethical conduct ensures that legal advice and decisions serve the greater good of society, free from any external pressures.

Ladies and gentlemen, to conclude, let me make an announcement.

I am delighted to announce a significant initiative between the PNG Law Society under my Presidency and Commissioner of Police, Mr David Manning.

We have agreed to enter an arrangement, on final terms to be agreed on under an MOU, for practicing lawyers to join the Force's Reserve Constabulary.

This is a collaboration that promises to provide vital support to police initiatives across the nation, spanning from investigations to prosecutions.



David Denniston - Commonwealth Lawyers Association (CLA) member presenting his speech

In addition to this, we will be orchestrating secondments of Police Prosecutors to participating Law Offices and Firms, offering them invaluable exposure to legal practice, culture and ethics.

Our professional group aims to enrich collaboration by leveraging expertise across our membership to empower the Force in upholding the law, including combatting emerging transnational and financial crimes.

With our diverse skill set, we are committed to enhancing law enforcement capabilities and supporting initiatives that address emerging challenges in these crucial areas. Together, we strive to make a meaningful impact through shared knowledge and proactive engagement.

I must acknowledge and thank Mr Hodgess Ette, a Senior Counsel and Police Officer, who marched with us this morning and is a delegated by the Commissioner to work with us to develop the initiative between the RPNGC and the PNGLS.

This initiative signifies the commencement of a promising partnership between our professional cohort and the law enforcement agency.

In conclusion, let us reaffirm our commitment to justice, accountability, and the Rule of Law. Together, we can overcome the challenges we face and build a society where the rights and dignity of every individual are respected and protected.

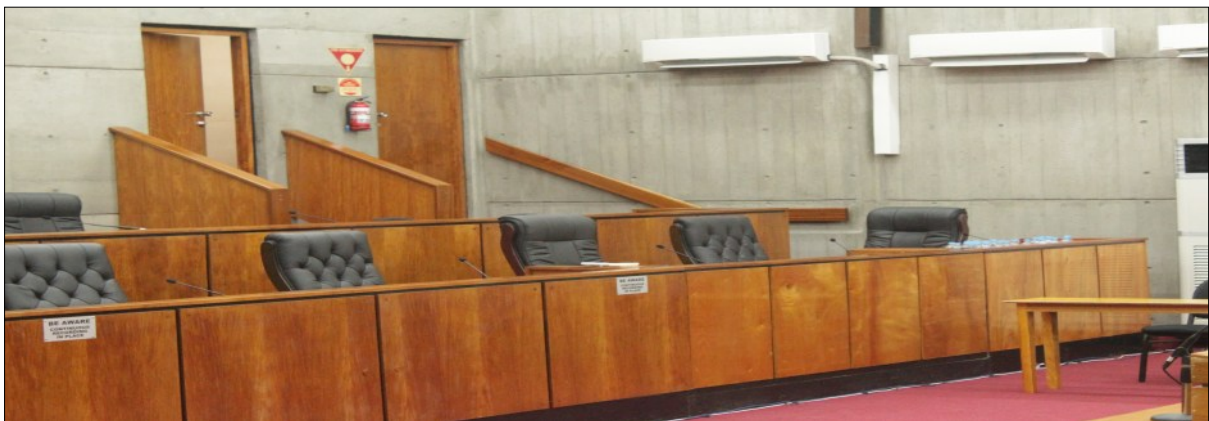
Thank you!

Mr Hubert Namani, President, PNG Law Society

Lawyers Check List

Rules of Court Etiquette - Courtesy to an Opponent:

- Rule 1.** Inform your opponent if you are going to be late or unable to attend
- Rule 2.** Advise your opponent in advance if the time estimate for a matter materially changes
- Rule 3.** Respect the procedure adopted by the particular Judge or Court
- Rule 4.** Do not insult or verbally intimidate your opponent
- Rule 5.** Be courteous in correspondence if sending communications to your opponent. Courtesy to the Court Administration and Witnesses.
- Rule 6.** Dress properly
- Rule 7.** Do not attend the Judge's Chambers without opposing Counsel being present
- Rule 8.** Avoid improper ex parte emails or other communications with a Judge
- Rule 9.** Time estimates given should be as accurate as possible
- Rule 10.** Always inform the Court promptly on settlement of a case
- Rule 11.** Lists of authorities and copies of cases should be filed and served
- Rule 12.** Speak to your opponent prior to the hearing
- Rule 13.** No mobile phones in the Court
- Rule 14.** Always have a list of material to be relied upon available for the Court
- Rule 15.** Do not take coffee, tea or food into Court
- Rule 16.** Provide your name to the Court officials
- Rule 17.** Observe the etiquette of the Bar table
- Rule 18.** The Bar table should never be left unoccupied whilst the Judge is still sitting
- Rule 19.** Speak from the Bar table
- Rule 20.** Announce your appearance



