

8



THE TEAM BEHIND THE FIGHT

The Fiji Legal Aid Commission is fighting to ensure that the basic rights of all Fijians are defended in court. AVI volunteer *Natalie Divola* has joined the cause.

» **T**he boy was barely 14 and small for his age. He was wearing what looked to be someone else's Sunday best short-sleeve check shirt, thin black tie, sandals, blue *sulu* and a scared uncertainty that made him shiver despite the August warmth of a Pacific afternoon.

His grandmother clung faithfully to her wooden chair and listened with even greater uncertainty. The juvenile court magistrate asked the boy a second time if he had heard of Legal Aid. Again the boy shook his head but this time managed a nervous "no". The magistrate then patiently explained. There was help available - someone who would listen to his story, tell him what was

happening, speak on his behalf, and even help his grandmother to understand.

After the hearing, the grateful grandmother and her relieved grandson were taken up to the Legal Aid office by one of its lawyers. The boy had made a silly mistake, but alone in the courtroom without any assistance, things could have been much worse.

There are hundreds of stories like this in Fiji. Men, women, girls and boys face serious charges and punishments. They are also facing overcrowded prisons, criminal records, setbacks to education, isolation from friends and rejection from the Fijian communal family.

The Fiji Legal Aid Commission serves a population of more than 800,000. Formed in 1998, it has only nine lawyers, eight support staff and one AVI volunteer. The Commission is thinly spread across the islands with a meagre budget of about AUD\$300,000 a year. Resources are sparse and this means no internet or email and a limited capacity to conduct legal research. Each member of the team fights passionately with the little they have, simply because they believe in what they are doing.

Director Villimone Vosarago helps coach the Suva-based Gaunavou Blues Rugby Team, which has finished a successful season with more wins than losses. In the legal field

however, his team will continue their fight throughout the year to help those at serious risk of losing everything. Some of these people are guilty, some are innocent, but most are confused and completely unaware that they have the right to be heard and represented. Right or wrong, if a story is not told, it is usually lost forever in an overcrowded prison.

“People working here at the Commission all strongly believe that legal aid really matters – they feel they are making a real contribution to core law and justice issues and they work for the principle that every

Legal Aid has commenced a duty solicitor scheme, located next to the courtroom, which aims to have Legal Aid lawyers working on a rotational basis with pro bono private practice lawyers, to provide accessible advice to those that have no representation.

The duty solicitor scheme involves all members of the team – the office manager manages the administration side, the director and lawyers man the desk and train private practice lawyers to provide duty solicitor advice, and support staff administer the timetable.

adequate funding for this critical community service - after all, people’s lives depend on it,” Mr Vosarogo said.

Natalie Divola feels that being in this team is the best part of her AVI experience. “Although I am from Australia, I am not leading or pushing from behind. I am not on the sidelines or looking in. I am just part of the team along with everyone else.

“For this vision to really work, be truly sustainable and make a significant long-term difference, it has to be a team effort and

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person deserves to have their story heard,” says Mr Vosarogo.

It is no small coincidence that the Director is a rugby coach because his legal aid players are a team. In the Suva office, Josevata drives the team, Veena and Lavenia on the front desk are responsible for first impressions, Shahin (a part time law student) manages the office, Helen accounts for every scarce Fijian dollar and Jotishna, Resina, Malcolm, Tabi and Angeline fight in court for rights to be protected and voices to be heard.

The Fiji Legal Aid Commission is committed to being both proactive and reactive while they deal with as many cases as possible. They are also starting a community education program that seeks to give people information and access to their basic rights.

“This may sound clichéd but knowledge really is power,” Natalie explains. “Without knowing your rights you can’t rely on them or assert them so we aim to promote the justice message to the community. We are doing this by taking it not just to prison courtyards, but also to church groups and school classrooms and are working more closely with local non-government organisations.

“We are now taking the law out to the community and breaking it down into simple English, simple Fijian and simple Hindi so people understand their basic rights.”

Legal Aid has an evolving vision, which includes a successful duty solicitor scheme and an increased awareness of legal aid services, generated by an effective community legal education outreach program. The vision also includes staff that are inspired to enhance their knowledge and learn more.

“I see Legal Aid expanding, being more accessible and becoming well known, so that what happens in court provides the best possible outcome for society. We also want to encourage government and other local organisations to recognise our importance and ensure continued and

something everyone believes in. We are just not big enough to be anything other than a cohesive unit – everyone here is involved, committed and passionate.”

The Fiji Legal Aid Commission may only be small at this stage, but there is certainly a lot of fight in the dog, and this is what makes a difference.

Below > The Legal Aid Commission has started a community outreach program so that all Fijian communities understand their basic rights.

Photo > AVI **Left >** Legal Aid Director Villimone Vosarogo (right) with AVI volunteer Natalie Divola (middle front) and other members of the Legal Aid team.

Photo > Courtesy Shane Fairlie

