



Vanuatu Law and Justice Partnership
Stretem Rod Blong Jastis
part of
Policing and Justice Support Program (Vanuatu)

Stage Two Progress Report – July to Dec 2014

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Cover photo: *Graduates of the Intermediate Legal Advocacy Skills Training Course delivered by the Victorian Bar Association held at the University of the South Pacific, Moot Court during December 2014*

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Acronyms

ADR	Annual Development Report
CDLA	Capacity Development & Leadership Adviser
CDMA	Case & Data Management Adviser
CLE	Continuing Legal Education
CP	Child Protection
DFAT	Australian Department of Foreign Affairs and Trade
DWA	Department of Women's Affairs
GoA	Government of Australia
GoV	Government of Vanuatu
GRM	GRM International Pty Ltd
HOAG	Heads of Agency Group
IPAM	Institute of Public Administration and Management
JCSSS	Justice and Community Services Sector Strategy
JBE	Jastis Blong Evriwan
KAP	Knowledge, attitudes and practices
LSIP	Law Student Internship Program
LTA	Long Term Adviser
M&E	Monitoring and Evaluation
MEF	Monitoring and Evaluation Framework
MEP	Monitoring and Evaluation Plan
MJCS	Ministry of Justice and Community Services
MNCC	Malvatumauri National Council of Chiefs
NZ	New Zealand
OGCIO	GoV Office of the Chief Information Officer
PAA	Priority Action Agenda
PJSPV	Policing and Justice Support Program (Vanuatu)
PLAS	Planning Long Acting Short
PMG	Partnership Management Group
PMF	Performance Management Framework
PMO	Prime Minister's Office
PPO	Public Prosecutor's Office
PSC	Public Service Commission
PSO	Public Solicitor's Office
SCV	Save the Children Vanuatu
SLO	State Law Office
SPD	State Prosecutions Department
SRBJ	Stretem Rod Blong Jastis Partnership
TA	Technical Advisers
TOR	Terms of Reference
UNICEF	United Nations Children's Fund
USP	University of the South Pacific
VAPP	Vanuatu Australia Police Program
VLC	Vanuatu Law Commission
VLJP	Vanuatu Law and Justice Partnership
VNSO	Vanuatu National Statistics Office
VPF	Vanuatu Police Force

Executive Summary

Stretem Rod Blong Jastis (SRBJ) has been able, over the first six months of Stage 2, to maintain momentum and in some areas escalate implementation despite increased management burdens and contract deliverables.

Demonstrable progress towards the intermediate outcomes of the program has been made across all three components which is provided in greater detail in the table at section 2b summarising key achievements.

The highlights for this reporting period include:

- Completion of a program wide monitoring and evaluation plan (MEP) that is ambitious but fit for purpose and will measure the contribution of SRBJ to the progress of the justice and community services sector. The MEP is resourced by a Specialist and an Adviser which is a model that is providing robust support for the MEP but also significant support for skills and knowledge transfer to the Monitoring Officer of the Ministry of Justice and Community Services (MJCS).
- Completion of the refurbishment of the Public Prosecutor's Office.
- Completion of the refurbishment of the Supreme Court Registry.
- The Monitoring Officer has developed and completed an MEP for the justice and community services sector for consideration and approval at the next Heads of Agency Group meeting in March.
- Sector communications have been supported through the development of a MJCS website and monthly newsletter both of which are showing increased use and interest. The website has demonstrated a fourfold increase in traffic between August and December 2014 and an increase in agencies contributing to the newsletter from seven to twenty-two during the same period.
- The courts have progressed the tender and selection of a service provider for a courts case management system which will commence implementation in February with the support of the program. This will provide a significant tool to facilitate the enhancement of court efficiency.
- Data quality has improved in a number of justice agencies with some promising signs that the data is starting to be used to appropriately inform management decisions. Such agencies include the courts and the SPD which have both targeted attention to certain issues as a result of better data, for example on cases listed without a further date, reserved judgments and causes of for want of prosecution outcomes.
- Three substantial capacity development opportunities targeting technical sub-groups within the sector have been implemented over the reporting period; being financial management

training, human resource management training and legal advocacy training for lawyers and prosecutors.

- The implementation of a pilot multidisciplinary approach to institutional strengthening with the SPD has been showing good results in a number of areas and will be replicated with other institutions. Improvements can be demonstrated in the tracking of cases; the time taken to draft charges; as well as in the overall leadership of the officer-in-charge.
- There is demonstrable increased capacity of public criminal defence at the Public Solicitor's Office.
- Greater accessibility of the SRBJ advisers¹ to the VPF since the commencement of Stage 2, is allowing the program to provide advice and support to police in areas of program strength which will provide opportunity for a more holistic approach across the sector particularly with respect to certain thematic or systemic challenges; for example the case and data management support; the investigations and prosecutions collaboration for greater efficiencies, and support for the strategic planning of the WAN
- The Law Student Internship Program (LSIP) has expanded since its inception and a pathway for greater sustainability of that program is agreed with the University of the South Pacific (USP) School of Law. There is already evidence that it is providing a career pathway into the public sector for law graduates. Based on the small sample of ni-Vanuatu interns based in Port Vila who participated in the initial tracer study, eight former interns have found positions within the legal profession (all but one in the public sector) in the last six months.²
- The development and finalisation of a workplan to support appointment of "Authorised Persons" and "Registered Counsellors" under the Family Protection Act 2006 working in support of the Department of Women's Affairs (DWA).
- The development of an approach for research that will support the Malekula and Blacksands pilots targeting support for women experiencing gender based violence and for youth in conflict with the law retrospectively.

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One challenge over the reporting period has been finding the opportunity to engage, with significant time and attention, with the MJCS and sector leaders on the status of the Justice and Community Services Sector Strategy (JCSSS). A good understanding for the reasons for the slow progress of planning and implementation of the JCSS strategies and development of an agreed, rationalised approach that takes into account the challenges being felt by the leaders within the sector might allow this work to continue within a more confined scope. This will receive more focused attention over the next reporting period and is likely to be better informed by the sector perceptions survey.

¹ In particular, the Capacity Development & Leadership Adviser, the Case and Data Management Adviser and the SPD Adviser.

² See Annex 6

Overall, SRBJ has made effective progress against its Workplan over the first six months of Stage 2 under the integrated PJSPV. There has been some delay in delivery of outputs but it is anticipated that these will be implemented during the next reporting period with minimal impact on the progress towards outcomes. Small delays of this nature were anticipated and included delays in recruitment (to several positions including VPF Monitoring Officer, MJCS Communications Officer and support for Child Desk); and approval of the sector M&E framework last December.³

The SRBJ team as a whole is starting to look more intensively at progress towards intermediate and end-of-program outcomes and at strengthening the sustainability of support in their areas of practice as the program now moves into its final two years of implementation. Collaboration and the sharing of information, knowledge and learning will be increasingly supported to ensure the consistency and a holistic approach envisaged by the program design. The MEP is more robustly supporting effort in this regard and the baseline which will be available shortly will provide a better base from which to measure contribution of the program than the sector has had to date.

Management recommendations arising over the reporting period include:

- Support for the process of identification of an appropriate approach for the support of the JCSSS to end of 2016. It is proposed that there be a review of the current mechanism for advancing the JCSSS in consultation and partnership with key GoV stakeholders (possibly the JCSSS Task Force) to determine a more appropriate means of supporting the JCSSS.
- Exploration of the possibility of evaluating resistance to change – even positive change.
- Exploration with the PPO of possible discrete support that could be provided to that office in anticipation of the arrival of a British-funded Public Prosecutor and in support of that position once in place.
- Seeking approval for strengthened support of the program to the Magistrates' Court.
- Recruitment of a case and data management counterpart.
- Strengthening of the integration of gender across the program.
- Strengthening the focus on institutional systems, processes, management and administration to increasingly embed capacity development and strengthen the sustainability of outcomes, particularly with respect to SPD and PSO.
- Continuing cognisance of the necessity of preserving sufficient resourcing for component 3 initiatives.
- Strengthening the links between the sector Monitoring Officers (MJCS and VPF) and the M&E Unit, PMO.

³ Greater detail of delay and variation against workplan is provided in section 2(e) below

- Strengthening effectiveness of grants facility. Exploring the possibility of secondment of staff to VLC and / or twinning with a strong regional law reform commission.

1. Context

This report is intended to build on the reports of Stage 1 of SRBJ and, in particular, the Stage 1 Completion Report which provided a stand-alone review of Stage 1 of SRBJ. Accordingly, reporting on Context or on Lessons Learned for example, is intended to highlight new or changing factors rather than to repeat ones that have been reported on previously. Context and lessons learned from Stage 1 are assumed or alluded to in brief and will not be reported on again in this first Progress Report of Stage 2 of SRBJ.

a) Maintaining relevance of the program

The program logic, theory and justification for the direction of the design of Stage 2 of SRBJ were formulated almost two years ago. Despite this lapse of time, the higher order goals and development concerns to which the design of the program sought to respond continue to be critically relevant to needs at the community level in Vanuatu, and more poignantly perhaps to target groups within communities.

Vanuatu has as part of its justice armoury a Western style formal system intended to provide fair and equitable adjudication of disputes and access to resources and rights to its citizens. For this service to be effectively delivered to the community level, a complex system of independent, but yet interdependent agencies, need to interact and act effectively and efficiently. The justice and community services sector in Vanuatu is a dynamic environment in which complex, multilevel challenges interplay to impact on effective delivery of justice outcomes to the community.

The program seeks to respond to this by supporting networks across the sector that influence positive change; be that through the support of strategic sector priorities identified in the JCSSS that have home-grown momentum; or through support for improved planning, reporting, monitoring, budgeting, communication and donor coordination as well as strengthened support for the MJCS. In addition, the program is providing a suite of capacity development initiatives that are strategic, evidence-based, problem solving and service delivery focused. This approach continues to be relevant and appropriate.

In complement to working at the national and institutional levels, the program is designed to implement thematically targeted interventions to improve justice outcomes and responses for children, women and youth. These three sub-groups continue to represent a key proportion (although by no means all) of the groups who justifiably seek a better service and response from the justice and community services sector in the protection and exercise of their rights and responsibilities as citizens of Vanuatu. The evidence base provided in support of the draft design

for SRBJ⁴ has not significantly shifted in the two years since design, and the overwhelming justification for targeted interventions to support these three groups at the community level remains.

Accordingly, the focus and end-of-program-outcomes continue to remain relevant to the needs and context in Vanuatu. However the approach taken to achieve these end-of-program-outcomes may need to shift in certain areas to reflect opportunistic changes in the context, increased understanding of the relevant issues, and response to identified challenges (this is dealt with in more detail in section 2e – Variation to the Workplan).

b) Factors in the context which effect achievement of outcomes or implementation

The nature, breadth of purview and complexity of the policing, justice and community service sector is described at section 2a) of the *SRBJ Completion Report Stage 1 – July 2014* (Stage 1 Completion Report) and that continues to represent the sector in which the program operates.

i. Constraints

The constraints identified in the Stage 1 Completion Report (summarised below)⁵ continue to represent the overarching constraints for the program:

- 1) Fluidity of the political context.
- 2) Leadership (is both an asset and a constraint across the sector).
- 3) Inherent sensitivity of work and the bilateral relationship.
- 4) Politics of aid.
- 5) Retention of lawyers within the public sector.