Check List

Rules of Court Etiquette - Courtesy to an Opponent:

- Rule 21.** Do not interrupt Counsel
- Rule 22.** Address your opponent as “learned friend”
- Rule 23.** Address the Court properly
- Rule 24.** Never address a Judge in the second person
- Rule 25.** Address witnesses properly
- Rule 26.** Never argue with a Judge
- Rule 27.** Cite authorities and references to Judges properly
- Rule 28.** Have draft orders prepared
- Rule 29.** Be absolutely punctual
- Rule 30.** Stand when the Judge enters the Court
- Rule 31.** Always bow when entering or leaving a Court which is in session
- Rule 32.** Always stand when addressing a Judge
- Rule 33.** Never interrupt a Judge from speaking
- Rule 34.** Do not patronize the Judge
- Rule 35.** Do not disparage or put down the Judge
- Rule 36.** Help the Judge
- Rule 37.** Remain silent during a ruling or judgement of the Court
- Rule 38.** Avoid the Judge out of the Court
- Rule 39.** Do not communicate with the Judge out of Court
- Rule 40.** Be gracious in defeat



AMLT/CTF EDUCATION & AWARENESS

The Bank of Papua New Guinea in collaboration with the PNG Law Society held an Anti-Money Laundering (AML) and Counter Terrorist Financing (CTF) awareness for the members of the Law Society.

A total of 182 lawyers attended and observed the awareness. 12 observed through the online while 170 attended in person. The seminar was held at the Apec Haus in November 2024.

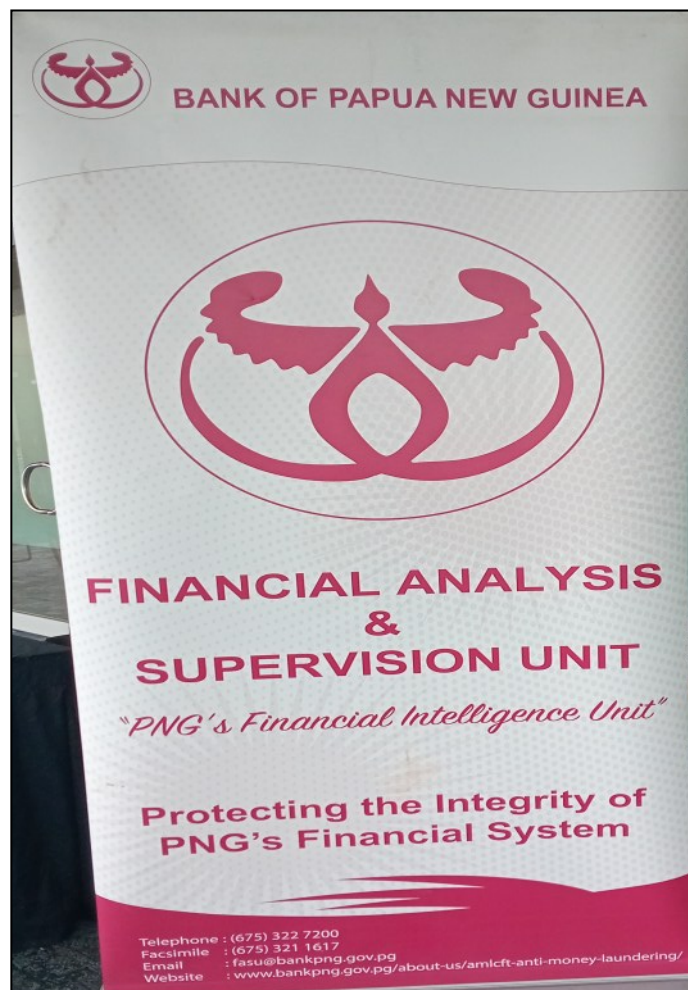
Some of the awareness outlined in the presentation which the lawyers were taken through included the following:

- PNG's AML/CTF reform in timeline
- PNG's International & regional affiliation
- Summary of PNG's performance through the mutual evaluation process since its affiliation
- PNG's AML/CTF framework & FASU's roles and responsibilities
- FASU milestone in timeline
- Economic impacts of financial crime
- Risk Assessment
- AML/CTF program

The Director of the Financial Analysis and Supervision Unit (FASU) Mr Wilson Onea and the Manager for the Supervision and Compliance Division Ms Rosa Kapilis did the presentation and encouraged everyone to work together to combat money laundering, terrorist financing and other financial crime.



