

Review of the Activities of the Commonwealth Secretariat in the Legal Field

REVIEW OF THE ACTIVITIES OF THE COMMONWEALTH SECRETARIAT IN THE LEGAL FIELD

Memorandum by the Commonwealth Secretariat

Much water has flowed under the bridge since the Legal Division was established in 1969 and its miniscule staff of first three (Director, an assistant and a secretary) was charged with "the primary role of keeping governments informed of legal developments throughout the Commonwealth". Almost two decades on, the size of the Legal Division remains miniscule, but the the depth and range of its activities has grown beyond recognition. This has been achieved through a mode of operation both catalytic and unashamedly exploitative of the readiness of others to help. The spontaneous goodwill of numerous lawyers throughout the Commonwealth, both inside and outside government, has in no small measure helped carry the load the staff of the Legal Division has been happy to bear. We are deeply conscious of the demands we, of necessity, make on our Commonwealth colleagues and record our gratitude to them.

2. Ministers will be aware of the general pattern of the Secretariat's legal activities, and this review seeks to highlight some of the more recent developments in this work. Our legal work continues to follow a pattern which has been developed over the years in close consultation with Ministers and their officials, and is now well established. This has as its primary thrust keeping Commonwealth Jurisdictions apprised of legal developments in other Commonwealth countries, fostering Commonwealth co-operation in the legal field, assisting in developmental matters, providing assistance through the Commercial Crime Unit and servicing the day-to-day legal needs of the Secretariat and of the Commonwealth Fund for Technical Co-operation (CFTC).

Commonwealth Schemes on Mutual Assistance in the Administration of Justice, and on cultural Heritage

3. From its inception the Legal Division sought to survey and, where possible, prompt extensions of intra-Commonwealth arrangements for assistance in the Legal field. First, arrangements in the area of Private International Law were examined, and workshops held on the arrangements for the enforcement of judgments and orders, including maintenance orders. This led to our undertaking a review of the 1966 Scheme for the Rendition of Fugitive Offenders within the Commonwealth, which concluded in 1983, at Colombo. At the same Meeting which adopted the revised Scheme, Law Ministers invited the Secretary-General to initiate consultations on three possible new Schemes - on mutual assistance in criminal matters; on the transfer of convicted offenders; and on protection of the cultural heritage.

4. This introduced wholly new and exciting dimension to the work of the Legal Division. The subject matters and their scope called for an innovative and qualitative approach. The task was especially daunting as the experience of the world community in each area had been less than promising. In the past three years, therefore, through our system of consultancy, we have been putting together the three draft schemes. In so doing we have wherever possible drawn on the experience of particular Commonwealth countries. Outlines were circulated to governments for comment, and then refined in the light of the reaction conveyed. These culminated in three draft schemes - a Commonwealth Scheme for

Mutual Assistance in Criminal Matters; a Commonwealth Scheme for the Transfer of Convicted Offenders within the Commonwealth; and a Scheme to Protect the Cultural Heritage within the Commonwealth - which were considered by Senior Officials from Law Ministries, meeting at Marlborough House in January-February 1986.

5. As Ministers are aware their Senior Officials have unanimously recommended, that two of the Schemes (as amended by their meeting) be adopted - one, to increase and enlarge the areas of assistance given by Commonwealth countries to each other in the investigation and prosecution of criminal matters; the second, to permit the transfer of offenders convicted abroad to enable them, in appropriate cases, to serve the balance of their sentences in their home countries.

6. Senior Officials also commended to Law Ministers that arrangements be made to ensure that criminals are not permitted to enjoy the proceeds of their crime where these have been transferred from the jurisdiction in which the offences were committed. A proposal for consideration for incorporation in the relevant Scheme, or as a separate scheme, is before this Meeting.

7. The third proposed Scheme, designed to protect the cultural heritage of Commonwealth countries by prohibiting the importation into a Commonwealth country of illegally exported articles of the cultural heritage of other Commonwealth countries and establishing a validation system to protect bona fide purchasers, was given close consideration and proved more difficult. Items illegally imported would, on request and subject to safeguards, be returned to the country of origin. Law Ministers in Sri Lanka in 1983 had identified the problem of protecting major items of a country's cultural heritage as being appropriate for collective action, and as being one in which the special character of the Commonwealth association suggested that a solution to the problem of jurisdiction should be sought.

8. A number of policy considerations have been identified on which guidance from Law Ministers is needed before further progress could be made, and are discussed in the Report of Chairman of the Senior Officials Meeting circulated as LMM(86)13.

9. In the context of the need to keep existing arrangements under review, Senior Officials also gave preliminary consideration to proposals by one delegation that both the prima facie case requirement and the "list of offences" approach in Commonwealth extradition arrangements be dispensed with, as increasingly neither was required in arrangements with non-Commonwealth countries. This suggestion has been followed up, and is to be considered further by Senior Officials in Harare, before the Ministerial Meeting commences.

Commonwealth Law Bulletin

10. It would be difficult for us - and perhaps for many of our readers - to contemplate life without the Commonwealth Law Bulletin. This retains its position as the sheet anchor of our information network in the legal field. Its main attraction is its comprehensiveness and yet regular and timely appearance.

11. The unsolicited compliments which the Bulletin attracts from a wide range of quarters are not only gratifying but encourage us to strive for improvements in quality both of presentation and content. However we are deeply conscious of the debt we owe to Law Ministers, Chief Justices, and their dedicated staff, without whom our task would undoubtedly be impossible. We are also conscious of the need to achieve economies, and some income is now generated from advertisements. The Bulletin is now available on microfiche. As it is now computer typeset, since 1985 the full text has been stored on

disk which will afford the facility, in the medium term, of our being able to make the text of the Bulletin available to electronic data-based libraries under appropriate licensing arrangements. The print-run for each issue now stands at 1750 and a 185 page index for the 1984 volume was sent out with the January 1985 issue. The index for volume II (1985) is with our printers and should be dispatched to Ministers before their departure for Harare.

12. The keenly-awaited Cumulative Index covering the first ten years of the Bulletin (1974-1983) was distributed in June 1984. Its usefulness in facilitating access to some 10,000 pages of comparative material contained in the Bulletin has attracted compliments from users.

