Independent Completion Report

Papua New Guinea

Justice Advisory Group

Appendices

May 2009

Appendix 1

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Terms of Reference

INDEPENDENT COMPLETION REVIEW

JUSTICE ADVISORY GROUP (JAG) FEBRUARY 2009

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AusAID seeks to undertake an Independent Completion Review (ICR) of its Justice Advisory Group (JAG) activity in PNG. The JAG is being implemented collaboratively by the Governments of PNG (GoPNG) and Australia (GoA) as part of a broader program of assistance to PNG's law and justice sector, which also includes AusAID's PNG Law and Justice Sector Program (LJSP). The JAG is due for completion at the end January 2009.

The aim of this ICR is to:

(a)   evaluate the performance of the JAG;

(b)   assess the JAG model through rigorous 'proof of concept' testing;

(c)   enable AusAID and GoPNG to reflect and act on the lessons from the JAG;

(d)   inform the design and implementation of future assistance to improve AusAID's ability to meet GoPNG development challenges;

(e)   build evidence and learning to support AusAID's Annual Review of Development Effectiveness report, Annual Thematic Performance Reports, Annual Program Performance Reports and Country/regional strategy reviews.

1. Background:

The Governments of Papua New Guinea and Australia have agreed on a sectoral approach to the provision of development assistance to PNG's law and justice sector. As part of this approach, both governments have agreed to measure the performance of the sector as a whole and to assess the relative impact of government and donor funding.

To support these efforts, a joint Justice Advisory Group (JAG) was established. The aim of the JAG is to provide both governments with access to independent technical and management expertise. Specifically, it was set up to:

(a)   support the monitoring and evaluation of sector performance;

(b)   provide high-level advice to GoA and GoPNG on planning;

(c)   provide advice on performance and other technical law and justice policy issues[1].

In January 2003, Educo Pty Ltd was engaged by AusAID as managing contractor for the JAG. The activity has been implemented in 3 Phases from 20th January 2003 to 19th January 2006 (Phase A); 20th January 2006 to 19th January 2008 (Phase B); 20th January 2008 to 19th January 2009 (Phase C). The JAG has now been in

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[1] Note that after the mid-term review of the JAG, its scope and objectives were modified somewhat from the original design (ie reduced focus on provision of justice sector policy advice to government and more focus on capacity building for sector M&E and supporting AusAID to review the performance of the LJSP)

operation for 6 years with a 2 year extension of the contract that ends on the 19th January 2009.

2 Objectives of the ICR:

The objectives of this evaluation are to:

2.1 submit the JAG model to rigorous 'proof of concept' testing. As a relatively new concept under trial in AusAID, the JAG model requires thorough and objective assessment from a variety of standpoints. In particular, the technical, institutional and country specific factors influencing the performance of the JAG model should be isolated and examined. Comparisons with other similar/dissimilar advisory assistance models within and outside AusAID's PNG program should be undertaken to obtain a sharper profile of the strengths and weaknesses of the PNG JAG prototype.

2.2 assess the performance of the activity against the criteria of relevance, effectiveness, efficiency, impact and sustainability against which all AusAID activities are required to be measured at completion through the ICR process (evaluation guidance / definitions are provided at Attachment A). The issues of particular significance in the JAG activity are:

(a) the effectiveness of the JAG in meeting its objectives against the Key Performance Indicators (KPIs) at (Attachment B)

(b) the impact of the JAG's operations towards improvements in sector performance including the performance of the Law and Justice Sector Program

(c) the performance of the contractor in managing the JAG activity. Assess the efficiency of the JAG management in meeting contract service delivery objectives as listed in Attachment C and compare its cost efficiency and effectiveness with the PNG health sector fly-in-fly-out advisory model

(d) the extent to which intended and unintended consequences of the JAG's operations have influenced the sector's performance and what lessons can be learned from them

(e) sustainability of the JAG and the factors critical to the continuity of the JAG's functions

(f) the degree to which gender equality has been integrated into the JAG's work

The ICR will consider the Activity Completion Report prepared by the JAG Managing Contractor to establish the ICR parameters, key assumptions and risks in the activity and issues for further investigation through the ICR review process. To assist the review, project documents such as progress reports (six monthly & annual reports), JAG M&E reports, JAG tasking notes and other available JAG reports will also be provided by the LJSP. These are listed in Attachment D.

3. ICR Review Team Composition

The ICR will be undertaken by a principal review team of two experts consisting of an M&E Specialist and a Law and Justice Specialist. The team will be led by the M&E Specialist.

A representative of the DNPM will join the review mission in PNG. The team will also be accompanied by a Canberra based officer from AusAID's PNG program who will provide support and ad hoc policy and strategic advice to the ICR team as needed.

4. Roles and Responsibilities of the ICR Team

(a)   The M&E specialist will be the team leader and will be responsible for managing, compiling and editing inputs from the other team member(s) to ensure the quality of reporting outputs.

(b)   The Law and Justice specialist will work as team member under the overall supervision of the team leader.

(c)   The review team will work under the management of the Evaluation Officer, Program Quality and Review Section, AusAID Canberra.

3   Process and Approach

The review team will:

(a)   Meet with AusAID before and after the mission for briefing and debriefing.

(b)   Meet the JAG team leader and staff for an overview of the Activity Completion Report (ACR) with a focus on JAG's achievements, lessons learned and broader issues of quality. The team should use this occasion to investigate key performance issues related to JAG's functions; management approach; KPIs; and gender equality and identify issues for further investigation.

(c)   Meet with PNG counterparts in the Sector including Department of National Planning and Monitoring (DNPM) and Civil Society Organization representatives to discuss the purpose of the ICR and gather new and additional data (qualitative and quantitative) to report on the JAG's objectives, impact and sustainability.

(d)   Consult AusAID, JAG, Sector representatives, National Coordinating Mechanism (NCM) representatives, DNPM representatives, LJSP management personnel and advisers, Community Justice Liaison Unit (CJLU), Law & Justice Sector Secretariat (LJSS) and other stakeholders. The discussion should focus on the impact of JAG functions and sector performance development over the life of the JAG.

(e)   Meet with the Sector representatives from the Law and Justice Sector Working Group and AusAID

(f)   Present an Aide Memoire at the end of the mission to DNPM, PNG Post and key stakeholders.

(g)   Present a seminar/workshop in AusAID, Canberra at a date and venue to be advised by AusAID

6. Duration

The review is estimated to take 8 weeks. The research will require the ICR team members to be in PNG from 9 to 20 February, 2009.

7. Output

The review team shall submit the following outputs:

(a)   A Draft Methodology for review by AusAID and DNPM prior to commencement.

(b)   An Aide Memoire at completion of the mission.

(c)   A Draft Report for consideration by AusAID and DNPM within three weeks of commencement (2 March, 2009) to the Evaluation Officer, Performance Quality and Review Section, AusAID Canberra. Feedback from AusAID and DNPM will be provided within two weeks of receiving the draft report.

(d)   A Final Report for endorsement by AusAID, DNPM and NCM two weeks after feedback

The review team will prepare a report of 25 pages maximum of text in accordance with AusAID's Guidelines for ICR reporting. The structure of reporting should be based on AusAID's Guidelines for ICR reporting as stipulated in AusAID's 'Rules and Tools' for the 'Completion and Evaluation of an Aid Activity'. (Guidance / documentation to support the preparation of the ICR will be provided by AusAID). Lessons and recommendations should be clearly documented in the report.

- Document name: **Standard Evaluation Questions**, registered #tbc [draft 1, 26 September]
- Use with Instruction: *How Do I Manage the Independent Evaluation of an Aid Activity?* registered #tbc
- Business Process Owner: tbc
- Contact for assistance: tbc
- Current from tbc

Standard Evaluation Questions

These suggested standard evaluation questions for Independent Progress Reviews and Independent Completion Reviews have been provided to guide review managers in developing questions that get the most value from the evaluation.

They are based on the seven quality indicators that provide a comprehensive view of aid effectiveness. The seven quality indicators are: relevance, effectiveness, efficiency, monitoring & evaluation, sustainability, gender equality and analysis & learning. The aid activity must be rated against these quality indicators.

The questions can be used as provided, or can be adapted to be more relevant to the aid activity, country context and the size of the evaluation.

1. Questions for an Independent Progress Review

Relevance

– Are the objectives relevant to Australian Government and partner government priorities?
– Are the objectives relevant to the context/needs of beneficiaries?
– If not, what changes need to be made to the activity or its objectives to ensure continued relevance?

Effectiveness

– Are the objectives on track to being achieved? If not, what changes need to be made to objectives to ensure they can be achieved?
– To what extent has the activity contributed to achievement of objectives?
– Have there been any negative unintended consequences of the activity?

Efficiency

– Has the implementation of the activity made effective use of time and resources to achieve the outcomes?

Sub-questions:

- Have there been any financial variations to the activity? If so, was value for money considered in making these amendments?
- Has management of the activity been responsive to changing needs? If not, why not?
- Has the activity suffered from delays in implementation? If so, why and what was done about it?
- Has the activity had sufficient and appropriate staffing resources?

– Was a risk management approach applied to management of the activity?
– What are the risks to achievement of objectives? Have the risks been managed appropriately?

Monitoring and Evaluation

– Does evidence exist to show that objectives are on track to being achieved?
– Is the M&E system collecting the right information to allow judgement to be made about meeting objectives and sustainability at the next evaluation point?

Sustainability

– Do beneficiaries and/or partner country stakeholders have sufficient ownership, capacity and resources to maintain the activity outcomes after Australian Government funding has ceased?
– Are there any actions that can be taken now that will increase the likelihood that the activity will be sustainable? Are there any areas of the activity that are clearly not sustainable? What actions should be taken to address this?

Gender Equality

– To what extent is the activity advanced gender equality, or at least not reinforcing existing gender discrimination?
– Is data sex-disaggregated to measure the outcomes of the activity on both men and women?

Analysis & Learning

– How well was the design based on previous learning and analysis?
– How well has learning from implementation and previous reviews (self-assessment and independent) been integrated into the activity?

Lessons

– What lessons from the activity can be applied to (select as appropriate: further implementation/designing the next phase of the activity/applying thematic practices [i.e. gender/environment/fragile stages] to the rest of the program/designing future activities).

2.   Questions for an Independent Completion Review

Relevance

– Were the objectives relevant to Australian Government and partner government priorities?
– Were the objectives relevant to the context/needs of beneficiaries?
– If not, what changes should have been made to the activity or its objectives to ensure continued relevance?

