



Solomon Islands Justice and Governance Programs

Evaluation: Final report

March 2020



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1 Disclaimer

This report was undertaken by Abt Associates under the overall direction of Mr Graham Teskey (Principal Global Lead for Governance). The team also included Ms Lavinia Tyrrel (Deputy Principal Lead and Practice Manager) and Ms Clare Manuel (Justice specialist consultant).

The views expressed in this report are those of the team and do not necessarily reflect those of Abt Associates.

2 Acknowledgements

The team would like to thank all the people consulted during the review process from the Government of Australia and the Government of the Solomon Islands. We would also thank the development partners, programs, and organisations with whom we spoke. The team would like to express our appreciation particularly to Mr Rod Brazier (High Commissioner), Ms Sally-Anne Vincent (Deputy High Commissioner), Ms Alison Barmsey (First Secretary), Ms Lanita Waleanisia-Spillius (Senior Program Manager), Mr Erik Lui (Senior Program Manager), and Ms Olivia Chambers (Second Secretary) of the Australian High Commission in Honiara. All gave their time unsparingly and willingly. Special thanks to Ms Carol Qilakomala (MEL Coordinator) and Ms Emily Graham and colleagues in SIRC for brilliant logistical support before, during and after our visit. Finally, a special note of thanks to Mr Jude Devesi (Under Secretary in the Ministry of Public Service), Mr Andrew Houlia (Under-Secretary in the Ministry of Justice and Legal Affairs) and Ms Brenda Wara (Ministry of Justice and Legal Affairs) for their insights and advice, especially on our visit to Auki.

Ms Priya Chattier, Senior Policy Officer, Governance and Social Development (Abt Associates) also provided valuable research insights to this draft.

3 Abbreviations and Acronyms

AFP	Australian Federal Police
AOFM	Australian Office of Financial Management
AHC	Australian High Commission
CDF	Constituency Development Fund
CGGM	Community Governance and Grievance Management Project
CSSI	Correctional Services of the Solomon Islands
DFAT	Department of Foreign Affairs and Trade
DPP	Director of Public Prosecutions
EOPO	End of Program Outcome
FIFO	Fly In Fly Out
FPA	<i>Family Protection Act 2014</i> (also Family Protection Act)
JIMS	Justice Information Management System
JSSC	Justice Sector Coordinating Committee
JSSF	Justice Sector Strategic Framework
KEQ	Key Evaluation Question
LTU	La Trobe University
MEL	Monitoring, Evaluation and Learning
MJLA	Ministry of Justice and Legal Affairs
MoE	Ministry of Education
MoFT	Ministry of Finance and Treasury
MoH	Ministry of Health
MP	Member of Parliament
OCA	Organisational Capacity Assessment
ODPP	Office of the Director of Public Prosecutions
PAF	Performance Assessment Framework
PDIA	Problem Driven Iterative Adaptation
PFM	Public Financial Management
PIU	Project Implementation Unit
PSC	Public Service Commission
PSM	Public Sector Management
PSO	Public Solicitor's Office
R&R	Review and Reflection
RAMSI	Regional Assistance Mission to Solomon Islands
RDF	Rural Development Fund
RSIPF	Royal Solomon Islands Police Force
SICED	Solomon Islands Customs and Excise Division
SIPDP	Solomon Islands Police Development Program
SIG	Solomon Islands Government
SIGOV	Solomon Islands Economic and Public Sector Governance Program
SIGP	Solomon Islands Governance Program
SIJP	Solomon Islands Justice Program
SIRF	Solomon Islands Resource Facility
TA	Technical Assistance
TOC	Theory of Change
TOR	Terms of Reference
UNDP	United Nations Development Programme

4 Executive Summary

- 4.1 The conclusion of the team is that in the context of the Solomon Islands, immediately post-RAMSI (Regional Assistance Mission to the Solomon Islands), the two programs did as much as could be expected in difficult circumstances. The team found no egregious mistakes or irrelevant interventions. With hindsight, different decisions could have been made, but when examined against the context of the time (2016, one-year shy of the end of RAMSI), most decisions taken were understandable and reasonable.
- 4.2 The team considers however that it was a mistake to ignore the key recommendations of both the 2014 Manning report on the Solomon Islands Economic and Public Sector Governance Program (SIGOV) and the recommendations of the 2015 mid-term review of the fore-runner Justice programme (which highlighted the issues raised again in this report). The theory of change – most notably in the governance program, but also the justice program – was that upstream changes in policy settings, resource allocation and system strengthening would inexorably lead to downstream improvements in service delivery. Manning questioned this assumption, arguing that the patterning of clientelism and the absence of programmatic political parties render this assumption invalid.
- 4.3 The two programs were effectively managed by the Solomon Islands Resource Facility (SIRF), and in particular by the two team leaders. All interlocutors in the Solomon Islands Government (SIG) were unhesitatingly positive about the program and about the technical assistance (TA) provided. Discussants in Malaita however wanted greater demonstration of ‘reach’ from the central government in Honiara to the Provinces.
- 4.4 The evaluation team identified four high level strategic issues (section 3). The most important being clarity regarding the overarching strategic intent of the two programs. This would benefit from further clarification before design work for successor programs begins. Section 4 summarises the team’s responses to the four Key Evaluation Questions (see Table 1 for a summary).
- 4.5 Governance evaluation (section 5). One of the evaluation’s main findings is that at the strategic level it is unclear what the program is designed to achieve. The governance program has four components. The first two are narrow and specific: better budgeting and borrowing practices in the Ministry of Finance and Treasury (MoFT) and a growing cadre of public financial management professionals. The third component is ‘a more accountable and responsive public service’. This is a huge objective, and the end of program targets do not match up to the ambition of this objective.
- 4.6 Strengths and weaknesses of the governance program are summarised below.

Table 1. Strengths and Weaknesses of the Governance Program

Strengths	Weaknesses
<ul style="list-style-type: none"> Reasonable progress against a narrow range of indicators: MoFT improving, debt management, Customs revenue, SIG Connect, rules and regulations, procurement Reasonable progress on broadly defined ‘PFM cadre’ objective Evidence of stronger PFM leadership and commitment Some evidence that in some areas twinning e.g. AOFM is proving effective and valued Strong SIG support at senior levels Well managed SIRF and effective team leadership 	<ul style="list-style-type: none"> Components 1 and 2 different in ambition, scale, and character to Component 3 Component 3 in some ways doomed to fail from the start Modest achievements on Component 4 Three functions of budget (macro-stability, inter-sectoral allocations, and efficiency of expenditure) ignored in favour of ill-defined indicators e.g. ‘improved quality of government expenditure’ and ‘confidence of staff’ Some incoherence across indicators (IOs, ‘two, four year and ten-year achievements’, ‘indicative results’) Six monthly reports focus on reporting inputs, activities, and outputs Limited linkage made to Outcomes

- 4.7 **Justice:** Assessing progress is not straightforward, as design documents provide various sets of objectives and performance indicators. Table 14 (section 9) reproduces four sets of results from the Program Design Document and the current Performance Assessment Framework (PAF). The evaluation team assessed progress towards the June 2019 expected achievements as articulated in the PAF (which is what is currently being reported on), and offers judgements on achieving the longer-term (four and ten year) targets as articulated in the Program Design Document. In addition, the Program Design Document sets out a further set of indicators as markers for whether the program is on track at the two-year point (June 2019), which are also summarised in Table 14.
- 4.8 **The evaluation** identified two higher-level issues in the justice program: first, there is no common understanding of what the goal looks like in operational and practical terms; and second, there is no agreed understanding of how change may happen. These issues have stymied progress.
- 4.9 **In summary:** There are some encouraging signs. Justice agencies are headed by strong leaders (and deputies) with some committed (although young and therefore inexperienced) staff, and there is evidence of some systems change. Outside Honiara, the circuit system means that there is some flow of improvements out from the centre. The program is increasing its focus on access to justice at the community level, including with non-state actors. With the notable exception of the Community Governance and Grievance Mechanism project, impact is as yet hard to discern. Finally, there is an increasing focus on the need for cross-agency co-ordination (noted as a key issue by a wide range of stakeholders and previous critiques¹). This includes the current re-visiting the Justice Sector Strategic Framework and the Monitoring Framework, including engaging with the potential to use it as a platform to facilitate the inclusion of the Royal Solomon Islands Police Force (RSIPF) and the Correctional Services of the Solomon Islands in cross-agency coordination. Other moves include a proposed cross-agency justice conference, and the human resource community of practice sponsored by the Solomon Islands Justice Program.
- 4.10 **Strengths and weaknesses of the Justice program** are summarised below.

Table 2. Strengths and Weaknesses of the Justice Program

Strengths	Weaknesses
<ul style="list-style-type: none"> • Embedded advisor model enables strategic support to change-makers at the right time • Evidence that long term twinning can make a difference (SICS) • Anecdotal evidence of individual's improved performance as a result of training • Some strong leaders (and deputies) • Some 'trickle down' from the centre via circuit system • Increasing focus on users' access to justice and non-state actors • Increasing focus on justice 'system' • Strong support from justice agencies in SIG 	<ul style="list-style-type: none"> • Previous limited focus on 'the system' - performance depends on all actors coming together • Police performance at the start of the criminal justice chain is key • Weak alignment with (weak) SIG systems – planning / resource allocation / monitoring • Limited focus on informal justice • Six monthly reports focus on reporting inputs & activities (a few outputs) • Limited linkage made to date to outcomes

- 4.11 **The Monitoring, Evaluation and Learning (MEL) framework (section 7):** Three purposes of the framework were stated: accountability; informing program decisions and enabling learning and adaptation. These are sensible and appropriate. However, the evaluation team judge that the MEL team was thwarted before it could begin its work. It proved difficult to recruit appropriately skilled members of staff, so in 2018 La Trobe University (LTU) was contracted to provide support. By early 2019, the MEL unit faced a range of real challenges: three programs had been reduced to two, designs relied on assumptions that were untenable in practice; theories of change were redundant;

¹ Including the 2015 Mid-term review of the previous justice program, the UNDP Access to Justice Study Solomon Islands, Australian Aid and UNDP, June 2019; and SIJP TA Quarterly Report Jan-June 2019 reporting period.

learning, analytics and capacity building were given lower priority as Australian High Commission (AHC) time became subsumed by other priorities; and ongoing engagement was required for an institute and MEL team who were brought on to service an agenda that had significantly changed since design.

- 4.12 **The team's assessment is that the MEL Framework and approach is experiencing strategic drift and beholden to a number of mismatched expectations.** The model as currently operating is not well understood and is valued in different ways by all stakeholders. Furthermore the MEL unit have become spread too thinly across a number of objectives (including an Organisational Capacity Assessments, Review and Reflection (R&R) sessions, six-monthly reporting, commissioning research with LTU) – rather than focusing on a few things in depth.
- 4.13 **Table 3 (overleaf) summarises the findings of the evaluation.**

Table 3. Summary of findings

Key evaluation question	Sub-questions	Summary findings	Relevant section in report <i>Where findings can be found in the report</i>	Strength of evidence <i>Extent of triangulation and level of agreement between data sources (strong, moderate, or weak)</i>
Relevance				
<p>KEQ 1</p> <p>Do our interventions remain appropriate, fit for purpose and relevant to meet stakeholder needs?</p>	Are the program's objectives realistic and on track to be achieved?	A mix: the transactional governance objectives are on track (PFM, a growing cadre of finance personnel, increasingly institutionalised and stronger budgeting process) whereas the more ambitious and transformational objectives (a capable and responsive public service, reduced numbers of prisoners on remand, improved access to justice for citizens) are showing little or no progress.	Paragraphs 4.1 – 4.3; section 5 for a detailed discussion on governance program performance and section 6 for justice	Strong - moderate
Effectiveness and efficiency				
<p>KEQ2</p> <p>Are the delivery mechanisms in place, including the use of the SIRF or TA, the most effective for achieving program outcomes?</p>	<p>What alternative implementation processes should be considered now, and for future designs?</p> <p>Have the synergies envisaged with the joint design and shared resourcing of the programs been realised?</p>	<p>Replacing the current contractor model with a provider (or mix of providers), with responsibility for implementation of the governance program and one for the justice program.</p> <p>AHC to take responsibility for strategy and oversight, the contractor for implementation.</p> <p>For Technical Assistance (TA) the question is “what the most effective modality is to achieve the Outputs being sought – TA, grants, analytics, training etc...”</p> <p>In small states there will always be skills that are in short supply or not available.</p> <p>Where personal relationships dominate, it may be impossible for nationals to speak truth to power. It is recommended that DFAT have no fixed policy positions on the use of TA, whether in-line or advisory, short-term, or long-term. Every case should be judged</p>	<p>See paragraphs 4.4 – 4.10 for a discussion of some implications of the delivery model chosen and the role of TA (paragraphs 4.6 – 4.9); see also section 8 for recommendations</p> <p>Paragraphs 4.11 – 4.15</p> <p>Section 8 for recommendations regarding future programs</p> <p>Paragraphs 4.11 – 4.13 for the discussion and section 8 for recommendations</p>	<p>Strong: Team Leader views, TA views and Lyn Pieper's 2018 Review of Facilities for DFAT²</p> <p>Strong – Solomon Islands and international experience</p>

² Lynn Pieper May 2018 'Review of Selected DFAT Facilities'

Key evaluation question	Sub-questions	Summary findings	Relevant section in report <i>Where findings can be found in the report</i>	Strength of evidence <i>Extent of triangulation and level of agreement between data sources (strong, moderate, or weak)</i>
		<p>on its merits and according to the context and the degree of SIG political support for these positions.</p> <p>No. Australian Federal Police was not able to work within a tripartite programming framework, so the 2016 Over-arching Strategy was quickly dropped. The Justice and Governance programs have operated largely separately, although the two respective Team leaders meet frequently to discuss issues of common concern.</p> <p>No overall governance arrangements were enacted. Even for the two separate Justice and Governance programs there were no joint SIG – DFAT arrangements put in place.</p> <p>DFAT should seek to put in place one coherent management platform or framework. Arguments can be made either way (for one integrated program or two separate, yet in some way ‘loosely linked’ programs). The evaluation team recommend the latter approach.</p>		
Sustainability				
KEQ3 Are the programs using the best mix of modalities to achieve its results?	Are the programs enabling change and supporting SIG to transition to a sustainable model of assistance?	<p>Both programs rely on TA. There is nothing wrong with TA; all depends on its objectives. The mistake in many programs is to place too high a set of expectations on what TA can deliver. By providing one embedded adviser (or even a line position) it is unrealistic to expect transformational organisational change. The lesson clearly is for clarity regarding roles, responsibilities, and expectations.</p> <p>Alternatives to TA are hard to see in many line agencies of the SIG. The justice program has had some success with twinning arrangements (itself a variety of TA). In these types of institutional programs, where the aim is to influence the formal and informal rules of the game which influence, if not determine, individual and collective behaviour, money is definitely not the problem.</p>	Paragraphs 4.6 – 4.9 See section 8 for recommendations regarding TA	Strong; domestically in the Solomon Islands and internationally