Law Reports of the Commonwealth

13. A notable development since Law Ministers last met is the appearance of Law Reports of the Commonwealth by Professional Books (of Oxford). In three annual volumes, the series covers constitutional, commercial, administrative law and criminal cases of particular interest. It makes available the full texts of landmark judgments otherwise unavoidable to many Commonwealth jurisdictions and it is proving to be a useful professional tool. This supplements the Commonwealth Law Bulletin in ways we would never hope to achieve and it represents a happy conjunction of professional and publishing interests in which we have been happy to co-operate. We have been keen to see the new series achieve a sound and viable subscription list, in recognition of its importance to Commonwealth lawyers.

Legislative Drafting Courses

14. The acute shortage of trained draftsmen, commented upon with unfailing regularity in previous reviews, continues to present serious problems for a number of jurisdictions. However there are hopeful signs of an overall improvement in some jurisdictions. It is clear that the continuing series of training courses in legislative drafting funded by the CFTC has had a beneficial impact in an area not usually recognised in technical aid circles as meriting priority attention, but nevertheless vital to underpin the framework and national strategies for economic and social advancement. A recent survey to evaluate the drafting courses in terms of the post-course career of graduates of the training courses reveals that a larger number of trainees than had previously been supposed still remain in Government service and, more importantly, in legislative drafting.

15. For smaller jurisdictions however, and in particular in small island states, a continuing dearth of personnel for training presents problems of a slightly different nature. Ironically this can mean that the jurisdictions most in need may be unable to take advantage of this almost unique facility available to them at no cost. In an attempt to redress the position in the Pacific, a CFTC course was held in Fiji, although by reason of a combination of factors this did not achieve the degree of impact we had hoped.

16. During the three years under review seven courses lasting approximately six months each have been held (including one currently in progress in Harare). These were attended by 83 trainees from 23 different Commonwealth countries (as compared to 35 trainees from 19 different jurisdictions respectively in the previous review). This brings to almost 300 the number of draftsmen trained since the inception of the training programme in 1974/75. Details of these courses are set out in Annex 1. An important element of these courses is the increasing number of women participating. Some 34 women participated in these courses, representing almost 41% of those trained during the period under review.

17. A welcome development has been the introduction since 1984 of a 'masters' element into the training programme. This is designed to provide an opportunity for more

experienced draftsmen from developing countries to sharpen their skills and update their knowledge of and use of modern techniques in the preparation of legislation. So far 14 senior draftsmen have taken advantage of this facility at four different courses which have been held concurrently with the existing basic courses, but each lasting only about 12 weeks.

18. Because of the necessarily limited number of places available on each course, pressure on admission remains high. Courses are regularly oversubscribed and there are sadly few alternative courses of comparable intensity and value to absorb the overflow. In the Caribbean, the expectations generated by the post-graduate course in legislative drafting at the Cave Hill campus of the University of the West Indies in Barbados, introduced in 1979, remain largely unfulfilled. However, we are seeking to cooperate more closely with the University authorities with a view to giving the course a new lease of life. A jointly sponsored course is expected to commence at the University in November 1986.

19. In early 1986, the Government of Australia implemented its plan to provide in-service training facilities for draftsmen from developing Commonwealth countries. As a result and with assistance from the CFTC, two recent graduates of our legislative drafting programme from Tanzania and Zimbabwe have had the opportunity of undergoing six-month periods of attachment with the Parliamentary Counsels' office in Perth and Canberra respectively.

20. The teaching of drafting skills is no easy task and we are profoundly grateful to Mr O.M. De Alwis (Sri Lanka) and Mr Justice VCRAC Crabbe (Ghana) for the dedication, professionalism and quiet humility with which they have directed these courses. Nor could the courses have been held without the willing assistance of the Governments of Bangladesh, Fiji, Sri Lanka and Zimbabwe. We express our gratitude to each for their profound generosity in acting as hosts, and providing physical facilities for the courses.

Legislative drafting service for small states

21. The CFTC has continued to retain the services of Mr W J Menary, an able and efficient law draftsman who is available to undertake ad hoc drafting assignments for small jurisdictions, and who also assists the CFTC's Technical Assistance Group with the preparation of legislation. He has a busy work programme, which is managed by the Legal Division.

Training course in Law Reporting

22. The need for well-produced and regular law reports lies at the heart of any servicing of Commonwealth legal system, dependent as they are on precedent and the ready availability of case law. To assist in particular governments in the East, Central and Southern African region in this vital area, in 1986 the CFTC funded a workshop for editors of law reports. Twelve trainees from eight jurisdictions attended the fortnight-long course, held in Lusaka, Zambia and tutored by Dr Alan Milner of Oxford (well-known for his series of African law reports).

Imperial Statutes of General Application

23. Also through the auspices of the CFTC we have been able to initiate a programme designed to attend to unfinished legal business associated with the attainment of independence by a number of Commonwealth countries. The immediate aim of the project

(initiated on a specific request from one of the small states affected) is to define and identify "Imperial Statutes of General Application" in force at the time of independence (using cut-off dates) in so far as that particular country is concerned, and to identify such statutes which may be considered as being no longer relevant so that definitive lists can be promulgated by Parliament which repeal those considered to be obsolete and save those which it is desired should continue in force. The long term objective is to be able to offer similar assistance to other Commonwealth jurisdictions. A preliminary survey of the project is in a paper LMM(86)30, by Professor Keith Patchett.

Publications

24. As well as the quarterly Commonwealth Law Bulletin, the Legal Division produces occasional texts to meet specific areas of need. Since the Colombo Meeting, we have produced the following:

- (i) Commercial Frauds: Problems and Remedies in the Judicial Process by Dr. Michael Levi.
- (ii) Law Reform Proposals in the Commonwealth and their Implementation: Issue 2: 1983.
- (iii) Ombudsmen in the Commonwealth (A Survey prepared for the Commonwealth Secretariat by the International Ombudsman Institute) (Revised 1983).
- (iv) Commonwealth Directory of Post-Graduate Legal Programmes 1983-1984.
- (v) Directory of Schools of Law in the Commonwealth 1983.
- (vi) Survey of Extradition and Fugitive Offenders Legislation as Between Commonwealth Jurisdictions.
- (vii) 1983 Meeting of Commonwealth Law Ministers, Minutes and Memoranda.
- (viii) The Copyright System: Practice and Problems in Developing Countries by Denis DeFreitas.
- (ix) Family Law: The Commonwealth Experience by Gloria Cumper.
- (x) Law Reform in the Commonwealth: Report of the Hong Kong Meeting 1983.
- (xi) Commonwealth Survey of Terms and Conditions of Service of Legislative Draftsmen.
- (xii) Commonwealth Law Bulletin Cumulative Index 1974-1983.
- (xiii) Commonwealth Legal Education Newsletter: A quarterly publication sent free to members of the CLEA.
- (xiv) Commonwealth Law Bulletin Index 1984.
- (xv) Meeting of Law Officers of Small Commonwealth jurisdictions, Vanuatu, 1985.
- (xvi) Issues in Reproductive Health Law in the Commonwealth by Rebecca Cook and Bernard Dickens.