Effectiveness

– Were the objectives achieved? If not, why?
– To what extent did the activity contribute to achievement of objectives?
– Have there been any unintended consequences (positive or negative) of the activity?

Efficiency

– Did the implementation of the activity make effective use of time and resources to achieve the outcomes?

Sub-questions:

- Was the activity designed for optimal value for money?
- Have there been any financial variations to the activity? If so, was value for money considered in making these amendments?
- Has management of the activity been responsive to changing needs?
- Did the activity suffer from delays in implementation? If so, why and what was done about it?
- Did the activity have sufficient and appropriate staffing resources?

– Was a risk management approach applied to management of the activity?
– What were the risks to achievement of objectives? Were the risks managed appropriately?

Monitoring and Evaluation

– Does evidence exist to show that objectives have been achieved?
– Were there features of the M&E system that represented good practice and improved the quality of the evidence available?

Sustainability

– Do beneficiaries and/or partner country stakeholders have sufficient ownership, capacity and resources to maintain the activity outcomes after Australian Government funding has ceased?
– Are there any areas of the activity that are clearly not sustainable? What lessons can be learned from this?

Gender Equality

– To what extent has the activity advanced gender equality, or at least not reinforced existing gender discrimination?
– Is data sex-disaggregated to measure the outcomes of the activity on both men and women?

Analysis & Learning

– How well was the design based on previous learning and analysis?
– How well was learning from implementation and previous reviews (self-assessment and independent) integrated into the activity?

Lessons

– What lessons from the activity can be applied to (select as appropriate: further implementation/designing the next phase of the activity/applying thematic practices [i.e. gender/environment/fragile stages] to the rest of the program/designing future activities).

Attachment B. Performance Framework

Extract from Schedule 1: Scope of Services Phase A-C (Clause 2, Amendment 4)

2. OBJECTIVES OF THE JUSTICE ADVISORY GROUP.

a. support GoPNG and GoA in its role of sector monitoring and evaluation by providing independent advice to GoPNG and AusAID on the performance of the law and justice Sector, including the impact and outcomes of donor and government funding and links to poverty reduction;

b. advice on any policy, structural, financial or other issues for the Sector, which may include advice on broader social political and economic conditions, policies and or institutions outside the formal law and justice framework;

c. provide specialist technical advice in relation to policy, management and or operational matters including in the context of specific AusAID activities in the Sector;

d. assist in the promotion of the Sector coordination through a consistent and collaborative approach to Sector monitoring, in the development of agreed Sector outcomes and indicators, and in the collection of Sector performance information;

e. support the building of GoPNG, civil society and AusAID capacity to undertake Sectoral monitoring;

f. monitor and evaluate Managing Contractor performance in relation to the LJSP.

Extract from JAG Quality Assurance Plan and AusAID Contractor Performance Review frame.

Justice Advisory Group Key Performance Indicators (KPIs)

KPI 1: Substantive advice provided to the GoPNG, AusAID, and Sector agencies is independent, relevant and (where appropriate) includes advice on the likely impact of funding on the sector and poverty reduction.

KPI 2: Procedural achievement of outputs in Annual Workplan.

KPI 3: JAG develops consistent and collaborative monitoring and evaluation principles and procedures that lead to agreed sector outcomes and indicators and collection of sector performance information.

KPI 4: GoPNG and AusAID understanding of the sector and capacity to undertake sectoral monitoring enhanced.

KPI 5: JAG monitoring and evaluation reports are acceptable to GoPNG and AusAID.

KPI 6: Educo standard of services based on contract requirement.

Extract from JAG Quality Assurance Plan KPIs (2003)

Objectives	KPIs	Evaluation methodology	Means of Verification
Support the Government of PNG ('GoPNG') in its role of Sector monitoring and evaluation by providing independent advice to both GoPNG and AusAID on the performance of the law and justice Sector, including the impact and outcomes of donor and government funding and the links to poverty reduction.	Substantive:- Advice provided to a) the GoPNG, b) AusAID and c) Sector Agencies is independent, relevant and (where appropriate) includes advice on the likely impact of funding on the sector and poverty reduction.	Substantive:- Certification from Educo that advice provided is independent. Reports on audits of Educo's Q/A management system and AusAID access to Educo audits indicate that principles and procedures require that advice offered to GoPNG, AusAID and Sector Agencies is relevant to their needs and (where appropriate) includes advice on likely impact of funding on the sector and poverty reduction.	Educo's QA system is audited internally as required and externally every six months to ensure ongoing compliance with ISO 9001: 2000 International Quality Assurance standard. Results of audits are provided to AusAID. Written certification that advice is independent will be included in the JAG's six monthly reports.
Advise on any policy, structural, financial or other issues for the Sector, which may include advice on broader social, political and economic conditions, policies and/or institutions outside the formal law and justice framework;	Procedural:- Achievement of outputs in Annual Workplan.		A deficiencies and improvements log will be maintained by the JAG Secretariat to register all concerns and follow up action. Access to be provided to AusAID or any independent auditor when required.
Provide specialist technical advice in relation to policy, management and/or operational matters, including in the context of specific AusAID activities in the Sector;		Procedural:- Audit Reports show that these procedures have been followed. AusAID assessment of performance of workplan outputs	Progress against the Annual Plan is

Assist in the promotion of Sector coordination through a consistent and collaborative approach to Sector monitoring, in the development of agreed Sector outcomes and indicators, and in the collection of Sector performance information; Support the building of GoPNG and AusAID capacity to undertake Sectoral monitoring;	JAG develops consistent and collaborative monitoring and evaluation principles and procedures that lead to agreed sector outcomes and indicators and collection of sector performance information. GoPNG and AusAID understanding of the sector and capacity to undertake sectoral monitoring enhanced.	Confirmation that the JAG Secretariat, the Sector Working Group and relevant AusAID personnel have the capacity to monitor the sector and have participated in sectoral monitoring activities. Document reviews and minutes of meetings show that approach is collaborative. Reviews of training reports show that training is seen as adding to effectiveness of their participation in monitoring activities and understanding the sector.	monitored through various reports and meetings as detailed in the JAG's Communications Plan. Feedback is sought at monthly meetings with sector agencies on the quality of advice and information provided by the JAG, and if they understand and are satisfied with the standard of the reports. This is documented, together with follow up action and presented in quarterly reports.

Monitor and evaluate Managing Contractor performance in relation to the proposed AusAID-funded Law and Justice Sector Program	JAG Monitoring and evaluation reports are acceptable to GoPNG and AusAID	Confirmation of acceptance from GoPNG and AusAID.	
			Progress Reports are discussed at monthly meetings with sector stakeholders and AusAID. Issues raised are documented and follow up action taken recorded in the next progress report.
			Minutes from the NCM and Working Group Meeting record activities being undertaken.
			An annual client survey will be conducted with AusAID, DNPRD and sector agencies to measure the JAG's performance.

Attachment C: Functions/Roles of Justice Advisory Group

Extract from Schedule 1: Scope of Services Phase A-C (Clause 3, Amendment 4)

3. FUNCTIONS OF JUSTICE ADVISORY GROUP.

3.1. The JAG will operate in a way that is substantially different from previous AusAID-funded monitoring and review groups in the Sector:

a.   Shared GoPNG/AusAID Resource

The JAG will be a resource equally available to both PNG and AusAID, within the context of and agreed Annual Work Plan and an agreed tasking process. (Annual Work Plans will be deemed to be annexured to this Contract Attachment A)

b.   Provision of Sectoral Information and Policy Advice

The JAG should therefore assist to meet the needs of GoPNG, civil society and AusAID for Sector information and reporting. The JAG will support the sector agencies to meet their reporting obligations to PNG's central agencies. The JAG should also provide on-call independent policy and technical advice when tasked to do so.

c.   Program Monitoring and Evaluation

The primary focus of the JAG will be monitoring the Sector as a whole and providing advice of issues of sectoral significance. However, both GoPNG and AusAID will continue to need monitoring and advice specific to particular projects or agencies. Notwithstanding its focus on impact and outcomes, the JAG may also be required to assess activity-level and agency outputs and inputs.

3.2. Individual members of the JAG may be required to undertake the following services:

Provision of Sectoral Information and Policy Advice

a)   As a priority, provide advice to support GoPNG in the development of agreed Sector outcomes and qualitative and quantitative indicators to measure progress against these key outcomes.

b)   Assist the GoPNG in the collection of sector performance information and advise on its information management implications.

c)   Identify key policy or operational issues emerging from Sector Strategic Framework and other sectoral data, and undertake analysis of cross-sectoral issues including affordability, poverty reduction, HIVAIDS and gender.

d)   Contribute to periodic reviews of performance of the Sector, which will include as assessment of GoPNG progress in implementing the National Law and Justice Sector Policy and Plan of Action (including and assessment if the integration of the AusAID-funded aspects of the Sector's work program with GoPNG-funded aspects)

e)   Build capacity of GoPNG to undertake Sectoral monitoring and to utilize information for policy planning.

Program Monitoring and Evaluation

f)   Lead or participate in AusAID project or program reviews and provide independent advice to both GoPNG and AusAID on the design and implementation of LJSP.

g)   Assume responsibility for monitoring and review of the LJSP and assist GoPNG and AusAID undertake other monitoring and review tasks as required

h)   Undertake technical assessment and/or appraisals of:

i)   project or program designs, extensions or major modifications, including for the LJSP and possibly for other AusAID projects as required.

ii)   The quality of milestones/outputs achieved by Acil in accordance with the relevant contract and MOU, possibly including the appropriateness of the resources input by activity.

iii)   Technical aspects of reports prepared by the LJSP, including but not limited to: Annual Plans, Technical Reports, Monitoring and Evaluation Frameworks, Activity Completion Reports.

i)   participate in the meetings and briefings in Australia and in PNG as required and

j)   Provide advice in relation to any other aspects of program design, implementation or monitoring as required.