In addition, it is also of note that there has been a decline in the size and scope of other programs and development partners within or intersecting with the sector since the commencement of Stage 1 in March 2012. Such programs can have the potential to enhance, or strengthen the work of SRBJ. The scope of the Vanuatu Land Program (formerly *Mama Graon* Program) has been significantly narrowed; the World Bank *Jastis Blong Evriwan* Land Advisory Services initiative is in hibernation pending the identification of funding; the Governance Program at Wan Smolbag has been deprioritised due to funding cuts. UNICEF's Child Protection scope has been narrowed to strengthen outcomes, and regional programs are generally less contextualised and innovative in nature given the need to operate generically across a diverse region.

ii. Opportunities

Leadership in certain areas continues to be a key opportunity within the sector.⁶

⁴ Draft *Stretem Rod Blong Jastis* Stage 2 Design July 2013

⁵ This is articulated in more detail pp 21-22 of the Completion Report July 2014

In addition, there are other key opportunities that the program may be in a position to harness over stage 2:

- 1) “Pockets” of collaboration exist and could be strengthened with support. This is demonstrated through responsiveness to monitoring, reporting, planning and finance support as well as the sharing of information and collaboration on case management and on investigations and prosecutions.
- 2) Increased engagement of DWA with the program through a direct request for support for mapping, piloting and implementation of aspects of the Family Protection Act 2008 and for support in the development of a National Gender Strategy. This provides an opportunity for strengthened work of the program with respect to both gender more broadly and violence against women more specifically, although partnership with GoV can also be challenging and convoluted.
- 3) Greater accessibility of the SRBJ advisers⁷ to the VPF since the commencement of Stage 2, allowing the program to provide advice and support to police in areas of program strength which will provide opportunity for a more holistic approach across the sector particularly with respect to certain thematic or systemic challenges; for example the case and data management support; the investigations and prosecutions collaboration for greater efficiencies, and support for the strategic planning of the WAN.
- 4) Increased focus by the GoV on seeking external support for the Office of the Public Prosecutor provides a potential opportunity to strengthen the sector as a whole. The relative weakness of that office impacts on other agencies in the delivery of justice as well as on justice outcomes to the community more broadly. If successful, this endeavour would have a very significant positive impact on both the PPO and on the criminal justice system.
- 5) Recruitment of a finance officer to MJCS has increased capacity of the Ministry with respect to financial oversight and support to the sector.
- 6) There have been incremental moves to establishing the permanency of the Monitoring Officer within the structure of the MJCS, including transfer of the relevant post from the Ministry of Lands which enhances sustainability of this support and demonstrates GoV recognition of the importance of the role.
- 7) The New Zealand Government remains an active development partner within the sector providing support to the Department of Corrections, the Judiciary and the VPF. Support to these three institutions has been collaborative and well harmonised with the sector-wide approach of SRBJ. It provides opportunity for mutual strengthening of interventions, for example, through programs such as the NZ funded PPDVP which primarily provides support to the Family Protection Unit (FPU) of the VPF in Vanuatu.

⁶ See p22 of the Stage 1 Completion Report

⁷ More specifically, the Capacity Development and Leadership Adviser, the Case and Data Management Adviser and the SPD Adviser.

c) Extent to which program may be effecting context

The program does not have any specifically targeted mechanism for measuring unexpected effects on context although management and advisers are asked to reflect on this periodically.

Unexpected effects noted during this reporting period are:

- 1) Support for the renovations of the Public Prosecutor's Office, the Ombudsman's Office and the Supreme Court Registry has resulted in an increased appetite across the board for infrastructure improvements which is not intended to be a particular focus of the program. SRBJ has responded to this by proposing support for a sector wide infrastructure needs assessment which would allow for a more strategic approach to responding to infrastructure needs. This is on line with one of the JCSS strategies; is the focus of the Infrastructure Working Group and has been taken up by the MJCS as an appropriate approach.
- 2) The presence of the program has in recent times altered the dynamic of the Heads of Agency Group meetings which are generally convened by the MJCS on a quarterly (or more frequent) basis. The HOAG meetings have previously been a forum for the discussion of issues, consultation and approval of certain proposed directions or initiatives. In recent times, the program has been invited to present information from certain advisers which has at times filled the agenda,⁸ and the meeting process has become balanced more towards presenting or "telling" rather than consulting. This has in some instances felt like a lost opportunity. While the HOAG does provide an opportunity to consult and seek approval for program initiatives, the forum should remain primarily for the purpose of consultation and decision making for the sector, with program matters only being one of several issues to be considered, and only as needed.
- 3) In 2013 SRBJ met with TVET to discuss closer collaboration of the two programs with respect to violence against women with more programmatic responses to the issue, perhaps to be piloted in one province. As part of the discussions the *Access to Justice: Pathways to Action for Women Experiencing Family Violence Case Study Research Report* (Case Study) was shared with TVET management. TVET had been dealing with and responding to significant issues and evidence of violence against women as it came to its attention on a thoughtful case by case basis. However, the case study and ensuing discussions resulted in a notable, more holistic and strategic approach to gender and the impact of gender based violence at a programmatic level since that time. With the mounting first hand evidence available to TVET, the former Team Leader of TVET has confirmed that the Case Study had a catalytic effect in elevating the issue to one requiring a more focused, strategic, and programmatic response.
- 4) Partnership with the VAPP has brought about challenges and opportunities. There has been mutual influence between both components of the program. Issues across the sector are discussed with a greater awareness of the impact of policing on justice (and vice versa); similarly changes to some of the previous approaches to programming are occurring, for example the Program's ability to engage effective short term technical assistance is being

⁸ For example the HOAG of December 2014.

utilised by the police to assist in the development of the strategic plan for the VPF. Similarly monitoring and evaluation are enhanced during stage 2 for both components of the program; data collection relating to the VAPP and VPF generally is particularly useful and the volume of data collected represents a different programming approach for VAPP which it is hoped will also provide positive impact on the VPF.

Contextual matters that pose a risk to the program are included in section 5d – Risk Management.

2. Progress Towards End-of-Program-Outcomes

a) Defining Outcomes for the Program

On 1 July, SRBJ commenced Stage 2 of the program. The design of Stage 2 was part of the deliverables of Stage 1 of SRBJ. During Stage 1 it was decided by DFAT that there were both programmatic and cost benefits to be gained from the integration of the AFP-managed Vanuatu Australia Police Project (VAPP) and SRBJ under one integrated program, now known as the Policing and Justice Support Program (Vanuatu) (PJSPV). PJSPV, whilst being an integrated program, continues to be made up of two sub-programs; one focussing on justice and community services and one focussing on police, but with many shared and mutually supportive target outcomes.

The integrated design, followed by some refinement of the wording of outcomes⁹ has resulted in the definition of SRBJ, Stage 2, outcomes - both end-of-the-program and intermediate - as set out below:

⁹ Through the process of development of a M&E plan and Framework for the program; development of a workplan for some of the piloting work under component 3 and on advice from the DFAT Evaluation Capacity Building Program.

Component 1:	
End-of-Program-Outcome Networks within the VPF, justice and community services agencies influence positive change	Intermediate Outcome 1.1 VPF, MJCS, the judiciary, PSO, PPO, VLC, SLO, DCS, SPD and DWA are collaborating and sharing information more effectively to progress shared goals
	Intermediate Outcome 1.2 VPF, MJCS, the judiciary, PSO, PPO, VLC, SLO, DCS, SPD and DWA are monitoring their progress
	Intermediate Outcomes 1.3: VPF, MJCS, the Judiciary, PSO, PPO, VLC, SLO, DCS, SPD and DWA communicate more effectively and consistently with the community and the rest of the government
	Intermediate Outcomes 1.4: VPF, the Judiciary, PSO, PPO, and SLO make coordinated reductions in delays within the formal justice system.
	Intermediate Outcomes 1.5: VPF and MJCS are better able to manage their finances
Component 2:	
End-of-Program Outcome: The VPF and justice and community services agencies demonstrate improved service delivery to women, children and youth.	Intermediate Outcome 2.1: PSO, SPD, PPO, VLC, SLO develop and implement effective workforce planning and HR development strategy
	Intermediate Outcome 2.2: Women's professional participation in the JCSS and VPF is enhanced
	Intermediate Outcome 2.6: Work systems and practices in targeted agencies are strengthened and contribute to demonstrable improvements in service delivery
Component 3:	
End-of-Program-Outcomes: <ul style="list-style-type: none"> The VPF and justice and community services agencies use evidence to support improved responses to the needs of women, children, and youth The VPF and justice and community services agencies implement targeted initiatives that deliver better services to women, children, and youth 	Intermediate Outcome 3.1: Decisions about appropriate interface between police, formal justice and kastom, in relation to working with women, children and youth, informed by evidence based research.
	Intermediate Outcome 3.2: Government and non-government partners are supported to implement agreed programming on child protection
	Intermediate Outcome 3.3 (a) The network of institutions and practices supporting women experiencing family violence is extended and strengthened.
	Intermediate Outcome 3.3 (b) Targeted justice sector agencies as well as local level actors are responding more effectively and consistently to women experiencing family violence

	<p>Intermediate Outcome 3.4 Targeted justice sector agencies and the Blacksands community representatives respond more effectively, appropriately and collaboratively to juvenile justice issues in the pilot location</p>
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The six months of the reporting period (July to December 2014) were also the first six months of a new program. As a consequence there were a significant number of additional administrative and managerial obligations to complete related to the establishment of a new program¹⁰ in addition to the delivery of planned outputs under the program. Notwithstanding these realities, the progress towards achieving outcomes is on track. There has been delay with respect to delivery of some outputs which is provided in more detail in section 2e – Variations to Workplan, but none of which at this point threaten potential achievement of intermediate and end-of-program outcomes.¹¹

¹⁰ These are identified in greater detail in section 5a

¹¹ This paragraph is a discussion about the achievement of outcomes rather than about adequate progress in the delivery of the initiative as planned (see p6 *DFAT IET and Pacific Branches ECB Program: Guidance to Implementation Partners on Progress reporting (2014 Update)*).

b) Summary of Key Achievements

Summary of key achievements against intermediate outcomes for the reporting period July to December 2014 are set out in the table below:

Component 1: End-of-Program-Outcome	
Networks within the VPF, justice and community services agencies influence positive change	
<p>Intermediate outcome 1.1 VPF, MJCS, the judiciary, PSO, PPO, VLC, SLO, DCS, SPD and DWA are collaborating and sharing information more effectively to progress shared goals</p>	<ul style="list-style-type: none"> • The MJCS website was launched in August 2014 and provides an easily accessible platform for sharing of sector wide information. • MJCS has commenced provision of a monthly newsletter which allows for the sharing of good news, challenges, data and monthly activities across the sector. There have been five monthly newsletters to date. Agencies contributing to the newsletter has tripled between August and December 2014 from 7 to 22. The newsletter is disseminated to 150 recipients representing 29 different government and non-government agencies and others. • Support for JCSSS for the period from July to December 2014 was concerned primarily with providing (a) advice to Director General about the status and way forward for working groups; and (b) facilitation support for a number of meetings called by the Director General with Working Group facilitators. • Overall the energy, activity and focus of Working Groups has decreased, although for 3 (of the 8) an alternative mechanism has been established that provides a channel of resources and energy to address core parts of the three strategies
<p>Intermediate outcome 1.2 VPF, MJCS, the judiciary, PSO, PPO, VLC, SLO, DCS, SPD and DWA are monitoring their progress</p>	<ul style="list-style-type: none"> • In December the Monitoring Officer supported by the M&E Specialist and Adviser, completed an achievable draft sector wide monitoring and evaluation plan¹² which is being reviewed by the Specialist for presentation to the HOAG for approval at its next meeting in March. This provides a framework for the sector and its agencies to measure its/their progress. The sector M&E Plan was presented to the HOAG in December 2014 and will be circulated in the first quarter of 2015. Monitoring Officer has assisted the heads of agencies annually to develop their KPIs against their agency budgets. This is included annually in the budget narratives and must be reported on. • In 2014, 8 out of the 12 agencies contributed to the 2013 Annual Development Report that was included in the Sector Report to PMO. Through this processes agencies became increasingly aware that there is a link between Budget Narratives, KPIs and reporting. The need to report on KPIs in business plans highlighted the fact that some KPIs were not achievable, but had been identified as performance failures. In the 2011 only the State Law Office contributed to the Annual Development Report and in

¹² Draft sector wide monitoring and evaluation plan is still being quality assured by the M&E Specialist and will be available to comment soon.

	<p>2012 6 agencies contributed to the Report.</p> <ul style="list-style-type: none"> • Heads of agencies are being supported in completing and finalising the MJCS Annual Report that collates a summary of whole of sector reporting for the PMO (available in early 2015). • The heads of agencies have increasingly shown their support for this work and have identified that it provides them with valuable management information. • SPD, Judiciary (SC & MC) and SLO (Document tracking and litigation systems) now have systems that can support M&E.
<p>Intermediate Outcomes 1.3: VPF, MJCS, the Judiciary, PSO, PPO, VLC, SLO, DCS, SPD and DWA communicate more effectively and consistently with the community and the rest of the government</p>	<ul style="list-style-type: none"> • Agencies are increasingly providing regular contributions to the monthly JCSS Newsletter which is shared with government and the sector and is accessible on the MJCS website. • SRBJ supports the harmonisation of effort in thematic areas relating to child protection and violence against women, in particular, and provides information wherever possible to stakeholders operating in these fields. Advisors within agencies support strengthened communications with other agencies to strengthen effective operation of the justice system; for example between the courts and the SPD and PSO; between SPD and VPF; between PSO and PPO. The case management working group when it does meet provides a valuable forum for the exchange of information and for communication. This working group did not meet during the reporting period.
<p>Intermediate Outcomes 1.4: VPF, the Judiciary, PSO, PPO, SPD and SLO make coordinated reductions in delays within the formal justice system.</p>	<ul style="list-style-type: none"> • There have been improvements in data quality in the Judiciary (SC and MC), SPD, SLO, and VPF. Reliable data is a precursor to being able to target interventions to reduce delay. PPO and VPF continue to have great difficulty in understanding where cases are up to and length of time for cases to progress through the system with extent of backlog (see Data Quality Assessment in Annex 1). • There are promising signs of a move towards the reduction in the length of time taken to draft charges at SPD if the current trends can be maintained (See intermediate outcome 2.6 below). • Introduction at SPD of a Case Tracking System built by OGCI which went live during January 2015 and now contains all the case records previously held in excel spreadsheets –will provide a management tool for the further targeted reductions in delay. • Between July and December there was an evaluation, selection and finalisation of contract with a service provider for the development of a Courts Case Management System which will provide a system capable of good analysis of locations and causes of delay. Implementation of the system is due to commence 23 February 2015. • CDMA has also provided an end of year summary of the SC and MC performance for 2014 which identifies areas of possible management focus for the courts in increasing their efficiency.