Key evaluation question	Sub-questions	Summary findings	Relevant section in report <i>Where findings can be found in the report</i>	Strength of evidence <i>Extent of triangulation and level of agreement between data sources (strong, moderate, or weak)</i>
		The challenge is to design systems and process that fit the Solomons' context, and which incentivise individuals and departments to act more effectively in the public interest rather than for private gain. The only way to do this is to put in place long-term collaborative programs with key ministries, departments, and agencies and, over-time, 'nudge' the rules of the game and their implementation in the right direction. The experience of MoFT over the last decade shows that this can work – albeit with glacial progress. However, there is no other option.		
MEL				
KEQ4 What are the strengths and weaknesses of the monitoring evaluation and learning system?	<p>What are the strengths and weaknesses of the monitoring evaluation and learning system?</p> <p>Is the current set-up the best use of available resources?</p> <p>How can the MEL system be improved, including priorities to best support and drive progress within the program?</p>	<p>A SWOT analysis is given at Table 22. The major strength is the commitment to learning the team found in both programs, as well as the skills and competencies of the MEL team</p> <p>The major weakness was an overly complicated framework, the absence of baselines, limited data availability, and difference information needs required by key stakeholders</p> <p>Difficult to answer this question as it depends on what function the MEL unit is meant to service. form (the MEL resourcing and structure) must follow function</p> <p>Stakeholders do not share a common strategic vision for the governance and justice programs, and therefore the expectations on the MEL unit differ</p> <p>The team's assessment of the current resourcing profile for MEL is that it is set up to service a learning, Pacific capacity building and deep research agenda that sits across the three programs. Yet these functions appear to have been de-prioritised by the AHC and SIG since LTU was engaged and the MEL Unit established</p> <p>If the focus is now on better servicing governance and justice programming needs and improving on core accountability</p>	<p>Paragraphs 10.12 -10.14 and Table 22</p> <p>Recommendations in section 11</p> <p>Paragraphs 10-15-10-16</p>	<p>Strong</p> <p>Strong</p>

Key evaluation question	Sub-questions	Summary findings	Relevant section in report <i>Where findings can be found in the report</i>	Strength of evidence <i>Extent of triangulation and level of agreement between data sources (strong, moderate, or weak)</i>
		<p>requirements (baselines, outcomes reporting and so on) there may be more efficient ways to structure resourcing</p> <p>Foundational. No significant changes be made to the overall MEL structure and approach until the strategic intent of the two programs, and thus the functions and purpose of the MEL Unit and LTU arrangement, are clarified</p> <p>Next 18 months. Re-focus on getting accountability functions down pat and simplify some processes: (1) less indicators and focus on measuring what matters most/ outcomes level (2) focus on outcomes reporting and evidence for claims (3) embed MEL team in the program (4) confirm baseline measures in place (5) ensure all key MEL documents are aligned (6) get analytic agenda in place and focus on quick/ rapid case studies that are of high policy relevance (and have a user uptake strategy in place) (7) continue some learning processes where there is SIG buy in</p>	Paragraphs 10-17-10-19	Strong

Table 4. Summary of Principal Recommendations

GOVERNANCE	Next 18 months (for the current program)	Longer-term (for a new program)
Strategic	<ul style="list-style-type: none"> • Reframe Component 4 to address specific service delivery bottlenecks • Phase out support to LCC and Ombudsman • Examine the role and functioning of PSC 	<ul style="list-style-type: none"> • Adopt a problem-driven approach to delivery • Focus governance activities on critical binding constraints • Consider ways to support CDFs
Operational	Bring timeline forward for the governance redesign	<ul style="list-style-type: none"> • Consider a performance-based approach • Put in place a process for SIG agencies to agree shared solutions
Structural		Use joint SIG / AHC committee to agree bindings constraints and necessary responses
JUSTICE	Next 18 months (for the current program)	Longer-term (for a new program)
Strategic	<ul style="list-style-type: none"> • TA to identify binding constraints and develop a cross-agency approach to addressing them e.g. a remand prisoner reduction initiative • Start work on a more strategic approach to improving access to justice at the community level 	<ul style="list-style-type: none"> • Ensure clear strategic intent • Align program with SIG's vision • Ensure community level access lies at the heart of the program • Work with the SIG to develop an affordable strategy to deliver community level justice • Pilot approaches through a series of 'small bets'
Operational	<ul style="list-style-type: none"> • Choose a few key outcome-oriented indicators • Continue with the JSSF refresh and push for the inclusion of RSIPF and CSSI • Begin to put place a baseline for MEL purposes 	<ul style="list-style-type: none"> • Strengthening SIG justice data collection • Consider payment by results • Put baselines in place

Structural		Continue with embedded TA, but with stronger mandate to engage across the sector with policymaking, planning, resource allocation and MEL processes
MEL	Next 18 months	
Strategic	<ul style="list-style-type: none"> • No major changes to the MEL approach and framework be made until the re-designs are complete • Focus on simplifying what exists and weighting MEL Unit efforts towards bedding down core accountability functions (outlined below), and those learning processes where there is strong SIG and program buy-in 	
Operational	<ul style="list-style-type: none"> • Simplify indicators in the PAF to focus on measuring what matters most • Support Team Leads to improve quality of the six-monthly reports • Confirm baselines in place for outcome areas • Alignment of key MEL docs 	
Structural	<ul style="list-style-type: none"> • Embed MEL team in the program and clarify reporting lines • No fundamental changes to La Trobe University arrangement until the strategic intent of both programs have been clarified • In the meantime, ensure most value achieved from LTU by setting targets for the next 18 months 	

Program management and the SIRF		Immediately	6-18 months
Strategic			<ul style="list-style-type: none">• Ensure SIRF re-design:<ul style="list-style-type: none">– Clarifies accountability arrangements among SIRF, the Team Leads and DFAT– Clarify SIRF core functions: is it as a logistics service provider or a programming entity or both?
Operational	<ul style="list-style-type: none">• Hit pause on SIRF re-design• Bring forward the design of the governance program (at minimum) and ensure it is completed before the SIRF is re-designed		
Structural	<ul style="list-style-type: none">• Establish fortnightly information sharing mechanism in the AHC		<ul style="list-style-type: none">• Keep justice and governance program management separate – but:<ul style="list-style-type: none">– Integrate the governance program more closely with health and education sector programs– Focus the justice program on supporting SIG facilitate better integration within the justice sector

Technical assistance:

- Judge each case on its merits
- Be clear about the objectives of the role
- Give priority to organisational rather than individual ‘counterparting’
- TA should be embedded with, and report to, national staff.

5 Background, Context and 2016 Design Issues

Purpose

- 5.1 The purpose of this evaluation was to assess progress towards program objectives. The Terms of Reference (ToRs)³ specify that:

“The primary purpose of this independent evaluation is to assess progress against the Programs’ objectives and to make recommendations to DFAT for improvements to program implementation and management. The information gathered in undertaking the review will guide DFAT in its strategic and management decisions regarding the Programs and will inform the use of facilities in the Solomon Islands context. The review will examine the operating context and assess the prioritisation of all four components of both Programs.

In addition to the evaluation forming part of the required reporting for DFAT’s Aid Governance Board, there are two other key factors that have informed the design of the evaluation terms of reference.

Firstly, the hybrid programmatic approach to implementation with DFAT and SIRF both implementing parts of the program has created tensions around coordination, clarity of responsibilities and potentially threatened the achievement of outcomes. The reduction to post resources has exacerbated these challenges.

Secondly, the use of innovative methods across both programs has faltered, seen particularly in the development and use of adaptive MEL, in building community demand for stability and in the use of long term and in-line advisers.

While DFAT will be the principal audience and user of the review findings we may share its findings with the Solomon Islands’ Government, SIRF and other partners involved in implementing the governance and justice program support. The review findings will be made available to the public on DFAT’s website”.

Methodology

- 5.2 **This document was prepared over four phases.** The first stage consisted of desk reviews of relevant documentation, including relevant academic papers on the country’s political economy and its governance and justice challenges, DFAT policy papers (including the 2018 International White Paper), program reviews and progress reports. Second, interviews were conducted in person and remotely with Australian High Commission staff and other government and non-government agencies (see Annex 2). Third, the evaluation team spent ten days in country examining at first hand progress of the two programs. This included a visit to Auki. Finally, following an internal AHC discussion and presentation of an *Aide Memoire* on the 13th November 2019, this report was drafted.

Context

- 5.3 **The original DFAT preference was for one integrated governance, police, and justice program.** Three documents set the objectives, strategies, and resourcing for the programs:
- Overarching Strategy: Supporting Stability in Solomon Islands through Governance, Policing and Justice programs (August 2016)
 - Solomon Islands Governance Program Document, July 2017 to June 2021
 - Solomon Islands Justice Program Design Document, July 2017 to June 2021.

³ See Annex 1

- 5.4 **The ‘Overarching Strategy’ proposed a single goal, four program-level goals and three specific program goals:**
- **The overarching goal:** Communities in Solomon Islands are safer and experience better access to services.
 - **The four program goals:** (i) Safer Communities; (ii) The community has greater confidence in the justice system and police; (iii) Better government led service delivery; and (iv) Macro-economic stability.
 - **The three specific program goals:** (i) Communities in Solomon Islands have greater access to a credible justice system that supports the rule of law; (ii) RSIPF is more capable, responsive, community orientated, and able to maintain security; and (iii) Government agencies more effectively support economic growth and service delivery.
- 5.5 **The Overarching Strategy articulated four key evaluation questions.**⁴ While these are not included in the evaluation Terms of Reference, a discussion is provided at Annex 4. The important fourth KEQ (in what ways are the joined-up approaches of the three programs adding value to the overall investment?) is considered in paragraphs 4.11-4.14.

How things evolved

- 5.6 **The vision of one overall management framework for governance, policing and justice was never realised, as the policing component remained under the purview of the AFP.** As a result, no ‘whole-of-government’ oversight and coordination mechanism was put in place. This had been designed to “drive a coherent strategic direction across the programs, and assist the Department of Foreign Affairs and Trade and the AFP better manage their investments in supporting stability”.⁵ The strategy noted that its success would depend on the two governments sharing the vision, and a well-coordinated and collaborative approach.⁶ The strategy noted the limited functionality of the Solomon Islands’ state, low citizen expectations, and the challenges of service delivery outside of Honiara.
- 5.7 **Both the governance and the justice programs were designed in 2016. A number of assumptions were made: some of which would prove detrimental to both programs in the long run.** It was assumed that the High Commission would be able to maintain the depth and breadth of its management and oversight: in fact, it lost resources and in early 2018 Canberra decided to withdraw one Governance/Justice Counsellor. High Commission interlocutors noted at the time that this was a matter of concern as it would reduce significantly DFAT’s ability to oversee the program. This decision has recently been reversed.
- 5.8 **Implementation arrangements have also proved problematic.** The Solomon Islands Resource Facility was set up in order to give the High Commission additional capacity. Its role was procurement and local logistics. Over time it was asked to take on more of a programming mechanism. These are different capabilities. Neither of the two programs were tendered; this placed additional responsibilities on already stretched High Commission staff to implement and manage both programs through a series of service orders executed by SIRF. Time-scarce High Commission staff were not able to provide the depth of technical oversight required and of course SIRF was not able to supply it either. TA recruited by SIRF were recruited and given responsibility to manage the two programs – but without the necessary authority or resources (see paragraphs 3.6-3.9).

⁴ Ibid page 23

⁵ Page 2

⁶ Page 4

6 Four Strategic Issues

- 6.1 The evaluation team identified four strategic issues: the strategic intent of the program; the delivery model; the use of TA and approaches to capacity development, and the breadth, role, and scope of the program.
- 6.2 **(i) Strategic intent: this is the key issue for DFAT, as it will have a direct impact on the content and nature of the two programs.** In late 2018 Prime Minister Morrison launched the Pacific ‘Step-Up’, designed to strengthen sovereignty, stability, security, and prosperity in the Pacific. The strategic aim is for all Pacific Island Countries to choose Australia as their preferred commercial and security partner. Implementing this policy objective in the Solomon Islands may require judgements to be made among three legitimate objectives:
- Strengthening the core central ‘upstream’ policy and oversight functions of a sovereign and self-sufficient Solomon Islands state
 - Assisting the Solomon Islands state deliver seriously improved human developmental outcomes, or
 - Working in ‘co-production’ with the Solomon Islands Government, where Australia and SIG enjoy a shared responsibility for sovereignty, stability, security, and prosperity.
- 6.3 **Priority to strengthening upstream policy and oversight capabilities would mean greater reliance on embedded long-term TA** to maintain core state functionality rather than developing individual skills and competencies, system capability and organisational capacity. Issues of sustainability and exit would become less relevant. By contrast, prioritising service delivery outcomes would imply less emphasis on upstream policy settings and more emphasis on improving (public sector) service delivery outcomes. This would be achieved through a mix of increased financing support (sector support) and improving processes, procedures, and competencies for delivery (sector strengthening). By contrast, ‘co-production’ would entail the two governments taking shared responsibility for upstream policy settings and oversight, as well as downstream delivery. This is represented diagrammatically in the schematic on the right. This is not an unusual dilemma for externally funded governance programs, but the vulnerability of the Solomon Islands’ state makes the choice particularly acute. Given the context, any future governance program will need to reflect elements of all three strategic objectives.

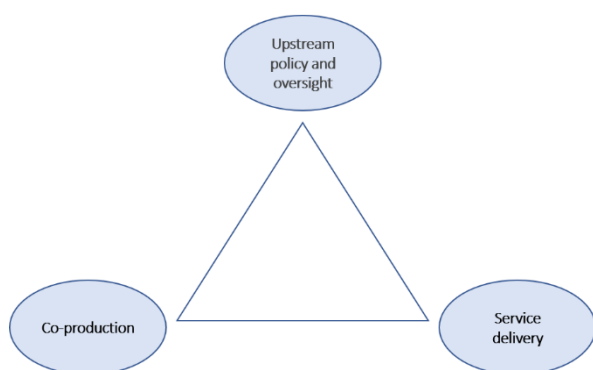


Figure 1. Co-Production

- 6.4 **SIG views on this issue varied**, dependent on where the individual was sitting. Honiara-based informants gave greater priority to the provision of higher-end skills and competencies (legal, accounting, prosecutorial) while those (admittedly few) the team met in Malaita were more concerned about the inadequacy of resourcing and the lack of timely responses from headquarters in Honiara.
- 6.5 **Table 5 summarises the options. None are mutually exclusive.**

Table 5. Implications of strategic intent

	Co-production	Service delivery outcomes	Upstream policy and oversight
Goal	Mutual support for many aspects of state performance and functionality	Demonstrable and real improvements in basic education, health, and justice outcomes for Solomon Islanders (especially in remote, rural, and underserved areas)	Continued upstream central policy, planning, check and balance agencies and parliamentary democratic entities are in place and following own corporate and agency plans (impact and functionality less important)
Upstream/downstream	<ul style="list-style-type: none"> Central agencies - most important ones privileged Links with Provincial authorities 	<ul style="list-style-type: none"> Agencies that manage and track budget – MOFT, Audit etc. Greater engagement with line agencies Common platforms with sector support 	<ul style="list-style-type: none"> Key upstream central policy, planning and revenue raising agencies Formal check and balance institutions (ombudsman, Leadership Code Commission, Audit) Public sector management / planning agencies Parliamentary processes / systems, elections
Focus of efforts	<ul style="list-style-type: none"> Capacity supplementation Key organisational partnering with Australian agencies Greater use of Australia Awards 	<ul style="list-style-type: none"> Capacity supplementation Procedures and compliance processes Auditing of funds, and risk assessment of systems Provincial presence 	<ul style="list-style-type: none"> Capacity supplementation Capacity development Individual skills and competencies Organisational form
Modality	<ul style="list-style-type: none"> Whole of Government deployees and advisers Long-term TA Twinning with Australian agencies In-line positions Australian volunteers Fewer short-term technical advisers, private providers etc. – focus on relationship with Australian agencies 	<ul style="list-style-type: none"> Limited TA in MoFT, MoH, MoE to manage Australian funds Training to build capacity of grantees / non-state providers to manage Australian funds 	<ul style="list-style-type: none"> Short- and long-term technical assistance, fewer in-line, more advisory, mix of public / private advisors does not matter Buildings and system upgrades Resources for operations and maintained budgets for agencies Support for organisational planning and management (corporate planning, internal policies and procedures, admin arrangements etc.)