A. Contract/Foundation Documents

1.   Terms of Reference
2.   Amendment 1 – Scope of Services Phase A - 2003
2.1 Amendment 4: Schedule 1 – Scope of Services – Phase C
2.2 Amendment 4: Basis of Payment – Extension Phase C - 2008
3.   JAG Quality Assurance Plan

B. Work Plans

4.   JAG Annual Work Plan 2003
4.1 JAG Annual Work Plan 2003 - Annex 1
5.   JAG Annual Work Plan 2004 (including Annual Report for 2003)
5.1 JAG Annual Work Plan 2004 - Annex 1
6.   JAG Annual Work Plan 2005
6.1 JAG Annual Work Plan 2005 - Annex 1
6.2 JAG Annual Work Plan 2005 - Annex 1 Revised
7.   JAG Annual Work Plan 2006
7.1 JAG Annual Work Plan 2006 - Annex 1
8.   JAG Annual Work Plan 2007
8.1 JAG Annual Work Plan 2007 - Annex 1
9.   JAG Annual Work Plan 2008
9.1 JAG Annual Work Plan 2008 - Annex 1

C.   Annual Reports

10.1 Monthly reports – June 2003
10.2 Monthly reports – July 2003
10.3 Monthly reports – August 2003
10.4 Monthly reports – September 2003
10.5 Monthly reports – October 2003
11. Quarterly report Aug to Oct 2003
12. Six months report (Jan -July 2004)
13. Annual report (July-Dec 2004)
14. Six months report (Feb-July 2005)
15. Annual report (Jan-Dec 2005)
16. Six months report (Feb-July 2006)
17. Annual report (Jan Dec 2006)
18. Six months report (Jan-July 2007)
19. Annual report (Jan-Dec 2007)
20. Six months report (Jan-July 2008)
21. Annual report (Jan-Dec 2008) Final draft

D. Educo/JAG Contractor Performance Reviews

23. JAG Activity Completion Report 2003-2008 (Final Draft) (2009)
24. Mid-Term Performance Review and Assessment of the JAG (Nov 2004)

25. Second Performance Review and Assessment of the JAG (Feb 06)
27. Third Performance Review and Assessment of the JAG (April 07)
28. Contractor performance Meeting 1 – Summary of Issues final
29. Contractor performance Meeting 2 – Summary of Issues final
30. Contractor performance Meeting 3 – Summary of Issues
31. Contractor performance Meeting 4- Summary of Issues
32. Contractor performance Meeting 5 – Summary of Issues
33. Contractor performance Meeting 6 – Summary of Issues
34. Contractor performance Meeting 7 – Summary of Issues
35. Contractor performance Meeting 8 – Summary of Issues
36. Contractor performance Meeting 9 – Summary of Issues
37. Contractor performance Meeting 10 – Summary of Issues
38. Contractor performance Meetings 11 – Summary of Issues
39. Contractor performance Meeting 12 – Summary of Issues
40. Contractor performance Meeting 13 – Summary of Issues final draft

E. Monitoring & Evaluation related reports

41. Annual performance Report 2004
42. Annual Performance Report 2005
43. Annual Performance Report 2006 final draft
44. Annual Performance Report 2007
45. Fact sheet 1.1. (Crime-Community) APR 2007
46. Fact sheet 1.2 (Violent Crime) APR 2007
47. Fact sheet 4.1 (Fraud-Corruption) APR 2007
48. Fact sheet 5.1 (Civil Society Organisation) APR 2007

F. Tasking Notes & Related Reports

50. CJLU Review
51. Review of Sector Use of Performance Information & Sector APR 2008
52. Review of LJSS Secretariat support to NCM & WG (no tasking note)
53. LJSP Facilities Technical and Financial Audit (November 2006)
54. Village Courts Report

G. Other Reports and Papers Produced by JAG

55. Towards a Sustainability Strategy, JAG, 20 March 2006

H. Others

60. Project Director JAG Mission Report 17 - 25 May 2006
61. Project Director JAG Mission Report 3 December – 9 December 2006
62. Quality Review Report 10 April 07
63. Quality Review Report Oct 2008
64. Mission Report by Project Director (September 07)
65. Roles and Responsibilities discussion draft June 05
66. Background Paper M&E 2003-2007 Jessica Kenway report

I. Health Documents

Individual Terms of Reference, Independent Health Monitoring and Review Group (IMRG). 20 May 2004

Independent Review (IMRG) Tasks. 2004/2005

PNG Health Sector, Independent Monitoring and Review Group (IMRG), Terms Of Reference/Funding Proposal (from HSIP Management Manual). 2006

Independent Monitoring Review Group (Health), Report No. 2, Issues At The Provincial Level And Below. May 2007

Independent Monitoring Review Group (Health), Report No. 4. June 2008

Independent Monitoring Review Group (Health) Report No. 5 Prioritizing IMRG Recommendations and Drafting Terms Of Reference For IMRG 2009 with Improved Focus and Broader Representation. October 2008

J. Gender

DRAFT It's just good practice: Gender integration within the Papua New Guinea Australian aid program. Susan Ferguson. July 2008

Appendix 2   List of Meetings and People Consulted

DATE	TIME	ACTIVITY	VENUE	OFFICERS
Thursday 5 Feb	1:00 – 5:00 pm	Telephone conference		Bob Holland Team leader Ron Staples M&E and CPA consultant Roger Ley Contract Director, Educo Livingston Armytage, Project Director Kirsten Bishop, AusAID LJS Adviser
Mon 9 Feb	8:00 -12:00	Arrival from airport/Security Briefing	AHC	Joanna Houghton, Ian Teese James McGovern
	12.00-1:00	AusAID	AHC	Tanya McQueen, Second Secretary
	1:00 – 2:00	Team Briefing	AHC, Level 2, (LCR)	Ian Teese, James McGovern, Joanna Houghton
	3:00 – 4:00	Law and Justice Sector Program (LJSP)	Datec Building, 2nd Floor Waigani	Roger Dickson, acting LJSP team leader. Advisors: Lou Grima, Rebecca Robinson, Jan Cosser, Steven Moloney,
	4:00 – 5:00	Law and Justice Sector Program (LJSP)	Datec Building, 2nd Floor Waigani	Ex-Program Manager John Dinsdale (PALJP – Adviser) - Strategic Plan/ Evaluation Director John Mooney
Tues 10 Feb	8:30 - 9:30	Iva Kola (Acil)	Datec Building, 2nd Floor Waigani	Country Manager Social Infrastructure
	11:00 – 12:00	National Judicial Staff Services (NJSS)	Rural Development Building, Level 2 - Waigani	Deputy Secretary Kapi Sarohafa + other managers of NJSS
	2:00 – 3:00	LJSS	Datec Building, 2nd Floor Waigani	Director Joe Kanekane
Wed 11 Feb	8:00 – 9:00	Kepas Paon	AHC, Level 2, (LCR)	Kepas Paon (Restorative Justice Adviser) – First LJSS Director
	9:00 – 10:00	AusAID L&J	AHC, Ground Floor	J Choe, R Waki, K Yuave, G Kubul, T Hoire,
	10:00-12:00	JAG staff	AHC – Level 3 conf room	JAG incountry staff: Perf Monit Officer Stanley Raka Ex-Monit/Eval Officer Julie Hulama Sector Engagemt Specialist Nigel Agonia Performance Monit Adviser Richard Guy
	2:00 – 3:00	CJLU	AHC – Level 3 conf room	NCD Project Officer Onnie Teio Finance Manager Zachary Sitban Monit & Eval Officer Douglas Roger Provincial Officer Regina Rokam

DATE	TIME	ACTIVITY	VENUE	OFFICERS
Thurs 12 Feb	9:30 – 10:30	Magisterial Services	MSHQ Town	Chief Magistrate John Numapo, Registrar
	11:00 - 12:00	Public Solicitor	Garden City, Boroko	Public Solicitor Frazer Pitpit Benny Daniel, Financial Manager
	1:00 – 2:00	Ginigoada Bisnis Foundation	Monian Tower, Level 6, Town	Executive Director Gabriel Iso
	3:00 – 4:00	Health AusAID	Deloittes, Level 4 Kapul CR - Town	First Sec Peta Leemen Beth Slatyer, Health Adviser
Frid 13 Feb	8:30 – 9:30	JAG Short-Term adviser	AHC – K West's office Teleconference	Restorative Justice Adviser Sinclare Dinnen
	9:45 – 10:00	JAG/Educo	Deloittes Cafe	Sector Engagement Specialist Nigel Agonia
	11:00 – 12:00	Ombudsman Commission	Deloittes 5th Floor - Town	Chief OC Chronox Manek A Secretary Allan Barralie
	1:00 – 2:00	Peace Foundation Melanesia	Monian Haus – 2nd Floor, Boroko	Executive Director James Laki (Gary McPherson
	3:00 – 4:00	LJSS	AHC – K West office	Tau Hoire – Implementation Senior Officer
Mon 16 Feb	9:00 – 10:00	Department for National Planning and Monitoring	Vulupindi Haus, Level 3, Waigani	First Assistant Secretary Sectoral Planning Ilivitalo Saneto First Assistant Secretary Strategy Ruby Zarriga Snr Planner L&J Governance Willie Kumanga
	11:00 – 12:00	Correctional Services (CS)	CS HQ, Waigani	CS Commissioner Richard Sikani A/Assistant Commissioner Dominic Tomar
Tue 17 Feb	9:00 – 10:00	Royal PNG Constabulary (RPNGC)	Police, HQ, Konedobu	Deputy Police Commissioner Tom Kulunga Assistant Commissioner Logistics Joab Mangae Assistant Commissioner Jim Wang Chief Inspector (Director Corporate planning) Steven Francis Chief Inspector Joanne Clarkson
	10:30 – 11:30	Public Prosecutor	Tisa House, Waigani. Level 4	Acting Public Prosecutor Jack Pambel Senior Officer Manager Francesca Tamate (L&J Sector Working Group member)
	11:45 – 12:45	JAG Ex-Activity Manager	AHC, Level 2	Romias Waki (SNS Deputy Director)
	4:30 – 5:30	JAG ex-staff	Holiday inn	JAG Team Leader John Rennie
Wed 18 Feb	8:00 – 8:45	JAG Short-Term Adviser	AHC – K West office Teleconference	Performance Monitoring and Evaluation Adviser Steve Miller