Participants at the FASU awareness for the membership of the PNG Law Society.



AML/CTF AWARENESS IN PICTORIALS, APEC HAUS



RPC APPLICATION CHECK-LIST

Application - Form PCA 1

Applicant should:

- 1 – Provided accurate business/home addresses and contact details (phone and fax numbers, email address)
- 2 – Indicate place and date of admission
 - in PNG
 - in countries other than PNG
 - if Australia, state where admitted
- 3 – Indicate citizenship (*Section 2*)
- 4 – Indicate exact nature of employment (*section 4*)
- 5 – State actual physical location of place of employment:

Example: Ramendi & Co. Lawyers, Justice Building Level 1, Atlas Street, Hohola 4, Section 81, Lot 14, National capital District
- 6 – Date and sign the application form (*Section 7*)

Application - Form PCA 3

Applicant should:

- 1 – State name and full address
- 2 – State whether a citizen of PNG or non-citizen intending to reside in PNG for not less than 12 months from the Date of Application
- 3 – Date and sign this form before a Commissioner for Oaths

TRUST MONIES STATUTORY DECLARATION

In the Statutory Declaration on Trust Monies, state his/her occupation:

*Example: ...” ... I, Anton Ramendi, a lawyer of Ramendi & Co. Lawyers
PO Box 030, Boroko, National Capital District....”*

UPC APPLICATION CHECK-LIST

APPLICATION – FORM PCA 2

The applicant has:

Part 1 – provided proper business/home addresses and contacts (phone and fax numbers, email addresses), including place/date of admission

Part 2 – Circle only one of the parts that apply to him/her i.e, 2 (a), (b), (c), (d) or (e)

Part 3 – Indicated whether he/she is a sole practitioner, partner, employed by a law firm, or employed by the State

Part 4 – Stated the actual physical location of practice.

Example: Ramendi & Co. lawyers,
Justice Building Level 1, Atlas Street, Hohola 4,
Section 81, Lot 14, National capital District.

Part 5 – (Same as Part 4)

Part 6 – Indicated by circling whether he/she is a citizen of PNG

Dated and sign the application form

In his/her Statutory Declaration on Trust Monies, state his/her occupation.

Example: ...” ... I. Anton Ramendi, a lawyer, of Ramendi & Co. Lawyers,
PO Box 030, Boroko, National Capital District...”

Provide supporting references from UPC holders who have employed them and under whom they have practised.

NiuPower, through its Community Investment Program (CIP), has made a significant contribution to the Under 20 women's rugby union teams participating in the Capital Rugby Union Women's (CRUW) competition by donating new jerseys in January 2025.

The lucky recipients of these jerseys include ten dynamic teams: Chemcare Juggernauts, Theodist MBB Marlins, Acetus Valley Hunters, Harlequins, Kramer Ausenco Sisters, Fincorp University Piggies, Ruswin Crusaders, Kone Sharks, JRA Wanderers, and Moni Plus Novettes.

NiuPower's Chief Executive Officer (CEO), Michael Uiari, emphasized the importance of the CIP program in fostering community partnerships and implementing impactful, sustainable projects. "We are proud to partner with the CRUW and its participating clubs. NiuPower believes strongly in the power of community sport to foster values, camaraderie, and a healthy lifestyle," Uiari stated.

"By equipping these talented female athletes with proper uniforms, we hope to further their passion for the game and contribute to the ongoing development of women's rugby in Papua New Guinea," Uiari added.

This generous donation, which included 40 sets of rugby kits (460 women's club uniforms) purchased from Canterbury Australia for K200,000, exemplifies NiuPower's commitment to the growth of women's rugby in Port Moresby.

NiuPower's dedication to community investment goes beyond this initiative, as the company actively seeks opportunities that align with its vision of building a stronger and more vibrant Hiri West CRUW competition.

Henry Elias, president of the SWG Enterprise Valley Hunters, expressed his gratitude to NiuPower, highlighting the significance of this support for the CRUW competition.

"This is a momentous time for CRUW, as NiuPower empowers women to participate



As an independent power producer in the Hiri West, NiuPower is 50% owned by Kumul Petroleum Holdings Limited and Santos Limited.



Right: NiuPower CEO Michael Uiari and left is Kori Chan, President of Capital Rugby Union with University Piggies team



Right: NiuPower CEO Michael Uiari and left is Niu Power Finance Manager Agnes Juwana with Kone Sharks team



Law Tok Publication

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