6.6 (ii) **The delivery model: The SIRC was originally envisaged as extension of the High Commission's capacity.** Its role was to effect procurement (of TA, goods, and services) and to provide logistical support to the AHC whenever required. Over time its role was changed, incrementally, to a more programmatic one. In short – it was designed for one purpose, yet it suffered 'mission creep' to another. The evidence suggests enabling (logistics/procurement) facilities are not the same as development (programming) facilities. It is difficult to 'bolt on' functions to shift a facility from one type to the other: they require inherently different operating and programmatic systems.

6.7 **Arguably, the hybrid model that SIRC now represents has resulted in some perverse outcomes.** The Governance and Justice team leaders were recruited by SIRC, but they report to the AHC. Importantly they have responsibility for the supervision and oversight of technical advisers, but they have no formal

authority over them and no control over resources. Equally they have no 'reach-back' to a base corporate organisation.⁷

- 6.8 **The evaluation team heard reference to governance and justice program TA operating outside of a clear and shared understanding of roles, responsibilities, reporting lines and accountabilities.** This refers to the way both programs are managed. The formal organisational arrangements for oversight and delivery of these two programs are unusual. In most programs of this kind where the donor wishes to deliver a program of activities (rather than just one simple 'thing'), the delivery partner is a corporate body or organisation in its own right – it may be an NGO, a managing contractor, a university, or a church. A clear 'Principal-Agent' relationship is established, with the donor being the Principal and the implementing body the Agent. The Agent delivers what the Principal wants. It is akin to a Board – Executive arrangement, where the Board sets policy, strategy, annual goals, and key performance indicators, and then holds the CEO accountable. The CEO has the authority, resources and responsible to deliver, appoint staff and oversee performance, and is accountable for that performance.
- 6.9 **The arrangements for justice and for governance are not like this.** Here the donor is but one party, the SIRF - a logistical / recruiting body - is another, and then a collection of individually recruited TA constitutes a third block. The individual advisers have a contract executed by SIRF – but the contracting relationship is as far as it goes. The SIRF has no direct material interest in the performance of the individual adviser – it is not accountable for TA performance. Advisers in embedded positions report to another adviser who is also a singleton TA. Both Team Leaders have responsibility for professional oversight of the TA in their 'teams', but authority (for what is to be done, by whom, and by when) remains with the AHC. Decisions on resourcing also lie with the AHC. So, the AHC is playing the role of both the board and the executive. The two team leads have responsibility but no authority and no resources. This is shown schematically in the figure on the right. TAs formally report to the TL (the arrow with the solid line), while the TA has informal reporting to both SIRF and the AHC.

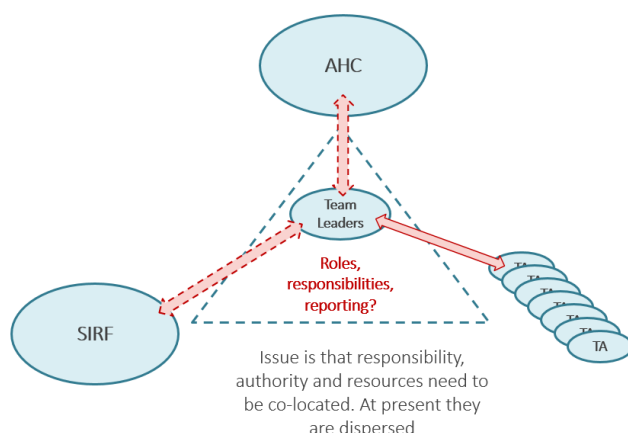


Figure 2. Contracting Arrangements for Justice and Governance Programs

- 6.10 **The Program's approach to technical assistance and capacity development.** Sometimes these terms were used interchangeably in the team's discussions. It is important to note that TA will always be an Input, while 'capacity development' can refer to either an Activity (training, mentoring, organisational change) or an Outcome (organisation X has now acquired the capacity to produce more widgets at a lower unit cost).
- 6.11 **TA has a poor track record in development.** However, this begs the specific question of its intent: is it to transfer learning from one individual to one local counterpart? Is it to transfer systems and processes

⁷ It should be emphasised that all interlocutors spoke very highly of both program team leads

to a department? Is it to transform the overall functioning of the agency? Is it to keep a function operational? All are legitimate. For both programs, the question is not whether or not to deploy TA; the question is in what positions and what role they are expected to play. DFAT should not have any predisposed of fixed position either in favour of, or against TA. Each case should be judged on its merits, and each position must have a strong justification, with clear roles and responsibilities. Section 8 presents four recommendations regarding TA.

6.12 **Capacity development.** The team identified four issues:

1. Confused terminology: capacity development, capacity supplementation, and capacity substitution are different. Many documents seen by the team refer to capacity substitution. The team discovered few, if any, instances of capacity substitution. Capacity substitution refers to an instance where an external actor *actively displaces* a national of equal competence – just as in a game of soccer where one player is substituted for another. Capacity supplementation refers to instances where additional resources are brought to supplement (i.e. add to) local capability. Supplementary capacity can be developmental or non-developmental. Capacity development by contrast is always developmental and can take many forms: short-term or long-term TA, in-line positions, organisational restructuring, pay and grading exercises, organisational twinning, and performance management.
2. Does either program know the precise causes of the ‘low performance culture’ of SIG public service? This issue is frequently raised in background documentation, but it was rarely raised in country. It seems there is a reluctance to raise the issue. There is talk of incentivising good performance (or at least some level of performance) but little about the consequences of poor performance. The governance program is not addressing this issue.
3. Capacity development is more about organisational and institutional change than it is about individual skills and competencies. The evidence shows that turning individual skills into organisational performance requires institutional change. Much of the two programs remain focused on individual training. It also has to be said that many of the team’s interlocutors asked for ‘more capacity building’ by which they meant training.
4. The role of cultural factors in performance: power–distance ratio, and collectivism versus individualism? Culture plays a major role in organisational performance. There is a large literature on this topic, and it is one that cannot be ignored.⁸ Melanesian societies, unlike their ‘western’ counterparts, have low power–distance ratios and prefer collective approaches to individual ones. These have major implications for public service performance.

6.13 **Role, breadth, and scope.** Is the scope of the program excessive? The evaluation team were asked to comment on the breadth, scope, and role of the two programs, but specifically the governance program. It is possible to make the case both ways, as summarised below.

⁸ See, for example, Hofstede, G. (Summer 1980). Motivation, Leadership and Organizations: Do American Theories Apply Abroad? *Organizational Dynamics*.

Table 6. Are the programs too ambitious?

No – they are not too ambitious:	Yes – they are too ambitious
<ul style="list-style-type: none"> Public service functionality demands an inter-sectoral, multi-institutional approach Agency matters as much as institutions in improving functional performance – demonstrable gains here Breadth allows AHC ‘flexibility’ to respond and remain entwined with SIG State performance requires accountability as well as technical skills 	<ul style="list-style-type: none"> Insufficient influence across too many intervention areas Commitment of SIG sometimes rhetorical (‘Pacific promises’) No clear sense of governance for what? Over-focused on individual competencies and organisational structures / systems, not institutional incentives, motivations, and consequences Limited AHC resources and narrow pool of implementers in the Solomon Islands to choose from – better to do a few things well than everything badly

6.14 **Answering** this question depends upon four things: (i) is there clarity about the problem being addressed (what are the binding constraints on service delivery?); (ii) knowing how to address this problem (is there a clear evidence-based response?); (iii) identifying an appropriate delivery mechanism; and (iv) are the necessary resources available both inside and outside the AHC?

6.15 **The evaluation team concluded that this question can only be answered in response to the strategic intent of the program.** If it is accepted that the three strategic objectives listed in paragraph 3.3 are legitimate, then of necessity a governance program has to be broad. There is little point in articulating elegant upstream policy settings unless these translate into better outcomes on the ground. Given SIG limitations in capacity and reach, some degree of co-production may be a pragmatic response. In the view of the evaluation team the breadth of the program is not the main issue – the main issue is what the program is designed to achieve and the consequential choice and design of activities and projects within the program (are they technically appropriate, politically possible and organisationally feasible?)

7 Key Evaluation Questions

KEQ 1: Do our interventions remain appropriate, fit for purpose and relevant to meet stakeholder needs? Are the program’s objectives realistic and on track to be achieved?

7.1 **Governance: mixed.** The governance program has two transactional components (1 and 2), an ambitious component (3) and a contextually challenging component (4). Components 1 and 2 (better budgeting and a growing PFM cadre) are perfectly legitimate- they are necessary (but not sufficient) successfully to address the country’s fiscal challenges. (In fairness, the design does not claim they will). The evaluation team are of the view that Components 1 and 2 should be maintained, as in and of themselves they are important. In any new governance program, Component 3 should be couched in less ambitious terms. Component 4 is discussed in paragraphs 5.17-5.18.

7.2 **SIJP’s multiple goals linked with a lack of clarity about SIJP’s strategic intent has resulted in a wide ranging and complex set of interventions** spanning many state and non-state agencies. The program has retained its strong, inherited emphasis on strengthening formal justice agencies at the centre. As discussed above, there have been successes in this regard. The key challenge, and weakness of the program in this respect is its limited ‘joined-upness’ in these efforts. The situation remains the same as stated in the 2015 mid-term review of Australia’s previous justice program:⁹ *fixing the system in one agency did not necessarily lead to an improved system across the whole sector.* Embedded advisers have been operating largely in silos within their organisations, and the opportunity to use the

⁹ Linda Kelly, Daniel Woods, Ali Tuhanuku. *Mid-term review of the Solomon Islands Justice Program*, August 2015

programming of SIJP funds as a way to encourage cross-agency (or even cross-adviser) working through joint problem solving has not been exploited, for example in relation to the remand population, or reducing the number of times cases are adjourned.

- 7.3 **The appropriateness of the strong focus on criminal justice agencies, could be questioned if SIJP's goal is to address Solomon Islanders' justice problems at the community level.** These tend to involve civil justice issues, including logging, land, conflicts, and grievances involving neighbours and families. This is now being redressed, through the program's increasing focus on Component 3. Efforts to engage at the community level are in their early stages and a dual approach appears to have been adopted: (i) to obtain evidence of the nature of the problems including through UNDP's Access to Justice Report, World Bank's research;¹⁰ Family Protection Act (2014) research and perception studies;¹¹ the Gender Equality and Social Inclusion Audit Report;¹² and the Review of Magistrate Court Provincial Circuits September 2018; and (ii) to fund a range of non-state/alternative actors¹³ involved in justice service provision and awareness raising. The submission of the SIJP funded UNDP Access to Justice Report to Cabinet could provide the focus for SIG engagement with access to justice provision at the community level. However, as discussed under KEQ 3 below, SIJP needs to adopt a more joined-up, and strategic approach to this component if the foundations laid are to translate into scaled-up improved access to justice services across the Solomon Islands.

KEQ 2 Are the delivery mechanism in place, including the use of the SIRF or TA the most effective for achieving program outcomes? What alternative processes should be considered now, and for future designs?

- 7.4 **The previous section considered the delivery model and the role of TA.** It is the view of the evaluation team that the SIRF, as designed, has performed well: interlocutors all referred to its efficiency and the responsiveness of the two team leaders and SIRF management. The team however have concluded that this model is *not* the most effective for delivering program objectives for the reasons set out in the preceding section. The team would propose replacing the current contractor model with a provider (or mix of providers), with responsibility for implementation of the governance program and one for the justice program.
- 7.5 **Following the 2018 Pieper 'Review of Facilities', the AHC should take responsibility for strategic direction, policy and joint oversight with SIG,** and hold the implementing partner(s) responsible for effective, efficient and equitable implementation: including achievement of outcomes. There should be a clear delineation of roles and responsibilities, and most importantly, clearly authorised levels of delegated authority to the contractor. AHC (and SIG) should retain responsibility for strategic direction and oversight, with the contractor(s) being responsible for defined Activities, Outputs and Outcomes.
- 7.6 **The question is not whether or not to use technical assistance (TA),** it is rather 'what is the most *effective modality* to achieve the outputs and outcomes being sought – TA, grants, analytics, training etc...'. In small states there will always be skills that are in short supply or not available at all. Further, where personal relationships dominate in a clientelist society, it may be impossible for nationals to speak truth to power. An expatriate can take actions that a national would find very difficult. In this regard, it is recommended that DFAT have no fixed policy positions on the use of TA, whether in-line or advisory, short-term, or long-term. Every case should be judged on its merits and according to the context and the degree of SIG political support for these positions (see section 8).