DATE	TIME	ACTIVITY	VENUE	OFFICERS
	9:00 – 10:00	Activity Manager - JAG	AHC – Level 2, Conference Room	JAG Activity Manager Phase C - Katherine Yuave
	11:00 – 12:00	Village Courts	Village Courts Office DJAG – Ground Floor Sir Buri Kidu Building - Waigani	Director Village Courts Secretariat, Peni Keris, Deputy Director VCS
	1:00 – 2:00	Consultative Implementation Monitoring Council	CIMC - Town	CIMC Executive Officer – Majorie Andrew Deputy Executive Officer – Alois Francis
	3:30 – 4:30	LJSS/LJSP	AHC, Level 2	Kepas Paon (Restorative Justice Adviser) First LJSS Director
Thurs 19 Feb	9:00 – 10:00	Magisterial Services	AHC, Level 3	Registra District Courts Clivson Philips
	11:00 – 12:00	Ila Geno -	AHC, Level 2	Ex-Chief Ombudsman – Ila Geno
	1:00 – 2:00	IMMETWG – information management group	Datec Building, Level 2, LJSP conference room	Ken Richardson Alexia Luke – OC, Murphy Saesaria – MS, Joyce Niningi – CS, Farapo Opa – DJAG, Richard Mandui – CS, Wilma Marakan – DJAG, John Haea – DJAG, Konio Vai – NJSS, David Kila – RPNGC, Pokana Iammo – PS,
	2:30 – 3:30	Yumi Lukautim Mosbi Projek (YLMP)	NCDC Council – Lakatoi House, Waigani, Level 2	YLMP Co-ordinator Rabura Aiga Grace Maribu, Public Relations YLMP secretary Posu Aero Paul pason, Finances (ex LJSS)
	4:00 – 5:00	LJSP advisers	AHC, level 2	Cross-Cutting Issues LJS Advisers Jane Kesno, Gender Ghang Oyang HIV
Frid 20 Feb	9:00 – 10:00	DJAG	Sir Buri Kidu Building, Level 10, Waigani	Acting / Deputy Sec (Corporate) Benny Metio, FAS Policy and Planning Herman Buago Peni Keris, Deputy Director VCS

DATE	TIME	ACTIVITY	VENUE	OFFICERS
	10:30 – 11:30	L&J Sector	AHC, level 2	DNPM – FAS – Planning Ilivitalo Saneto NCM – Chief Magisterate John Numapo NCM – Commissioner CS Richard Sikani NCM – Public Solicitor Frazer Pitpit AusAID – Counsellor Governence David Chick WG – AC Dominic Tomar WG- DJAG – FAS policy Herman Buego WG NJSS – Secretary Kapi Sarohafa WG – Police AC – Logistics Jaob Mangae Ex OC – Ila Geno CSO - CIMC – Francis Alois CSO - Ginigoada – Gabriel Iso CSO – PFM – James Laki LJSS – Stephen Pokanis LJSS – Stanley Raka LJSS – Waiya Ware LJSP – Richard Guy LJSP - Roger Dickson LJSP – Kepas Paon Educo/JAG – Nigel Agonia Police Chief Inspector Joanne Clarkson AusAID officer Gabriel Kubul AusAID officer KatherineYuave
	2:00 – 4:00	Debriefing – AusAID Law and Justice Team	Deloittes, Kapul Room	Other AusAID sections – - Health Second Secretary Jessie Belcher - Transport/Disaster Sec Secretary Keith Joyce - Eco/Public Sector Sec Secretary Joanna Tough - HR manager Andrew Schloeffel Program Officer Katherine Yuave
Monday 2 March	9 am	JTA	Telephone discussion	Jane Thomason, Managing Director

Appendix 3 Tasks Completed by JAG (detailed in ACR Attachment 1)

No.	Date	Requested By	Description	Adviser/s
1	14/8/03	AusAID	Police Study I Strategic study of RPNGCDP	McIntyre and Palmer
2	14/8/03	AusAID	Police Study II International experience relevant to PNG.	Palmer and Rohl
3	13/10/03	AusAID	PMRG - Participate in ICR of Attorney-General's Institutional Strengthening Project	Gordon, Griffin, Nigel Agonia
4	6/11/03	GoPNG	Restorative Justice Study	Sinclair Dinnen
5	6/11/03	GoPNG	Village Courts Study	Michael Goddard
6	6/11/03	GoPNG	Community Based Corrections Study	Catriona McComish
7	9/1/04	AusAID	ACIL Performance Review for LJSP	Guthrie and Patrick
8		AusAID	Police Project Phase III – PMRG	Dean, Crannage et al.
9	2/2/04	AusAID	Strategic Planning for development and coordination of LJS	Ian Patrick
10	20/2/04	AusAID	Assessment of the RPNGC review processes	Armytage & Palmer
11	1/4/04	GoPNG	Sector Management and Coordination (LJSS paper)	Lepani and Agonia
12	15/4/04	AusAID	Development of LJ Sector Strategic Plan - Priority Plans	Bacon and Patrick
13	18/5/04	RPNGC	Advice to RPNGC Administrative Review Committee and Secretariat.	Palmer and Team
14	21/5/04	AusAID	Appraisal of UNDP Safer Cities Survey	Mark Finlay
15	23/11/04	AusAID	Fighting Corruption and Promoting Integrity in Public Life in PNG	Tos Barnett
16	June 04	AusAID	Background Briefing for ECP officials	Barnett Dinnen
17	July 04	AusAID	Community Crime Surveys Survey	Guthrie and Findlay
18	5/11/04	AusAID	Activity Completion Review of RPNGCDP III	Glenn Crannage
19	1/2/05	AusAID	LJSP Contractor Performance Assessment	Staples and Miller
20	11/8/05	AusAID GoPNG	Review of CJLU Strategy and Operations Handbook and Contestable Fund Guidelines and Procedures.	Dinnen, Findlay, Kalinoe and Hukula
21	7/9/05	AusAID	Review of LJSP Facilities and Asset Management	David Weeks
22	11/1/06	AusAID	JAG Sustainability Analysis and Strategy	Crannage, Kallinoe, Miller & Panel
23	16/2/06	AusAID	LJSP Contractor Performance Assessment	Mere and Staples
24	2/10/06	AusAID	Technical and financial audit of all key aspects of facilities engagement under LJSP.	Margrit and Sen
25	01/07	AusAID	Strategic review of the sector's efforts to strengthen, improve and administer the village courts system	Dinnen, Kaino and Agonia
28	09/07	AusAID	CJLU Review	Miller, Garap, et. al.
29	11/07	AusAID	Review of Sector Use of Performance Information and APR	Staples
30	3/12/07	AusAID	Review of Peace Foundation Melanesia financial status	Martin Brash
31	17/0308	AusAID	LJSP CPA Assessment	Staples, Mere et al
32	17/08/08	AusAID	LJS Strategic Framework review – evaluation process	Kate Averill
33	24/09/08	AusAID	Peer review of the Evaluation plan for the L&J SSF review.	Staples and Braun
34	1/10/08	AusAID	Preparation for Evaluation of Progress in PNG LJS	Averill and Staples

Analysis of Tasks Commissioned (consultant estimates)

Commissioned by:		
AusAID 27		GOPNG 5
Tasks Relating To:		**Comments**
Sector performance assessment	7	plus APR and crime incidence and impact studies
LJSP implementation	8	
LJSP contractor performance assessment	4	
LJ sector studies	4	Including Barnett Corruption Study
RPNGCDP support and assessments	6	
Other	3	ECP briefing, UNDP Safer Cities, Peace Foundation

Appendix 4   Draft Aide Memoire Presented

1.   Evaluation Background

1.   At the end of January, 2009, the GoA, through AusAID, and the GoPNG finalised implementation of a Justice Advisory Group (JAG) activity in PNG as part of a broader program of assistance to PNG's law and justice sector (LJS or the Sector) including the PNG Law and Justice Sector Program (LJSP). AusAID quality and development effectiveness assessment processes require assessment of programs at completion through the independent completion report (ICR) process. Principal findings and preliminary recommendations of the independent evaluation of the JAG undertaken in Port Moresby from 9 to 20 February, 2009 are set out below.

2.   The aims of the ICR included: evaluation of the JAG's performance; assessment of the JAG model through rigorous 'proof of concept' testing; reflection on and drawing out of lessons from the JAG for action by GoA and GoPNG, including informing the design and implementation of future assistance to improve AusAID's ability to meet GoPNG development challenges; and building evidence and learning to support AusAID's Annual Review of Development Effectiveness report, Annual Thematic Performance Reports, Annual Program Performance Reports and Country/regional strategy reviews.

2.   Description of Evaluation Activities

3.   The ICR team[2,3]: (i) reviewed documents relating to JAG outputs and implementation; and, (ii) held focused discussions with senior representatives of the main agencies in the Sector (listed below), many of whom had been involved in the planning and early implementation of the Sector program and the JAG. Representatives of civil society working in the Sector provided feedback on the extent to which the JAG and overall Sector program had used the grassroots knowledge and experience of civil society.

3.   Initial Findings

4.   The Sector is generally perceived as one of the strongest sectors in GoPNG and much credit is due to Sector stakeholders for developing a coherent Sector approach, particularly across two branches of government (executive and judiciary).

5.   **JAG broadly perceived as making a positive independent contribution to development of the Sector:** Most Sector stakeholders stated that the work and contributions of the JAG were valuable contributions to the LJS in PNG. Outcomes of the JAG activities noted included:

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[2] **Disclaimer:** The findings in this Aide Memoire are those of the JAG ICR team only and do not necessarily reflect the views of the Government of Australia (GoA), the Government of Papua New Guinea (GoPNG) or other partners.

[3] Ian Teese, Team leader / Evaluation Specialist and James McGovern, Law and Justice Specialist. Ms Joanna Houghton, Manager, Law and Justice PNG Branch, AusAID, Canberra, joined meetings and briefings.

a. Information collated, advice and options provided by the JAG were valued for their independence, quality and as providing alternative views and perspectives that challenged Sector agencies' views, including about the type of data collected through internal M&E systems. This was seen as assisting stakeholders in their decision-making processes regarding Sector and agency priorities;

b. Sector performance information and annual performance reports were, and continue to be, valuable despite an initial lack of understanding of the need for the basic agency data and capacity challenges within each contributing agency to collection and collation of data;

c. Crime surveys initially undertaken by the National Research Institution (NRI) and community crime data collected through civil society organisations (CSOs) were a very valuable addition to the resources available to the Sector for policy formulation, planning and budget implementation through both the development and recurrent budget processes;

d. Over time, stakeholders increasingly accepted the data generated through the JAG process as identifying areas that required the attention of Sector agencies including in policy and implementation. Respect for the data was built through the (independent) JAG shepherding a process of challenge, discussion and review of the data with Sector agencies; and

e. The JAG's independent monitoring of and reporting back to the Sector on the annual Development Budget preparation process was seen as increasing efficiency and effectiveness of that process. As in a. and c. above, the independence of this function was valued.

6. **Initial JAG support to the development of Sector processes was valued:** Stakeholders valued the early support of the JAG as secretariat to the Sector, to the National Coordination Mechanism (NCM), and to the Law and Justice Sector Working Group (LJSWG). Sector feedback was that the JAG resources balanced excellent secretariat services with providing an alternative source of ideas and advice to Sector agencies.