- (xvii) Commonwealth Law Bulletin Index 1985.
- (xviii) A Decade of Women and Law in the Commonwealth.
- (xix) The Convention on the Elimination of all Forms of Discrimination against Women: Explanatory documentation prepared for Commonwealth jurisdictions.
- (xx) Directory of Schools of Law in the Commonwealth 1985.
- (xxi) Bibliography of Materials on Legislative and other Legal Drafting and the Interpretation of Statutes, Third revised edition, 1985.
- (xxii) The Hague Convention on the Taking of Evidence Abroad: Explanatory Documentation prepared for Commonwealth jurisdictions; Revised 1985.
- (xxiii) Law and Human Ecology in the Commonwealth Volume 1 - Ghana: Water Supply and Control.

Small States

25. In the discharge of the Secretariat's special responsibility towards small states the Legal Division undertakes specific tasks of a legal nature for small states either collectively or individually as the occasion dictates.

26. In the context of the Secretariat's general mandate to assist small states, the Division has helped to nurture what may form the basis of regular meetings of small states. An inaugural meeting held in the Isle of Man in July 1983 at the instigation of its Attorney-General generated considerable interest. The importance attached to this initiative was demonstrated by the presence at the Isle of Man Meeting of the Prime Minister of Vanuatu, who attended as his Country's Minister of Justice. A second meeting was held in July/August 1985, in Port Vila, Vanuatu. These meetings have brought home to all concerned how much the small island states have to offer each other, and how they stand to benefit from the experience of each other.

27. The Division has also played a part in fostering regular meetings of Pacific Islands Law Officers. The Legal Division has participated in previous meetings of the Pacific Law Officers, and will also be represented in the meeting in Apia, Western Samoa, in August 1986.

28. Reference has already been made to the project for the patriation of Imperial Statutes. Because of the human resource and financial implications that would be involved in each individual state carrying out its own study, many Commonwealth jurisdictions, particularly small states, would find such an exercise beyond their available resources and could not attempt it without extensive outside technical help. Although the project is at present being conducted by reference to a specific small territory, it will on completion benefit a number of other small states.

29. Mention has been made of the modest ad hoc legislative drafting service we have been able to provide; other aspects of CFTC assistance to small states are contained in Annex II. Our efforts to encourage strategically-located regional legal units continue. A unit for the Caribbean region is now functioning within the Organisation of Eastern Caribbean States, with CFTC assistance, and we are helping informally with a similar development in the Pacific, based in Port Vila and under the auspices of the University of the South Pacific.

Commonwealth Correctional Administrators

30. Following the endorsement of Law Ministers at Colombo, a meeting of Commonwealth Correctional Administrators, was held in Hong Kong, in March 1985. Not only was the meeting a first for the Commonwealth, it was also acknowledged to have been the first ever international meeting of correctional administrators from all five continents to discuss common problems and to share experience. Among the issues discussed at the meeting were the transfer of convicted prisoners between Commonwealth countries, and alternatives to imprisonment and their effect on the prison population.

31. A report on the meeting has been circulated to governments. Developed and developing countries discovered that they have common and yet very different problems, and there were many suggestions for improving the situation within the Commonwealth. Better arrangements within the Commonwealth for the training of correctional staff and the improvement of technical assistance to developing countries were explored. We hope to be able to be of assistance in bringing this about.

32. The meeting also studied the relationship between rising rates of crime in many countries and the overcrowding in the penal institutions and concluded that this relationship was far more complicated than was normally supposed. In many countries the prison population had gone down while the crime rate was rising, whilst in others it had gone up when the crime rate was going down. One really difficult problem facing most countries was that of increasing numbers of prisoners awaiting trial. In some countries nearly three-quarters of their prison population were prisoners awaiting trial - a subject of some concern explored by Mr William Clifford in a paper which is before the Meeting as LMM(86)9.

33. It was widely felt that legislation had far more effect on the creation of problems in the prisons than was ever appreciated. Some countries were concerned at a flood of legislation with statutes creating new offences containing penal provisions, which could only have the effect of increasing the numbers likely to find their way into the penal institutions. Some doubt was expressed as to whether, as a matter of course, proper scrutiny was given by the legislators when decisions as to the appropriate form of penalty were being taken.

34. Another subject of great interest was the provision of alternatives to imprisonment, and whether these have the effect of reducing the prison population. The feeling was widespread that alternatives to imprisonment, when made available to the judges, tended to be used not instead of imprisonment, but instead of the imposition of other alternatives to imprisonment, such as fines. Fines, themselves, were also a major, if unwitting, contributor, to the prison population. All too often offenders were unable to pay them, and were imprisoned for defaulting.

35. Community service orders were also discussed. Again the general impression was that these, too, tended to be used as alternatives to fines rather than as an alternative to terms of imprisonment. One jurisdiction reported a drastic reduction in its prison population after the introduction of a community service order scheme, but this had also coincided with a change in leadership of its judiciary and the introduction of new sentencing policies.

36. There was a robust discussion of the respective roles of the courts and of correctional services in the sentencing process. Some delegates considered that there was a strong case in favour of correctional administrators having a greater input to inform the sentencing process. Their staff were professionals, and these delegates felt that they have a constructive and useful role to play.

37. Most delegates felt that there was a strong case for correctional administrators to have increased authority to deal with the placement of offenders after sentencing, including the question of parole. Where this was not the position, there was the risk of correctional administrators being turned into mere "jailors", with the status of simple custodians. If correctional officers were to be denied discretion in the discharge of their duties, it should at the same time be acknowledged that they should carry no responsibility whatever for any failures in their correctional system.

38. The meeting concluded with a lively and most useful discussion on the handling of crises within prisons, in ways that were both humane and effective. Delegates were convinced that, as a result of their discussions, they will be returning to their countries better able to meet the challenges that from time to time confront them in this regard. There was universal agreement that greater attention should be given to the prevention of, rather than reaction to, crises.