¹⁰ Including *Justice Delivered Locally*, World Bank, August 2013; World Bank CGGM perception surveys including the beneficiary survey for the CGGM Project Review, February 2017

¹¹ *Family Protection Act 2014* Annual Report 2017 and Women's Experiences of Family Violence Services in Solomon Islands November 2019 (draft report)

¹² Draft, January 2018

¹³ This includes civil society organisations such as Save the Children and the Christian Care Centre as well as organisations that are state/ semi state such as *Sief Ples* and the CGGM Project's community officers

- 7.7 **TA in SIJP:** About 80% of SIJP funds are delivered through the SIRE.¹⁴ To the extent that the program goal is strengthening formal justice agencies at the centre, TA appears to be used effectively, with a mix of advisers and line positions (the Director of Public Prosecutions, a High Court Judge, and the Public Solicitor). There were good examples of advisers and holders of line positions both operating opportunistically to support reform champions (for example supporting the Chief Magistrate's drive to increase case flow and increase court circuits) and introducing systemic change (for example the introduction of case reviews by the DPP). In some highly specialised areas where there is a skills shortage e.g. legislative drafting, it is difficult to see how the Solomon Islands will ever be able to move away from the need to recruit expatriate staff. The use of Australian Volunteers International to provide support and expertise at a more junior level appears to be effective.
- 7.8 **There is scope for embedded TA to be used more effectively,** as a coherent team, rather than 'siloed' in their individual agencies, and to have a much stronger, strategic focus on supporting SIG agencies to work collectively to solve key problems in justice service delivery. An additional approach that could be considered is a small-scale payment by results mechanism. This would need careful design, but the basics would be a grant/budget support given to say the Ministry of Justice and Legal Affairs (MJLA) but to be used across justice agencies to support the solving of a specific problem, say to reduce the number of remand prisoners or the backlog of Magistrates Court cases. The aim would be to encourage the agencies to work together to address the blockages causing these problems, and to use the funds for activities to deliver specific results – for example an x% drop in the number of remand prisoners. Success could result in the award of further funds, again tied to a specific target.
- 7.9 **SIJP has made extensive use of twinning arrangements** with Australian justice agencies, including the Northern Territory Office of Public Prosecutions, and the Northern Australia Aboriginal Justice Agency. Australian agencies saw these arrangements (if only for their own staff development) as largely positive but were less sure about their organisational and developmental impact in country. Solomon Island agencies saw these arrangements as strongly beneficial and positive, although progress to 'localisation' was seen as a long way off. The focus is on individual skills development through training and shadowing, rather than systemic change. Solomon Island employees reportedly gained in confidence, but it was questioned whether newly trained staff are able implement what they have learnt within the system they operate in.¹⁵ In some cases, there were questions about the relevance of the Australian agencies remit and ways of working to the Solomon Islands context. It was suggested that regional twinning arrangements could also be beneficial, in particular to review reforms that have worked in the Pacific Islands context. 'Reverse twinning' where Australian agency staff spend time in the Solomon Islands improved understanding of the challenges to be addressed and the relevance of interventions. A key concern is the lack of monitoring and evaluating the effectiveness and impact of twinning.¹⁶
- 7.10 **The other major spend is grants.** Funding provided to a range of organisations under Component 3 has enabled SIJP to test a range of approaches to improving access to justice. The evaluation team saw examples of effective and in some cases inspirational work by grantees. But the strategy underpinning the choice of grantees was unclear, and in some cases the link to SIJP's goal and outcomes seemed remote. Monitoring the impact of the grants (with the exception of the Community Governance and Grievance Management (CGGM) project) was weak. While there is operational coordination between grantees through quarterly meetings, there is scope for much stronger lesson learning across activities and strategizing about how to translate then into scaled-up improved justice service provision. Overall, as discussed under KEQ3 below, for these interventions to amount to more than the sum of their parts, there is need for a more strategic approach including monitoring of their impact on communities, and learning about what is working, and why.

¹⁴ Aid Quality Check Feb 2019

¹⁵ Evaluation interviews and SIJP TA Quarterly Report Jan-June 2019 reporting period

¹⁶ UK's ROLE UK which provides pro bono legal support in developing countries has developed a useful toolkit including ideas about how the impact of such inputs can be assessed https://www.roleuk.org.uk/sites/default/files/files/M%20%26%20E%20Toolbox%20paper_FINAL_ONLINE.pdf

Have the synergies envisaged with the joint design and shared resourcing of the programs been realised? (KEQ 2.2)

- 7.11 **Program synergies.** It was noted above that the original vision of a common management framework was never realised. To date the SIRF has provided excellent logistical support to the two programs, but as noted in paragraphs 3.6-3.9, this is not the same thing as a common corporate platform or management framework. Two questions arise: first, would the two programs have performed better if they had been managed as one; and second, should any successor programs be so managed? Answering both questions requires some speculation. The evaluation team has concluded that the issues with program performance (presented in the next two sections) arose primarily from weaknesses in the two program designs, the challenge of the Solomon Islands context, and misconceptions about how public service change happens in the Solomon Islands, rather than problems of management structure and oversight. The team have concluded that even with seamless integration of management oversight of the two (or three) programs, actual performance may not have been materially improved.
- 7.12 **SIJP-SIGP links are weak.** No connection appears to have been made between on the one hand SIGP supported reforms at the centre, such as the introduction of functional reviews, and improved budget processes, and on the other hand the scope to apply these potential improvements to justice service delivery.
- 7.13 **Successor programs?** If the foregoing assessment is in any way correct, the implication is that successor programs in governance and justice should continue to be managed separately.¹⁷ The evaluation team would recommend separate management arrangements, but (importantly) that they come together at senior level in the AHC and SIG with some form of oversight arrangement to ensure broad complementarity. The priority for the two successor programs will be greater clarity on strategic intent, more appropriate and context-relevant theories of change, and realistic definition of Outputs, Outcomes, and associated indicators.
- 7.14 **SIJP works closely with the gender program on violence against women and girls** and in particular on the implementation of the Family Protection Act (FPA) and more broadly on the coordination of relevant agencies and programs around the FPA. More generally linkages with the Solomon Islands Police Development Program (SIPDP) have been weak. This is particularly disappointing, given the role of the RSIPF in the functioning of criminal justice system. Many stakeholders saw weaknesses in RSIPF's file handling as being a key cause of downstream delays and inefficiencies in processing cases.

KEQ 3 Are the programs using the best mix of modalities to achieve their results? Are the programs enabling change and supporting SIG to transition to a sustainable model of assistance?

- 7.15 **Technical Assistance?** Both programs rely heavily on TA. There is nothing intrinsically wrong with TA; it all depends on the objectives chosen. The mistake in many development programs is to place too high a set of expectations on what TA can deliver. By providing one embedded adviser (or even a line position) it is unrealistic to expect transformational organisational change. The lesson is for clarity regarding roles, responsibilities, and expectations.
- 7.16 **Alternatives to TA are hard to see in many line agencies of the SIG.** The justice program has had some success with twinning arrangements (itself a variety of TA). In these types of *institutional* programs, where the aim is to influence the formal and informal rules of the game which influence, if not determine, individual and collective behaviour, money is definitely *not* the problem. The challenge is to design systems and process that fit the Solomon Islands' context, and which incentivise individuals and departments to act more effectively in the public interest rather than for private gain. The only way to do this is to put in place long-term collaborative programs with key ministries, departments,

¹⁷ It is also worth noting that while 'justice' and 'the rule of law' are usually seen as 'governance' initiatives, the judiciary is an independent branch of the state (in the sense that its decision-making (judgments) should be independent). The concept of judicial independence can present challenges in taking forward governance initiatives in the justice sector which involve both the judiciary, and the executive agencies (e.g. Police and Prisons)

and agencies and, over-time, ‘nudge’ the rules of the game and their implementation in the right direction. The experience of MoFT over the last decade shows that this can work – albeit with slow progress. However, there few if any, other options.

KEQ 4 The monitoring evaluation and learning system

- 7.17 **Strengths and weaknesses:** A SWOT analysis is outlined in Table 22. The major strength is the commitment to learning the team found in both programs, as well as the skills and competencies of the MEL team. The major weakness was an overly complicated framework, the absence of baselines, limited data availability, and difference information needs required by key stakeholders.
- 7.18 **Do current arrangements represent the best use of resources?** Answering this question depends on the function the MEL unit is meant to service. Form (the MEL resourcing and structure) must follow function. It is clear that key stakeholders do not share a common strategic vision for the governance and justice programs, and therefore the expectations on the MEL unit differ. Is the function primarily accountability? Is it program learning and adaptation? Is it building SIG capacity to monitor and assess its own performance? Is it creating public diplomacy pieces for the AHC? Or is it the commissioning and communication of research and analytic products on challenging governance and justice issues in the Solomon Islands? Is it LTU building Pacific MEL capacity? Or is it all of these?
- 7.19 **The team’s assessment of the current resourcing profile for MEL** (a largely autonomous MEL unit, which was until recently reporting to DFAT) coupled with the fly-in fly-out (FIFO) support of an Australian academic institute – is that it is best set up to service a learning, Pacific capacity building and research agenda that sits across the three programs. Yet these functions appear to have been de-prioritised by the AHC and SIG since LTU was engaged and the MEL unit established. Notwithstanding the reasons why an independent MEL unit and external Australian institute were engaged for the SIRF – it is clear that, if the focus is now on better servicing governance and justice programming needs and improving on core accountability requirements (baselines, outcomes reporting and so on) there may be more efficient ways to structure resourcing. This decision comes with trade-offs.
- 7.20 **How can the MEL system be improved, including priorities to best support and drive progress within the program?** While there are suggestions to be made regarding the next 18 months (see next paragraph), the evaluation team recommend no significant changes be made to the overall MEL structure and approach until the strategic intent of the two programs, and thus the functions and purpose of the MEL Unit and LTU arrangement, are clarified. In short, the programs must know *what* it is they are trying to achieve (strategic intent – see recommendations above) before they know *how best to measure* whether or not this is being achieved (MEL framework and approach).
- 7.21 **Next 18 months.** Re-focus on getting accountability functions working effectively and simplify some processes: (i) fewer indicators and focus on measuring what matters most, especially at Outcome level; (ii) focus on Outcomes reporting and evidence for claims; (iii) embed MEL team in the program; (iv) confirm baseline measures in place; (v) ensure all key MEL documents are aligned; (vi) get analytic agenda in place and focus on quick / rapid case studies that are of high policy relevance (and have a user uptake strategy in place); and (vii) continue some learning processes where there is SIG buy in.

8 Governance: The Evaluation

The design

The Solomon Islands Governance Program commenced on 1 July 2017 and is aimed at building on public sector reforms and the achievements of previous governance programs. The goal is to influence the cross cutting institutional and policy issues that affect performance and effectiveness of public service delivery, and achieve four End of Program Outcomes (EoPOs) through:

- Fiscally and socially responsible budgeting and borrowing
- A professional PFM cadre that facilitates improved service delivery
- A more accountable and responsive public service
- Strengthening coalitions for reform.

8.1 **The SIGP's design is focused on providing an enabling environment for public sector reform (both in PFM and public service performance).** These objectives inform the four intermediate Outcomes (IO) of the design¹⁸:

1. IO 1: Improved budget planning and execution; Strengthened medium-term recurrent and development budget framework; Debt remains within manageable levels; and Effective and efficient collection of Customs revenues.
2. IO 2: Improved quality of government expenditure across government; improved procurement and payment processes; strengthened internal and external auditing; increased pool of skilled financial, procurement and audit officers.
3. IO 3: More efficient and effective human and technical resources across government; increased and better opportunities for women; enhanced reach and capacity of the SIG ICT systems; and
4. IO 4: support the IOs of all three EoPOs.

8.2 **Two features of the IOs stand out. First, the new governance program is focused on 'horizontal' cross-government capabilities, procedures and processes that affect the performance of the public sector as a whole.** The governance program aims to remove barriers that exist in service delivery that often come from poor PFM and lack of capacity in public service systems (both at the individual and organisational level) by:¹⁹

- Supporting and fostering the conditions for effective budget and debt management, contributing to overall macroeconomic stability and economic growth
- Supporting and fostering the conditions for more effective and responsive government agencies (including greater gender equity), thereby contributing to better service delivery, both enhancing human development and supporting social stability
- Working in collaboration and coordination with the police development and justice programs, thereby contributing to enhanced community and private sector confidence in the rule of law – an essential precondition for sustainable economic growth and for social stability.

8.3 **Second, the link between governance strengthening and reform on one hand and improved service delivery for citizens on the other, is complex and non-linear.** While the activities supporting the PFM and public service systems and capacity might address some of the potential blockages to service delivery, they may not necessarily fill the gap between 'necessary' and 'sufficient' in terms of improved service delivery across all sectors in the Solomon Islands.²⁰ This implies that SIGP is working in close

¹⁸ Solomon Islands Governance Program Design 2017 to 2021

¹⁹ Solomon Islands Governance Program Design 2017 to 2021, pp7-8

²⁰ Ibid

collaboration with Australia's programs in health, education, transport, justice and policing to ensure other programs benefit from SIGP and vice versa.

- 8.4 **The design is also based on the premise that the SIGP needs to adapt to the changing political context of the Solomon Islands and provide tailored responses to SIG's capacity needs and expectations.** Sustaining change implemented through SIGP will depend on the long-term commitment of SIG. To sustainably improve service delivery, the SIGP design is aimed at moving beyond technical assistance to improving local capacity that ensures service delivery in Honiara and across the provinces. SIGP also aims to improve gender and inclusion outcomes through gender mainstreaming of the public service and pilot gender and social inclusion budget impact analyses.
- 8.5 **The design indicated a budget of AUD7.5 million per annum and notes – presciently – that the program's success will be dependent upon SIG commitment and is exposed to high political risk** (page 7). While this is undoubtedly true – and as the evaluation demonstrates – the design was exposed to a high degree of *technical* risk. The design notes that “...senior program staff must be politically sophisticated and nimble, and an element of flexibility and adaptability is front-loaded into the program design and program budget to allow it to respond to opportunities as they may arise” (p 7). Further, that “...strengthening central government agencies does not necessarily result in a ‘trickle-down’ improvement in the performance of line / service delivery agencies” (p 14). Both are major assumptions and while external staff may indeed be politically astute, donor programs often find adapting to contextual changes in real time is hard to achieve.
- 8.6 **While it is the case that the governance strategy fleshed out the higher level objectives of the Overarching Strategy, the evaluation team have concluded that its way of working repeated the failings of the past in that it *relied heavily on the assumption that upstream system improvement would results at some point in improved downstream service delivery*.** The Manning Review of 2014 demonstrated clearly that this cannot be assumed.²¹ Manning noted:

“Service delivery progress with SIGOV – history repeats

The story of the Australian support for public sector reforms within the RAMSI period (section 2b) and the more general research finding about public management reform programs in fragile and conflict-affected states (section 2c) is that intensive support for changes at the centre does not lead to commensurate downstream improvements in results. It is of course very early days, but it seems likely that the same theme is emerging in SIGOV. Certainly, the impact of the very real changes at the central agency level on the behaviour of line ministries and the achievement of downstream service delivery is hard to detect in recent documents available to the review team”.

The evaluation

- 8.7 **The terms of reference for this evaluation require the team “to assess progress against program objectives”²².** This is not quite as straightforward as it sounds as:
- The governance design of 2016 includes a set of four year and ten year ‘achievements’²³ as well as an ‘Indicative Results Framework’²⁴ (to be tracked every year) which do not align
 - In August 2018, the MEL Unit, with support from La Trobe University, produced the ‘Monitoring, Evaluation & Learning (MEL) of the Solomon Islands Governance Program (July 2017-June 2021). This specified changes that were to be expected by June 2019.