7. The transfer of secretariat responsibilities to the Law and Justice Sector Secretariat (LJSS) proceeded smoothly but some of the other functions previously implemented by the JAG may not have transferred as smoothly. Some reservations were noted in the Sector (and shared by the ICR team) about the capacity and sustainability of the LJSS. Sustainability is influenced by several factors including:
   a. Evolving formal and informal links to the Department of National Planning and Monitoring (DNPM);
   b. The ability and appropriateness of the LJSS proactively extending its functions beyond acting as secretariat to the NCM and LJSWG, for example to conduct or manage the conduct of research and Sector performance appraisal;
   c. Securing recurrent GoPNG funding; and,
   d. Broadening of the PNG-Australia Law and Justice Partnership (the Partnership) to include planning and implementation of programs and activities under recurrent as well as development budgets.

8.   **Poor understanding of JAG Functions**: In the first two years, the roles and functions of the JAG, particularly in the JAG interaction with the LJSP and the contractor managing the LJSP, were not clear to Sector agencies and stakeholders. This lack of clarity was compounded by two factors: (i) a welcomed widening of the JAG's responsibilities to include needed secretariat support to the NCM and LJSWG; and (ii) LJSP contractor (and JAG) leadership turnover during the first 2-3 years of the Program.

9.   **Increased JAG resourcing enabled 'mandate creep'**: The initial JAG concept was a small scale long term presence in Port Moresby with a full time national resource consultant providing liaison and facilitation support to the Sector to provide technical and intellectual leadership and supported by a pool of appropriate specialised consultants. The scope of services (SOS) in the request for tender (RFT) was expanded in the successful tender through inclusion of a new Program Director position. This changed the nature of the JAG's engagement. The additional resources allowed the JAG to support the developing NCM and LJSWG with necessary secretariat support.

10.   **Limited M&E expertise on the initial JAG team compounded by the absence of a Sector Strategic Framework (SSF) challenged development of a harmonised Performance Monitoring Framework (PMF):** The following issues may have impacted on the development of the PMF:

   a.   Although the SOS in the RFT clearly highlighted that development of the PMF as the highest JAG priority, the JAG implementation team did not include an experienced M&E resource to lead PMF development. Difficulties in contracting short term M&E specialists slowed PMF development. From early 2005, two long term M&E advisers and a national M&E officer facilitated the PMF development process;
   b.   The absence of a SSF made development of a PMF very difficult and created confusion for Sector agencies about the relationship of the PMF to GoPNG national law and justice policy and what the PMF would measure. This created difficulties for the JAG linking with Sector agencies to collect and collate good quality data to assess indicators which the agencies did not understand or 'own';
   c.   Responsibility for development of the SSF was not clearly allocated in the JAG RFT SOS.

11.   **Poor 'Marketing' of JAG Role and Services and insufficient synergy with the Program led to insufficient uptake of JAG services and outputs by the Sector:** The JAG had adequate financial and management resources to respond to Sector requests for studies within its mandate. Its panel of experts was not used extensively and for some studies additional appropriate specialists had to be found. Differing views emerged on how well the JAG responded to Sector and AusAID requests and needs for data on outcomes and impacts, and policy development and assessment work. Stakeholders observed that despite the JAG's identification through crime surveys of well known law and order problems, including alcohol and drug abuse and unemployment, more Program attention to these issues would be welcomed.

12.   A disconnect was apparent between the 'front end' process of developing TOR for JAG taskings and the 'back end' process of supporting the Sector to implement JAG recommendations and to operationalize JAG reports, either at Sector or agency level. This was highlighted by the need for the LJSS to collate all the JAG report recommendations, most of which were not widely known and had not been addressed, for the LJSWG to use in

assessing policy needs for the strengthening of provincial level LJ services. There were also differing views of how well the Program facilitated Sectoral uptake of issues raised by the JAG.

13.   A combination of the transfer of secretariat responsibilities to the LJSS, the excision of the strategic Sector level policy observation and advice role from the JAG following the mid term review (MTR), and the consolidation of links between LJSP and the Sector reduced the early momentum established by the JAG.

14.   Similarly, while most stakeholders could see changes were needed in the APR's format, the JAG did not address this issue until the Staples study was commissioned in late 2007.

15.   **Consistency in membership of LJSP Contractor Performance monitoring mechanism built confidence in the process:** Early concerns about implementation of the LJSP contractor performance assessment (CPA) process were largely overcome when the same group of consultants was contracted each year to implement the CPA, although there were surprising problems in the 2006 review with the same team. The LJSP contractor representatives stated that they were satisfied with the CPA process.

16.   **The JAG required intensive ongoing management inputs:** AusAID expended substantial amounts of time and effort on JAG supervision and management, partially to clarify the evolving roles and responsibilities as between contractors of the JAG and the LJSP, and also to address areas where one or both parties raised concerns. The MTR and 'summits' were used to facilitate these mediation / allocation processes, however AusAID continued to have ongoing significant management inputs even after the issues of overlapping responsibilities had apparently been resolved. As the much larger LJSP scaled up, the focus of AusAID management inputs shifted to the Program.

1.   Conclusions, Recommendations and Lessons

4.1   Conclusions and Recommendations

<u>Overall</u>
17.   **Impact:** The JAG provided valuable independent support to the Sector during the transition to a Sector-wide program approach to LJS development. The crime surveys, annual performance reports, independent review of the annual Development Budgeting process, and strategic policy perspectives were highly valued outcomes which contributed to more efficient Sector planning, budgeting and implementation. Agencies reported how these activities contributed to improved outcomes. The JAG focused Sector agencies on the need for better quality M&E data.

18.   **Relevance:** The JAG process defined in the initial scope of services was relevant and appropriately described. As the LJS and LJSP have evolved, the functions initially provided through the JAG have been transferred to the LJSS or the LJSP.

19.   **Effectiveness:**
    a.   The JAG was able to respond quickly to a need to support Sector coordination when the LJSP was not in a position to provide that support;
    b.   Stakeholders were **not** confused by the availability of independent JAG policy advice, which was de-emphasised at the MTR. Post MTR, stakeholders noted the

reduced access to high level policy options and debate and raised concerns about future sources of independent high level policy advice;

    c.   The JAG advisers had more credibility in their monitoring role than short term fly-in, fly-out teams as used in technical advisory groups and their ongoing support and advice was valued;

    d.   Most GoPNG stakeholders did not initially know and/or understand the reasons for the JAG, its functions and the links with the LJSP contractor. While not a major constraint in the first 18 months, this contributed to the JAG being viewed as a support facility for AusAID, more than a Sector-wide resource. This partially explains its under-utilisation as a Sector resource later in the JAG life;

    e.   The JAG had difficulties in the last 2-3 years generating demand for tasks under its mandate. Stakeholders provided suggestions but these did not lead to completed tasks and recommendations. Some requests were beyond the JAG's mandate, and more could have been done to initiate and facilitate development of tasking requests from the agencies; and

    f.   Implementation of the priority activity to develop and implement a Sector PMF was delayed as: (i) there was no SSF to build the PMF around; and, (ii) the capacity to develop the PMF specified in the RFT was not included in the initial JAG team.

20.   **Efficiency:** Considering the widening of the JAG's mandate, flexibility afforded by the JAG and specific tasks undertaken, the JAG provided reasonable value for money.

    a.   The JAG could have been managed more efficiently by Educo and AusAID;

    b.   The addition of a Program Director to the RFT SOS, while providing additional highly valued technical expertise, complicated management of the JAG. The JAG modality may not have been the most efficient way to access these high level technical skills; and

    c.   A more constructive relationship between the JAG and the LJSP contractor would have streamlined support to the Sector (and made management and supervision by AusAID and the Sector much easier). The two contractors could have worked more closely together without affecting the perceived independence of the JAG in its contractor assessment role.

21.   **Sustainability:** Ongoing capacity building in appropriate GoPNG institutions is required to embed the independent Sector support provided by the JAG. Establishment of the LJSS created efficiencies and allowed the JAG and the Program to progress development of the Sector. The sustainability of the Sector-wide performance reporting processes may be limited under the LJSS which is still building its management and technical capacity and is currently not housed under a GoPNG institution. A closer, structured relationship with DNPM has institutional advantages.

22.   **Gender:** Despite the complexities associated with mainstreaming gender within a Melanesian context and in the absence of a specific gender-related tasking, the JAG highlighted the importance and benefits the usefulness to the Sector in having access to disaggregated data for sex and age. Individual Sector agency implementation of disaggregated M&E data collection remains variable.

Recommendation #1: Continued targeted Program support to the NCM and the LJSW will be required to support efforts aimed at ensuring Sector agencies plan for and develop systems which generate data disaggregated for sex and age.

23. **Contracting:** Contracting the JAG before the LJSP implementation contractor reduced the number of potential contractors who were probably more interested in the much larger implementation contract.

    Recommendation #2: For future programs/projects, supervision / oversight services (such as a TAG, JAG or monitoring review group) to larger programs should not be contracted before the main program is contracted to facilitate maximum interest and participation in the tender process. Without this sequencing, the relationship and any transfer of functions needs close management.

24. **Sequencing performance assessment framework development:** While some stakeholders felt that the JAG's development of the PMF prior to development of the SSF may have motivated the Sector to develop the SSF, having the SSF first would have greatly assisted development and implementation of the PMF. The JAG's responsiveness in taking on this task alongside the Program is noted.

25. **Independence:** Sector stakeholders highly valued strategic observations, advice and information provided by the JAG, which was perceived to be independent and provided Sector agencies and GoA with a range of policy options not otherwise available. The priority areas where information collation and analysis should be at least perceived to be independent were in the crime surveys, information collated into the APR, the review and feedback on the annual development budget process, and strategic observations and policy advice for Sector development.

    Recommendation #3: The NCM and Working group develop processes for contracting independent collection, collation and analysis and presentation of the crime survey data, preparation of the draft APR, at least, one more review of the Development Budgeting process.

    Recommendation #4: The LJSS should supervise and manage these contracts to undertake surveys and prepare the APR but not undertake the work.

    Recommendation #5: In 2010, the NCM, with the LJSWG, should lead a study of Sector stakeholders to assess access to and the quality of strategic policy advice provided through the new Justice Sector adviser and Partnership structures to ensure the Sector is satisfied with its access to alternative strategic policy advice.

26. **Policy and Program Coherence:** Supervising and managing a JAG type advisory group and an emerging Program in a large, complex Sector requires a significant management and resourcing commitment by AusAID. Separately contracting the managing contractors for the JAG and for the Program, and allowing the JAG to enter the field prior to the Program greatly increased management input required to achieve policy and program coherence.