39. As a consequence of the meeting, we were asked to liaise with its chairman to explore ways of keeping Commonwealth administrators aware of developments in the field of corrections taking place elsewhere in the Commonwealth.

Technical Assistance Group

40. Commonwealth Governments seeking assistance in the form of specialised consultancy services are able to request such services from the Technical Assistance Group (TAG), the in-house consultancy Division of the CFTC. TAG's professional staff consists of legal, economic financial and statistical consultants who provide advisory services on natural resources development in response to requests from governments. The Group's assistance in this area is mainly aimed at providing governments with the legal and fiscal measures needed to encourage development of their natural resources while protecting national interests. If governments wish, TAG staff can also further assist them by participating actively in the negotiations between governments and oil companies, mining companies or other foreign investors.

41. During the period under review TAG's lawyers and economists have assisted Commonwealth countries in Africa, the Caribbean and the Pacific on issues relating to petroleum exploration and development, including the drafting of appropriate legislation, model agreements and the design of financial terms with the aid of computer models. TAG has provided advice on a petroleum exploration package and petroleum development strategy to the Seychelles. The Seychelles National Oil Corporation, with inputs from TAG, is now preparing for a series of promotion seminars to be held shortly where oil companies will be invited to bid for rights to explore for petroleum in the Seychelles. This is a good example of the long-term relationships which TAG seeks to maintain with governments.

42. In addition to providing the legislative and fiscal framework within which oil companies can undertake exploration activities, TAG has provided CARICOM, the regional secretariat of the Caribbean countries, with advice on the harmonisation of petroleum regimes and on a regional energy action plan. Tonga was assisted with advice on petroleum exploration and development, as well as revision of existing legislation and a model agreement. Non-legal assistance was also provided in the form of a review of the financial regime and reinterpretation of exploration data.

43. TAG's lawyers and economists have helped The Gambia in the preparation of petroleum legislation and a model agreement. The Gambia is also preparing to hold promotion seminars, with TAG participation, for oil companies. TAG is now working closely with Botswana government officials in preliminary negotiations with oil companies, and has recently participated in similar negotiations between the Ghana government and three petroleum companies.

44. In mining, TAG's lawyers have also been involved in drafting mining law regulations and model agreements for use in negotiations. The decline in activity worldwide has resulted in a slackening of requests for assistance in mining projects received by TAG. Existing projects, however, still need attention as they evolve over time and TAG lawyers are assisting with coal and gold projects in Mozambique, and gold and asbestos in Swaziland. In 1985, a TAG lawyer provided advice to the government of Papua New Guinea on its legal options if the company developing the gold and copper mine in Papua New Guinea deviated from proposals agreed by the company and the government.

45. In the field of maritime boundary delimitation and fisheries access agreements, governments have continued to seek TAG's expertise. This has included preparation of appropriate legislation in a number of small island states including the Seychelles and Eastern Caribbean states and participation in negotiations between the government of Dominica and France on the maritime boundaries between Dominica and the French overseas territories of Martinique and Guadeloupe.

46. TAG was asked by the Seychelles government to draft the necessary legislation to set up the Seychelles Industrial Fishing Authority and to revise and update all Seychelles fisheries legislation in the context of amalgamating them into a comprehensive fisheries legislation.

47. There are other areas in which TAG's expertise in legal matters has been sought by governments. These include assistance to governments in Barbados, the British Virgin Islands, and Antigua and Barbuda, in their negotiations with an international telecommunications company. In one of these projects TAG's lawyers also prepared both the draft agreement between the company and the government and the operating licence. Other assistance in this field has included the drafting of telecommunications legislation.

49. TAG has provided similar assistance in negotiations on civil aviation agreements between carriers and governments and provided legal advice on proposals concerning sales of equity between foreign companies operating in member countries. In the case of the latter, TAG's assistance has been to monitor the terms of the transaction to safeguard the national interest throughout.

50. Another important area of TAG's assistance to government lies in the opportunity it makes available for staff from relevant government departments to work with TAG's officers for practical training and exposure to TAG's methods. Lawyers from Uganda, CARICOM, Tanzania, Malaysia, Namibia, Angola, Papua New Guinea, Guyana, Gambia and Antigua and Barbuda have been based in TAG's offices over the period. In some cases full or partial costs of their training have been met by IDRC, the World Bank, the UN or their own governments. The length of the training period ranged from between 2-12 weeks and the trainees worked on petroleum legislation and contracts as well as maritime boundary legislation.

50. Finally, TAG is now preparing a revised update version of its earlier mining compendium containing details of the legislative and fiscal regimes in mining agreements in African Commonwealth countries. The new compendium is being enlarged to include similar details for petroleum agreements.

Commercial Crime Unit

51. The Commonwealth Commercial Crime Unit (formerly styled the Commonwealth Fraud Liaison Service) was established in November 1981 as a unit within the Legal Division. Its mandate extends over a wide area including the facilitation and coordination of international enquiries and investigations, the development and deployment of

intelligence, the commissioning and conduct of studies, training and liaison with such organisations as ICPO-Interpol in regard to combating commercial crime and related matters. The philosophy behind this facility is simply that prevention is better, cheaper and more efficient than cure.

52. From the outset it was anticipated that the Unit would devote much of its time to developing cooperation between Commonwealth law enforcement agencies charged with combating commercial crime and abuse. However, from its inception, the Unit was deluged with specific requests for assistance, many of which required its intervention. The facility for coordination also presupposes the existence of effective national agencies for the execution of specific tasks and operations, which as yet do not always exist. Consequently, at Colombo in 1983, Ministers, asked that the facility be strengthened and extended, specially in regard to the development and deployment of intelligence orientated to commercial loss prevention. In November 1983, a Higher Executive Officer was appointed, and in April 1985 an Executive Officer was added. These three posts, together with a secretary, comprise its staff.

53. Law Ministers have designated appropriate contact points in each Commonwealth jurisdiction, including senior law officers, senior police and other officials. These have been welded into an effective Commonwealth network. Where necessary, an approach to a jurisdiction is made through the appropriate official contact point. However, given the necessity for speed the Unit is often encouraged to communicate directly with other appropriate officials after consultation with the official contact point. The system is highly personalised and, thus from an intelligence point of view, efficient. It has always been recognised that it is appropriate for the Unit to work with non-Commonwealth authorities where there is a clear Commonwealth interest, as international commercial crime is not limited to activities as between Commonwealth jurisdictions. Hence a number of non-Commonwealth countries have similarly designated official contact points.