	<ul style="list-style-type: none"> • CDMA & VAPP Adviser have supported the development of the requirements for a future VPF Information Management System which can be tendered in the same way as the Courts Case Management System next reporting period. • SLO have issued a tender for a Case Management System for their litigation team who report directly to the Solicitor General – evaluation of the system is due in February 2015. • Introduction of the Rapid Charge System for VPF (See intermediate outcome 2.3 below for more detail) • Assistance to the Supreme Court in the targeted reduction of its long term reserved judgments provided in November resulting in the completion of approximately 13 judgments.
Intermediate Outcomes 1.5: VPF and MJCS are better able to manage their finances	<ul style="list-style-type: none"> • Participation of finance officers across the sector in an MFEM delivered finance training which was intended to bring the awareness and knowledge of officers about the requirements of the public financial system up to date. This first step will be followed by further IT development, and the establishment of a mentoring arrangement with MFEM in the next reporting period to support application of the training. • Inherent capacity of the MJCS to manage finances has increased through the recruitment of a new financial officer but this is without any specific targeted support from SRBJ.
Component 2: End-of-Program Outcome: The VPF and justice and community services agencies demonstrate improved service delivery to women, children and youth.	
Intermediate Outcome 2.1: PSO, PPO, VLC, SLO and SPD develop and implement effective workforce planning and HR development strategy	<p>The following summary is arranged according to the multi-level framework used to organise the capacity development strategy, and the Strategy numbering as defined in the JCS CD Strategy 2014-2016.</p> <p>A. Level 1: Individual job-related skills and knowledge</p> <p>i) A series of capacity assessment workshops with officers in VPF Southern Command has commenced. [To be completed in March 2015].</p> <p>B. Level 2: Professional and technical sub-groups</p> <p>i) Two five-day legal advocacy courses (intermediate and advanced) in December, through the Victorian Bar Association were planned and delivered to lawyers and police prosecutors in the public sector (Strategy 4.3).</p> <p>ii) Five days of training for finance officers was prepared and delivered\ through the Ministry of Finance in August (as noted in 1.5) (Strategy 4.4).</p> <p>iii) Progress has included planning, organization and customization of a delivery of the Human Resource Management Fundamentals course by the Solomon Islands Institute of Public Administration and</p>

	<p>Management between October and December, supported by PSC. (Strategy 4.5)</p> <p>B. Level 3: Agency</p> <p>i) Progress has been made to pilot the approach in SPD that has integrated a number of improvement initiatives (refer 1.2, 1.4), and to scope and set up for the recruitment of a HR Management Adviser (Strategy 4.6)</p> <p>ii) Progress has been made through completion of a structural review, design of new roles and MJCS have secured endorsement and finance approval for recruitment of key roles (some funded by SRBJ) (Strategy 4.7).</p> <p>C. Level 4: Cross sector</p> <p>Progress has included:</p> <p>i) Completion of the collaborative design for the Women's Mentoring Program ready for implementation in 2015 – this was done prior to this reporting period (Strategy 4.8)</p> <p>ii) Reassessment of JCSS Working Groups (Pathway 11)</p> <p>iii) Support for leadership of change through the institutional strengthening pilot with SPD (Pathway 10)</p> <p>An important enabling activity relevant to the sustainability of this outcome is the facilitation by CD&L Adviser of a service provider agreement between Solomon Islands Institute of Public Administration and Management (IPAM) and the Vanuatu Institute of Public Administration and Management (VIPAM) and MJCS to secure learning and development services in key development areas: HR Management, Leadership and Supervision. The first initiative was successfully delivered in October to December 2014: Human Resource Management Fundamentals with high proportion of nominees successfully completing requirements and graduating (graduates: nominees = 27:34 = 79%). The agreement is yet to be finalized in a COM endorsed MOU. The arrangement offers long-term developmental benefits to VIPAM, which helps to address a need for sustainable access to high quality learning and development services.</p>
<p>Intermediate Outcome 2.2: Women's professional participation in the JCSS and VPF is enhanced</p>	<ul style="list-style-type: none"> • Completion of a collaborative process with women representatives from across the sector to scope and design a Women's Mentoring Program. Implementation will commence early in 2015 with the assistance of the Workplace Learning Adviser. • Design advice was provided to the WAN committee, and facilitation support was provided by CD&L

	<p>Adviser for the 3-day WAN conference in December. Once endorsed by the Commissioner of Police, the strategy will form the basis of development support from PJSPV to enhance the participation of women in a broader range of policing and leadership roles.</p> <ul style="list-style-type: none"> • Provision of advisory support to Professional Standards Unit to progress key areas of institutional strengthening which has yielded three development priorities which are being / will be supported by SRBJ and VAPP. Strengthening of the PSU is part of the general support for the police but may have an indirect impact on women with respect to significant breach of professional standards where they relate to female colleagues. • Provision of facilitative, diagnostic and interpretive support to Southern Command officers to undertake a capacity assessment process as a means of establishing an evidence-based approach to professional development. The work is intended to achieve three aims: 1) to provide an evidence base for planning for training and development 2) to provide data to establish a framework to support the work of the CSU in career development and 3) to offer senior staff an idea of how skills assessment can be undertaken. This support is intended to underpin the capacity development approach for the VPF cognisant of any special measures that might be required to strengthen access to capacity development opportunities for female officers as a pathway to greater professional participation in the force.
<p>Intermediate Outcome 2.6: Work systems and practices in targeted agencies are strengthened and contribute to demonstrable improvements in service delivery</p>	<p>General progress across the Sector</p> <ul style="list-style-type: none"> • Completion of sector wide capacity development strategy and implementation plan: The Justice and Community Services Sector Capacity Development Strategy 2014-2016 was finalised in September 2014. HOAG endorsement was secured and the content and relevance to individual agencies has been discussed in detail with most Agency leaders. • Commenced implementation of targeted capacity development initiatives per the JCSS CD Strategy as described in 2.1 above: <ul style="list-style-type: none"> a. Commenced program of professional and technical development in finance, legal and human resource management using government, regional and international providers. b. Completion of design for Women in Leadership Mentoring Program ready for implementation in 2015. c. Commencement of pilot in SPD for Institutional Strengthening process using a multi-disciplinary team based approach and leadership coaching as described below. • Finalisation of structural and functional review in MJCS, including job design and job descriptions, by the CD&L Adviser working in close partnership with DG, Executive Officer and Human Resources Officer to create the sector “support hub”. This has been approved by PSC.

	<ul style="list-style-type: none"> • Improve Agency performance through targeted institutional strengthening projects (strategy 4.6). <ul style="list-style-type: none"> a. Progress has been made to strengthen SPD's service delivery capacity through multiple development initiatives as described below. b. During training provided to HR officers from across the sector, a diagnostic survey of HRM factors was completed by participants. This diagnostic data will be available to the new HRM adviser when recruited and supports the work undertaken during the capacity assessment of Stage 1. <p>Special case: SPD</p> <ul style="list-style-type: none"> • SPD has been engaged in an institutional strengthening pilot, which is leading to improvements in case management practice, workload management practice, workload allocation, reduction in processing time and rationalization of process steps. The approach has involved various people in a range of ways – SPD, C&DM, CD&L Advisers as well as MJCS Monitoring Officer and Executive Officer. • Improvement has focussed on 4 key areas: (i) Improvement in the speed and efficiency through which cases are managed and processed through SPD. Critical enabling activities include the development of improved case tracking and management systems, procedural improvements and skills development for Police Prosecutors (ii) Improvement in key stakeholder interfaces with PPO and VPF (iii) Establishment of an SPD M&E framework addressing specific operational monitors to track improvements (iv) Engagement in leadership development as a part of the process to support leader-driven change. • Introduction of the SPD Case Tracking System (SPCTS) - until December 2014, SPD has been using an excel spreadsheet to register and update the progress of cases within its office. The accuracy of the information within the spreadsheet has been inconsistent and trying to extract any useful data from spreadsheet has been labour intensive and time consuming. The SPCTS was developed by the OGCI0 in conjunction with the Case and Data Management Advisor and the SPD Adviser. The SPCTS allows the SPD OIC to quickly determine; the time taken to draft charge/s for new cases, the case load of each prosecutor and type of crimes being reported to the SPD. Due to its design, new data entered into the SPCTS will be significantly more accurate than that entered into the old case register. The SPCTS can be accessed on-line, which provides scope for investigators to track the movement of their cases. Plans are underway to see whether the SPCTS could be introduced into the outer provinces during 2015. • Development of the Rapid Charge System (RCS) within the VPF - the Adviser SPD has been working closely with the VAPP Advisor – Investigations, Community Engagement and Systems and Processes, to support the introduction of a Rapid Charge System. A significant cause of delay within the justice system
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	<p>is the inefficient manner in which offenders are brought before the Magistrates' Court. Currently the majority of offenders are summoned to court, requiring SPD staff to try and locate offenders and serve court documents before an upcoming plea date. The RCS will encourage <i>investigators</i> to draft charges (currently done by SPD) and bail offenders to an upcoming plea date, reducing the workload of SPD staff and increasing attendance rates at court. The SPD Adviser has developed five charge templates for offences that represent approximately 20-30% of the case load of the SPD (See annex 3). The RCS is to be introduced in 2015, subject to approval by the senior management within the VPF.</p> <ul style="list-style-type: none"> • Reductions in time taken to draft charges - During 2014 it took approximately 67 days to draft charge/s for 75% of cases. In 2013 it took approximately 257 days to draft charge/s for 75% of cases (Source, SPCTS 2/1/2015). This represents a significant reduction in the time it takes from when a file has been delivered to the SPD, for the matter to then be listed at court and ready for prosecution • Agreement in place between the OIC of SPD and Public Prosecutor that SPD only draft charges for matters that begin and end their life in the Magistrates' Court. More serious cases (Supreme Court matters) are now managed from beginning to end by the Public Prosecutor's Office, providing consistency for police investigators and victims of crime. • Agreement in place between the OIC of SPD and Public Prosecutor that SPD will now list their own cases in the Magistrates' Court. Previously this was done by PPO office and required all SPD files to be forwarded to the PPO office for listing and then returned to the SPD. The system was inefficient and caused duplication of reporting • In the second half of the 2014, the SPD introduced both Warrant and Process Serving spreadsheets. They provide an electronic register of the court documents that SPD staff have attempted to serve. This information has previously never been recorded and provides useful background information to SPD staff tasked with serving documents and executing warrants. • The prosecutors within SPD have the confidence to lead evidence, cross-examine witnesses, make legal submissions and tender exhibits. Advocacy skills and confidence of state prosecutors has improved markedly over Stage 1 SRBJ and this was clearly demonstrated by their performance at the Bar Readers course in December 2014. The facilitators of the Advocacy Skills Course provided feedback that the SPD were some of the best performers during the two-week course. • As a result of the case and data management support to the courts, the courts have been able to review their performance for 2014. This data provided evidence of a large number of matters not proceeding in the Magistrates' Court for want of prosecution (these could be non-attendance by prosecutors,
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	<p>withdrawal of case by SPD because summons not served, insufficient evidence to continue or inappropriate to continue) – new codes will be used in the next reporting period to clarify the cause of the high numbers of cases that appear to be withdrawn for want of prosecution, so as to be able to appropriately target support and track improvements through the reduction of the number of cases that do not proceed on the basis of prosecutorial non-attendance, in particular.</p> <ul style="list-style-type: none"> • Police prosecutors from SPD participated in Legal Advocacy Skills courses with coaches from Victorian Bar Association as part of the JCSS CD Strategy (refer 2.1). A total of 13 prosecutors graduated from the intermediate course and 5 from the advanced course. <p>PSO</p> <ul style="list-style-type: none"> • Public defence lawyers have demonstrated increased competency in trials and Court of Appeal cases. Prior to 2012, only 2 out of 9 PSO lawyers had Court of Appeal experience. Since late 2012, with adviser assistance, 5 lawyers have made their first appearance in the Court of Appeal. This is a substantial improvement in competency. In the last 6 months, adviser assistance in the preparation of Court of Appeal submissions - one civil matter and a complex criminal matter - has been provided. During the reporting period two intermediate lawyers conducted their first Supreme Court criminal trials. Telephone advice was provided to both lawyers throughout the trials, which were conducted in the provinces. With adviser assistance, one intermediate lawyer conducted a difficult ‘fitness to plead’ application. Two junior lawyers conducted their first Supreme Court bail applications and pleas in mitigation. Two new lawyers have received intensive mentoring before being posted to provincial offices in 2015. A combination of CLE training, close mentoring, and the assistance of the Lawyer Handbook has resulted in improved trial and appeal performance by PSO lawyers. • Engagement of junior and intermediate lawyers has been excellent. • PSO capacity to assist clients improved following the recruitment of 2 new lawyers (independent of SRBJ). After an extended induction in Port Vila the new lawyers will be posted to the Tanna and Malekula offices in 2015. The recently recruited second lawyer in the Santo office has greatly assisted service delivery in the Northern provinces. Since the second lawyer has been posted in Santo he has taken on 163 cases of which 30 have been closed, 132 are still active (being 22 criminal cases; 109 civil Cases and 1 advice). During the Legal Advocacy Skills Training Course this lawyer was identified as being a very talented junior lawyer. The lawyers presence in Santo also means that the office is attended when the more senior lawyer is on tour or comes to Port Vila for Court of Appeal hearings.
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	<ul style="list-style-type: none"> • Practical progress has been made with respect to the management of conflict of interest between PSO clients in the effective conduct of a recent criminal trial in Santo involving 3 co-accused. This is the first time in recent years the office has dealt with such a situation, and it provides a good example of a best practice approach in future cases. • PSO Lawyer Handbook completed for publication in 2015 – feedback from PSO and others has been encouraging. • Continuing legal education was conducted on various topics including: alternative charges, representative charges, the duty to cross examine, prosecution duties to call witnesses and make disclosure, and motor vehicle insurance policies. • PSO legal officers attended the Legal Advocacy Skills courses with Victorian Bar Association in December 2014 for intensive advocacy training as part of the JCSS CD Strategy. A total of 7 officers graduated from the intermediate course and 5 from the advanced course from a total of 10 lawyers within that office. • Three administrative staff attended the Human Resource Management Fundamentals training delivered by Solomon Islands IPAM as part of the JCSS CD Strategy. <p>Law Student internship program (LSIP)</p> <ul style="list-style-type: none"> • During the reporting period LSIP had its third intake of 18 students and a total of 50 students have successfully completed the LSIP (60% female, and 40% non ni-Vanuatu) • There are 14 host offices participating in the LSIP, with potential for three new host offices. There is also increased level of interest by students in LSIP. • Eight former interns have secured employment in the legal profession in Vanuatu in the last six months which is a credit to the program as providing a valuable stepping stone between study and employment being one of the intended outcomes of the program. <p>Systems improvement for service delivery</p> <ul style="list-style-type: none"> • Stage 1 assessment (Mid 2014) and repeat assessment Jan 2015 of CDMA (see Annex 4) provides good overview of capacity for systems to currently support enhanced service delivery.
Component 3: End-of-Program-Outcomes: <ul style="list-style-type: none"> • The VPF and justice and community services agencies use evidence to support improved responses to the needs of women, children, and youth • The VPF and justice and community services agencies implement targeted initiatives that deliver better services to women, children, and youth 	
Intermediate Outcome 3.1: Decisions about appropriate interface between	<ul style="list-style-type: none"> • The rationale, background, process and costing for the broader research piece has been completed.