27. **Tasking and Using Study Recommendations:** While the JAG was reasonably successful in making strategic policy observations and drawing priority issues to the attention of stakeholders, such as through the crime surveys, pathways for the Sector to operationalize recommendations from JAG contracted studies were not developed. The non-uptake by the Sector of JAG-identified issues, as well as other issues which Sector agencies continue to identify, remains a key development problem for the Sector and requires proactive Program support to progress a number of JAG reports through the Sector.

28. **Institutionalization of Sector Coordination mechanisms:** The Sector's decision to establish the LJSS (supported by AusAID) outside GoPNG structures may limit harmonisation and contributions to aid effectiveness. There was a desire for stakeholders to see progress in the Sector and difficulties in engaging with under-resourced GoPNG institutions, such as DNPM. Establishing the LJSS external to government allowed faster development but its sustainability is a concern, due to the need for significant ongoing budgetary support through the Partnership and its weak links to GoPNG institutions. The future of the LJSS remains unclear. Further targeted capacity building of the LJSS remains a priority.

29. **JAG Modality:** The JAG model was very appropriate in the development stages of the LJSP. Other models for advisory groups are being assessed and initial analysis suggests that the effectiveness and credibility of short-term fly-in/fly-out teams depends critically on the team approach and degree of interaction with the Sector. They may be viewed by local agencies as having an 'audit' role, rather than in cooperatively adding value.

4.2 Lessons

30. **Sequencing of SSF and PMF Development:** Care needs to be taken in sequencing of inputs into the development of a sector strategic framework and a sector performance framework, irrespective of whether that work is conducted by a JAG or Program. Having an agreed sector strategic framework in place prior to development of a sector performance assessment framework (with targets) by sector agencies or implementing contractors or advisory groups will maximise opportunities for cohesive sectoral development. The ICR team notes that this has already been addressed in other AusAID supported sector programs currently under development in PNG.

31. **Policy and Program Coherence:** Where AusAID contracts an advisory group separately to a Program, primary responsibility for ensuring policy and program coherence rests with AusAID and it therefore needs to be appropriately resourced to play this role. AusAID's management positioning needs to proactively contemplate this management function as part of its core business; insufficient resourcing, particularly in-country, reduces AusAID's ability to remain proactively engaged with both contractors to ensure their activities remain complementary.

32. **Uptake of Recommendations of Sector Studies:** The Program, Sector coordination groups, and AusAID need to ensure that areas identified through 'front end' research and policy formulation initiated receive sufficient 'rear end' programmatic support and extension to prioritise recommendations and implement the priority areas.

33. **Both sector and government need to drive coordination mechanisms:** Sector-wide coordination and support mechanisms, such as the LJSS, need to be both sector and government driven to afford sustainability. Structured formal links to the DNPM and to other GoPNG agencies with coordination responsibilities will enhance sector cooperation and an integrated sector development approach.

34. **Alternative models merit consideration:** Alternative advisory group contracting models could be considered, including contracting of the advisory group and the program independent service provider (ISP) under one contract, with the Program ISP providing

contract and logistics support for JAG members who report directly to AusAID, both operationally and for performance. This would minimise the opportunity for poor working relationships to develop and streamline AusAID's management inputs.

2.   Next Steps

35.   The ICR team will finalise a draft report by mid March which will be circulated to AusAID and DNPM for comment and peer review. The final report for endorsement by AusAID, DNPM and NCM will be submitted two weeks after the consolidated comments have been received from AusAID. The final report will be publically released on AusAID's internet site.

Annex 1 Agencies consulted

Organisation

AUSAID PORT MORESBY
AusAID Canberra
Law and Justice Sector Secretariat (LJSS)
Community Justice Liaison Unit (CJLU)
Law and Justice Sector Program (LJSP)
Department of National Planning and Monitoring (DNPM)

Department of Justice and Attorney General (DJAG)
Corrective Services (CS)
Magisterial Services
Public Solicitor
Public Prosecutor
National Judicial Staff Services (NJSS)
Royal Papua New Guinea Constabulary (RPNGC)
Ombudsman Commission
Peace Foundation Melanesia (PMF)
Ginigoada Bisnis Foundation
Yumi Lukautim Mosbi Project
Consultative Implementation Monitoring Council (CIMC)
Educo
Justice Advisory Group (JAG)

Appendix 5 Consolidated Approved and Actual JAG Costs (Including January 2009)

Item Description	Value as per contract	Phase A 2003-2005	Phase B 2006-2007	Phase C 2008	Total Expenditure	Balance unspent $	Balance unspent %
Management Fees							
Milestone Payments	$2,694,107	$1,199,669	$979,061	$515,376	$2,694,106	$1	0%
Performance Payments	$299,345	$127,672	$89,747	$50,822	$268,241	$31,104	10%
Subtotal	**$2,993,452**	**$1,327,341**	**$1,068,808**	**$566,198**	**$2,962,347**	**$31,105**	1%
JAG Personnel Component							
Project Director	$1,005,560	$565,060	$265,961		$831,021	$174,539	17%
Team Leader	$1,413,811	$659,058	$466,832	$267,994	$1,393,884	$19,927	1%
Project Manager Relocation Costs	$45,853	$45,853			$45,853	$0	0%
JAG Advisers: Personnel, Travel and Per Diem Costs	$5,672,446	$2,105,728	$1,549,152	$938,121	$4,593,001	$1,079,445	19%
Subtotal	**$8,137,670**	**$3,375,699**	**$2,281,945**	**$1,206,115**	**$6,863,759**	**$1,273,911**	16%
Travel Costs Component							
Project Director Air travel – international and domestic (in Australia* and in PNG) airfare and departure taxes.	$85,500	$52,678	$21,946	$2,533	$77,157	$8,343	10%
Team Leader Air Travel – domestic airfare (in PNG) only.	$16,600	$7,186	$2,072		$9,258	$7,342	44%
Per diems: Project Director and Team Leader (accommodation and food only)	$119,418	61923	$17,436	$681	$80,040	$39,378	33%
Subtotal	**$221,518**	**$121,787**	**$41,454**	**$3,214**	**$166,455**	**$55,063**	25%
Secretariat Component							
Secretariat personnel costs	$611,693	$181,777	$172,595	$103,847	$458,219	$153,474	25%
In PNG office establishment, set up and operational costs, including furniture and communication costs	$442,580	$241,111	$140,302	$92,268	$473,681	-$31,101	-7%
Secretariat airfares in PNG	$36,000	$9,168	$5,472		$14,640	$21,360	59%
Quarterly NCM retreat	$45,000	$7,156		$277	$7,433	$37,567	83%
Secretariat per diems	$65,880	$16,981	$3,887	$0	$20,868	$45,012	68%
Subtotal	**$1,201,153**	**$456,193**	**$322,256**	**$196,392**	**$974,841**	**$226,312**	19%
Sub-contractors							
Subcontracts	$761,544	$276,364	$340,454	$120,006	$736,824	$24,720	3%
Eg. Publications, logistics, travel for non-adviser personnel, etc	$472,335		$7,645	$5,928	$13,573	$458,762	97%
Subtotal	**$1,233,879**	$276,364	**$348,099**	**$125,934**	**$750,397**	**$508,645**	41%
TOTAL ENTIRE CONTRACT	**$13,787,672**	**$5,557,384**	**$4,062,562**	**$2,097,853**	**$11,717,799**	**$2,095,036**	15%

Source: Educo Pty Ltd Financial Records

Appendix 6   Summary of Stakeholder Feedback on JAG Effectiveness and Impact / Benefits

A copy of the questionnaire is provided in Annex 1.

Seven (of nine) responses were received with adequate information to include all the information in this summary. One respondent made responses only in areas where they had direct experience.

1.   Responses Your personal assessment of the JAG performance

Rating scale: 6 = very high / excellent; 5= good; 4= above average; 3=below average; 2=poor; 1 = very low / poor.

		Average of responses received			
		Relevance to LJS	Effective - ness	Impact on or benefits to:	
	Put N when not known or not relevant to respondent			Your organisation	LJS
1.	**JAG KPIs Used To Measure JAG Performance** Substantive advice provided to the GoPNG, AusAID, and Sector agencies is independent, relevant and (where appropriate) includes advice on the likely impact of funding on the sector and poverty reduction	5.1	4.6	4	4.7
2.	JAG develops consistent and collaborative monitoring and evaluation principles and procedures that lead to agreed sector outcomes and indicators and collection of sector performance information	4.6	4.3	4	4.3
3.	GoPNG and AusAID understanding of the sector and capacity to undertake sectoral monitoring enhanced	4.7	4.4	4.7	4.7
4.	**Other Objectives of JAG** Monitor and evaluate Managing Contractor performance in relation to the LJSP.	5	5.3	4.8	5.2

3.
Other comments on JAG performance since 2003 (positive and negative benefits/impacts):
Respondent #1. JAG greatly assisted agencies better appreciate the need for closer co-operation in the best interests of improving law and justice environment in the country without compromising the independent role and duties of all the agencies of the sector.

#2 Monitoring and assessment of sector and agency performance is critical to establish impact of any assistance whether external or internal.

'From my six months's involvement in the program, I doubt the extent to which the JAG assisted sector agencies institutionalise performance management tools'

#3 (i) The functions of JAG needs to be confirmed in a more PNG sustained system.
(ii) Realistic monitoring framework based on sector capacity should be consolidated and built on. Resources to be targeted to identified areas.
(iii) More intellectual input (needed) into the policy think tank

#4 (i)   (Incorrect?) assumption on agencies capacity to perform in PMF
(ii)   Capacity building – more emphasis
(iii)   Understanding value of information better to enhance agency planning

#5   JAG was beneficial to our organisation as it (emphasised) the importance of …… and evaluation

6   Training should be given to people involved in the process

2.   Your personal assessment of how the JAG concept (for Law and Justice or other sectors) **could have been improved**

Based on my experience, the JAG concept should have included: Tick only *ONE* of the options in *EACH LINE*	Number of responses received			
	Need More	Need same as now	Need Less	Not needed
1. **High level technical advice provided to:**				
1.1 Government of PNG (eg. law and justice sector)	3	3	1	
1.2 Government of Australia (eg. AusAID)	2	4	1	
1.3 Other stakeholders (specify): Business houses	3	2	1	
2. **Technical advice and support for:**				
2.1 High level sector policy and strategy (in addition to policy advice provided through LJS Program or Partnership)	1	3	1	
2.2 Sector monitoring and evaluation	6		1	
2.3 Independent sector performance reporting	5	2		
2.4 Assessing effectiveness of aid program assistance in the sector	5	2		
2.5 Providing secretariat support to sector coordination group(s)	1	3	1	
2.6 Assessing performance of the main program implementation service provider (contractor)	4	3		
2.7 Other (specify): Community	1			
3. **Access to local PNG-based expertise** (as opposed to international)	4	1		
4. **Responsibility for recruiting, tasking and managing JAG related technical assistance services should be the responsibility of:**	Note that responses to this section were confused by the ranking process			
4.1 The law and justice sector /sector agencies	YES	3		NO
4.2 The LJS or sector coordination secretariat	YES	1	1	NO
4.3 The LJS Program / Partnership	YES	1		NO
4.4 Another GoPNG agency (specify which): DNPM	YES	1	1	NO
4.5 AusAID	YES		1	NO
4.6 A combination of the above	YES	3		NO
5. **Key technical members of advisory group should be based in-country full time** (circle Yes or No)	YES	7		NO

Other comments/suggestions for supporting GoPNG/GoA policy, performance monitoring, evaluation and reporting capacity and access to independent advice (also use back of page, if needed)

Respondent # 4 It was good to work with JAG

#6 Papua New Guinea stakeholders should be given ample training in order for them to sustain the process after the group (JAG?) leaves.