54. Since November 1981 over 1000 requests for assistance have been received. Most related to specific cases. The vast majority originated from developing countries, and in particular from Africa. However, there is a discernible trend of developed Commonwealth countries using the services of the Unit more frequently. It is not uncommon for the Unit to be executing requests for assistance involving simultaneously a number of Commonwealth and non-Commonwealth jurisdictions. The nature and diversity of these requests defy practical analysis and there is little value in seeking to tabulate or categorise them. The following may serve to indicate, however, the nature of the Unit's work in this regard:

- A. A request was received from an Attorney-General for information concerning the antecedents and background of individuals who had approached his government with a view to obtaining bank licences for a number of offshore operations. The Unit was able to supply information that persons associated with these individuals were highly undesirable and the licences were declined.
- B. A request was received from a Minister of Finance as to the background and antecedents of an individual who was offering a substantial loan facility to his government. The Unit was able to identify this as an advance fee fraud in the making, and appropriate action was taken by the government.
- C. A request from a Chief Minister, for information on an American and Swiss corporation and their associates with whom his government was about to enter into a substantial transaction, was relayed to the Unit through his Commissioner of Police. The Unit was able to provide information showing that the principals of the Swiss company were associated with a Mafia

family and had been connected with a series of international frauds, although they had never been convicted. In this particular enquiry the Swiss and American governments willingly gave a great deal of cooperation.

- D. On the basis of information received the Unit was able to coordinate a targetting operation whereby a particular shipment of counterfeit video and audio tapes were monitored from Singapore via Spain to Nigeria and then seized by the Nigerian police.
- E. A request was received from an Attorney-General for advice as to whether certain negotiable instruments could be considered valuable securities for the purposes of a criminal prosecution. A successful prosecution resulted.
- F. The Unit was approached by the police of a Commonwealth country attempting to trace a substantial sum of money from which a nationalised industry had been defrauded. The funds were traced to another Commonwealth jurisdiction. The Unit facilitated a civil action which resulted in the freezing of the money and its return to the appropriate party.

55. Inevitably the response of the Unit and the degree of assistance it can provide will depend on the nature of the request and the circumstances in which it is made. At present the Unit has a case-load of about 40 cases and its resources are very stretched.

56. In addition to servicing these requests the Unit is required to develop an intelligence base. Given limited resources, this is done on an ad hoc basis, although on occasions it is able to produce valuable strategic and tactical intelligence for law enforcement agencies. For example, it has been possible to supply governments with intelligence which has enabled them to take effective action to prevent or minimise loss caused by fraud and other abuses without the Unit having to wait for a specific request for assistance. Naturally, the Unit exercises considerable caution and circumspection in both the development of its intelligence and in its deployment. Considerable care is taken to ensure accuracy, integrity and confidentiality in both its handling and its deployment.

57. The Unit is also charged with facilitating training in the field of commercial crime law enforcement. The Unit has organised, in association with the Secretariat of the International Chamber of Commerce, four international symposia on commercial crime at Cambridge University. Each symposium concentrated on practical law enforcement issues with a programme extending over a working week. As this programme is residential it has afforded delegates a unique opportunity to develop personal contacts and relationships which facilitate and foster international cooperation. At the most recent symposium participants numbered over 200 and came from 53 jurisdictions. Additionally, the Unit, in association with the Crown Agents, has held regional economic crime workshops in a number of jurisdictions. The Unit hopes to develop a programme for regional workshops either alone or in association with other agencies, although resource constraints render the precise timing of this programme uncertain. Regional workshops provide an important opportunity for bringing awareness and specialised training to officers who would not normally be afforded the opportunity to attend the annual symposium, and furthermore, the specific problems of the region can be highlighted.

58. The Unit has also provided training courses directly to Commonwealth governments. It has provided intensive courses for India and Zimbabwe on economic crime investigation, and for Malaysia on combating money laundering. Officers from Unit have also participated in training courses organised by other organisations and governments. In addition, officers from various agencies in several Commonwealth countries have been seconded to the Unit for on-the-job training. This has proved most valuable. In three instances it has been possible to secure funding for this from the British Council and ODA.

59. The Unit has also prepared documents and materials which have facilitated training in various courses and programmes already in existence. It has also helped officers from other countries to attend such courses, and in some instances has assisted in exchanges of personnel. The Unit has advised on the curriculum for training courses and has offered advice to governments on training generally.

60. The Unit has the responsibility of conducting and commissioning studies in areas relevant to commercial crime and related subjects. Papers on a wide variety of subjects germane to commercial crime law enforcement. have been prepared and circulated to Commonwealth governments.

61. The Unit has participated in a number of studies by other organisations including expert committees of both the UN Division of Narcotic Drugs on the forfeiture of assets associated with organised crime activity; the WHO Programme on integrated national drug policies; and an encyclopaedia of laws relating to the forfeiture of assets associated with organised crime, prepared by ICPO-Interpol. At the request of Commonwealth governments, the Unit has been able to provide evidence and submissions to governmental and other official enquiries. Members of the Unit have also directed research projects by individual members of various agencies including the Metropolitan Police Force, the Royal Hong Kong Police Force, the Independent Commission Against Corruption (Hong Kong), the Singapore Police Force and the Malaysian Government.

62. The Unit also assists in the identification of experts and has in a number of occasions facilitated the secondment of officers with a particular expertise from one government or organisation to another. Members of the Unit have themselves been assigned for short periods to member governments to advise on matters related to economic crime. For example, an officer from the Unit advised the Government of 'Zimbabwe on the establishment of a National Economic Conduct Inspectorate.

63. At the heart of the Commonwealth initiative in combating commercial crime lies a determination to prevent and to minimise fraud and economic abuse. Thus the Unit's role involves much more than simply rendering assistance towards securing a conviction before a court. In the vast majority of cases the timely provision of information, by the Unit has successfully prevented a fraud or other crime from taking place. However such are the demands on the Unit and the nature and number of requests it receives that inevitably its ability to develop more general loss prevention programmes is severely circumscribed. It is hoped that as its intelligence capability develops it will be able to service member governments more efficiently and effectively without having to respond to each request on an essentially ad hoc basis. Particularly in this the area in regard to off-shore and shell banking operations - a facet of our work which has been the subject of favourable comment by UNCTAD among a number of international organisations.

Human Rights Unit

64. Since Ministers last met, a Human Rights Unit has been established within the Secretariat's International Affairs Division. It is the subject of paper LMM(86)14.