police, formal justice and kastom, in relation to working with women, children and youth, informed by evidence based research.	This will provide an evidence base for the interface between formal justice and kastom and the current management of conflicts, particularly as experienced at the community level. The research questions and instruments will be developed by the adviser, but will be consulted upon broadly with stakeholders, through the first few months of 2015.
Intermediate Outcome 3.2: Government and non-government partners are supported to implement agreed programming on child protection	<ul style="list-style-type: none"> • SCV has been supported with a grant to end of 2016 to work with national actors, specific duty bearers and communities to support Child Protection. Since design of Stage 2 of the CP Program, SCV have recruited staff, developed a draft workplan and draft monitoring and evaluation framework for further refinement. Community mapping is planned for February. The first six month progress report is due in April. • Child Desk, MJCS has been supported to develop terms of reference for the recruitment of technical assistance to support the development of a National Child Protection Policy and a National Child Policy. The TOR need to be approved by the DG and the grant agreement progressed to allow for recruitment and support for this work which is planned for 2015. • Magistrates' Court have designated days to hear juvenile matters but these have recently declined in number.
Intermediate Outcome 3.3 (a) The network of institutions and practices supporting women experiencing family violence is extended and strengthened.	<ul style="list-style-type: none"> • DWA has been assisted (at its specific request) to develop a workplan for the piloting of the appointment of Authorised Persons and Registered Counsellors under the Family Protection Act at the community level (in select communities in Port Vila, North Efate, South Santo and Tanna). This was a positive change in the context that SRBJ was in a position to respond to, and which will strengthen the proposed work of the program in the areas of violence against women. • Work with DWA (including community mapping and interviews with potential Authorised Persons) through this period helped to identify key challenges facing the implementation of Authorised Persons and Registered Counsellors at the community level. This learning will be incorporated into piloting carried out with DWA in 2015. • The rationale, background and approach to a research piece has been developed, that will support subsequent targeted interventions to strengthen and extend institutions and practices supporting women, but can also support work related to youth and provide an evidence base for the targeting of interventions with justice agencies more broadly. • All key stakeholders (including some community members) in Malekula have been consulted with respect to plans for the research and the overall work of this aspect of SRBJ. People have been identified to participate in a working group on Malekula, and this has been flagged with all stakeholders

	<p>(with the group convened as needed).</p> <ul style="list-style-type: none"> • The consultations re-affirmed the findings of the Case Study and the need and support for the intended work.
<p>Intermediate Outcome 3.3 (b) Targeted justice sector agencies as well as local level actors are responding more effectively and consistently to women experiencing family violence</p>	<ul style="list-style-type: none"> • The work outlined in 3.3 above (work with DWA and the Malekula research followed by targeted interventions) will also contribute to this outcome. This work is in the planning stage and will commence in early 2015.
<p>Intermediate Outcomes 3.5: Targeted justice sector agencies and the Blacksands community representatives respond more effectively, appropriately and collaboratively to juvenile justice issues in the pilot location</p>	<p>As detailed in 3.1 the rationale, background, process and costing for a research piece – to be carried out in Blacksands - has been completed. This will provide an evidence base for the interface between formal justice and kastom, and the current management of conflicts, particularly as experienced by youth at the community level.</p>

c) Key factors that account for the degree of progress towards outcomes

The key factors below are those that have directly impacted on the delivery of the program rather than those broader contextual factors outlined in section 1 that are part of the overall operating environment. Key factors to which the program would attribute the level of progress for the first six months of PJSPV are as follows:

Enabling

- 1) **Team:** SRBJ has a strong and effective implementation team which works well together and has had minimal changes since the commencement of Stage 1 in 2012. Good collaboration with the VAPP team, particularly in the areas of investigations and prosecutions and case and information management has enabled good progress over the six months.
- 2) **Relationships:** SRBJ has built relationships of trust and confidence with counterparts across the sector, with DFAT and with other development partners, which is key to facilitating effective implementation. In addition, there is a certain amount of good will for the program that has been generated over Stage 1.

Similarly, capacity development is a core concern for sector staff and leaders. Taking time to engage with staff and agency heads in various forums (HOAG presentations, personal conversations, formal meetings, planning and diagnostic workshops) and facilitate a gradual awareness about capacity issues and concerns, keeps the conversation “live” and relevant. This also provides a basis for building collective understanding so that as opportunities arise, there is a sense of readiness for the development.

- 3) **Flexibility and responsiveness:** A close management relationship with DFAT and collocation of strategic resources and individuals across the sector has allowed the program to respond to dynamic circumstances and in some instances to take advantage of opportunities and evidence of local momentum for change. Examples include the reshaping of the approach for aspects of component 3; and provision of support to DWA for the development of the National Gender Strategy.
- 4) **Continuation:** Stage 2 of SRBJ generally represents a continuation, consolidation and refinement of the direction of many of the initiatives in Stage 1 of the program. There was a long lead time from design to the new program which allowed plenty of opportunity for SRBJ to share information regarding Stage 2 with counterparts. There have been no significant or unexpected deviations in the approach which has facilitated the progress achieved across the initial six months of the new program.
- 5) **Leadership:** The support and drive of some leaders has assisted in the maintenance of the momentum of initiatives within the program, in particular with respect to the SPD, the SLO and OGCI.
- 6) **Responding to a key practical need:** Where interventions respond to a clear practical need and fill an existing vacuum this has contributed to robust up take of an initiative; for example the LSIP has been able to fulfil a critical need at the USP School of Law given the closure of the

Community Legal Centre and the location of the PDLP course in Suva. This has resulted in both institutional and student support for the program.

- 7) **Demonstrable small benefits:** Improvements in data and information systems have been able to increase the knowledge of agency heads of their “business” and have delivered small incremental efficiency gains which have fostered cross sector support and engagement with the case and data management work.
- 8) **Enthusiasm:** Junior and intermediate lawyers have been enthusiastic in seeking advice from advisers and there has been a greater willingness across PSO to seek the adviser’s advice. This is reflective of both the existing relationships (mentioned in 2 above) but also in the adviser being able over a period of two years to have proved himself in their eyes in terms of the quality and consistency of his advice and support.
- 9) **External reinforcement:** Both the SPD and PSO advisers noted the benefit of having external respected reinforcement of their advice through the advocacy skills training that was provided by the Victorian Bar Association.
- 10) **Government momentum and support:** After a relatively long hiatus from significant engagement by the DWA in the issue of the appointment of Authorised Persons and Registered Counsellors under the Family Protection Act 2008, DWA in the second half of 2014 took the initiative (after seeking support from SRBJ) to carry out research and mapping to support piloting of those appointments over 2015. This increased engagement has facilitated the expansion of SRBJ support in this area and increased the potential for broader outcomes. The Monitoring Officer’s work with respect to Annual Reporting and monitoring of the business plans of the agencies has benefited from the support of the Director General and the Executive Officer within the MJCS and has been taken up increasingly by agencies.
- 11) **Strengthened monitoring and evaluation support:** has facilitated and supported the completion of the M&E Plan for PJSPV on time that effectively supports the measurement of the outcomes of the program; the completion of a draft M&E framework for the sector; and provided more robust support and capacity development of the MJCS Monitoring Officer. The Monitoring Officer has benefited from support from the Director General and Executive Officer of MJCS and will be seeking to strengthen relationships with the M&E Unit, PMO over the next reporting period to further enhance sustainability of the work and consistency of messages and approach. Solid monitoring and evaluation has also been used to good effect by the LSIP in the effective promotion of the program with its multiple stakeholders and partners.
- 12) **Good coordination of interventions:** Working and thinking systemically, and acknowledging that many different development activities that are well coordinated and integrated are likely to yield development improvements has been a key strength of SRBJ through this period. This becomes increasingly important as the implementation effort intensifies and is already noticeable with respect to capacity development effort and support to the thematic areas under component 3. The thematic work will become stronger and more integrated with the proposed variations to the work plan (see Section 2e for more detail). Individual effort will always yield limited results in complex and dynamic systems development.

- 13) **Increase in performance improvement focus and interest by key individuals** and groups. For example, the Solicitor General has been proactive in her requests for conversations and advice in relation to workplace improvement. The Manager SPD has been open to new ideas and practice in his pursuit of development and improvement opportunities, not just within SPD but also with key stakeholders.