²¹ Nick Manning (October 2014) ‘Independent Review of DFAT’s Solomon Islands Economic and Public Sector Governance Program (SIGOV)

²² Terms of Reference, Purpose section, un-paginated

²³ Op cit, p 32

²⁴ Ibid p 57

- 8.8 **The approach taken by the evaluation team was twofold:** to assess progress towards the 2019 ‘results’ and offer judgements on the likelihood of meeting the longer-term (four and ten year) ‘targets’. The four sets of required ‘results’ are set out in Table 3. There are a varied mix of objectives:
- Some are expressed in terms of inputs (fewer TA)
 - Some are expressed in terms of activities (robust budget preparation)
 - Some are expressed in terms of perceptions (awareness of gender issues, and public perceptions of service delivery)
 - Some are expressed in terms of systems (number of agencies connected to SIG Connect)
 - Some are expressed in terms of outputs (an increased pool of accountants, and efficient and effective procurement practices)
 - Some have nothing to do with development results at all (the absence of fraud in the budget support operation).
- 8.9 **What is striking is that few, if any, of these results are expressed in terms of Outcomes** – even the ten-year ones in the Design document. The only one that can be considered an Outcome is SI external debt ‘remaining manageable’. The six indicators in the 2016 ‘Indicative Results Framework’ for a more accountable and responsive public service have little to do with an accountable and responsive public service. There is a sense that no-one quite knows what should be measured and why. Is it something about fewer TA? More women in government? Better procurement? Continued revenue collection? Greater awareness of this, that or the other? Equipment working well? It is not that these indicators are not useful, it is that they are inconsistent, rather mixed up, and focused on the lower half of the program logic. Few, if any, are the measures of the two developmental goals being sought: economic growth and better service delivery.

Table 7. Governance Results

Four year (from the 2016 Design)	Ten Year (from the 2016 Design)	Indicative Results Framework (2016 Design)	Two year (from the 2018 MEL, Highlights)
<ul style="list-style-type: none"> • More robust budget preparation and execution • Improved quality of government expenditure • Increased understanding of and implementation of the PFM Act subsidiary legislation by line ministries • Increased pool of skilled accounts, procurement, and audits officers • Strengthened engagement by the civil society and private sector on PFM issues • Customs and Excise Division operating effectively without long-term advisory support • Greater awareness of gender issues within the public service • Strengthened middle level of management in SIG • More effective follow-up of underperformance and misconduct in the public service • SIGCONNECT operational in all provinces • Absence of fraud against budget support provided through the Australian Aid program 	<ul style="list-style-type: none"> • Measurable improvement in public perceptions of service delivery • MOFT operating effectively with greatly reduced advisory support, including localised Accountant General • SI external debt remains sustainable • Efficient and effective public procurement practices across the public sector • An effective, public service-wide network of internal auditors • A measurable increase in female leadership in the public service • SIG ICT services operational in all provinces and at the sub-provincial level • Absence of fraud against budget support provided through the Australian Aid program 	<p>Fiscally and socially responsible budgeting and borrowing</p> <ul style="list-style-type: none"> • Robust budget preparation and execution rubric rating for selected government portfolios • Debt service ratio • Budget utilization rate • Proportion of budget for specific gender, inclusive services, and actions per agency • Number of agencies undertaking gender and social inclusion budget analysis • Absence of fraud against the Australian Aid program delivered through budget support <p>Professional PFM cadre</p> <ul style="list-style-type: none"> • Quality of government expenditure rubric rating for selected government portfolios • Understanding of the PFM Act subsidiary legislation by line ministries • Strengthened middle level management in SIG • Number of Performance Audits by the Auditor General • Imprest management system user satisfaction rates • Error rate on transaction process (distribution and acquittals) • Number of misconduct matters referred to the Ministry of Public Service • Proportion of misconduct files submitted that went to case • Number of submitted, lost, and progressing misconduct files per agency? • Number of internal procurement officers in agencies • Number of women and people with disability in senior positions within SIG • Number of women and people with disability working in public service (disaggregated by level) <p>A more accountable and responsive public service</p> <ul style="list-style-type: none"> • Awareness of gender issues within the public sector • Number of agencies connected to SIG Connect • Number of agencies using SIG connect • Number of agencies doing direct entry into AX system • Number of new women in leadership positions per agency • Number of younger women, men and people with disability involved in capacity development opportunities per agency <p>TA performance</p> <ul style="list-style-type: none"> • Number and proportion of TA meeting performance expectations • Reduction in TA placements due to a declining need for technical support over the life of the program, with year 1 and 2 serving as the baseline, disaggregated by line ministry and type of TA placement 	<p>Expectations by 2019:</p> <ul style="list-style-type: none"> • Recent improvements in PFM and procurement are maintained and consolidated in larger line ministries and the foundation for further reform is built • SIG manages its debts with short-term discrete TA inputs, rather than a resident LTA <ul style="list-style-type: none"> • Customs is operating well with less advisory support (one LTA from July 2019) • Coalitions for reform are starting to form • The SIG Advisory Committee is helping track whether the Program is helping improve service delivery • SIG-Connect is rolled out further across the country, and there is greater uptake and usage of IT systems by SIG • MPS has strengthened systems, processes, and capacity to take disciplinary action • The Program involves a reduced number of LTAs in SIG agencies, and the funding increasingly goes to supporting SIG-led initiatives, targeted STA, twinning/partnerships or innovation and research activities • Evidence of SIG mainstreaming gender equality in its programs and development of family friendly work policies.

Progress against two-year and end of program targets

Component 1: More fiscally and socially responsible budgeting & borrowing policies.

- 8.10 **The evidence here is largely positive.** There seems to be agreement that the MoFT is stronger – in the sense that its formal processes are becoming increasingly institutionalised. By this is meant that good financial practice is becoming more *routine, and the norms around such practice are more widely accepted and practised*. The concern expressed to the team was twofold: first that such practices are dependent on a narrow cadre of senior offices, and that this cadre is vulnerable to sudden dissolution through postings, resignations, and retirement (Table 8).

Table 8. Component 1: Better budgeting and borrowing

End of Program Targets	Achievements to be made by June 2019	Comments / Observations
<ul style="list-style-type: none"> Improved budgeting Strengthened medium-term budget framework Debt manageable 	<ul style="list-style-type: none"> Stronger MoFT capacity Better line agency submissions Improved MNDPC performance DMU performance No TA 	<ul style="list-style-type: none"> Evidence that MoFT capacity being institutionalised – but dependent on key individuals. Fragile and not yet routine MoFT outreach and impact limited – MDAs budgeting poor Unable to meet MNDPC DMU: AOFM twinning working well Evaluation team uncomfortable with indicators and judgements w.r.t 'confidence' of staff
<ul style="list-style-type: none"> More effective & efficient customs 	<ul style="list-style-type: none"> SICED revenue meets targets SICED modernising 	<ul style="list-style-type: none"> Revenue targets met despite reduced TA

- 8.11 **The recent performance of Customs and Excise is encouraging:** revenue targets have been met despite a reduction in TA. Debt management remains under control, but it is likely to be dependent on external support for the foreseeable future. The twinning arrangement with the Australian Office of Financial Management (AOFM) appears to be a success. The team were informed that AOFM TA was of high quality, responsive and timely.
- 8.12 **While progress towards end of program targets (taken from the 2018 MEL framework) are also positive,** there is no clear line of sight to service delivery and hence development outcomes.

Component 2: Growing the professional Public Financial Management cadre & Systems that facilitates improved service delivery.

- 8.13 **This Component is important but only slowly making progress.** The draft 2019 January to July Governance Progress Report lists the training undertaken, the regulations drafted, the TA in place, the compliance checks conducted, and other worthwhile activities. However, two challenges arise – one immediate and pressing, the other longer-term and ultimately inhibiting. The immediate challenge is to train *and retain* a sufficient cadre of officers with appropriate levels of accountancy and financial management skills. This is hard enough. But harder is the longer-term challenge of creating an environment that values and respects *a budget* – which after all is merely a plan to allocate scarce funds to priority activities and to stick to it. And respecting the budget is but one small part of a political economy where politicians and senior bureaucrats want to:
- Limit their own freedom of manoeuvre
 - Constrain or discipline the financial system to act more accountably

- Widen the space between the private and public spheres in the body politic
- Shift the role and functioning of the public service away from one based on patronage and *wantokism* toward one based on public service and the creation of public value.

8.14 **It is difficult at present to discern any of these trends.** Thus, despite this component being critical, it is hard to be optimistic regarding its achievement even in the medium term (Table 9).

Table 9. Component Two: PFM cadre

End of Program Targets	Achievements to be made by June 2019	Comments / Observations
<ul style="list-style-type: none"> • Improved quality of government expenditure • Improved procurement and payment processes • Strengthened internal and external auditing • Increased pool of skilled financial, procurement and audit officers 	<ul style="list-style-type: none"> • MOFT has functioning procurement office • Tender Board • AX system functionality • OAG increased performance and functionality • Internal audit improved • More women • Processes in place for responding to harassment 	<ul style="list-style-type: none"> • No functional reviews yet approved or implemented

Component 3: A more accountable and responsive public service.

8.15 **This is a huge objective.** Table 10 lists the end of program targets and their July 2019 counterparts. What is striking is the deep mismatch between the objective and the indicators. The end of program targets do not necessarily measure a more responsive public service and say nothing at all about accountability. What sort of accountability? Social accountability (bureaucrats to citizens)? Popular accountability (politicians to citizens)? Executive accountability (bureaucrats to their seniors and Permanent Secretaries to Ministers)? Or political accountability (the Executive to the legislature)?

Table 10. Component 3; A more accountable and responsive public service

End of Program Targets	Achievements to be made by June 2019	Comments / Observations
<ul style="list-style-type: none"> • Enhanced reach and capacity of the SIG ICT systems • More efficient and effective human and technical resources across government • Increased and better opportunities for women in the public service 	<ul style="list-style-type: none"> • ICTU to have annual plan • SIG Connect to be rolled out • ? Ministries using HRMIS • ? Implementation of revised Line Ministries structures approved by PSC • OCA monitoring indicates changed confidence and ability of MPS to carry out its core functions 	<ul style="list-style-type: none"> • Increased no. of SIGConnect users • Lots of training courses • ICTU server procured • ICTU 5-year work plan • No functional reviews implemented • No progress on discipline – no systematic approach to complaints handling • 32 women now in senior positions – 3 PSs

8.16 **This component of the governance program is the most ambitious and the most problematic.** It stands in contrast to Components 1 and 2, which are largely transactional (better budgeting and borrowing, and a pool of financially competent managers). Component 3 seeks to transform the public service. The over-riding question is whether the political economy of the Solomon Islands is now such that it is feasible to put in place a more capable, accountable, and responsive public service

– in short, a Weberian bureaucracy. It is legitimate to ask what has changed since 2014 when Manning noted:

“...if the weak incentives for line departments to provide services on the ground service the implicit political purpose of keeping MPs central and protecting their electoral base, what is it that SIGOV and the central agencies might do which would change those incentives?” (p 23).

Component 4: Strengthened Coalitions for reform

- 8.17 **This component sits somewhat awkwardly with the other three.** Conceptually it makes sense; but practically, it has been difficult for both DFAT and SIRF to operationalise. Given that the majority of the SIGP is focused on upstream, core functions of government – having a component that invests in the ‘demand side’ accountability and transparency of government institutions, especially as it relates to budgeting and service delivery, is logical. Yet in practice this component has become something of a ‘catch-all’ for such demand-side interventions – without a clear rationale for why and how these investments will lead to ‘improved transparency’. Investments to date have included:
- A grant to the Institute of Solomon Islands Accountants (AUD \$217,360 from 2017-19)
 - Support for the Office of the Ombudsman and Leadership Code Commission through the Australian Office of the Commonwealth Ombudsman (AUD \$344,370 from June 2018-May 19)
 - Commissioning of a study on the nature of civil society in the Solomon Islands by The Asia Foundation.
- 8.18 **In terms of progress towards outputs and end of program outcomes: evidence for the former is observable but limited for the latter.** The program had set itself a modest target of having a civic education, leadership / dialogue coalition strategy endorsed by the stakeholder group by 2019. This output appears to have been met. A strategy (‘internal discussion draft’) has been developed, based on evidence compiled by the Asia Foundation in its 2017 scoping study (although it was unclear if this has been endorsed or who the ‘stakeholder group’ is). The strategy has six areas: (i) strengthen local voices (professional networks, civic engagement program); (ii) strengthen accountability institutions; (iii) connect civil society to government through Components 1 to 3; (iv) work with the Australia NGO Cooperation Program; (v) use donor policy dialogue; and (vi) action research. More importantly however, is the question of whether this strategy – its assumptions and activities – are likely to achieve the end of program outcomes or not. Three points can be made:
- **The focus on civil society and on transparency.** It is well-evidenced that one of the most significant challenges affecting state functionality in Melanesia is the way that accountability relationships are patterned. Informal and existing systems of exchange and reciprocity (based on locality, patronage and clan) do not reinforce Westminster systems of government, which tend to rely on formal and impersonal check and balance rules, regulations and clear divisions of power and authority. Transparency is one part of how accountability relationships function in Melanesia; but not the only component.
- It is also known that pro-reform change in Melanesia does not happen in a typical ‘demand and supply side’ way. Rarely do media, civil society, and citizens group together to ‘demand’ something of their government; which in turn government then ‘supplies’. Experience of successful reform coalitions in Melanesia indicate that change involves: a wider variety of actors beyond civil society (including from inside and outside government) and networks; that ‘membership’ of these coalitions may change over time; that they can be formal or informal in nature; and that they exist in varying forms – latent, emerging or active; and often converge around issue rather than organisational or systemic change.
- **The focus on professional networks and formal check and balance institutions.** While doing worthwhile activities in and of themselves, the team found little to suggest that (aside from the JANUS taskforce) these institutions were likely to have a transformative effect on the way in

which accountability relationships are patterned in the Solomon Islands. At least in the short-term. This comes back to the points made above.

- **The EoPO.** The ultimate impact of this outcome area is ‘greater transparency’. But transparency for what ends? How does it relate to the other three governance components and broader Australian investments in justice and health and education? We would suggest this Component would therefore be better re-framed as a series of issue-based outcomes: substantive reform or regulatory changes that would enable the more effective delivery of services. Transparency is one of the strategies that coalitions or networks can use to achieve these reform outcomes – but it is not an ends in itself.

Table 11. Observations about EOPOs

End of Program Targets	Achievements to be made by 2019	Comments / Observations
<ul style="list-style-type: none"> • Increased Government dialogue with civil society leading to greater transparency 	<ul style="list-style-type: none"> • Civic education, leadership/dialogue coalition strategy endorsed by stakeholder group. 	<p>Some progress at output level:</p> <ul style="list-style-type: none"> • 2017 Scoping Study on Civil Society produced by TAF • Component 4 ‘internal discussion draft produced 2018’ (status unclear, endorsed by whom?) • Little progress at outcome level. Key questions about approach, focus of the EoPO and theory of change remain

Governance progress: a summary

8.19 There are three high-level messages arising from the assessment of the Governance program’s progress towards its objectives:

- The difference in scale, scope, character, and challenge of Component 3 vis a vis Components 1 and 2 is impossible to overstate. Indeed it could be argued that Components 1 and 2 are ‘merely’ two minor inputs necessary for the achievement of Component 3;
- There is scant evidence yet that the formal rules of the game (laws, policies, procedures, regulations, systems and processes) are taking precedence over the informal rules of the game (privileging private gains, favouring wantoks, the acceptance of a poor performance culture, absenteeism, and the seeming unwillingness to deploy agency²⁵); and
- Component 1 alone is making reasonable progress, but even these gains are fragile and vulnerable.

