

Independent Evaluation of PNG-Australia Law and Justice Partnership (PALJP)

MANAGEMENT RESPONSE

Prepared by: PNG Post Law and Justice Team
Approved by: Michelle Lowe, Acting Head of Aid, PNG Post
Date Approved: 27 August 2012

Aid Activity Summary

Aid Activity Name			
AidWorks initiative number	INI194		
Commencement date	April 2009	End date	April 2014
Total Australian \$	\$150 million		
Total other \$			
Delivery organisation(s)	AusAID and Implementation Service Provider (Cardno Emerging Markets)		
Implementing Partner(s)	GoPNG Law and Justice agencies (led by the National Coordinating Mechanism), Provincial Administrations and civil society organisations		
Country/Region	Papua New Guinea		
Primary Sector	Governance (Law and Justice)		

Aid Activity Objective:

The goal of the Papua New Guinea - Australia Law and Justice Partnership (PALJP) is to support the law and justice sector to achieve measurable progress against its sector goals identified in the Law and Justice Sector Strategic Framework and relevant Government of Papua New Guinea (GoPNG) policies and plans:

- Improved policing, security, safety and crime prevention
- Increased access to justice and just results
- Improved reconciliation, reintegration and deterrence
- Improved accountability and reduced corruption
- Improved ability to deliver law and justice services.

PALJP supports PNG-led programs to enhance the capacity of the law and justice agencies to deliver services. PALJP identifies specific areas of focus for bilateral cooperation, targeting priority initiatives under each of the five Sector Strategic Framework goals.

Independent Evaluation Summary

Evaluation Objective:

The evaluation was commissioned to inform an assessment by the Governments of Australia and PNG of PALJP's effectiveness, provide lessons on aid program management, and inform future assistance to law and justice. The evaluation assessed PALJP's implementation progress at its mid-point. It assessed PALJP's performance against a range of evaluation criteria, and provided recommendations to improve PALJP's implementation and/or future program design.

Evaluation Completion Date: March 2012

Evaluation Team: Dr Livingston Armytage (Team Leader), Mr James Laki (GoPNG nominee and law and justice specialist) and Dr Eric Scheye (Monitoring and Evaluation specialist). Catherine Gill, AusAID Evaluation Manager, participated in selected team discussions and stakeholder consultations.

Management Response – Government of Australia

The evaluation found that PALJP had contributed to numerous 'wins' across the law and justice sector. These include improving managerial systems and procedures across law and justice agencies, advancing women's rights, efforts to address family and sexual violence, and constructing capital infrastructure for courts, police and prisons. However the evaluation noted PALJP's institutional capacity development achievements had not yet joined to a strategic pathway to improved law and justice service delivery.

The evaluation recommends refinements in PALJP's approach to transition toward an approach focussed on service delivery, in particular at the provincial level.

AusAID welcomes the findings and recommendations of the Independent Progress Report. The evaluation provides guidance on strengthening future aid program support to law and justice in PNG. The evaluation findings are largely consistent with the 2012 Office of Development Effectiveness (ODE) Evaluation of Australian Law and Justice assistance. As the PNG Government is developing a formal response to the Independent Progress Report, this Management Response reflects the views of the Australian Government. However, findings from these two evaluations are already informing joint management of PALJP.

The IPR's recommendations align with the ongoing reshaping of PALJP since the PNG-Australia Partnership for Development Law and Justice Schedule (P4D Schedule) was endorsed in October 2011. This has seen a narrowing of strategic objectives, an increased focus on service delivery in determining funding priorities, and a reduction in funding for sector coordination.

PALJP works within a GoPNG planning and budget cycle. As the 2013 budget year commitments (January-December) are near finalisation, some aspects of the recommendations can only be implemented in full in a future phase of assistance.

Both the PALJP and ODE law and justice evaluations will be key in informing future Australian support to the law and justice sector in PNG. PALJP, which ends in April 2014, is one of three major programs of Australian Government law and justice programs. The Australian Federal Police (AFP) delivers the PNG-Australia Policing Program (PNG-APP) (approved to June 2014) and the Australian Attorney-General's Department (AGD) delivers the law and justice component of the Strongim Gavman Program (SGP). AusAID is collaborating with the AFP and AGD on designing a further phase of law and justice assistance to commence in 2014, which will see all three programs of assistance under one strategy.

Recommendation One

Recommendation: The Governments of Papua New Guinea and Australia, as development partners, restructure the annual development budget process into two steps: (i) GoPNG review and revise the sector policy strategies and priorities, and (ii) both partners convene the strategic coordination meeting process provided in the Program Design Document (PDD) to discuss and agree on the allocation of GoA's assistance to support sector development.

Response: Agree. AusAID agrees with the review assessment that whilst GoPNG remains committed to the sector-based approach to sector policy and planning, PALJP's reliance on the annualised sector budget process is not maximising the effectiveness of aid. AusAID believes the sector development budget approach is resource intensive, results in funding resources being spread very thinly across the sector, and can constrain PALJP's ability to invest strategically.

Actions: The P4D Schedule was most recently endorsed in October 2012. It draws on the sector's strategic framework, but agrees a narrower set of strategic objectives for Australia's support. These priorities were captured in an AusAID Statement of Contribution for the 2013 budget process, which prioritised activity proposals with a clear service delivery focus. AusAID also reduced its support to sector coordination activities, with GoPNG now funding the Law and Justice Sector Secretariat (LJSS).