Inhibiting

- 1) **Inertia within MJCS:** MJCS has demonstrated inertia with respect to driving a number of key initiatives over the latter half of 2014 which have previously enjoyed greater engagement. These include driving and supporting the implementation of the JCSSS; initiating and supporting the convening of HOAG meetings as a consultative, governance forum; proactively supporting the GoV role in the area of child protection; actively engaging in initiatives that would strengthen the management, administration and efficiency of the MJCS Corporate Services Unit; driving the finalisation of the memorandum of understanding with the Solomon Islands Institute of Public Administration and Management (IPAM); engagement with the requested work to support salary level review for lawyers within the justice sector; facilitating the agreement with Ministry of Finance and the Public Service Commission to strengthen the programmatic shared responsibilities with respect to the strengthening of the MJCS. These initiatives have not progressed significantly over the reporting period. The reasons for this are not transparent.
- 2) **Challenges working with GoV:** Working closely with government poses its own challenges in terms of the human and financial resources. The work is generally slower and potentially more convoluted. In addition, all collocated advisers must walk the fine line between providing the support that they are mandated to provide with additional extraneous requests whilst maintaining neutrality from more political and partisan agenda that are the feature of some offices. Whilst these demands need to be balanced with care and sensitivity, the opportunity to work with government counterparts and build change from within the existing framework generally makes these challenges worthwhile.
- 3) **Resistance to change:** Resistance to change is a feature of all change management and is not exclusive to Vanuatu, however there is quite significant resistance to doing things differently even where the change may make the work easier or more efficient. Small changes need constant reinforcement and demonstration of the benefits to become embedded without slipping easily back into previous practice. This naturally impacts on the speed of systems and process change.
- 4) **Lack of engagement with the JCSSS working groups:** There has been very little formal progress in the planning and implementation of the sector strategies under the JCSSS during the reporting period. There has been little leadership demonstrated in driving this work from MJCS or from the working group facilitators and it may be that it is premature for agencies and the MJCS to focus at the cross sector level given the challenges that agencies continue to face at an institutional level. More information with respect to the reasons for slow progress in this area is likely to become available with the completion of the sector perception survey which is part of the MEP.

- 5) **Capacity of the Public Prosecutor's Office:** The capacity of the PPO has fallen lower than other public legal offices and lower than it has been in recent times. The GoV are seeking support from the British Government to fund an expatriate Public Prosecutor. Whilst advances have been made in the selection of a candidate by the JSC, securing the funding for the position does not seem to be imminent and may take a further six to twelve months. The funding request has been sent to London and the British High Commissioner is hopeful of a positive result. Many matters do not currently proceed for want of prosecution and charges are dismissed. The low capacity of that office undermines the overall quality of the criminal justice system and of advances made in other offices. For example, PSO lawyers are required to conduct trials (as defence lawyers) which have no prospect of successful prosecution and worthy prosecutions are discontinued for unknown reasons.

- 6) **Capacity of the Magistrates' Court:** The disposal rate at the Magistrates' Court has continued to be good although the quality of decisions may have been impacted by the loss of two experienced magistrates and their replacement with recent university graduates. From a case management perspective there is a significant issue of cases in the system with no further listing (that is, return date) and a large number of reserved judgments with one magistrate. It has been difficult to provide support to this level of courts since the courts have a unified administrative structure in Vanuatu and the Chief Justice has preferred assistance to the Supreme Court. This may improve over the next reporting period.

- 7) **Systemic issues within the legal sector that hamper service delivery improvements include:**
 - a. A practice has arisen within the legal profession for numerous attendances (usually conferences) and adjournments of court cases which increase delay and cost for users;
 - b. Continued delay in the admission of lawyers within the public offices to practice so that they are required to seek leave to appear;
 - c. An ineffective law society which means that there is no provision or oversight of continuing legal education;
 - d. Little disciplinary action taken with respect to unethical or fraudulent behaviour of the profession;
 - e. Significant numbers of prosecutions that do not proceed for want of prosecution or as a result of dismissal in the Magistrates' Court which requires further investigation; and
 - f. Anecdotal evidence of practice of light sentencing in domestic violence cases; that is by ordering suspended sentences or fines.

d) Implications for achieving end-of-program-outcomes

The key factors outlined in section 2c) above are unlikely at this stage to prevent the achievement of the end-of-program-outcomes but the inhibiting factors certainly have the potential to impact on

the speed of progress to the end of program outcomes and level of achievement by end of 2016. That is, there may be demonstrable improvements in service to women, children and youth but the gains may be greater if some of the inhibiting factors could be reduced, mitigated or removed.

Similarly delay identified in section 4a in the progress of the delivery of outputs against the Workplan are at this stage not likely to delay progress towards achieving interim or end-of-program outcomes.

e) Variations to Workplan

The three most significant changes to the nature of the key activities proposed in the PJSPV SRBJ 18-month Workplan July 2014 to December 2015 (the Workplan) to the end of 2015 are as follows:

1) Support for the JCSSS working groups

Under the Workplan it was intended that integrated support be provided to the JCSSS Working Groups (including technical, secretariat, facilitative, research and capacity development with the ability for working groups to access technical assistance of the SRBJ team as needed).¹³

Working Groups have not met or progressed any of the eight strategies during the reporting period and only marginally in the last six months of Stage 1.

Through observation of the Working Groups since establishment in November 2013, it appears that cross sector and cross government member working groups *may* not be an appropriate mechanism for driving this work. In addition it seems (in hindsight) perhaps premature to anticipate high level investment of time in cross sector work given the level of development of the agencies themselves.

The facilitators and members of the Working Groups face fundamental and systemic challenges within the agencies and organisations in which they work. They may legitimately want to focus current attention on developments at the individual and institutional level, in priority to the cross sector priorities identified in the JCSSS, for which they derive only indirect benefit and for which they receive no material recognition.

True engagement in a Working Group mechanisms such as this might be more effective at a point at which the agencies and institutions within the sector have developed further and feel that they are in stronger, more robust positions. This is likely to facilitate greater capacity to engage at the cross sector level.

Accordingly, it is proposed that there be a review of the current mechanism for advancing the JCSSS in consultation and partnership with key GoV stakeholders (possibly the JCSSS Task Force) to determine a more appropriate means of supporting the JCSSS. Some of the thematic areas covered by the eight strategies are making progress under the auspices of other mechanisms. It may be possible to progress the strategies through other existing bodies; rationalise or deprioritise some strategies and focus support and energy on strategies that demonstrate existing momentum, potentially a lesser subset of strategies.

¹³ see page 15 of the PJSPV SRBJ Workplan July 2014 – December 2015

The first half of 2015 will be used to develop an approach for advancing the JCSSS that has clear MJCS and HOAG support and ownership.

2) Revised workplan for interventions related to violence against women and youth in conflict with the law. (3.2 & 3.3)

The approach of the work related to violence against women under component 3 has changed in the way in which it is intended to be implemented (the “how”) but does not change the end-of-program-outcomes (the “what” that is intended to be achieved) which are set out in the table under section 2a.

The refinement in the approach results both from:

- taking the opportunity, with DFAT approval, to support a government-led initiative and momentum to “chase change”; and also
- further investigation and consideration of the complexity of the interplay of the issues of violence against women; ‘hybrid’ justice as experienced in Vanuatu; human rights and kastom; and the best approach to targeting of interventions at the community level to support women experiencing violence.

The delay in commencement of stage 2¹⁴ allowed for further consideration of the complexities of working at this interface and revealed the paucity of research that demonstrates accurately and reliably how conflicts are dealt with at the community level, making carefully focused interventions more difficult. This being the case, the expanded research would provide an important basis for the targeting of interventions for both youth in conflict with the law and for women experiencing family based violence; and indeed also for the protection of children.

The approach to the research would look in part to replicating aspects of the approach of the World Bank, Justice for the Poor research in Solomon Islands, *Justice Delivered Locally*¹⁵ (noting its shortcoming with respect to research of conflicts relating to family based violence) as well as putting in practice some the theoretical propositions of Miranda Forsyth’s work in *Spinning A Conflict Management Web in Vanuatu*.¹⁶

During the reporting period, SRBJ was approached by the Department of Women’s Affairs (DWA) to support mapping and research with respect to specific communities in which DWA had been piloting an approach for the appointment of Authorised Persons and Registered Counsellors as defined under the Family Protection Act 2008. This particular aspect of the Act was one that had not progressed since the Act had come into effect and was uniformly identified as an area needing attention in order to make the Act more effective for women in remote parts of Vanuatu. The request represented new energy by GoV to progress this issue and demonstrated some confidence in SRBJ to be able to assist the DWA in this endeavour.

¹⁴ As a result of the design progress for VAPP to allow the development of the Integrated Design in 2013

¹⁵ Matthew Allen, Sinclair Dinnen, Daniel Evans and Rebecca Monson, *Justice Delivered Locally – Systems, Challenges and Innovations in Solomon Islands*, Research Report August 2013, J4P, The World Bank.

¹⁶ Miranda Forsyth, *Spinning a Conflict Management Web in Vanuatu: Creating and Strengthening Links between State and Non-State Legal Institutions* (2011) 63 *Journal of Legal Pluralism and Unofficial Law* 179-205

The request was seen to have strong links with the proposed piloting work in Malekula; provided an opportunity to strengthen the implementation of the Family Protection Act 2008 in a broader way than the program had envisaged; and offered an opportunity to provide targeted support for GoV momentum. SRBJ, with DFAT approval, agreed to provide the support that was requested by DWA in this work.

As a result, SRBJ support to women experiencing gender-based violence has two aspects to it now, being: (1) the SRBJ Malekula pilot which will commence with the expanded research piece referred to above followed by some key interventions that may focus more on formal justice agencies and other duty-bearers rather than community mobilisation in its first phase; and (2) support for the further piloting of the appointment of Authorised Persons and Registered Counsellors in identified communities in Efate, South Santo and Tanna.

This is provided in more detail in the Access to Justice Piloting Workplan January to December 2015 at Annex 5.

Of note, is that it is proposed that the same research approach and methodology will be used to support the Blacksands pilot. The research will differ in that the Blacksands work will focus more on youth in conflict with the law, while the Malekula work will focus more on conflicts relating to women.

The intended approach outlined in Annex 5 strengthens the previous workplan in the following ways:

- a. It supports and provides technical assistance to a Government-led initiative to progress the Family Protection Act 2008 which is a key aspect of the formal justice system's support for women experiencing family violence. Progress on this aspect of the Act is overdue and has the support of other key stakeholders working to implement the Act.
- b. There is good synergy between the SRBJ Malekula pilot which would include DWA as a primary advisory stakeholder and the DWA work to support implementation of the Family Protection Act.
- c. The proposed research is broader, more applicable and more useful to stakeholders within the sector. The research fills a current knowledge vacuum.
- d. The draft workplan allows more work with formal sector agencies to which the program has greater access, and supports clearer and more effective referral systems and linkages with community level justice actors.
- e. Greater partnership with GoV enhances sustainability.
- f. There is greater potential for the outcomes of the Malekula piloting work, and the DWA Family Protection Act work to be scaled.

- g. Harmonisation of research approach with the Blacksands pilot is effective as both interventions are challenged by many of the same concerns¹⁷ as well as having efficiency advantages.

3) Recruitment of a case and data management counterpart

The policing, justice and community services sector is one sector within the GoV that does not have a counterpart supporting the ITC systems and business processes for the sector. This is currently provided by the CDMA. Other sectors such as Health and Education do have local capacity to support their sector in terms of ITC systems needs and liaison with OGCI. The lack of a local counterpart that has this level of understanding of the ITC needs of the sector was noted as a vulnerability by the Chief Information Officer at a recent cross government meeting chaired by OGCI. From a program perspective, it also limits the sustainability of the support that is being provided by the CDMA if the holistic skills are not being transferred and supported (whilst this is not to ignore the support that is being provided on a constant basis to individuals within justice agencies by the CDMA).

Accordingly, modalities for the recruitment of a counterpart for the CDMO are being explored with the support of the OGCI. This would increase the level of support to the sector between inputs by the CDMO and ensure that their skills and knowledge are transferred locally.

Additional minor delays in the delivery of outputs¹⁸ against the Workplan include:

- Recruitment of the VPF Monitoring Officer (and therefore commencement of the mentoring of the VPF Monitoring Officer).
- Recruitment of the volunteer communications officer.
- Approval of the sector M&E Framework by HOAG in December 2014.
- Self-reporting on MJCS website by other donors and development partners.
- Delay in the recruitment of the Workplace Learning Adviser has resulted in a delay in the implementation of Level 1: Individual job-related skills and knowledge under the Capacity Development Strategy - Coaching and mentoring training (recruitment is progressing now)
- Women in Leadership retreat and Mentoring Program
- Recruitment of TA to support the GoV Child Desk.
- Commencement of implementation of the SCV CPP Workplan.
- Personal management training and other generalized training has been delayed while a suitable local provider is sourced.

None of these delays currently are considered to have a significant impact on the achievement of outcomes.

¹⁷ Including the interface of kastom, human rights, formal justice agencies and social justice issues.

¹⁸ Other those encompassed in the three significant variations above.

f) Gender

Gender Strategy

One of the deliverables required during this Workplan was the completion of a PJSPV Gender Strategy which is grounded in the context of Vanuatu and the program; and provides a clear approach for implementation of the program through a gender lens.

A robust Gender Strategy has been developed by the program Quality and Technical Adviser that has been submitted to DFAT for comment and will be finalised in February.