²⁵ This is something of a generalisation. The evaluation team met many impressive senior leaders who have indeed embraced their agency and are battling against the pernicious effect of the dominant informal rules of the game

8.20 **Strengths and weaknesses of the governance program** are summarised overleaf.

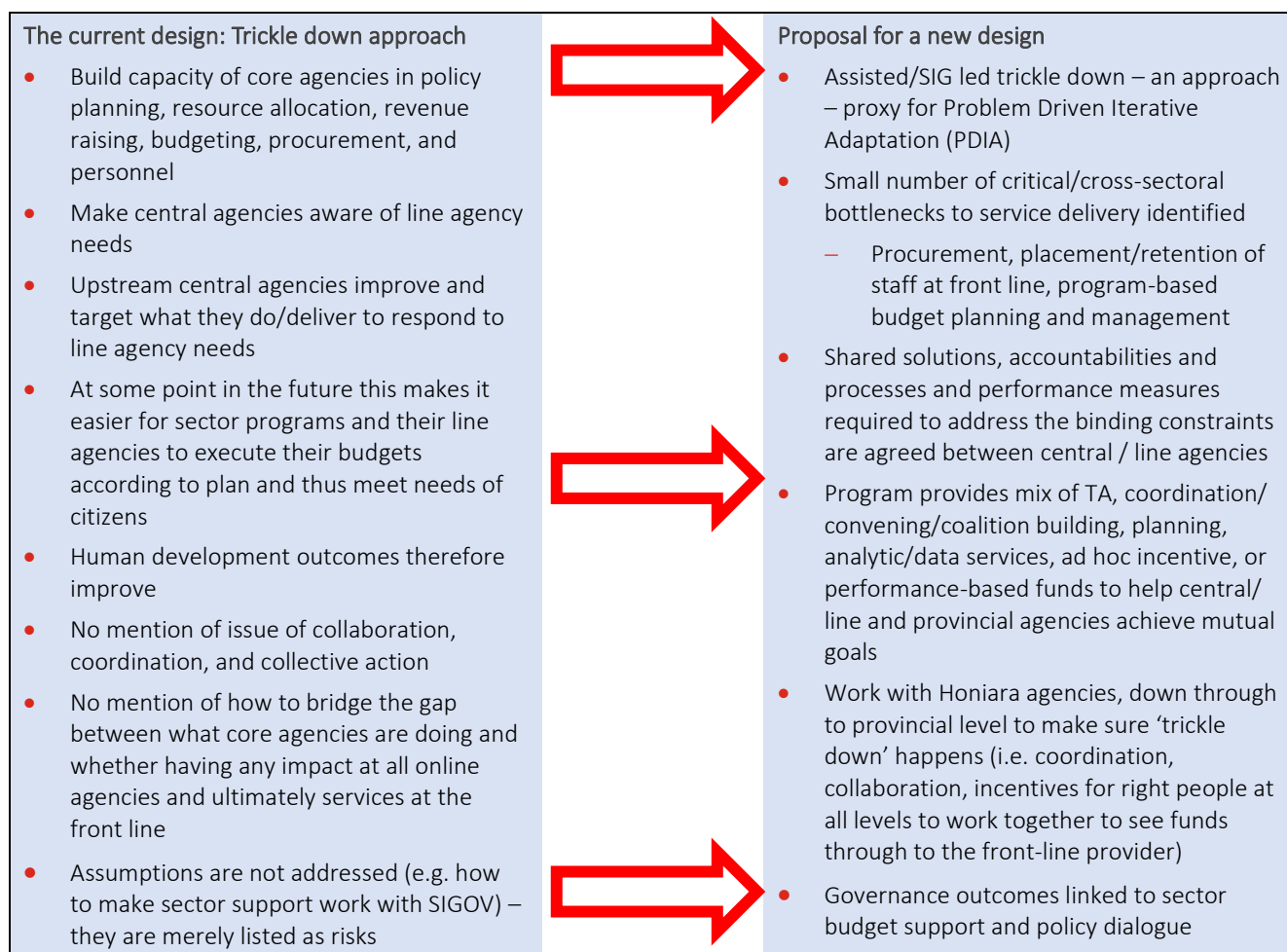
Table 12. Strengths and Weaknesses of the Governance Program

Strengths	Weaknesses
<ul style="list-style-type: none"> Reasonable progress against a narrow range of indicators: MoFT improving, debt management, Customs revenue, SIG Connect, rules and regulations, procurement Reasonable progress on broadly defined 'PFM cadre' objective Evidence of stronger PFM leadership and commitment Some evidence that in some areas twinning e.g. AOFR is proving effective and valued Strong SIG support at senior levels Well managed SIFP and effective team leadership 	<ul style="list-style-type: none"> Components 1 and 2 different in ambition, scale, and character to Component 3 Component 3 in some ways doomed to fail from the start Modest achievements on Component 4 Three functions of budget (macro-stability, inter-sectoral allocations, and efficiency of expenditure) ignored in favour of ill-defined indicators e.g. 'improved quality of government expenditure' and 'confidence of staff' Some incoherence across indicators (IOs, 'two, four year and ten-year achievements', 'indicative results') Six monthly reports focus on reporting inputs, activities, and outputs Limited linkage made to Outcomes

Commentary and issues for consideration

- 8.21 **The next iteration of any governance program will depend on decisions taken regarding judgements among the three options outlined in paragraph 3.2.** The overarching goal of Australia's investments in the Solomon Islands is a stable Solomon Islands state. Thus, from a governance perspective, this will require *some* effective, efficient and equitable services to be delivered; it will require a government that is *in some ways* accountable and responsive to its citizens, and it will require *a close* functional and trusted relationship with Australia. Thus, elements of each of the three options should be reflected in future programming.
- 8.22 **Figure 3 on the next page summarises how the evaluation team suggest the current governance program evolve.** It is based on a more evidence-based assessment of how change happens (drawing from the Manning report), and the evaluation team's **international** experience.
- 8.23 **Check and balance institutions?** The evaluation team were not convinced of the value added by supporting some of the 'check and balance' institutions, such as the Leadership Code Commission and the Ombudsman. Both are poorly resourced and not politically influential. Until there emerges evidence that SIG wishes seriously to **address** issues of integrity and non-compliance, it is suggested that the AHC review the case for further support.
- 8.24 **Support to the Public Service Commission (PSC) is harder to call.** In principle such support should constitute a major plank of any strategy to put in place a 'capable and responsive public service' (Component 3 of the Governance program). However, the PSC's lack of influence and meagre resourcing limit its impact. However, the evaluation team do not think this is sufficient justification for full withdrawal. The PSC will be one source of pressure for positive change and **given** its central role in all aspects of human resources management and deployment, continued modest support is justified.

Figure 3. From Trickle Down to a Problem Driven Approach



8.25 **Constituency Development Funds (CDFs).** In some ways CDFs represent SIG’s home-grown public service reform program: citizens like it, MPs like it, whereas donors and NGOs seem not to like it. The view of the team is that it is better to participate in the program in some way – and nudge it toward accountability and coherence- rather than ignore it. DFAT’s governance program in PNG is now implementing a program that works alongside CDFs in that country.²⁶

8.26 **Options include:**

- DFAT can request that SIG ensure the transparency and accountability of all public funds
- DFAT can offer additional monies to the CDF as a quid pro quo if the SIG puts in place serious transparency and accountability provisions
- DFAT could offer additional funds to the CDF, but with conditions attached. Under this option the additional funds must be used for any / all of the following:
 - Supplementing and earmarking line ministry budgets for expenditure in the constituency
 - Supplementing and earmarking provincial government budgets for expenditure in the constituency
 - Providing specific funds for community development activities, possibly being implemented through the current Rural Development Fund (RDF).

8.27 **What is in it for SIG/MPs?** If designed and implemented with sufficient attention to detail, the additional spending would be associated with the MP and thereby increase his or her own legitimacy

²⁶ The Kina for Kina program

from all the community, not just wantoks. This may (there is no evidence that this will work – but equally there is no evidence that it will not) nudge the patterning of political accountability in the right direction.

- 8.28 **Why should DFAT choose this option?** Apart from asking what the alternative is, funds spent this way would have a short-term ad direct impact on service delivery, they may provide some life blood to line ministries, and if channelled through the RDF there is a reasonable surety of success. DFAT may wish to prescribe closely the use of the funds and demand a high level of transparency and accounting in their use. However, this would not be technically difficult to put in place.
- 8.29 **DFAT may also wish to require additional conditions.** In proposing such a scheme, DFAT could consider requesting that the growth in CDFs be contained and that over time the proportion that is earmarked for public goods be increased.
- 8.30 Table 13 outlines how a revised governance program could be framed.

Table 13. Application of approach for the governance re-design

<p><i>“Governance for improved state performance”</i></p> <p>The Solomon Islands state is incentivised to solve its own problems of basic service delivery (however defined by SIG), with support from Australia</p>	
Goal: (line of sight)	<ul style="list-style-type: none"> • Governance program goal is a more functioning and effective state as measured by the service delivery goals set for health, education and possibly justice
IO / EoPOs (contribution)	<ul style="list-style-type: none"> • Program designed to enable SIG actors to ‘solve’ critical/systemic service delivery bottlenecks that prevent funds or people or assets making it down to the front line
Upstream/downstream	<ul style="list-style-type: none"> • Does not prescribe limits. Point is to help SIG solve the bottleneck and see that resources reach the front line • Works with relevant Honiara agencies, down to the Provincial level to make sure that ‘trickle down’ happens (i.e. coordination of right people at all levels to see resources through to the front-line provider)
Focus of efforts	<ul style="list-style-type: none"> • Systems, processes (informal and formal): proxy for institutional change • Support individuals and those with desire to work collectively and have power • Could still have some capacity supplementation if required • No focus on organisational change • No focus on capacity building of individuals across agencies for the sake of it
Modalities	<ul style="list-style-type: none"> • Single AHC governance/sector messaging through sector support policy dialogue • Possibility of performance-based funding in health/education • Sector budgets linked in some way to achievement or progress against the bottlenecks identified (therefore requires all MDAs and TA to work together) • Support for agencies to monitor progress against shared objectives/bottlenecks • TA but in a different form: TA in central and sector agencies have shared ToRs and performance goals against common issues; require TA to collaborate and convene cross-sector planning (internally and with SIG counterparts) • Support for convening, collaboration, cross-sector working group mechanisms, joint planning for agencies – both formal and informal • Coalitions support (the softer quieter elements): a small fund to be used to support individuals wanting to push change through –e.g. would have provided funding for STA to help magistrate gather information on case back-log issues

9 Justice: The Evaluation

The design

- 9.1 The four-year AUD32 million Solomon Islands Justice Program (SIJP) commenced on 1 July 2017, building on Australia's previous justice programming which dates back to 2003. The Program Design Document sets out SIJP's goal: that *communities in the Solomon Islands have greater access to a credible justice system that supports the rule of law*.
- 9.2 SIJP's goal sits under the Overarching Strategy²⁷ goal, shared with SIGP and SIPDP, that *communities in the Solomon Islands are safer and experience better access to services*. The overarching goal suggests that SIJP's focus was to be on communities' access to justice service delivery. However, the SIJP specific goal encompasses a broader set of objectives. As well as improving access to justice, the aim is that the justice system should be 'credible' (it is unclear to whom); and that there should be rule of law (a contested term, but basically a fair, rules-based system that applies to all). These objectives are inter-linked, but distinct. Each implies a particular approach and set of activities.
- 9.3 SIJP's goal was to be achieved through four EoPOs:
- Justice sector agencies are increasingly capable of delivering core services (Component 1 – justice agency strengthening)
 - Legislation is supported by sound policy development, is clearly written, and well understood (Component 2 – legal policy and legislation)
 - Access to justice for Solomon Islanders is improved (Component 3 – access to justice)
 - Good practice in leadership, decision making, public sector management and community engagement is increasingly demonstrated in the justice sector (Component 4 - whole of sector strengthening).
- 9.4 The program design document describes a range of planned activities to deliver on the four EoPOs. These encompass capacity building for the range of state agencies in the criminal justice chain from police prosecutions to corrections (Component 1), as well as for state agencies involved in developing and drafting legislation (Component 2); supporting non-state actors and lower or 'primary' state justice providers including local courts involved in providing justice at the community level (Component 3); and a bundle of cross-sectoral activities including mainstreaming gender equality and social inclusion, data strengthening, and improving the approach to human resources (Component 4).
- 9.5 The link between SIJP's planned activities in the Program Design Document and the EoPOs and then in turn between the EoPOs and the program's goal is underpinned by both explicit and implicit assumptions about how the desired change will be brought about (Design Document pp 15 to 19. These are: (i) by strengthening the formal (state) justice system and state actors, particularly in the criminal justice system; (ii) by increasing capacity at the centre, which will then 'trickle down'; (iii) by enhancing cross-sectoral coordination including through 'co-dependency' on the SIPDP; and (iv) by strengthening the 'demand side' to create a demand- supply relationship between non-state actors and state suppliers.
- 9.6 The SIJP Design Document is not explicit about how these change mechanisms will work in practice, although the theory of action (pp 20 to 21) emphasises the need for the program to work in ways that are context-specific and can adapt in the light of emerging opportunities and knowledge about what works. The program's theory of change was reviewed in August 2019.²⁸ However, the resulting document does not provide a strategic focus for the program's wide range of interventions, nor set

²⁷ DFAT 2016. *Overarching Strategy: Supporting Stability in Solomon Islands through Governance, Policing and Justice Programs*

²⁸ SIJP Revised Theory of Change, August 2019

out clearly the mechanisms that will bring about change nor fully explore the assumptions underpinning the operation of those mechanisms.