Please forward any comments on this summary to Ian Teese (itag@bigpond.com)

Annex 1   Stakeholder Feedback Questionnaire
Stakeholder Feedback on JAG Effectiveness and Impact / Benefits

AusAID is undertaking an Independent Completion Review (ICR) of its Justice Advisory Group (JAG) activity in PNG. The JAG was implemented collaboratively by GoPNG and GoA as part of a broader program of assistance to PNG's law and justice sector (LJS). The ICR is to:

- evaluate the performance of the JAG;
- assess the JAG model through rigorous 'proof of concept' testing;
- enable AusAID and GoPNG to reflect and act on the lessons from the JAG; and,
- inform the design and implementation of future assistance to improve AusAID's ability to meet GoPNG development challenges;

In addition to meeting with a range of stakeholders and implementers, the ICR team would appreciate if you could complete this short feedback form (and add any additional comments / suggestions you may have) and return it to the ICR team directly (itag@bigpond.com).

1. Your personal assessment of the JAG performance

	Rating scale: 6 = very high / excellent; 5= good; 4= above average; 3=below average; 2=poor; 1 = very low / poor. Put N when not known or not relevant to respondent	Relevance to LJS	Effective - ness	Impact on or benefits to:	
				Your organisation	LJS
1.	**JAG KPIs Used To Measure JAG Performance** Substantive advice provided to the GoPNG, AusAID, and Sector agencies is independent, relevant and (where appropriate) includes advice on the likely impact of funding on the sector and poverty reduction				
2.	JAG develops consistent and collaborative monitoring and evaluation principles and procedures that lead to agreed sector outcomes and indicators and collection of sector performance information				
3.	GoPNG and AusAID understanding of the sector and capacity to undertake sectoral monitoring enhanced				
4.	**Other Objectives of JAG** Monitor and evaluate Managing Contractor performance in relation to the LJSP.				

Definitions:
4. **Relevance:** The work of the JAG was needed / used by the Sector or your agency.
5. **Effectiveness:** The work of the JAG achieved what is described in the KPIs.
6. **Impact:** The degree to which work of the JAG improved the performance of your agency or the LJS in undertaking its GoPNG responsibilities.

Other comments on JAG performance since 2003 (positive and negative benefits/impacts):

……………………………………………………………………………………………

……………………………………………………………………………………………

……………………………………………………………………………………………

2. Your personal assessment of how the JAG concept (for Law and Justice or other sectors) could have been improved

Background: AusAID and its partners use several different processes to monitor and supervise implementation of development programs. The JAG was unusual as the JAG team was based in-country. The JAG was tasked with several technical roles: high level advice to GoPNG and AusAID; developing the sector performance framework and reporting on sector performance through the annual performance report. The review team would value your assessment of how the advisory group concept could be improved.

Based on my experience, the JAG concept should have included: Tick only *ONE* of the options in *EACH LINE*	Need More	Need same as now	Need Less	Not needed
1. **High level technical advice provided to:**				
1.1 Government of PNG (eg. law and justice sector)				
1.2 Government of Australia (eg. AusAID)				
1.3 Other stakeholders (specify):				
2. **Technical advice and support for:**				
2.1 High level sector policy and strategy (in addition to policy advice provided through LJS Program or Partnership)				
2.2 Sector monitoring and evaluation				
2.3 Independent sector performance reporting				
2.4 Assessing effectiveness of aid program assistance in the sector				
2.5 Providing secretariat support to sector coordination group(s)				
2.6 Assessing performance of the main program implementation service provider (contractor)				
2.7 Other (specify):				
3. **Access to local PNG-based expertise** (as opposed to international)				
4. **Responsibility for recruiting, tasking and managing JAG related technical assistance services should be the responsibility of**:	Circle Yes for only **ONE** alternative			
4.1 The law and justice sector /sector agencies	YES			NO
4.2 The LJS or sector coordination secretariat	YES			NO
4.3 The LJS Program / Partnership	YES			NO
4.4 Another GoPNG agency (specify which):	YES			NO
4.5 AusAID	YES			NO
4.6 A combination of the above	YES			NO
5. **Key technical members of advisory group should be based in-country full time** (circle Yes or No)	YES			NO

Other comments/suggestions for supporting GoPNG/GoA policy, performance monitoring, evaluation and reporting capacity and access to independent advice (also use back of page, if needed)

Your Organisation (please nominate agency and department)	
Name: (optional)	
Respondent's main responsibility: (tick one only)	
Middle Manager		Implementation of LJS activities (courts, police, corrective services, service provider, etc.)	
Planning, monitoring and evaluation		Other (specify) :	
Technical consultant			
Email address to send a summary of the responses to this questionnaire to you:			

Please return to Ian Teese (itag@bigpond.com COB on Thursday 5 March.

Appendix 7　Monitoring and Supervision Modalities

The following analysis is based on the experience across a range of projects and programs supported by both bilateral and multilateral donors. This experience is extrapolated to possible new modalities. The Cambodian Criminal Justice Advisory Group (CCJAG) is a hybrid of Model 1 and Model 2 – it provides short-term strategic inputs, using national and international consultants with detailed knowledge of the Cambodian Justice Sector and established relationships. The CCJAG also contributes to contractor performance assessments.

Modalities	Main Features	Advantages	Disadvantages
1. Program Advisory Group (permanent in country presence)	Long term in-country presence Initially tasked to provide contestable high level strategic advice Provided independent high level advice Responsible for preparing and implementing sector performance framework. Appraised all major program design, planning and reporting documents	Core team can develop strong working (and social) relationships with sector stakeholders and program contractors which will reinforce short term inputs. Core team can develop more extensive understanding of technical and cultural issues impacting on program activities and outcomes. Provided independent sector performance data which had more credibility Provides mechanism to provide alternative sources of advice and intellectual input through low key ongoing interaction with key sector stakeholders and coordination groups. Alternative sources of advice provide stakeholders with range of ideas and approaches to improve sector policies and processes.	Need for AusAID to clearly delineate responsibilities to avoid confusion of counterparts and overlap of functions. Overhead costs of maintaining in-country offices, particularly if long term expatriate staff used. Long term staff can become too comfortable in working relationship with implementation team being monitored. Potential for conflicting advice (may be more an AusAID rather than client issue) JAG was not located within sector agency with ongoing responsibility for monitoring sector performance (DNPM)
2. Technical advisory group (as used by AusAID)	Short term inputs Usually same team with small changes to membership to suit identified technical issues Approach of TAG depends on tasking officer and style (participatory, learning or audit) of team leader and/or program officer Usually focus on technical issues rather than sector wide or high level issues Can have a wide ranging brief guided by AusAID prepared TOR TAG members do not usually have input to contractor selection	Lower management overhead costs (but may take more resources for AusAID to organize and manage) Can provide higher level technical support to AusAID program/project management staff in appraising project planning and reporting documents Can provide timely focused short term input to address priority issues If same team used, can develop ongoing working relationship with implementing team (project/program and counterparts) Can be effective in promptly addressing short term issues if a participatory process which shares and reaches agreement on conclusions and recommendations before the TAG departs is used	Impact of TAG depends on the style of team leader Less experienced AusAID program officers may have to rely on TAG members for technical advice Implementation teams can control the agenda for TAG visits by arranging program and field visits to suit known interests / concerns of team members to divert attention from important issues Unless the key parts of the aide memoire are discussed before presentation to minimize factual errors and misunderstandings, the recommendations of the TAG can be delayed / lost in disagreements with project contractor which are debated in writing. Challenge is for TAG members to retain a high level of interest and energy in a long running program/project.
3. Independent (high level) monitoring and review groups	As used by Health program in PNG Core group of highly experienced internationally recognized consultants to provide continuity Appropriate additional resources added depending on input	Access to very experienced specialists provides credibility to issues identified and proposed solutions.	More difficult to organize to ensure that team (technically and style) meets needs of stakeholders and donors Effectiveness requires access to reliable sector

Modalities	Main Features	Advantages	Disadvantages
	TOR Funded by major donors to sector Each input focuses on agreed subject area TORs agreed with sector coordination group	If given adequate time to develop relationships with key decision makers and politicians should have credibility to highlight key issues to decision makers.	wide performance data to allow field observations to be extrapolated to whole sector. Influence and impact depends on the style of team leader and their ability to develop relationship with coordination group and key stakeholders Short inputs limit time to develop relationships with key stakeholders and understanding of culture (social and agencies) In taking sector wide approach, difficulties in tailoring conclusions and recommendations to suit needs of coordination group and individual sector donors.
4. Supervision missions (International development finance organizations such as WB, ADB, IFAD)	Led (in most cases) by project/program task manager Short term inputs (2-3 weeks) at least once per year Addresses financial (loan/grant) management as well as technical issues The donor funding is closely linked to national recurrent and development funding so that mission can assess and link recommendations to national funding support. Team leader (task manager) also has responsibility for approving loan withdrawals so has up to date knowledge of financial flows. Team leader reviews and approves annual work plans and budgets. Program being implemented by national agencies with some technical assistance. Supervision mission does not have direct control / influence over technical assistance inputs (who are contracted by implementing organization) Core group of experienced agency staff and / or consultants covering broad technical, financial and cross cutting issues. Specialists added to team depending on priority issues identified during previous missions or emerging issues Mission completed with agreement on aide memoire with priority recommendations and tasks to be completed. Financial management / control systems well developed to control loan disbursement. Program / project M&E systems need to be well developed to provide easy access to output and outcome data.	Task manager has direct interest in ensuring mission focuses on key issues impacting on program progress. As mission is usually monitoring a loan being implemented by the line agency, increased commitment by client to work with mission. Highly skilled and experienced core technical team with experience in monitoring development projects. Core group develops understanding of program and sector and links with key sector stakeholders. Supervision mission has more impact because it can make recommendations on loan disbursement and funds flow. Aide memoire signed by high level government representative (minister or head of implementing agency or coordination group) and team leader to emphasise commitment to recommendations. Aide memoire can have greater impact as implementation of recommendations can be tied to funding conditions.	Main measure of project / program success is disbursement rate which is very dependent on realistic project design and annual planning. Can be difficult to influence organizational change in loan structure Having same person as team leader through design and monitoring process can lead to key constraints / issues not being seen or ignored due to team leader prior notions or blind spots (particularly in terms of technical aspects or fundamental design structure). Skills required to successfully lead monitoring missions which lead to improved program/project performance are different to those required to initiate and develop new program / project proposals.