The intention of the last piece of work related to finalisation of the Gender Strategy is to:

- ensure team-wide understanding of the strategy and the approach to program work as it impacts on all members of the team;
- agree mechanisms for gender coordination and oversight within the team; and
- ensure that all of the more theoretical aspects of the Gender Strategy have been translated into approaches for concrete application in all areas of practice within the program.

Ways in which the program has contributed to gender equality or empowerment

The program has supported gender in the following ways over the reporting period:

- Sixty percent of the LSIP legal internships have been provided to female law students of which three female ni-Vanuatu students have found permanent positions and one was interviewed for two positions¹⁹. See Annex 6.
- Supporting an MJCS colleague to learn how to maintain the MJCS website and support her continuing role in this work.
- The MJCS newsletter has allowed the VWC to provide monthly news regarding their ongoing work through an easily accessible mechanism to the justice and community services sector.
- Significant PSO continuing legal education is being provided to the two female lawyers in that office and it is they who seek advice most of the nine lawyers at the PSO.
- A substantial proportion of the PSO case load provides support to female clients in the areas of child maintenance, divorce and employment.²⁰
- Providing better statistical information to analyse cases that are relevant to gender inequality (although it currently remains a very manual process across the formal sector).
- Facilitating a collaborative design process for the Women in Leadership Mentoring Program. The mentoring program will be launched in 2015, but the design engaged a sub-group of

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¹⁹ There may be more but these are of the four who agreed to participate in the initial tracer study.

²⁰ The program is seeing if it might be possible to extract the numbers or percentage of cases that support female clients in these types of matters in the future.

women from across the sector to develop the structure and principles that will guide the way the mentoring program works.

- Providing facilitative and advisory support for the VPF Women's Advisory Network conference. The result of this conference included the establishment of a development strategy, and identification of priorities for 2015. The strategy addresses key areas of concern to increase the participation of women in career opportunities and professional development.

Strengthening gender

Some ways in which the program could strengthen its support for women which will be considered in the next reporting period include:

- Design of an intern placement specifically for female interns.
- Strengthening the professional, timely and competent prosecution for domestic violence cases by SPD; including significantly reducing the number of domestic violence matters that do not proceed (where victims have not withdrawn) and advocating for stronger sentencing in serious matters.
- Ensuring that advisers engaging in the complex work around violence, gender, culture and women's rights examine our own biases, and positionality. This more dialogical approach to learning, reflecting and adapting while doing difficult community level work can only strengthen the ongoing practice and interventions.
- Supporting the recognition of talent in female employees.
- Encouraging the recruitment of women (and more specifically female lawyers)
- Training lawyers on the proper approach to defending child sex crimes and dealing with child witnesses (some training has already been done in this area but could be increased).
- Encouraging law reform in the area of how courts must deal with vulnerable witnesses and evidence law in relation to sexual assault complainants.
- Encouraging law reform in divorce law to support a no fault divorce system so that women are not forced through court proceedings for alleged immoral conduct.
- Encouraging law reform for infanticide cases so that women who kill their new born babies are not treated the same as murderers. This reform has been proposed by the Court of Appeal.
- Encouraging support and training for prosecutors who conduct sex offence and gender violence cases.
- Continuing to ensure that case identification and the details that are recorded against the case, and the parties, allows a greater capacity for the analysis and trending for those cases involving gender based violence. Over time the program should start to see a greater level of

visibility of where cases are up to in respective agencies, providing an increased level of confidence of case progression through the system. This applies to Police (incident/investigation), Prosecution (cases), Courts (cases), and to a lesser extent, other agencies such as PSO

- Ensuring as much as possible that equity of access to professional and leadership development opportunities is progressed in relation to the CD Strategy implementation. This at times can mean providing opportunities specifically for women to redress inequities and encourage women's participation.

g) Areas of strategic focus for next reporting period

Areas of identified management and strategic focus over the next reporting period are:

- 1) **Strengthening the program's mainstreaming of gender** across program management and implementation. This will be achieved through embedding of the PJSPV Gender Strategy; identification of strengthened support for gender that can be provided in each area of practice and the development of consistent understanding and clear messaging with respect to gender in the context of Vanuatu.
- 2) **Strengthening the focus on institutional systems, processes, management and administration** to increasingly embed capacity development and strengthen the sustainability of outcomes, particularly with respect to SPD and PSO where there has been significant investment in capacity by the program. In SPD this will build on the improvement work already underway as part of the institutional strengthening process, and other development initiatives.
- 3) **Continuing cognisance of the necessity of preserving sufficient resourcing for component 3 initiatives.** This is required to preserve the strategic vision of the design of the program and was clearly articulated in the SRBJ Draft design but in the light of DFAT reductions in ODA is a matter of particular poignancy with respect to maintaining the integrity of the design. The justification for this was provided in the SRBJ Draft Design 2013 but is worth repeating here:

"The global experience of law and justice reform and development endeavours shows that no amount of capacity building and collaboration of formal actors within the sector *necessarily* translate into results or improvements in the wellbeing of the beneficiaries, which is the ultimate strategic focus of this design.²¹ Capacity building and collaboration of formal actors are generally not sufficient *alone* in attaining that goal, although those interventions might necessarily be part of the mix for good, bad or benign reasons.²² ...

In some countries, justice sector institutions by their very design perpetuate elite interests at the expense of the majority of the population. In many other countries, formal rules which

²¹ The evidence of waves of failures in this area is well synthesized in the article of Caroline Sage & Michael Woolcock, World Bank, Breaking Legal Inequality Traps: New Approaches to Building Justice Systems for the Poor in Developing Countries, Arusha Conference, "New Frontiers of Social Policy – December 12-15, 2005 cf pp11,12.

²² Stretem Rod Blong Jastis, Stage 2 Draft Design, July 2013, p28

seemingly protect the interests of the broader community are undermined by institutional practices and informal strategies.²³ ...

Interventions like components 1 and 2 have the capacity to absorb infinite resources but have been shown over a sufficiently extended period of international development assistance to the justice sector to be of limited ultimate benefit to human wellbeing. The strategic vision of SRBJ therefore is to drive the benefits of the interventions to the target beneficiaries through the enabling components of 1 and 2 in tandem with the targeted interventions under component 3. *The allocation of resources of SRBJ to the progress of component 3 needs to be diligently protected as there will always be a natural drift on both the side of GoV and AusAID (now DFAT) towards component 1 and 2.*²⁴ *This needs to be resisted for the sake of ceasing to do endlessly what is recognised has limited effect.*"

- 4) **Strengthen the links between the sector Monitoring Officers (MJCS and VPF) and the M&E Unit, PMO** through involvement in the M&E capacity development initiatives for the sector to strengthen the sustainability and consistency of messaging and requirements with respect to M&E.
- 5) **Strengthen effectiveness of grants facility** through quarterly intakes, assessment of all grant applications through selection criteria and focussing on providing grants to the key beneficiaries of the program design. On top of this the program will attempt to strengthen compliance surrounding reporting for the program and partner financial management and acquittals. All of these reforms to the grant process have positive impacts both in terms of advancing the goals of the design, but also capacity building partners to better manage the programs they undertake.

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h) Lessons

New lessons learned during this reporting period²⁵ include:

- 1) **Expansion of activity as well as scope:** the work of the project has expanded, not just due to the amalgamation with VAPP under PJSPV, but also as the program of activity increases in all three components. This has highlighted the complexity of the work, and also increases the need for close integration and coordination of effort across the team, particularly when development opportunity is coming from many different directions.
- 2) **Increasing need for effective collaboration:** As the work in the project expands and becomes more intensive and complex, it will be essential to ensure that the approach to team work effectively taps into the benefits of the multi-disciplinary team. This means continued focus on individual effort, and more focus on collective goals, bringing the team together around shared

²³ Caroline Sage & Michael Woolcock p4.

²⁴ Components 1 and 2 represent the interests of the decision-makers and power holders, they are more accessible and understandable to donors, government to government support can become a default setting, government has a greater (potentially infinite) absorptive capacity; government generally has a louder voice.

²⁵ These are in addition to the high level lessons learned identified in the Stage 1 Completion Report Section 2e)

problem solving, planning, design, review and evaluation. The need for opportunity for explicit learning, sharing of knowledge and information and incorporation of learning to modify and improve the program over time will be essential. For example, capacity development efforts are only relevant if they translate into on-the-job behaviours and practices, which are supported by the range of institutional and environmental factors that other members of the team will be supporting. Likewise, the learning and insights that emerge from work in communities on family protection in Component 3, will be essential input for designing and managing the capacity development of sector staff who interface with communities or support community based efforts, directly or indirectly.

- 3) There is a **scarcity of providers to address specialised learning and development needs in Port Vila**. This can mean looking regionally or internationally, which has implications for project management, cost, sustainability and contextualisation.



Picture: The Australian High Commissioner, HE Mr Jeremy Bruer and the Minister for Justice and Community Services, the Hon Alfred Carlot, cut the ribbon to officially open the newly renovated Supreme Court Registry.

3. Reach & coverage of outputs during Reporting Period

The table below provides some (albeit approximate) indication of number, reach and coverage for key outputs²⁶ over the reporting period.

	Outputs	Number & Reach	Coverage
Component 1	MJCS website & newsletter	Fourfold increase in traffic to web page between August and December 2014, peaking in October with 400 hits. In August 2014, the Newsletter had 7 contributing agencies, in January 2015 there were 15 additional agencies contributing to the newsletter, totalling 22. Approx. 150 recipients of newsletter (representing 29 different agencies/organisations)	Public Sector employees across Vanuatu who have internet access Sector NGOs with email access
	M&E plan for sector & M&E Support	15 Heads of Agency within formal sector	Port Vila
	Annual reporting	15 Heads of Agency within formal sector	Port Vila
	Case & Data Management support	8 policing and justice sector agencies (heads of unit and those responsible for information)	Port Vila and some provincial centres (Tanna, Santo, Malekula)
Component 2	MFEM Finance Training	15 Finance Officers from 11 Agencies (4 female, 11 male)	Port Vila
	HRM Fundamentals Course	26 public servants from 10 Agencies (14 female, 12 male)	Port Vila
	Legal Advocacy Skills Training	Intermediate course: 25 lawyers and prosecutors (4 female, 21 male) Advanced course: 17 lawyers and prosecutors (3 female, 14 male)	Port Vila and Sanma, Penama and Malampa
	SPD systems improvements	10 public sector lawyers and prosecutors	Port Vila and Sanma
	Investigations systems improvements	10 SPD prosecutors (2 female)	Port Vila
	SPD CLE	10 SPD prosecutors (2 female, 8 male) 4 PSU, VPF staff (all male) 30 VPF recruits (gender disaggregated figures unknown)	Port Vila and provincial centres
	PSO CLE	10 PSO defence lawyers (of which 2 are female)	Port Vila and Santo, but lawyers also tour to other

²⁶ For greater detail of outputs refer to the Table in section 2b headed Summary of Key Achievements

		8 non legal staff 10 SPD prosecutors (of which 1 is female) 30 VPF officers (gender disaggregated figures unknown) 5 PPO prosecutors (male)	provinces so reach broader Port Vila Port Vila and provincial centres Port Vila and Santo
	LSIP	18 law students (10 female, 8 male)	Pacific Region (40% non ni Vanuatu) and Port Vila
	SCV	Work has not commenced yet	
	Research	Research is being scoped. Consultations occurred during reporting period.	Port Vila (incl Blacksands) Santo Malekula Tanna
	DWA FPA support	Mapping and research occurred during reporting period	South Santo, Efate (Port Vila) and Tanna
Component 3			

The program is incrementally increasing the number of people that it reaches across the sector each reporting period to include heads of agencies, office managers, finance officers, human resource managers, lawyers, prosecutors, data entry staff, women within the police force, the police executive, the police CSU, key sector NGOs (Wan Smolbag, Vanuatu Women's Centre, Vanuatu Society for Disabled People). Whilst the coverage remains predominantly in Port Vila, there have been increases in support beyond Port Vila in terms of capacity building, in particular, where staff are brought in from the provinces for sector wide initiatives or supported through agency supported initiatives to go out to the provinces. The work to support women experiencing family based violence will also increase reach out of Port Vila (to include Malekula, Santo and Tanna as well as rural Efate). Quality at implementation has remained consistently high through the commitment of the team although there is little data to support this yet. This will increase through the implementation of the PJSPV MEP and particularly through its evaluative work.

4. Adequacy of Progress

a) Against the Workplan: On time

Greater detail of the delays and variation to the Workplan are described in the section 2e, Variations to Workplan.

Overall the program is being delivered well (80%) in accordance with the timing described in the Workplan.

Delay against the Workplan has varyingly been caused by a decline in the momentum of leadership and counterparts in the support of an initiative (JCSSS) and a request for support from a key counterpart resulting in an expansion of scope of an initiative (violence against women work). This resulted in the slowing of the delivery of outputs but the increase in the likely outcomes, breadth and sustainability of the initiative, that is, it was assessed to be a short term delay for a longer term benefit. There has also been some delay in the recruitment of technical assistance which has caused delay of some outputs.