9.7 **Assuming the overall aim of SIJP is to improve communities' access to justice services, SIJP's explicit and implicit change mechanisms can be critiqued as follows:**

- **Strengthening the formal justice system, particularly the criminal justice system:** Community level conflicts, grievances and disputes in the Solomon Islands concern civil, as well as criminal justice. They predominantly relate to social order and family issues (including domestic violence), land and natural resources including logging and mining rents and royalties, and competition for the benefits of public spending²⁹. Where the criminal law comes into play, formal criminal law agencies (starting with the police as the front-line agency) have limited reach into communities and often weak legitimacy to deal with disputes, which in line with cultural norms are referred to local community leader and traditional justice systems.³⁰
- **Increasing capacity at the centre, will then 'trickle down':** The assumption that institution strengthening at the centre will 'trickle down' to improved service delivery tends not to hold in the context of the justice program.
- **Enhancing cross-sectoral coordination including through 'co-dependency' on the SIPDP:** Improving coordination in the highly fragmented justice system is an extremely challenging endeavour involving the judiciary (a constitutionally independent arm of government) as well as several Ministries and a wide range of agencies. The RSIPF is a key player in the criminal justice chain. Providing support to RSIPF via another program (SIPDP) implemented by a separate agency (the AFP) adds another layer of complexity.
- **Strengthening the 'demand side' to create a demand- supply relationship between non-state actors and state suppliers:** The state-civil society / supply-demand dynamic has been questioned in the Solomon Islands, with traditional civil society approaches that focus on 'holding government to account' judged unlikely to have significant influence.³¹ In practice, non-state actors in the justice sector tend to be involved in service provision rather than in demanding improved service delivery through accountability and activism.

9.8 **SIJP's multiple goals for justice have resulted in a program designed to implement a challenging set of interventions across many state agencies and non-state actors, without a clearly stated program logic or strategic intent.** Associated with this are measures of program success which over time have become increasingly focused on counting individual Activities, rather than higher level results- Outputs, Outcomes, or Impact.

9.9 **In contrast to the recommendations of the 2012 Justice Evaluation, SIJP's design presents multiple ambitious goals, with intended EoPOs and their related activities straddling a challenging range of organisations, interventions and approaches.** The broad range of interventions is reflected in the program's current Performance Assessment Framework in the August 2018 MEL framework which has 24 indicators across 12 organisations.

9.10 **The PAF's focus on measuring activities rather than higher level results can be linked to SIJP's multiple goals. However, it may also be a function of data challenges, which tend to be a feature of the justice sector, related in part to the cross-agency nature of justice delivery.** It is therefore surprising that the Program Design Document does not identify this as a critical issue both for the

²⁹ Solomon Islands Community Governance and Grievance Management Project. Briefing note 1: Patterns of Dispute and Pathways of Resort in Rural Solomon Island: Evidence, Implications and Early Results (undated). CGGM Renbel and JMakira Provinces Baseline Survey and Summary Analysis, June 2016

³⁰ See for example: Solomon Islands Community Governance and Grievance Management Project. Briefing note 1: Patterns of Dispute and Pathways of Resort in Rural Solomon Island: Evidence, Implications and Early Results (undated). A mapping of Justice Sector Service Provision in the Solomon Islands, UNDP November 2018. UNDP Access to Justice Study Solomon Islands, Australian Aid and UNDP, June 2019. Gender and Social Inclusion Audit Report 2018

³¹ Strengthening Civil Society in the Solomon Islands, Scoping Mission Draft Report The Asia Foundation May 2017

program, and for the SIG, and design in priority activities to enable justice sector performance to be better measured. The most potentially relevant activity in the program design is under Component 4 - support the Justice Information Management System (JIMS). But in practice, JIMS focuses on case management, rather than high-level performance data.

- 9.11 **The Program Design Document references SIG's Justice Sector Strategic Framework 2014-2020 (JSSF) with SIJP's goal stated to be related to JSSF's vision.** Apart from that, SIJP is not designed to adopt an implementation approach that is closely aligned with SIG's policy, planning and resource allocation mechanisms. Key SIG mechanisms include the National Development Strategy 2016-2035 with its Performance Framework, which contains impact indicators in relation to justice; the Justice Sector Consultative Committee, which although omitting the RSIPF and the Correctional Service of the Solomon Islands (CSSI) offers a starting point for sectoral co-ordination; and the Justice Sector Performance Management Framework 2014-2020 which sets out a monitoring mechanism for the sector and a comprehensive set of performance indicators for many justice sector agencies. These SIG mechanisms are weak. However, they do offer a potential starting point and platform for a SIG-owned, and thus sustainable, approach to justice reform and development.³²

The evaluation

- 9.12 **Assessing progress against program objectives³³ is not straightforward, with design documents providing various sets of objectives and associated performance indicators.** Table 14 reproduces four sets of results, the first three columns from the Program Design Document and the final right hand column from the current PAF. As with SIGP, the evaluation team has assessed progress towards the June 2019 expected achievements as articulated in the PAF (which is what is currently being reported on), and offers judgements on achieving the longer-term (four and ten year) targets as articulated in the Program Design Document. In addition, the Program Design Document sets out a further set of indicators as markers for whether the program is on track at the two-year point (June 2019), which are summarised in Table 14.

³² The Mid-term review of the previous Justice Program of August 2015 by Linda Kelly, Daniel Woods and Ali Tuhonuku which recommended (p2) that DFAT should *aim to support SIG to develop its own vision and long-term objectives for the sector*

³³ Terms of reference, Purpose section, un-paginated

Table 14. Justice Results

Four year (from the 2016 Design) (End of Program Outcomes)	Ten Year (from the 2016 Design)	Results Framework (from the 2016 Design)	Two year – by June 2019 (current PAF) (2018 MEL, & Annex D of SIJP Progress Report Jan-June 2019 - indicators)
<p>1. Justice sector agencies are increasingly capable of delivering core service</p> <ul style="list-style-type: none"> The Magistrates Court is operating more efficiently and effectively Police prosecutors and public solicitors handle cases more effectively Correctional services are better managed and provide effective rehabilitation services <p>2. Legislation is supported by sound policy development, is clearly written, and well understood</p> <ul style="list-style-type: none"> Legal policy is more effectively developed The AG's Chambers provides more timely and effective legal advice to SIG agencies The AG's Chambers is better able to draft legislation <p>3. Solomon Islanders have improved access to justice</p> <ul style="list-style-type: none"> More court circuits proceed as planned Family violence is reported more often, and systematically dealt with by appropriate authorities Increased access to justice in rural areas Public awareness of legal rights is increased Research and innovation provide new pathways for improving access to justice services <p>4. Good practice in leadership, decision making, public sector management and community engagement is increasingly demonstrated in the justice sector</p> <ul style="list-style-type: none"> Gender and social inclusion are more explicitly addressed in the justice sector Improved continuing legal education involving Solomon Islands Bar Association 	<ul style="list-style-type: none"> No more international advisers in capacity substitution roles Measurable improvement in service delivery in the justice sector Magistrates Court and Magistrates Court Registry operating effectively within Honiara and in at least four Provincial Centres Mechanisms to deal with family violence are working effectively Justice system responds better to issues for women and girls, children, and people with disability Rural areas have access to appropriate dispute resolution mechanisms Justice sector agencies use evidence derived from JIMS and other data collection processes to inform legal policy and legal reform An effective, sustainable, continuing professional legal education system A measurable increase in female leadership in the justice sector 	<ul style="list-style-type: none"> 1. Justice sector agencies are increasingly capable of delivering core service # cases disposed of, disaggregated by location Average time taken to finalise cases Evidence of organizational capacity Length of stay for prisoners on remand Recidivism rate 2. Legislation is supported by sound policy development, is clearly written, and well understood AGC produce legislation independent of LTA Regularity and quality of JSCC meetings User satisfaction with AGC advice 3. Access to justice for Solomon Islanders is improved Population satisfaction rates over time; population reports on frequency and quality of contact with justice services # court sittings that proceed as scheduled (local and circuit) # police safety notices, and protection orders issued under the Family Protection Act 4. Good practice in leadership, decision making, public sector management and community engagement is increasingly demonstrated in the justice sector # of position vacancies in sector, and time to fill # JIMS systems users per year Quality and use of government agencies data and extent of disaggregation # women in senior management 	<p>1. Justice sector agencies are increasingly capable of delivering core service</p> <ul style="list-style-type: none"> Magistrates Court reports on key indicators (case clearance rates, case backlog & remand rates) and actively uses information as a management tool to improve efficiency Court circuits are held more regularly The Office of the Director of Public Prosecutions (ODPP) reports on key indicators (conviction rate and success of appeals) and uses information as a management tool to improve efficiency ODPP has strengthened capabilities to carry out its core functions and has made progress in the areas identified (e.g. strengthening staff skills in prosecution through practical skills training) with SIJP support The Public Solicitor's Office (PSO) has strengthened capabilities to carry out its core functions and has made progress in the areas identified (e.g. boosting awareness of PSO service and strengthening technical skills of POS lawyers and support staff) with SIJP support CSSI has strengthened capabilities to carry out its core functions and has made progress in the areas identified (e.g. HR procurement and finance, strengthened rehabilitation programs etc.) with SIJP support OPPD tracks conviction rates and uses information as a management tool to improve efficiency

<ul style="list-style-type: none"> • Legal Professional Bill is implemented (if enacted) • Justice Information Management System (JIMS) is used widely and effectively and JIMS data supports decision-making • Finance and human resources are better managed 		<ul style="list-style-type: none"> • Average levels of education and training, and uptake of continuing legal education 	<ul style="list-style-type: none"> • Cross sector agreement underway to reduce remand rates across SI <p>2. Legislation is supported by sound policy development, is clearly written, and well understood</p> <ul style="list-style-type: none"> • The legislation drafting team have strengthened capabilities to carry out its core functions and has made progress in the areas it asked for SIJP support (see Organisational Capacity Assessment, OCA) • Legislation consistent with SIG priorities is drafted and prepared for Cabinet and Parliament • The Attorney General's Chambers has a long-term strategy for strengthening legislative drafting • An online database of consolidated SI legislation completed and available to SIG and private sector legal practitioners • The Legal Policy team has strengthened capabilities to carry out their core functions and have made progress in the areas it asked for SIJP support (see OCA) <p>3. Access to justice for Solomon Islanders is improved</p> <ul style="list-style-type: none"> • Increase in Magistrates Court disposal rate • Cross agency coordinated approach taken to implementing the Family Protection Act and other PFV laws • Seif Ples provides increased service for women survivors of sexual / physical violence • An increasing number of rural Solomon Islanders are receiving access to justice • Increased awareness about Justice Sector agencies roles and functions • Justice Sector agencies are raising awareness through regular communication activities • Increased understanding of Solomon Islanders access to justice needs and priorities
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		<p>4. Good practice in leadership, decision making, public sector management and community engagement is increasingly demonstrated in the justice sector</p> <ul style="list-style-type: none">• Justice sector and social inclusion strategy developed and implementation underway to address exclusion in justice sector• Greater functionality of JIMS across the Justice Sector and outside of Honiara• Greater use of JIMS data for business decisions across Justice Sector• Improved skills development across justice agencies• Increase capacity of human resource professionals in Justice Sector to identify, report, manage and plan HR issues• Community of HR practitioners increasing identifies and addresses agency priorities (e.g. succession planning, job classification etc.)• Increased capacity for monitoring expenditure and greater professional accountability
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9.13 **Apart from the confusion caused by these multiple sets of indicators, there are four concerns about SIJP's monitoring framework:**

- **The majority of indicators currently being reported in the PAF, only measure activities, and have become more activity focused over time.** The Overarching Strategy and the SIJP Design Document have a stronger focus on higher level indicators than the more recently developed PAF. For example, the Results Framework in the Design Document (Table 1 on page 47) has some higher-level indicators, the most notable being *Population satisfaction rates over time; population reports on frequency and quality of contact with justice services*. However, this appears not to have been operationalised, presumably because of absence of data. Where PAF results appear to have an outcome focus – for example under the access to justice component: *an increasing number of rural Solomon Islanders are receiving access to justice, and increased awareness about Justice Sector agencies roles and functions* – the indicators used bring the focus down to activities- in this case, the number of wards served by community officers and the number of implemented community engagement plans respectively;
- **Nearly all PAF indicators relate to the performance of individual organisations within the justice system, rather than the system's ability to deliver justice as a whole.** An improvement in one part of the justice system does not necessarily imply improved service delivery for the user. For example, a key success reported on in the SIJP Progress Report for the first half of 2019 is the Chief Magistrate's success in increasing the number of Magistrates Court circuits (measured as a PAF indicator) and increasing the Magistrates Court case disposal rate. However, the backlog of cases continues to increase, and the disposal rate could reflect a reduction of cases being brought due to the RSIPF poor performance in executing warrants to bring cases to court in the first place. Similarly, the elimination of the Customary Land Appeal Courts backlog is clearly a win – but the reason the backlog is not increasing is that the court of first instance that hears land disputes, the Local Court, is failing to hear new cases;
- **As can be seen from Table 15, which summarises PAF results from the latest SIJP Progress Report (for the first half of 2019), many of the indicators (about a quarter) do not have data against them and are not reported on.** Assessment of the performance of state agencies relies heavily on a tool introduced by the Program's MEL Unit – Organisational Capacity Assessments (OCAs). OCAs rely on agency self-assessment and focus on progress toward achieving specific activities such as developing a communications plan or implementing job classification tools. OCA activities can be linked back to agencies' corporate plans, and to the (unmeasured) indicators in the SIG's Justice Sector Performance Management Framework. However, they do not provide an overview of agency performance. Focusing on achieving low-level activities provides limited information regarding organisational performance – and initiates a conversation about activities rather than outcomes – as this is where the only data is; and
- **The PAF's limited alignment with the justice indicators in key SIG documents** – the National Development Strategy and the Justice Sector Strategic Framework's Performance Management Framework, which contains sector-wide and specific agency indicators, and with SIG's own (albeit weak) monitoring processes.