Chief Justice of Commonwealth Africa

65. We were delighted to be invited by the Chief Justice of Gambia to assist him by identifying resource people and paper writers, to help with the agenda and to arrange financial assistance for delegates to the first-ever Meeting of Chief Justices of Commonwealth Africa, held in The Gambia in May 1986. In addition the Division was represented at the meeting.

International Legal Activities

66. The primary thrust of our legal activities lies in the area of municipal law, and we have consciously eschewed invitations which would draw us into legal activity which is more appropriately or more effectively undertaken by other organisations. However, there are some activities in which there has been a clear Commonwealth interest and a definable role for us. One such organisation is the Hague Conference on Private International Law; another is the Asian-African Legal Consultative Committee: our relationship with each is close and cordial. Discussed elsewhere in this review are aspects of our recent work with the AALCC, while the association with the Hague Conference is well-known to Law Ministers. Also relevant to our work and reported upon elsewhere, is our relationship with ICPO-Interpol. More recently we have been exploring with UNIDROIT suggestions that we might develop a relationship similar to that enjoyed with the Hague Conference. We also worked to good effect with the Committee of Experts of the Council of Europe, which developed the European Convention on the Transfer of Sentenced Offenders and upon which the eventual draft Commonwealth Scheme was based.

67. In particular, we have worked both with the AALCC and the Arab League together with the Hague Conference to develop model forms of bilateral agreements for mutual assistance in legal matters.

68. Regular and personal contact has also been maintained with the Secretariats of other international agencies concerned with crime prevention. These have included ICPO-Interpol; the International Maritime Bureau; the United Nations Division on Narcotic Drugs; and the United Nations Crime Prevention Office.

Commonwealth Legal Advisory Service

69. We have continued our useful and friendly cooperation with the Commonwealth Legal Advisory Service (CLAS) of the British Institute of International and Comparative Law (BIICL), established in 1962 before the Commonwealth Secretariat came into being.

70. We are careful to avoid duplication of effort, as the resources both of the CLAS and of ourselves are slender.

Commonwealth Legal Education Association (CLEA)

71. The CLEA was founded in 1971. There are approximately 500 members, 200 institutional and 300 individual. The Director of the Legal Division serves as its Honorary Secretary and the CLEA is housed within the Legal Division. Forty two Commonwealth countries are represented within the membership. Its objects are:

- (i) To foster and promote high standards of legal education and research in all Commonwealth countries.
- (ii) To encourage the provision of the facilities required to achieve high standards of legal education and research in all Commonwealth countries.
- (iii) To promote, maintain and strengthen contacts and cooperation between individuals, institutions, organisations and associations interested in legal education and research in the Commonwealth.
- (iv) To disseminate information and literature concerning legal education and research.

- (v) To promote and conduct research in the field of legal education.
- (vi) To maintain registers and publish directories of law schools and law teachers.
- (vii) To publish a regular newsletter or journal.
- (viii) To facilitate the exchange of teachers of law and publish vacancies.
- (ix) To facilitate the exchange of students and researchers in the field of law.
- (x) To facilitate the exchange of legal materials among law schools.
- (xi) To promote programmes of continuing legal education.
- (xii) To organise specialised, regional and general conferences of law teachers and others concerned with legal education and research.

72. The Association has several projects in hand, namely:

- access to legal education and the legal profession
- vocational training
- community legal education
- postgraduate education
- problems of publishing legal literature in small jurisdictions
- training of judicial officers
- a study of law journals and periodicals

73. In association with the University of Warwick, the Association is running a Law Teaching Workshop to be held at the University of Warwick from 14-18 July 1986 under the Directorship of Professor Neil Gold of the University of Windsor, Ontario. Law teachers from nine Commonwealth countries are to attend. The Workshop is being sponsored by the Commonwealth Foundation.

74. Under its judicial training programme the Association is organising, jointly with the Commonwealth Magistrates' Association, programmes for the training of magistrates. The first Workshop is to be held at the Commonwealth Youth Centre in the University of Zambia from the 10-24 August 1986. Fifteen magistrates from seven countries in the East, Central and Southern African region are to attend. The course Director is Mr Brian Reason, formerly training officer with the Lord Chancellor's Office, assisted by senior judges from Zambia, Zimbabwe and Kenya. It is intended to offer a similar course to six of the South Pacific countries early next year. The organiser for the South Pacific region is Professor Don Paterson, Director of the Pacific Law Unit in Vanuatu and he will be assisted by three senior judges yet to be appointed. In each case the intention is that magistrates attending the course will benefit sufficiently from the training element in the course to be able to organise such courses for their own jurisdictions.

75. The Association is sponsoring a Commonwealth Mooting Competition, the final of which is to be held at the Commonwealth Law Conference in Jamaica in September 1986.

76. At the request of the University of Dar es Salaam the Association is negotiating a link scheme between the Law Faculty at the University of Warwick under which two law teachers from Dar es Salaam will each spend one term in the U.K. undergoing supervised training and two law teachers from the U.K. law schools will spend one term each at the University of Dar es Salaam teaching postgraduate courses. The scheme will be under the sponsorship of the Commonwealth Foundation and the British Council.

Commonwealth Lawyers Association and the Commonwealth Association of Legislation Counsel

77. The 1983 Commonwealth Law Conference in Hong Kong saw the formation of two new Commonwealth professional legal organisations; the Commonwealth Association of Legislative Counsel (CALC) for legislative draftsmen (as to which see LMM(86)30) and the Commonwealth Lawyers Association (CLA) for the practising profession generally. The formation of these associations augurs well for the future. The Legal Division was closely involved in both initiatives and is committed to working with these associations on a collaborative basis. Their establishment means that the Commonwealth legal fraternity is now well catered for by four fully functioning associations, the other two being the Commonwealth Legal Education Association and the Commonwealth Magistrates Association.

78. The CLA restructures the moribund Commonwealth Legal Bureau into an association of bar associations and the law societies (funded through subscriptions from individual members) relevant to the contemporary needs of the Commonwealth legal profession. Its objects are to maintain and promote the Rule of Law throughout the Commonwealth by ensuring that the people of the Commonwealth are served by an independent and efficient legal profession. To this end the activities of the association may include:

- (a) facilitating and increasing the flow of professional information between Commonwealth Law Societies and Bar Associations on developments relevant to the organisation and servicing of the practising legal profession;
- (b) holding regular Commonwealth Law Conferences, open to all branches of the legal profession throughout the Commonwealth, and promoting as wide an attendance thereat as practicable;
- (c) responding as appropriate to ad hoc requests for information and assistance received from Commonwealth Law Societies and Bar Associations;
- (d) providing support for, collaborating with and generally facilitating the work of the Commonwealth Legal Education Association, the Commonwealth Magistrates' Association and other appropriate organisations concerned with matters of common interest;
- (e) generally furthering the interests of the legal profession throughout the Commonwealth with a view to improving the legal services available to and provided for the public.