As PALJP uses GoPNG budget and planning process, much of PALJP's pipeline to April 2014 is already committed. AusAID proposes proceeding to a feasibility/design process for the phase beyond PALJP (ends April 2014) that will build on GoPNG's sector policies and strategies, but explore new approaches to planning/financing Australia's support. This will allow GoA and GoPNG to work collaboratively with a greater focus on specific, substantive law and justice issues, with a more efficient approach to aid management.

Recommendation Two

Recommendation: PALJP reviews its development approach to increase the proportion of programming to support the delivery of services directly to beneficiaries, and adopts a 'blended' approach which integrates capacity-building with service delivery, problem-solving and thematic approaches.

Response: Agree. This is consistent with the P4D Schedule agreement to increase our focus on service delivery and progressively reduce funding support to sector coordination, public administration and policy development.

Actions: For the 2013 development budget, AusAID will increase support to activities which directly enhance service delivery while continuing to support successful institutional reform and capacity building activities. We will be guided by this recommendation in designing post April-2014 assistance to law and justice. Our assistance will continue effective capacity building and institutional strengthening activities, but with a broader focus on how services are delivered, particularly at provincial level.

Recommendation Three

Recommendation: PALJP sharpens the focus of its support to address specific thematic challenges/priorities to improve service delivery to beneficiaries, for example, concentrating on gender equality and violence against women.

Response: Agree.

Actions: The P4D Schedule retains a sector-based approach built on GoPNG's sector policies and strategies, but defines a narrower set of priorities for the aid program. A post-PALJP program will focus on a smaller number of thematic priorities and cross-cutting objectives, based on strong analysis of challenges and opportunities. Based on evaluation findings, PNG and Australian Government priorities, and Australia's comparative advantage to make a difference and deliver results, these are likely to include restorative justice, family and sexual violence, and transparency and accountability. Support in these areas will enable better integration of law and justice interventions with other aspects of the PNG country program, and will be delivered within a coherent approach across sectors. For example, support to Family and Sexual Violence will be informed by GoPNG policies and AusAID's Family and Sexual Violence Strategy, working in partnership with AusAID's health, economic and democratic governance programs.

Recommendation Four

Recommendation: PALJP reallocates the provision of resources (personnel and goods & services) to increase and ensure adequate support for the roll-out of assistance to provincial and local service delivery, including the appropriate inclusion of civil society organisations in support activities.

Response: Agree.

Actions: AusAID is strongly committed to more direct engagement with and support for sub-national law and justice partners and civil society organisations to improve service delivery and ensure poor people in PNG have better access to justice services. The design for the next phase of assistance will explore measures to strengthen support to sub-national service delivery, whilst managing risks to ensure funding is used effectively and appropriately. Law and justice service delivery at sub-national community level will also be supported through AusAID programs which complement PALJP, such as the Sub-National Program and Strongim Pipol Strongim Nesen, and will be guided by AusAID's *Civil Society Engagement Framework*.

Recommendation Five

Recommendation: PALJP review and refine its approach to monitoring and evaluation by clustering its performance indicators into baskets that can tell a more complete story; defining individual indicators so that they produce specific reliable and valid data; and supporting the use of data in GoPNG policy and managerial decision-making.

Response: Agree.

Actions: AusAID is supporting GoPNG to review the indicators under the PNG Government's law and justice sector Performance Management Framework (PMF) to enhance the effective use of appropriate GoPNG performance data. The PMF and the Sector Strategic Framework provide the basis for the P4D Schedule. AusAID will propose refinements to the P4D measurement indicators informed by the Interim Progress

Report and ODE recommendations, the sector's review of its PMF, and AusAID's *Governance Performance Assessment Framework*. PALJP's monitoring and evaluation (M&E) framework will be revised accordingly.

GoPNG results data, together with project outcomes and management data will enable a more holistic picture of the results of Australian law and justice assistance to emerge.

Australia and PNG have restructured PALJP's senior management team to increase resources focused on program effectiveness. This, and a dedicated Monitoring and Evaluation adviser position, will help AusAID and the PNG Government to strengthen use of data in policy and planning decisions. M&E will be a major focus of the design for the next phase of AusAID's support.

Recommendation Six

Recommendation: The Governments of Papua New Guinea and Australia, as development partners, take steps to improve the alignment and coordination of its development program comprising PALJP, PNG-APP and SGP at the sector and agency levels.

Response: Agree.

Actions: AusAID, AFP and AGD have worked with the Australian Department of Foreign Affairs and Trade to increase coordination efforts over the last year. The P4D Schedule that was endorsed in October 2011 was changed to reflect whole-of-Australian Government support to the sector, and common agreement on overarching goals, approaches and aid effectiveness principles. Australia will propose refinements to the P4D Schedule to better reflect the strategic focus and priority areas of the three major Australian Government programs and their comparative advantages, with agency leads on particular themes and areas. A coherent delivery strategy will be developed for all of Australia's support to the law and justice sector as part of the design for a further phase of support post-PALJP. This design process will promote a strategic and coherent approach to Australia's assistance, drawing on the comparative advantages of the different modalities. AFP, AGD and AusAID will work with sector partners to explore opportunities for genuine collaboration within agencies and across thematic areas.