The overall progress of delivery of outputs and progress towards interim outcomes for the first six months is adequate and generally on time and no extension is anticipated at this time.

b) Adequacy of inputs to meet end-of-program-outcomes

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The inputs appear at this early point in Stage 2 of the program to be adequate to meet end-of-program-outcomes, despite feeling some limitations with respect to the robust implementation of component 3 under current budget constraints. There have been several occasions since the design of the program at which the budget has needed to be reduced and whilst there were cuts made across the program it may have most impact on component 3 which is arguably the most innovative.

c) Against Budget

The program is progressing extremely well against its budget. In previous phases of the program, budget execution has been strong. The constant liaison between the program and DFAT about financial matters and the monthly summary process has meant that there has been a high level of transparency and mutual understanding about the budget.

SRBJ will advocate wherever possible for greater forward planning and forecasting of future expenditure with respect to both VAPP and the use of the VAPP operational fund by the VPF over the remainder of the program with the aim of increasing execution of program budget for the benefit of the VPF, dependent on DFAT and possible Australian Aid program cuts to Vanuatu to be announced in May 2015.

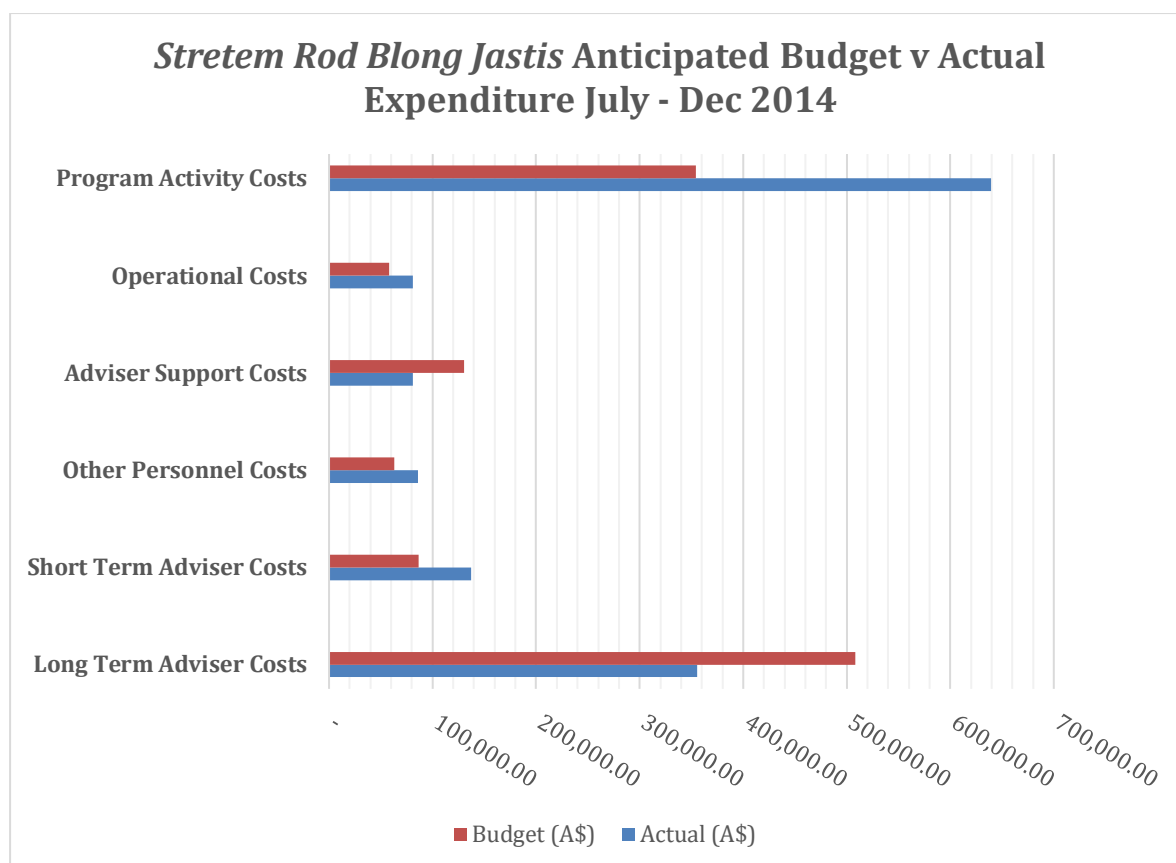
Budget as against Actuals Stretem Rod Blong Jastis

Variances in Budget against Actuals in each line item reflect requested changes approved by DFAT in the budget of the program. Key changes in previous budget estimates have led to the variances in the table below.

Explanation for these variances are as follows:

1. Program Activity Costs

- This is the area of greatest variance, this change is viewed by the program as a positive outcome as savings in other tables have allowed the program to spend more funds on Activities than previously anticipated.
- The sector's relationship with *Stretem Rod Blong Jastis* has matured and partners are seeking support from the grants facility relatively frequently.
- The bulk of costs for the refurbishments of the Supreme Court and the Public Prosecutor's Office were also paid during this period which had a disproportionately high impact during the financial year. Other significant grants which added to expenditure were:
 - CLMO grant
 - VSDP grant
 - Disability day grant
 - Provincial Disability Committee promotion grant



2. Operational costs

- One notable change which has impacted on all adviser costs is the model for Technical Assistance to Monitoring and Evaluation. The design for the program previously envisaged a long term M & E Adviser who would work across the program. In undertaking a recruitment, using GRM's Adviser panels, GRM identified Steve Miller and Nicole Dicker as an effective team to undertake the work. With approval from DFAT the program engaged these short term Advisers. This change has affected operational costs as all short term per dia, flights and accommodation are paid through this line item. There is therefore a slight excess of actual expenditure to this line item.

3. Adviser Support Costs

- The corollary of point 2 above is that costs for Adviser Support (and Long Term Adviser Costs) are lower than budget as all long term M & E costs have not been expensed in these tables, therefore they appear underspent.

4. Other Personnel Costs

- This table is slightly over budget due to the work of the Eliminating Violence Against Women Adviser which was previously given inadequate budget during the design phase.

5. Short Term Adviser Costs

- As mentioned the current overspend versus budget relates to M & E costs shifting to this line item.

- Further costs during the next 6 months in this line item will be for the Human Resource Management Adviser and Workplace Learning Adviser; these positions will absorb further funding into this item which was not previously anticipated. While this table will remain at variance with the original budget, there is sufficient underspend to support this expenditure.

6. Long Term Adviser Costs

- In addition to the M & E change there has been no engagement of an adviser to the PPO at this stage. These two changes have led to an underspend in Long Term Adviser costs; this has helped to create the opportunity to spend more through program activities as discussed in point 1 above.

In addition, the VPF have requested support from the program in an *ad hoc* and often 'last minute' manner. The failure of VPF to plan and carefully organise its budget has meant that it often has inadequate funds to conduct operations or even meet its core needs and expenditure, such as utilities. This issue has become central to the engagement of the program with the VPF and the program will continue to work with the VAPP and VPF to have an impact on resolving some of these issues.

5. Effectiveness and Efficiency of Management Systems

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a) Workplan

In addition to the outputs identified in the PJSPV SRBJ Workplan July 2014-December 2015, the Workplan also noted the increased demands on management during the initial period of Stage 2 and the integrated program. The heightened demand on management was foreseen and has required significant additional time over the reporting period as was anticipated. The additional outputs are taken from the Workplan²⁷ with updating comments provided in the right column:

Increased demands on management of the program during the commencement of PJSPV	
Ambit: The breadth of the integrated program has broadened requiring SRBJ interventions to increase their reach to VPF in addition to its former thirteen or more agencies, departments and organisations.	Team has been working effectively to provide support to police in the first 6 months of the program, for example; in financial and contracting support through the management of the operational fund; case and data management support; at the interface between state (police) prosecutions and investigations; working with the CSU; supporting the WAN; working with Head of Port Vila Station.
Staff: SRBJ (and GRM) now manage more finance and administrative staff (with three recent additions). In addition, it will be recruiting and supporting additional technical advisers and additional in-line	SRBJ has effectively managed the finance and administrative staff of VAPP and SRBJ but one staff member has recently resigned increasing the workload for the remaining VAPP support staff.

²⁷ But for the additional one highlighted at the bottom of the table

staff for the sector (more than seven) in addition to ongoing short term needs as appropriate.	Recruitment is currently underway for four positions.
Funding and financial management: SRBJ (and GRM) manage an increased quantum of funds with an increased number of funding mechanisms (programmatic funds, significant grants [e.g. VLC, SCV], the SRBJ grants facility, the VPF operations fund, and differing requirements for personnel support costs) which requires significantly more investment in financial management and oversight.	Funding and financial management, despite increased quantum and number of funding mechanisms has remained consistently effective and has been able to provide increased transparency and accountability in some areas to DFAT.
New implementation arrangements and partners: SRBJ has new implementation procedures and partners that need to be managed effectively and collaboratively to ensure the efficacy of the integrated program	New implementation arrangements with implementation partners have been agreed and implemented and are working effectively and collaboratively.
Recruitment: The Workplan covers a period of recruitment of more than seven long and short term positions which is an administration-heavy activity.	There has been delay in some recruitment although three positions have been recruited; one has a contract pending and four are currently under recruitment (see section 5e Staffing & Human Resource Management for more detail).
<p>Program Management deliverables: SRBJ will/has deliver/ed a number of key documents/activities required to guide the effective and efficient delivery of the program in a truncated period of time since the commencement of PJSPV on 1 July 2014. These include:</p> <ul style="list-style-type: none"> • Completion Report for SRBJ (1 March 2012-30 June 2014) • 18 Month Workplan for SRBJ (30 June 2014 to 31 December 2015) • Monitoring & Evaluation Plan for PJSPV Stage 2 (30 June 2014-31 December 2016) • Review, update and communicate processes relating to the SRBJ Grant Facility • PJSPV Gender Strategy • Review of SCV's Stage 2 Child Protection Program • Consultation on and framing of the youth justice research piece • Capacity Assessment and Planning for VPF. 	<p>Program management deliverables have overall been provided on time and at good quality (based on the feedback from DFAT) as follows:</p> <ul style="list-style-type: none"> • Completion report was submitted on time, reviewed and finalised • 18 month workplan has been submitted on time, reviewed and finalised with minor amendment. • M&E Plan for PJSPV Stage 2 was submitted on time and approved with minor amendment • The Grant Facility process has been reviewed and updated with several communications provided to the sector. • PJSPV Gender Strategy is close to finalisation. • SCV's Stage 2 CPP has been reviewed and contracted. • An approach for the research for Malekula and Blacksands pilots has been finalised. • Capacity assessment and planning for VPF has commenced.
Intensified implementation: the next 18 months represents a period of intensified implementation of activities including (but not limited to) conclusion of two significant infrastructure grants that have required very close support; case and data	The two infrastructure grants were successfully concluded before the end of 2014 being largely on time despite variations requiring additional work and funds. Case and data management contracts and

management simultaneous implementation of a number of new systems; ²⁸ and multiple interlinked and simultaneous interventions to support capacity development under component 2 whilst undertaking a more robust capacity development assessment and planning for VPF.	developments have progressed as planned. Three capacity development initiatives were delivered in very quick succession near the end of the year. VPF capacity assessment and planning has commenced.
Intensive oversight of SCV's CPP it was anticipated that with the recruitment of a new team (including Country Director, Finance Manager, Program Manager, M&E Adviser) and additional Melbourne support to the CPP work, that there would be a noticeable decline in the management oversight required.	There has not been significant improvement in the quality of the deliverables noticeable to date which has resulted in significant program time to support: <ul style="list-style-type: none"> • Finalisation of the CPP Stage 2 Design • Financial management concerns (requiring an audit) • Recruitment of the CP Manager • Workplan • Monitoring and Evaluation, Risk Management

The strategic direction of the PJSPV Design and the Workplan remain appropriate and relevant (see section 1a – Continuing Relevance). Changes in planned inputs and outputs are being / have been made with the approval of DFAT, (see section 2e – Variations to Plan) none of which alter the likely achievement of end-of-program-outcomes or the strategic direction of the program.

Some work carried out by the team in addition to the Workplan includes:

- Support to the PPO.
- Training with PSU, VPF.
- Quality assurance and support to SCV.
- Mentoring to Youth Justice Vanuatu (MO).
- Significant comment on one VLC policy report.