79. Its activities to date demonstrate the vigour of its part-time consultant. Several issues of *The Commonwealth Lawyer* have appeared, a lively and readable journal written with the broad spectrum of the Commonwealth profession in view. In addition the CLA has:

- (i) Prepared a major survey by the Campbell McLachlan entitled "Admission of Commonwealth Lawyers" (the first definitive report on the extent to which lawyers qualified in one Commonwealth jurisdiction may be admitted to practise in other Commonwealth jurisdictions). This has been distributed to Commonwealth governments by the Commonwealth Secretariat, as well as to Commonwealth Law Societies and bar associations.

- (ii) Produced, in association with the Commonwealth Secretariat, a survey of voluntary agencies who make volunteer lawyers available to developing Commonwealth countries.
- (iii) Launched a "Book Recovery Programme" which recycles useful legal materials that are otherwise discarded. This has yielded dividends beyond all expectations. A prime example of the potential offered by this new area of activity has been the recovery of several complete sets of the older editions of Halsburys Laws and Halsburys Statutes of England, which have been distributed to institutions and jurisdictions in most need. The pilot project is based in London, but jointly with the CLA we are encouraging similar developments in Australia, Canada and New Zealand.
- (iv) Organised, with the International Bar Association, a workshop for law societies and bar associations in developing countries, to be held in Ocho Rios, Jamaica in September, 1986.
- (v) Organised a "Professional Issues" debate for the 1986 Commonwealth Law Conference in Jamaica.
- (vi) Arranged a public lecture in London by the Chief Justice of India, Justice Bahgwati.

80. The CLA is thus a lively professional organisation and one with which we have been happy to collaborate on appropriate matters of common interest.

81. CALC is a more modest undertaking, with the objective of fostering contact between law draftsmen (or, as CALC would put it, drafters). It was launched at a well-attended meeting in Hong Kong during the 1983 Commonwealth Law Conference, and is to meet again in Jamaica in September. With no income (membership is free) its useful newsletter has been made possible to date by the generosity of the Government of Australia, and it is understood that the Government of Canada has offered to host its offices for the next three years after Jamaica.

82. Again, given our deep interest in legislative drafting (and even more so, in drafters), we find CALC a most useful organisation in our work. A report by its President, Sir George Engle, is before the meeting as LMM(86)30.

83. In previous years, we have given the Organising Committees of Commonwealth Law Conferences whatever help we were able to give, and we have afforded similar assistance to the Organising Committee of the Conference to be hosted by Jamaica this September.

84. The highly successful 1983 Commonwealth Law Conference in Hong Kong followed hard on the heels of the Law Ministers meeting in Colombo. The Division was closely involved, behind the scenes, with the organisers. It was acclaimed as a professional, social and financial triumph. Its substantial profit has been paid into a trust fund established for the purpose of assisting future Law Conferences, thus putting the triennial Commonwealth Law Conferences on a sounder basis. The Director of the Legal Division is one of the trustees.

Relationships with other non-governmental organisations

85. We have also continued to assist other Commonwealth Organisations as and when appropriate. During the period under review the high level of activity maintained by pressure groups opposed to apartheid in sport has meant that assistance from the Legal

Division has been sought regularly by the officers of the Commonwealth Games Federation. We have been in close contact with the Commonwealth Human Ecology Council with whom we are collaborating on the publication of a series of annotated bibliographies on law and human ecology. We also liaise closely with such organisations as the Commonwealth Magistrates Association; INTERIGHTS (The International Centre for the Protection of Human Rights); and the International Planned Parenthood Federation. Officers of the Division also serve on a number of editorial boards of legal periodicals as well as on the Advisory Committee of the UK Government Legal Officers' course and the British Council's law advisory panel.

Internal Secretariat Work and relationships with other Secretariat Divisions

86. Work of a legal nature generated within the Secretariat itself, including the CFTC, continues to occupy a substantial amount of the time of the staff of the Division. Any international organisation with a staff of 350 or so generates a degree of work for its in-house lawyers, and in addition we are required to service the institutional needs of the CFTC, which now disburses an aid budget of £28.6 million.

87. We have always been conscious of the need to be involved in any activities of other functional divisions within the Secretariat which have legal implications. In this respect, we have worked very closely with the Women and Development Division in association with whom we arranged the publication of the "Explanatory Documentation on the Convention on the Elimination of All Forms of Discrimination Against Women" and "A Decade of Women and the Law in the Commonwealth". We have also worked closely with the Medical Division, and our mutual interest in addressing medico-legal issues is being explored and has resulted in our most recent publication, entitled 'Issues in Reproductive Health Law in the Commonwealth' which is before the Meeting as LMM(86)29. We work closely, too, with the Director of our International Affairs Division, particularly in respect of the work of the Human Rights Unit.

88. Members of the Division were privileged to be able to play some part in servicing the Commonwealth Eminent Persons Group on Southern Africa, which explored the possibilities of promoting dialogue between the South African Government and authentic black leaders so as to dismantle apartheid and introduce a non-racial democracy. Inevitably the intensity of our involvement over the past seven months has restricted the Division's resources in the run up to this Meeting.

Staff

89. The staff of the Legal Division has remained substantially the same for over ten years, despite the growth in scope and content of our activities, and the increasing number of calls made upon us for assistance. The only increase has occurred in the establishment of the Commercial Crime Unit, but this was associated with a new mandate and, despite hopes to the contrary, its personnel have been in no position to contribute to the general work of the Division. In addition to the Unit's personnel (referred to in para 52), the Legal Division comprises a professional staff of four: a Director (from New Zealand), two Assistant Directors (from Nigeria and Western Samoa), a Chief Legal Officer (from India) and a complement of four secretaries.

Future Activities

90. The basic pattern of our activities is now firmly established, but we continue to look to Law Ministers for guidance and direction. However we anticipate that Law Ministers are likely to continue to look to us for "more of the same", only more so.

