



## REPUBLIC OF VANUATU

### COMMISSIONS OF INQUIRY ACT [CAP 85]

#### **Appointment of Commission of Inquiry into the Implementation of the Recommendations of the Coroner's Report in the Inquest into the Cause of Death of John Bule Order No. 68 of 2011**

In exercise of the powers conferred on me by sections 1, 5 and 12 of Commissions of Inquiry Act [CAP 85], I, the Honourable RALPH REGENVANU, Minister of Justice and Community Services, make the following Order.

#### **1 Establishment of the Commission**

The Commission of inquiry into the Implementation of the Recommendations of the Coroner's Report in the Inquest into the cause of death of John Bule is established.

#### **2 Appointment of Commissioner**

Mr. Harold Thompson is appointed as the Commissioner to the Commission.

#### **3 Appointment of Assessors**

The following persons are appointed as Assessors of the Commission:

- (a) Eric Molbaleh;
- (b) Willie Ben;
- (c) Michael Taurokoto.

#### **4 Appointment of the Secretary**

Mrs Heather Lini Leo is appointed as the Secretary of the Commission;

#### **5 Location of inquiry**

- (1) The Government is to provide an office space to the Commission.
- (2) The inquiry is to be made in Port Vila and at such other place or places as the Commission may determine.

**6 Terms of reference**

- (1) The Terms of Reference of the Commission are set out in the Schedule.
- (2) The Terms of reference of the Commission may be amended or varied by the Minister in consultation with the Commission.

**7 Remuneration and cost**

- (1) The members of the Commission are entitled to remuneration as follow:
  - (a) Commissioner – VT300,000;
  - (b) Secretary – VT150,000;
  - (c) Each Assessors – VT100,000.
- (2) Reasonable costs of the Commission to carry out their duties under this Order are to be covered by the Government.



**8 Duration of the Inquiry**

- (1) The Commission has 6 weeks from the commencement date of this Order to compile its finding.
- (2) The Commission is to present its findings to the Minister in week 7.

**6 Commencement**

This Order commences on the day on which it is made.

Made at Port Vila this 20<sup>th</sup> day of April, 2011.

  
  
Honourable RALPH REGHEV A. ANI  
Minister of Justice and Community Service

# SCHEDULE

## TERMS OF REFERENCE

### 1. Aim of the Commission

The aim of the Commission is to enquire into the extent to which designated authorities have complied with the recommendations of the Coroner and, where appropriate, to identify actions required to ensure full implementation of the said recommendations.

### 2. Objectives of the Commission

The objectives of the Commission are to:

- (a) inquire into the implementation status of all the recommendations of the Coroner's Report, to determine for each recommendation:
  - (i) whether the recommendation has been implemented by the designated authority / authorities;
  - (ii) if the recommendation has not been implemented, what factors have caused or contributed to the recommendation not being implemented ;
  - (iii) if the recommendation has been partially implemented, what stage in implementation has been reached and what factors have caused or contributed to the delay or prevention of implementing the recommendation ;
  - (iv) to what extent the factors that have delayed or prevented implementation stem from the wilful refusal of individuals and departments within the designated authority / authorities, and for these individuals and departments to be identified ;
- (b) identify the specific actions that need to be taken in order to restart and complete implementation of recommendation 1, so that those persons responsible for the death of John Bule are identified and prosecuted;
- (c) identify the specific actions that need to be taken in order to restart and complete implementation of recommendation 3, so that all available

evidence of alleged perjury by witnesses is assessed with a view to securing perjury convictions against those persons responsible;

- (d) identify the specific actions that need to be taken in order to complete implementation of the other recommendations;
- (e) generate a discussion paper as per recommendation 10 on how the Government can address the problem of a “dysfunctional group culture” within the VMF.



## **OATH TO BE TAKEN BY A COMMISSIONER**

### **Commissions of Inquiry Act [CAP 85]**

I, **Harold THOMPSON**, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the 20<sup>th</sup> day of April 2011, to be a Commissioner to inquire into the matters specified in the said Order, do swear that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

**Dated at Port Vila this 20<sup>th</sup> day of April, 2011.**

**Harold THOMPSON**  
Commissioner



## OATH TO BE TAKEN BY AN ASSESSOR

### Commissions of Inquiry Act [CAP 85]

I, **Eric Molbaleh**, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the 20<sup>th</sup> day of April 2011, to be an assessor to assist the Commissioner appointed to enquire into the matters specified in the said Order, do solemnly and sincerely affirm that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

**Dated at Port-Vila this 20<sup>th</sup> day of April, 2011.**

A handwritten signature in black ink, appearing to read 'Eric Molbaleh', written over a horizontal line.

**Eric MOLBALEH**  
Assessor



## **OATH TO BE TAKEN BY AN ASSESSOR**

### **Commissions of Inquiry Act [CAP 85]**

I, **Michael TAUROKOTO**, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the 20<sup>th</sup> day of April 2011, to be an assessor to assist the Commissioner appointed to enquire into the matters specified in the said Order, do solemnly and sincerely affirm that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

**Dated at Port-Vila this 20<sup>th</sup> day of April, 2011.**

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**Michael TAUROKOTO**  
Assessor



## **OATH TO BE TAKEN BY AN ASSESSOR**

### **Commissions of Inquiry Act [CAP 85]**

I, **Willie BEN**, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the 20<sup>th</sup> day of April 2011, to be an assessor to assist the Commissioner appointed to enquire into the matters specified in the said Order, do solemnly and sincerely affirm that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

**Dated at Port-Vila this 20<sup>th</sup> day of April, 2011.**

  
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**Willie BEN**  
Assessor