Appendix 8   Continuous Improvement in Program and Project Implementation

The following table sets out elements of a monitoring / supervision process that should contribute to continuous improvement and learning through the program / project implementation cycle. It is based on the summary of different monitoring modalities in Appendix 7.

Elements of a Continuous Learning Monitoring / Supervision Process

	Element	Comments
(i)	Shared ownership (and responsibility) for process	Sector / program coordination group oversee planning (including TORs) and are main reporting focus of monitoring group
(ii)	Base function in government agency responsible for developing sector policies and/or annual budgets, and / monitoring and reporting sector performance towards sector and government development objectives.	These functions may be split between several agencies. In the early stages of sector development, the responsible agencies may not have the capacity and resources required.
(iii)	Activity seen as learning process rather than auditing program implementation	Appropriate sector agency staff invited to actively participate as part of monitoring team.
(iv)	Led as a facilitatory process by team leader with organization development / program design / M&E focus, not necessarily high-level technical skills	Team leader develops relationship with sector coordination group and key decision makers.
(v)	One team member should have high-level policy and strategic technical knowledge and understanding in sector.	Team leader may also have these skills. AusAID funded sector adviser could provide these high level skills when sector contractor also provides high level strategic advice inputs through a technical director.
(vi)	Initially, team includes at least one person with experience of design process	Need to ensure understanding of design principles and approach
(vii)	Team includes at least two members from previous monitoring visit to provide continuity.	
(viii)	Team membership adjusted to include appropriate skills and knowledge	Determined by priority tasks and technical areas decided by sector coordinating group. A priority should be to use and develop national resources.
(ix)	Each monitoring input focuses on small number of agreed priority areas (set by program/project coordinating group) rather than a program wide review.	Focused priority areas makes field work more manageable and allows greater inputs to priority areas.
(x)	Monitoring Team circulate an draft aide memoire with main conclusions and priority recommendations to all stakeholders at least 36 hours before wrap-up meeting	Stakeholders accept that some draft conclusions and recommendations may need higher level agreement.
(xi)	Misunderstandings and / or errors discussed and corrected before final aide memoire presented to stakeholders	Need to minimize distractions (excuses) from main issues identified and recommendations to address these issues.
(xii)	After agreement on aide memoire, stakeholders undertake to implement areas under their mandate	Commitment for action
(xiii)	After the aide memoire presentation, technical team members should discuss and clarify their technical recommendations with their counterparts and sector contractor technical advisers.	This is to further address any misunderstandings and identify errors. Implementation processes for agreed recommendations can be developed.
(ivx)	Final report (a more detailed aide memoire) documents progress on previous recommendations.	Report should only add details needed to more clearly explain recommendations and to assist their implementation. Technical issues should be dealt with in working papers.

Possible Features of Future Advisory Groups

In the start up of new programs, the AusAID adviser should be located in the appropriate unit/section of the department/ministry of national planning and coordination, or equivalent, which has JAG-type functions. The intent would be to support an agreed sector coordination and monitoring agency to:

      (i)   provide secretariat services to the sector coordination group;

      (ii)   develop the sector performance framework;

      (iii)   undertake program contractor performance reviews (if needed); and

      (iv)   more importantly, develop and implement the independent data collection/collation systems needed to support the performance framework.

These functions need to be supported until they can be wholly transferred to the agreed sector planning and coordination agency. Where it is not possible to identify an agreed sector planning and coordination agency, an external facility could be established to facilitate coordination, on an interim basis. This latter option is the least preferred, and if adopted, the facility should have a national administrative team.

The contractor performance review would be more usefully implemented as a program monitoring review with an independent team leader/facilitator and the technical adviser plus priority technical area specialists.

Any secretariat support resources could be contracted through the main program contractor but report jointly to the AusAID technical adviser and a stakeholder government representative in the coordination and monitoring agency, and operate independently. This joint responsibility should be through a sub-committee (or technical working group) of the sector coordination committee. This sub-committee would handle tasking, selection and quality control of specialist technical consultants, with logistics support provided by the Program contractor, including for mobilisation and administration, such as billing.

After the full-time advisory facility has developed processes to implement its designated tasks and/or, in the cases of an external facility, the sector has identified the appropriate sector (or other) agency where the secretariat should be based, secretariat responsibilities would be handed over to the agreed sector planning and coordination agency.

The monitoring / advisory group function team would continue with the independent team leader and the AusAID technical adviser leading the activity. Depending on the issues arising during implementation, the inputs would be scheduled for twice each year. These could be an annual major input, possibly timed to be part of the annual review and planning process for the next year's activities with a smaller, technically focused input in between to address emerging technical issues.

Independent advice: Technical advisers (or project directors) directly contracted by and reporting to AusAID should not be described as providing independent advice (as they have responsibilities to AusAID).

Contestable advice: To provide contestable advice, the program contractor should also have a high level short term technical strategic adviser who has regular inputs to develop their relationship with the agency CEOs in a low key way. This function is often taken by the contractor contract director or an externally recruited technical director. The sector coordination group should review the inputs of both the AusAID and contractor high level adviser after two years and recommend if both or either one of the positions should continue.

Relationship to sector coordination groups: Contractors supporting sector programs and high level strategic advisers should not be perceived to have equal status at meetings as members of the sector coordination groups. The sector program contractor should provide secretariat services, where required, and offer independent strategic and implementation advice to the coordination group (in addition to any advice provided by an AusAID contracted adviser), but should be seen as a support resource, not as equal member. The chairperson of the group can invite the sector program contractor or the high level advisers to contribute as required.

Appendix 9   Lessons and Recommendations from Final Report on Monitoring and Evaluation Aspects of AusAID Assistance to Papua New Guinea's Law and Justice Sector, 2003 – 2007. Jessica Kenway

Lessons

1. Lesson learnt: Be clear in the Request for Tender (RFT) and contract who is responsible for carrying out and resourcing M&E and specifically at what level (input, output, outcome or impact) this is to occur. Ensure there is shared understanding between the AMC/s and AusAID about these requirements. There is the opportunity in the RFT if the M&E requirements are appropriately described to draw on the expertise in M&E in the private sector to contribute to the design and approaches to M&E in bidding proposals.

2. Lesson learnt: Where there are multiple AMC's (such as with the JAG and LJSP) it is vital to provide clear delineation of their roles, including where coordination and cooperation is needed between them.

3. Lesson learnt: The importance of Post being resourced to a level where they can actively manage the coordination between the AMCs.

4. Lesson learnt: In the design stage, emphasis should be given to where baselines might provide valuable data for the host country and the donor and at what level (e.g. sector, agency and program).

5. Lesson learnt: Consider a staged approach involving direct sourcing of performance information in the short term, and combining capacity building in performance monitoring with increasing reliance on host country information systems over time.

6. Lesson learnt: Design contract specifications that set out how the performance of the AMC will be measured and that encourage the AMC to develop robust M&E systems for the purposes of both management and learning.

7. Lesson learnt: Consider having a specific indicator under the contractor performance assessment process focusing on M&E, which could consider whether an MEF was in place, how AMC capacity in M&E was being managed, and whether all co-ordination relationships are being managed effectively.

8. Lesson learnt: It is important to assess the capacity of the AMC in M&E explicitly as part of the tendering process, and also on an ongoing basis, through the contractor performance assessment process.

9. Lesson learnt: PNG is an oral society. The Sector Strategic Framework summary one page document demonstrated the importance of recognising this characteristic in gaining understanding, ownership and use of innovations. Consider producing visual summaries for major documents (e.g. the Performance Monitoring Framework) and concepts (e.g. the levels of M&E in the sector).

10. Lesson learnt: The involvement of the Law and Justice Sector Secretariat and the promotion of the use of monitoring data by the sector should be planned and developed as a capacity building intervention in the area of sector monitoring.

11. Lesson learnt: The importance of building the accountability of advisors to contribute towards outcomes by creating work plans that link their efforts to the outputs in the Annual Program Plan.

12. Lesson learnt: The importance of nurturing the development of an M&E culture with changes to GoPNG planning and monitoring procedures made in consultation with the agencies concerned, and the needs for capacity building identified and programmed.

Recommendations (prepared with John Winter, Senior Performance Adviser for PNG and the Pacific)

i)   A monitoring and evaluation framework for any successor program should be developed by the time of financial approval and agreed with the PNG Government.

i)   The level of detail in the M&E framework at the time of approval should be sufficient for GoPNG agencies and AusAID to scope the resources likely to be needed in their own structures and in technical assistance and to set these out in any request for tender or job descriptions.

i)   Early in the life of the successor program, the logic and assumptions behind how LJSP aims to achieve the desired outcomes (as described in the LJSP logframe) should be reviewed with GoPNG agencies and roles and responsibilities for M&E defined.

ii)   The design of any new program should explicitly address the need for strengthening the practice of M&E in GoPNG agencies. The M&E framework should be designed in a way that contributes to this objective (eg by a rolling program of joint impact evaluations (see recommendations in Kenway et al. 2007).

iii)   There should be a single source of advice to GoPNG agencies on monitoring at the sector and agency level. Ideally this is coordinated through the Law and Justice Secretariat.

iv)   The concept of intervention logic should be further developed in work planning to integrate data collection and the strengthening of information sources as part of every intervention.

v)   A contractor's or other team's performance in carrying out agreed M&E responsibilities should be covered in every instance of contractor performance assessment or other appraisal.