91. A meeting of Commonwealth Law Reform Agencies was held in Hong Kong in 1983 and there is to be a further meeting in Jamaica this year. In addition, at Jamaica we expect to participate fully in several special interest meetings, including meetings of the Commonwealth Association of Legislative Counsel, the Commonwealth Lawyers Association and the Commonwealth Legal Education Association. The forthcoming First Pacific Law Conference in Apia, Western Samoa, is to be chaired by one of our Assistant Directors.

92. The maintenance of close and regular contact with as many regional and International Legal Associations and Law Societies as possible has provided us with useful opportunities which we have been able to capitalise on to good effect. We intend to participate as appropriate in the activities of such bodies as the Asian-African Legal Consultative Committee (AALCC) (inter alia, on extradition) and in the 1987 Biennial Conference of the African Bar Association, where our attendance in 1985 proved essential to the Association itself. We are already working with the Organising Committee for the 1990 Commonwealth Law Conference to be held in Auckland, New Zealand.

Appreciation

93. So much of the wealth of goodwill that we have been able to enjoy - and exploit - has been due to so many of our often equally hard pressed colleagues, both in the public and private sector and spread throughout the Commonwealth, being prepared to render valuable assistance. To attempt any categorisation of this would entail unintended injustices by involuntary omission. We would simply offer our most deeply felt gratitude for all the help we have received, and from every source. However, we cannot fail to place on record our most sincere and profound thanks to Commonwealth Law Ministers, with whom it is both an honour and a privilege to work, for their unwavering support and guidance over the years. We look forward to working with them, and for them, in the years that lie ahead.

DETAILS OF THE SECRETARIAT'S LEGISLATIVE DRAFTING COURSES

1983Asia Region [Colombo, Sri Lanka]6th May 1983 - 16 December 1983

Bangladesh	1
India	1
Nigeria	2
Sri Lanka	6
Uganda	2
5 Countries	12 trainees

1984Africa Region [Harare, Zimbabwe]23 January 1984 - 20th July 1984

Ghana	1
Guyana	2
India	1
Jamaica	1
Malawi	1
St Vincent	1
Sri Lanka	1
Zimbabwe	7

1984-1985Africa Region [Harare, Zimbabwe]3 September 1984 - 22 February 1985

Bangladesh	1
Cyprus	1
Ghana	1
India	1
Nigeria	1
Sri Lanka	1
Tanzania	1
Uganda	1
Zambia	2
Zimbabwe	2

Pacific Region24 September 1984 - 27 February 1985

Fiji	3
Solomon Islands	1
Vanuatu	1
Western Samoa	1

Africa Region [Harare, Zimbabwe]

14 July 1985 - 13 December 1985]

Bangladesh	1
The Gambia	1
Ghana	1
India	1
Kenya	1
Lesotho	1
Nigeria	1
Sri Lanka	1
Tanzania (including Zanzibar)	3
Uganda	1
Zimbabwe	2
18 Countries	32 trainees

1986

Africa Region [Harare, Zimbabwe]

10th March 1986 -

Bangladesh	1
Ghana	1
India	1
Lesotho	1
Malawi	1
Nigeria	1
Sri Lanka	1
Tanzania	1
Uganda	2
Zimbabwe	2
10 Countries	12 trainees
23 Countries	83 trainees

Total:

LEGAL TECHNICAL ASSISTANCE ASSIGNMENTS PERFORMED FOR
COMMONWEALTH DEVELOPING COUNTRIES UNDER THE COMMONWEALTH FUND
FOR TECHNICAL COOPERATION

- Notes
- (1) A number of the projects listed below have been completed but many are still in operation, or under consideration or awaiting recruitment to enable training courses described in Annex 1, but does include other assistance provided under the Education and Training Programme of the CFTC.
 - (2) The reference to TAG means that the project was undertaken by the Technical Assistance Group of the CFTC (in association with other countries, on occasions).

COUNTRY/REGION ASSISTED, DESCRIPTION AND DURATION (if relevant) OF PROJECT

Africa Region

Training Course in Law Reporting, Zambia (21 days)

Asia and South Pacific Region

Meeting of CHOGRM Maritime Expert Study Group, (Fiji, Sri Lanka, Malaysia) (July and October 1983 - 7 days; February and June 1984 - 9 days).

Legal Consultant, University of the South Pacific (September 1983 - 7 months).

Caribbean Region

Caribbean Community Secretariat (Caricom)

Legal Consultant on the harmonisation of Laws (6 years - continuing)

Organisation of Eastern Caribbean States

Public International Lawyer (July 1984 - 2 years)

Legal Draftsman (August 1984- 3 years)

Advice on geothermal energy development (June 1982- continuing) (TAG)

Commonwealth, General

Legal Draftsman (October 1976 - continuing)

Course in the law and practice of copyright (October 1984 - 3 weeks)

Seychelles

Chief Justice (September 1979 - 6 years).

Expert on standards drafting for food products (January 1984 - 3 months).

Advice on joint venture fisheries agreement (July 1983 - 3 weeks) (TAG).

Assistance in negotiations with EEC on fisheries access agreement (August 1983 - 4 weeks) (TAG).

Legal Draftsman (December 1984 - 1 year).

Sierra Leone

First Parliamentary Counsel (December 1982 - 4 years)

Advice on petroleum legislation and model agreement (March 1984 - 4 weeks) (TAG)

Solomon Islands

Legal Draftsman (July 1982 - 2 years).

Tanzania

Internship in legal training (January 1985 - 6 months)

Tonga

Legal Adviser and draftsman (September 1984 - 2 years).

Tuvalu

Attorney General (August 1983 - 5 months).

Consultant on maritime legislation, company partnership and insolvency law (April 1985 - 7 months).

People's lawyer (May 1985 - 1 year).

Vanuatu

Legal draftsman (October 1981 - 3 years).

Advice on mineral, petroleum and geothermal legislation and policy (October 1982 - continuing) (TAG).

Consultant, cooperative law (March 1985 - 3 months).

Western Samoa

Attorney-General (February 1982 - 2½ years).

Zimbabwe

Legal consultant and senior inspector of primary courts (March 1981 - 5 years).

Legal consultant, training of magistrates (September 1981 - 4 years).

Legal draftsman (August 1982 - 4 years).

Legal draftsman (November 1982 - 3½ years).

High Court judge (April 1983 - 3 years).

High Court judge (August 1983 - 3 years).

Legal Draftsman (October 1983 - 2 years).

Director of legal research (January 1984 - 1½ years).