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As mentioned, the integration has presented increased demands on management during the initial period of Stage 2. In part this increase in workload can be attributed to the establishment of new systems within the VAPP, cultivating relationships with new partners, development of new cost codes, development of new financial summaries, training of staff in GRM systems and protocols and understanding the nature of VAPP operations. A large part of the VAPP however is highly transactional and it is this element of all VAPP operations which has carried with it the largest management imposition. For example, behind every purchase of tyres (a common item of VAPP expenditure) at least three quotes must be sought and a meaningful procurement assessment of the best value for money product must be undertaken. Initially the VAPP was conducting much of the procurement compliance work however the emphasis has shifted to place responsibility with CSU for effective administration underpinning every transaction. Both shifting the way the former system worked, and developing a new system required significant time investment from the program, similarly the ongoing task of ensuring CSU compliance in relation to handling acquittal and documenting transparent and appropriate procurement is a heavy burden for the SRBJ management and administration team.

²⁸ See Annex 6 – Case & Data Management Timeline Stage 2

b) Financial Management Systems

Program Financial Management continues to be a challenging and complex area. Headline financial management is a major strength of the program with budget execution and budget management given significant attention both within the team and with DFAT. The Deputy Partnership Coordinator and DFAT's Senior Program Manager intend to collaborate early in February to prepare agreed budgets to the end of the financial year.

The first six months of Stage 2 of the program has provided many demands on the program's funds. Significant grants have included payment for temporary office accommodation for the PPO and the Supreme Court. Funds have also been provided for the CLMO and VSDP. In addition, there have been additional consultant costs for short term support to DWA both for mapping and piloting of work related to the Family Protection Act and to support the development of a National Gender Strategy.

Between December 2014 and February 2015 the program is being audited. This audit is investigating all aspects of administration and financial management of the program. The Scope of Services for the Program's audit (and the request for proposal) can be seen at Annex 7. At this stage the audit has identified any major concerns, whilst it has highlighted the need to maintain thoroughness of record keeping which has been a challenge with a small number of staff.

The program's operations manual needs to be updated to reflect some of the newer processes and procedures (for example, as mentioned below relating to new procurement forms). A process of review of the operations manual has commenced and will be finalised once the audit is completed.

In relation to procurement, the program has made advances in this area during the period. The development of a simple procurement checklist for partners has allowed the program to ensure value for money of procurement and compliance with the CPR's. Formerly the program received multiple quotes and backup documentation was sent through email to justify a certain procurement. This system has changed and been improved so that partners now make an assessment about a preferred supplier. This is particularly effective with VAPP who undertake a large volume of procurements.

c) Monitoring and Evaluation

Strengthened M&E support for the integrated program

From the commencement of Stage 2 of the program, SRBJ recruited a senior M&E Specialist and an M&E Adviser to provide more robust support for the monitoring and evaluation of Stage 2 of the program. Stage 2 of the program represents not only an expansion of the ambit of the program but also a more intense period of implementation (less assessment and planning) and more innovative implementation, which justifies stronger support in this area.

Monitoring & Evaluation Plan

The program with the technical support of the M&E team (made up of the M&E Specialist, Adviser and Monitoring Officer) finalised an M&E Plan (MEP) for the integrated program which has been approved by DFAT with minimal amendments.²⁹ The MEP provides an approach to tracking the progress and effectiveness of PJSPV with the assumption that activity completion or outputs are monitored by the program managers through other mechanisms. The MEP is instead focussed on contribution to the achievement of interim and end-of-program-outcomes. The MEP is adequately resourced and scaled given the scope and length of the program.

Sector Wide Monitoring and Evaluation Plan

The MJCS Monitoring Officer has been supported by technical assistance during the reporting period to develop a Monitoring and Evaluation Plan for the sector which will be submitted to the heads of agencies for consideration and approval over February and March. This will support monitoring and reporting of the sector strategy and agency business plans.

Baseline

The M&E team are in the process of assessing baseline across all of the indicators in the MEP which is being finalised and will be submitted as a baseline report in February.

A snapshot, the baseline as at 27 January 2015 is shown in Annex 8

Measuring Sustainability

It is intended that sustainability will be measured first, by analysis of the data from the indicators in the MEF that have a strong link with sustainability and reported on in progress reporting, and second, through an analysis prior to the completion of PJSPV to inform any subsequent initiative.³⁰

SRBJ may have made some gains with respect to sustainability in the areas of:

- 1) Increasing the culture of sharing knowledge and discussing cases (for example in the PSO).
- 2) Strengthened skills and knowledge transfer and capacity building with the MJCS monitoring officer.
- 3) Noticeable improvements in sector agencies in monitoring and reporting on business plans.
- 4) Working with GoV (DWA) to strengthen the implementation of the Family Protection Act (2008) through piloting the appointment of Authorised Persons and Registered Counsellors.
- 5) Framing of a research approach that will have utility beyond the program interventions for other stakeholders working at the justice and community interface.

Areas in which the program is currently focusing attention to strengthen sustainability are:

- 1) Integration of the LSIP into the law clinic course at the USP School of Law. There will be increased activity in this area next reporting period as the new Manager for the Community Law Clinic has now arrived in Vanuatu.

²⁹ Policing and Justice Support Program (Vanuatu) Monitoring & Evaluation Plan, November 2014.

³⁰ Paraphrased from Annex 9 of the PJSPV MEF

- 2) A stronger focus on systems, processes, policies and case management to strengthen the sustainability of the capacity development work within institutions, primarily PSO and SPD but other agencies as well.
- 3) Strengthening relationship with PMO's M&E Unit to enhance consistency of messaging and approach.
- 4) Recruitment of the positions within the corporate services part of the MJCS which will increase the opportunity for skills transfer to some of the current and future cross sector positions, including that of Capacity Development and Leadership Adviser and PFM Adviser for example.
- 5) In relation to capacity development, the core intention of the approach laid out in the strategy is to facilitate a systemic development that is effective and creates sustainable results. This holds its own risks, as it relies heavily on a balanced focus between improvements in organisational systems, leadership and practices, learning opportunities (e.g. training) and workplace application that shows up in improved (and measurable) performance. It also depends on effective coordination of effort between the Capacity Development and Leadership Adviser and other advisers so that SRBJ's efforts are integrated and build on each other.
- 6) The new HR Management Adviser and Workplace Learning Adviser roles in 2015 will offer some additional needed support in this area, and it will be essential to engage in 2015 with the new MJCS recruits to support the MJCS hub to build sustainable capacity in organisational improvement.
- 7) Recruitment of a sector counterpart for the CDMA.

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d) Risk Management

There are risks to all development programs in Vanuatu given the complexity and fluidity of the operating environment. Many of these risks are a given and are beyond the scope of the program to control, such as political instability and changing macroeconomic conditions. The approach to these high level risks that are outside of the scope of the program are to be vigilant in monitoring shifts in the operating environment so as to be able to mitigate negative impacts through a flexible and responsive approach to risk identification and management.

The management of risk is a continuous part of the approach to implementation in that all SRBJ team members are aware and raise risks that impact on their particular areas of intervention regularly. These are often discussed at team meetings in an effort to identify appropriate risk mitigation strategies. Integral to this attentiveness to risk is a solid and effective tripartite relationship between SRBJ (PJSPV), DFAT and the GoV. This open and effective relationship has allowed for the identification and analysis of risks as they arise and a collaborative approach to the management of those risks. Collocation of SRBJ staff within agencies, within the MJCS and in the future within VPF strengthens not only the relationships but also the ability to observe likely risks to the program first hand.

SRBJ will increasingly seek to strengthen integration with GoV policies, processes, systems and procedures, whilst building stakeholder relationships. The monitoring and evaluation processes of the program and the relevant GoV agencies will be consistent and aligned where possible; the processes for approval of funding will be consistent where possible; planning and reporting will be aligned with the requirements of MJCS and PMO; GoV policy guidelines will be supported so that the program's support can be better aligned with clear government intentions and priorities (for example, in the areas of gender and child protection); case and data systems are aligned and developed in partnership with MJCS and OGCI; and the program will increasingly seek to use the GoV systems for funding. Whilst integration and alignment strengthen sustainability and capacity and are generally good development practice, it has an additional benefit with respect to risk. It moderates against risks being perceived as those of the program alone to be borne and managed by the program; but rather spreads the responsibility for risk more widely to those who feel ownership and commitment in its intended objectives.

In addition to these general approaches to the management of risk, SRBJ has a risk management table which is reviewed every six months- and has been reviewed as part of the preparation of this report (see Annex 9).

e) Staffing and human resource management

During the reporting period GRM International Pty Limited (GRM), the managing contractor, formerly for SRBJ, and now for PJSPV contracted the two administrative support staff to VAPP (whose contracts were previously with DFAT).

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One of the VAPP support staff resigned in November 2014 for personal reasons having been with that program since 2006. That position is currently under local recruitment and it is anticipated will be filled shortly. . The program is conducting a recruitment for the position of Senior Finance and Administration Officer, it is hoped that an effective senior resource will be able to fill the post as there is such a high volume of requests through the VAPP office. This position will provide ongoing support to the Deputy Partnership Coordinator in particular who manages the operational side of the program.

Technical advisers currently being internationally recruited are the Human Resource Management Adviser, the Workplace Learning Adviser and the Public Financial Management Adviser. All positions have been shortlisted and interviews have been or are being arranged.

The program also engaged its M&E team during the period by utilising the GRM Advisory M&E panel. The M&E Specialist and a more Junior Adviser have been working extremely well together and this method of recruitment has been effective in engaging pre-vetted technical assistance at short notice.

GRM has conducted a performance appraisal of the Partnership Coordinator which has been approved and is being finalised. SRBJ is in the process of completing performance appraisals for all of the advisory team during February 2015.

f) Special Management issues related to Grants Facility

The program currently administers a Grant Facility. Funding under the Grants Facility continues to be managed separately by the program and does not use government processes and systems so is relatively resource heavy.

As the PFM recommendations arising from the DFAT funded PFM assessment are implemented there will be increasing opportunity to use GoV financial systems.

From the commencement of 2015 the PMG has agreed to a tightening of the criteria of the Grants Facility and a reduction in the frequency of acceptance of applications from monthly to quarterly. The first applications to the Grants Facility will be considered at the first PMG for the year on 28 January.

Some analysis of the Grants Facility was provided for the SRBJ Stage 1 Completion Report and an evaluation of the outcomes of the Grants Facility to date will be conducted at the end of February beginning of March by the Quality Assurance and Technical Adviser.

During the period a number of grants have been approved, finalised and acquitted, key grants during the period were:

- Supreme Court Renovation
- Supreme Court Temporary Office Space
- PPO Renovation
- PPO Temporary Office Space
- SPD Document Serving
- CLMO Support
- VSDP Early Intervention and Community Based Rehabilitation work
- Provincial Disability Committee Establishment
- 2014 Disability Day

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A frustration for the program in managing grants relates to the timeliness and quality of return of documentation sent to the program by grantees. Acquittal information often takes a long time to be received after completion of the implementation of the grant activities. Similar reporting is often not timely and of variable quality. Notable grantees, such as VLC who receives strong ongoing support from the Program have not provided any significant reporting despite very strong and regular promptings by the Program. The program has some remaining concerns regarding the quality assurance of policy reports and recommendations made by the VLC. Significant time was spent preparing feedback on one such report by the VLC which has chosen not to collaborate with SRBJ to strengthen the report. Once the VLC has reported to the program and made a presentation on the conference in Samoa, SRBJ would like to explore possibilities for a secondment from a law reform commission and / or a twinning arrangement with another law reform commission of calibre.

The Program has under the grants facility in the past required acquittal and reporting before further grants were approved. The program will raise for consideration with the PMG as a standard requirement for all grants.

The Program has also more strengthened processes associated with the approval of grants. Score sheets will become a tool for assessing and ranking of grant applications. This will also enable the program to evaluate the grants more effectively on international development criteria as well as alignment with the programs intended priorities.

6. Overall conclusion

SRBJ has made effective progress against its Workplan over the first six months of Stage 2 under the integrated PJSPV. There has been some delay in delivery of outputs but it is anticipated that these will be implemented during the next reporting period with minimal impact on the progress towards outcomes. Small delays of this nature were anticipated given the increased burdens on management time, resulting from the establishment of new processes and relationships; intensive recruitment and completion of a number of contract deliverables. Predominantly these have been achieved or are nearing completion and it is anticipated that outputs will be on track over the next six months.

The SRBJ team as a whole is starting to look more intensively at progress towards intermediate and end-of-program outcomes and at strengthening the sustainability of support in their areas of practice as the program now moves into its final two years of implementation. Collaboration and the sharing of information, knowledge and learning will be increasingly supported to ensure the consistency and a holistic approach envisaged by the program design. The MEP is more robustly supporting effort in this regard and the baseline which will be available shortly will provide a better base from which to measure contribution of the program than the sector has had to date.