Table 15. Summary latest results against PAF indicators

Current PAF	Performance
Component 1: Justice Agency Strengthened	
<ul style="list-style-type: none"> Magistrates Court reporting on key indicators and taking measures to address issues affecting data Number of court circuits week per year and number of cases disposed ODPP reporting and key indicators and information used by senior management PPD reporting on conviction rates & information used by senior managers OAs indicate changed capacity of ODPP, PSO, PDD and CSSI to effectively carry out their core work Cross justice sector agreement to track remand rates and cross sector processes to reduce remand rates under implementation 	<ul style="list-style-type: none"> Data provided Court circuits: first half of 2019 – 27 weeks (less than 2018 due to elections) First half of 2019 – first significant increase of number cases disposed for 2.5 years – to 65% of cases files from 56% in 2017 (70% of criminal cases up from 53% in 2018) ODPP reported on indicators PPD reporting on conviction rates. (It is arguable whether a high conviction rate is a good indicator – China tends to have 100% conviction rate, often based on confessions given to the police) OCA data not available Number prisoners on remand has increased
Component 2: Legal Policy and Legislation	
<ul style="list-style-type: none"> OAs indicate changed capacity of legislative drafting team to undertake their work Legislation consistent with SIG priorities Long-term options for legislative drafting considered and enacted by AGC Consolidated legislation publicly available and accessible OAs indicated changed capacity of Legal Policy Team to undertake their work 	<ul style="list-style-type: none"> No OCA for AG's Chambers No data Not in place, but some actions to improve staffing Legal Information Access Project on-going No OCA for Legal Policy Unit
Component 3: Improved Access to Justice	
<ul style="list-style-type: none"> Case disposal rate in the Magistrates Court Cross agency FPA/PFV plans in place and being implemented Number of women survivors receiving services such as counselling from Seif Ples Number of wards served by Community Officers helping rural SI to resolve justice disputes Number IPOs, POs and PSNs Number community engagement plans (public awareness activities) implemented by Magistrates Courts, ODPP, PDD and PSO UNDP reports on access to justice priorities for Solomon Islands 	<ul style="list-style-type: none"> See under component 1 above Customary Land Appeal Courts backlog eliminated Cross-agency review of FPA planned Unclear stats – but apparently reduction Was 33 in 2018 – no update from World Bank Numbers appear to be down – one FPA application per month Some agencies have undertaken outreach, no data from others UNDP Access to Justice Report
Component 4: Whole of Justice Sector Strengthening	
<ul style="list-style-type: none"> Actions taken across justice sector to implement gender/social inclusion strategy 	<ul style="list-style-type: none"> Gender and Social Inclusion (GSI) Strategy being implemented and the GSI Audit undertaken and ready for Cabinet

Current PAF	Performance
<ul style="list-style-type: none"> • Trend in uploaded JIMS cases in Mag and High Courts in Honiara and in the provinces • Business information from JIMS improves reporting • number police and law officers trained • HR capability assessment monitoring • Justice Ministry and agency HR staff reforms implemented and gaining results 	<ul style="list-style-type: none"> • HC have uploaded cases, no data for MC • Some evidence in some agencies • About 300 – same as last year • No data • No data

Progress against two year and end of program targets

Component 1: Justice sector agencies are increasingly capable of delivering core services

- 9.14 **The focus is on the performance of the formal agencies involved in the criminal justice chain. Performance against PAF indicators is summarised in Table 9.** Agencies are headed by well-educated, competent and in some cases reform-minded individuals, but below them legal staff tend to be junior, and quickly promoted to better paid roles within and outside the SIG. There is evidence of some systemic change in the operations of individual agencies, including in relation to staff development. The court circuit system ensures that to some extent these improvements in the formal justice system are felt outside Honiara. Key challenges for agencies were expressed to be losing good staff, and budget cuts. Agency corporate plans provide the basis for a coherent planning and resource allocation and are expressed as being nested under and contributing to the SIG's National Development Strategy and the JSSF and its Performance Management Framework. The plans set out agencies' priorities and strategies to achieve them, although it is unclear to what extent they are used as active management tools. Agencies generally had weak capacity to plan and argue for increased SIG resources using value for money or efficiency savings arguments, although the Chief Magistrate had successfully achieved an additional budget allocation in this way.
- 9.15 **As suggested in Table 16, the SIJP monitoring system does not include hard data on agency performance some of which may in fact be available within SIG systems.** However, the widely-used indicator for measuring performance of the criminal justice system as a whole – the proportion of remand prisoners³⁴ is available but is moving in the wrong direction. It currently stands at 60%, against a Pacific average of 18%, and an international average of 25%.

³⁴ For example, this is an indicator for Sustainable Development Goal 16.3 – Equal access to justice for all

- 9.16 An issue that that deserves further investigation is anecdotal evidence of widespread Magistrates Court corruption.³⁵

Table 16. Component 1; Justice agency strengthening

End of Program targets	Comment
1.1 Magistrates Court is operating more efficiently and effectively	<ul style="list-style-type: none"> • Magistrates Court is stand out performer <ul style="list-style-type: none"> – Disposal rates improving – Customary Land Appeals cleared – Provincial Courts have resident magistrates
1.2 Police prosecutors and public solicitors (and ODPP) handle cases more effectively	But key indicator of criminal justice system functioning (RSIPF Magistrates, Public Solicitors Office, ODPP, CSSI etc): % of remand prisoners - is moving in wrong direction
1.3 Correctional Services are better managed and provide effective rehabilitation services	<ul style="list-style-type: none"> • No indicators on actual performance of agencies eg CSSI on recidivism/ prison inspection reports/ other agencies' views • Key PAF indicator on agency performance measures granular activities in OCAs. No data on performance against agencies' plans, budgets, nor against indicators in SIG's Justice Sector Performance Management Framework

Component 2: Legislation is supported by sound policy development, is clearly written, and well understood

- 9.17 **PAF data is weak or non-existent on progress towards this outcome (Tables 10 and 11).** Available data however reveals the impressive numbers of both primary and subsidiary legislation coming through the system. The Law Reform Commission, Legal Policy Unit and Attorney General's Chambers appear to have in place a robust system for policy development, public consultation, translating policy into legal propositions and drafting instructions and then drafting. Constraints to the operation of this system, as with component one, include budget constraints and limited staff with the necessary skills. In addition, line ministries circumvent the system by using (donor-funded) consultants to draft legislation direct.
- 9.18 **A key weakness in the system is that, as part of policy development, legislation is not costed before becoming law.** This means that laws are passed, but then face implementation challenges, as described below in relation to the Family Protection Act.
- 9.19 **As with component one, the framework for agencies to plan, link resource allocation to those plans, and monitor performance are in place via corporate plans and the JSSF's Performance Management Framework.** It is less clear that these are operationalised as management tools in practice.

³⁵ One person (TA) raised this – and it was done so informally at the end of a meeting. The interlocutor was very forceful in making the statement. The team has no evidence for this; we are merely reporting the comment

Table 17. Component 2: Legal policy and legislation

Indicator	Comment
2.1 Legal policy is more effectively developed (Legal Policy Team in MJLA)	<ul style="list-style-type: none"> Targets are based on individual agency performance rather than the system as a whole
2.2 AG's Chambers provides more timely and effective legal advice to SIG agencies	<ul style="list-style-type: none"> No indicators on actual performance of agencies eg views of other departments, Cabinet or Parliamentary committees
2.3 AG's Chambers better able to draft legislation	<ul style="list-style-type: none"> No follow up on legalisation e.g. is legislation properly costed? Is it implemented?

Component 3: Access to Justice for Solomon Islanders is improved

- 9.20 **SIJP's focus on this component is increasing.** It was originally allocated 18% of the total program budget, and although data on spend per component was not available to the evaluation team, it is estimated³⁶ that in 2018-2019 the component received well over 20% of the total. The stand-out achievement has been the increase in Magistrates Court circuits to the Provinces, due to the efforts of the Chief Magistrate, supported by two SIJP advisers. However, the increasing backlog of Magistrate Court cases, and the high number of adjournments, suggests that this action alone has been insufficient to improve users' experience of the formal justice system. This depends on all the agencies involved in the criminal justice system playing their part (beyond basic co-ordination of scheduling circuits) so that hearings translate into case disposal rather than adjournments. The RSIPF who are at the start of the chain have a key role here, with frequently cited³⁷ problems relating to RSIPF's ability to gather evidence, 'own' files, and serve warrants.
- 9.21 **Assessing progress towards this outcome is impeded by lack of baseline data.** For example, while the program is supporting a range of awareness/outreach activities outside Honiara (number of community engagement plans are counted in the PAF- see Component 3 in Table 9), there is no measure of what impact these are having. The World Bank implemented Community Governance and Grievance Management (CGGM) Project is a notable exception, with performance data focused on changes in user experience. The Project's Mid Term Review of May 2017 reported that over 75% citizens in communities where community officers had been appointed reported positive changes in the community, and improvements in community grievance management mechanisms.
- 9.22 **SIJP has now funded a number of important pieces of research, including the UNDPs Access to Justice Study³⁸ in June 2019 which gives insights into Solomon Islander's experience of the justice system, and access to it.**³⁹ More specific research on the implementation of the Family Protection Act 2014⁴⁰ highlights its limited operationalisation on the ground. Despite a high incidence of domestic violence, reporting rates are extremely low – in the region of 100-150 per year, with only 33% of reported cases resulting in FPA Police Safety Notices being issued. A perception study suggests that only around half FPA service users were satisfied with the services and felt safe after FPA service use. Despite these challenges, the review team saw examples of good practice including the collaboration in Auki between the RSIPF, the government Health Centre and a women's refuge

³⁶ Based on data in the Aid Quality Check February 2019

³⁷ *UNDP Access to Justice Study Solomon Islands, Australian Aid and UNDP, June 2019. Also A mapping of Justice Sector Service Provision in the Solomon Islands*, UNDP November 2018; CGGM literature including the Project's *Mid Term Review Aid Memoire* of May 2017; and reviews of the Family Protection Act 2014

³⁸ *Access to Justice Study Solomon Islands, Australian Aid and UNDP, June 2019.*

³⁹ Other relevant research includes: *Solomon Islands Community Governance and Grievance Management Project. Briefing note 1: Patterns of Dispute and Pathways of Resort in Rural Solomon Island: Evidence, Implications and Early Results* (undated). *A mapping of Justice Sector Service Provision in the Solomon Islands*, UNDP November 2018. *Gender and Social Inclusion Audit Report* 2018

⁴⁰ *Family Protection Act 2014 Annual Report* 2017 and *Women's Experiences of Family Violence Services in Solomon Islands* November 2019 (draft report)

enabling a joined-up service to women domestic abuse survivors. SIJP is now supporting a review of the Act, with a view to putting it onto a more secure and sustainable footing.⁴¹

Table 18. Component 3; Access to justice

Indicator	Comment
3.1 More circuit courts (Magistrates Courts)	<ul style="list-style-type: none"> • Increase in circuit courts, but backlog of cases is increasing – need to engage with other agencies in the system to ensure more court circuits translates into improved case disposal
3.2 Increased access to justice through Family Protection Act	<ul style="list-style-type: none"> • FPA mechanisms not widely used, but FPA review planned
3.3 Increased access to justice in rural areas	
3.4 Public awareness of legal rights is increased	<ul style="list-style-type: none"> • WB Community Governance and Grievance project, UNDP Access to Justice Report and other SIJP funded work – provide basis for future work on community level access to justice
3.5 Research and innovation provide new pathways for improving justice services	<ul style="list-style-type: none"> • Work is beginning with non-state actors eg awareness raising – but as yet no measure of outcomes

Component 4: Good practice in leadership, decision making, public sector management and community engagement

- 9.23 **A range of promising cross-sectoral activities are taking place**, including the development of JIMS, the establishment of a cross-sectoral human resource community of practice, and the development of a Gender and Social Inclusion Strategy and Audit⁴² for the justice sector. Of these, JIMS is beginning to bear fruit with some evidence that some agencies (for example the ODPP and the PSO) beginning to use it better to manage their time and case load. However, data entry remains patchy, especially outside Honiara. Table 13 summarises the situation.

Table 19. Component 4: Whole of Sector Strengthening

Indicator	Comment
4.1 Gender and social exclusion is more explicitly addressed	<ul style="list-style-type: none"> • Gender Equality and Social Inclusion Audit Report undertaken
4.2 Improved continuing legal education programs involving SI Bar Associations	<ul style="list-style-type: none"> • There has been a decrease in number of training sessions
4.3 JIMS data supports decision making	<ul style="list-style-type: none"> • Mixed take up of JIMS. Impact on service delivery unclear
4.4 Finance and human resources are better managed	<ul style="list-style-type: none"> • No data on performance against agencies' plans or budgets, nor against indicators in SIG's Justice Sector Performance Management Framework

⁴¹ This should include addressing bottlenecks in the system such as the role of the RSIPF in serving notices, and also the need for proper costing of the Act.

⁴² *Gender and Social Inclusion Audit Report 2018*

Justice progress: a summary

- 9.24 **The SIJP Design Document sets out a set of indicators as markers for whether the program is on track at the two-year point (June 2019).** As can be seen from Table 14, progress against these indicators is mixed, with the key concern being the rise in the remand population.

Table 20: SIJP two-year progress markers

SIJP Program Design Document two-year progress indicators	Evaluation team comment
<ul style="list-style-type: none"> Less advisers in capacity substitution roles. By 2019 the Program should involve only six LTA in SIG justice agencies, continuing the downward trend from the height of RAMSI The Program is supporting SIG processes to tackle entrenched issues in the justice sector (e.g. delays, remand, court circuit coordination etc.) and monitoring impact Legal awareness in provincial areas is increased The Solomon Islands Bar Association is taking a stronger role in enforcing legal professionalism The SIG Advisory Committee is functioning to hold the Program to account for performance The Program's gender work is influencing policies and practices in the justice sector 	<ul style="list-style-type: none"> SIJP's organisation chart as of 30 June 2019 shows 14 advisers in agencies, of which 7 are shown as LTA, and 2 are in-line. In addition, the program funds an ex-patriate judge. The key indicator of performance – the number of remand prisoners – is moving in the wrong direction The only measure is the number of awareness events There is no evidence that this is the case Committee was not constituted A Strategy has been developed, and an Audit with recommended actions is waiting for Cabinet consideration

- 9.25 **There are some encouraging signs.** Justice agencies are headed by strong leaders (and deputies) with some committed (although young) staff, and there is evidence of some systems change. Outside Honiara, the circuit system means that there is some flow of improvements out from the centre. The program is increasing its focus on access to justice at the community level, including with non-state actors, although with the notable exception of the CGGM project, the impact is as yet hard to discern. Finally, there is an increasing focus on the need for cross-agency co-ordination (noted as a key issue by a wide range of stakeholders and previous critiques⁴³). This includes the current re-visiting and re-freshing of the JSSF and Monitoring Framework including engaging with the potential to use it as a platform to facilitate the inclusion of RSIPF and CSSI in cross-agency coordination. Other moves include a proposed cross-agency justice conference and the SIJP sponsored HR community of practice.
- 9.26 **There are two key weaknesses:** (i) The program's weak alignment with, and limited support to justice agencies to engage more effectively with SIG's fledgling planning, resource allocation and monitoring systems. Such engagement is vital if SIJP's aim is sustainability and SIG ownership of the reform process. Linkages with SIG reform processes designed to improve service delivery supported by the SIGP, such as functional reviews, do not appear to have been made. (ii) The focus on monitoring

⁴³ Including the 2015 Mid-term review of the previous justice program, the UNDP *Access to Justice Study Solomon Islands*, Australian Aid and UNDP, June 2019; and SIJP TA Quarterly Report Jan-June 2019 reporting period

inputs and activities, and the associated failure to establish outcome level baselines to enable progress to be monitored.

9.27 **Table 21 summarises the strengths and weaknesses of the justice program.**

Table 21. Justice Program Strengths and Weaknesses

Strengths	Weaknesses
<ul style="list-style-type: none"> • Embedded advisor model enables strategic support to change-makers at the right time • Evidence that long term twinning can make a difference (SICS) • Anecdotal evidence of individual's improved performance as a result of training • Some strong leaders (and deputies) • Some 'trickle down' from the centre via circuit system • Increasing focus on users' access to justice and non-state actors • Increasing focus on justice 'system' • Strong support from justice agencies in SIG 	<ul style="list-style-type: none"> • Previous limited focus on 'the system' - performance depends on all actors coming together • Police performance at the start of the criminal justice chain is key • Weak alignment with (weak) SIG systems – planning / resource allocation / monitoring • Limited focus on informal justice • Six monthly reports focus on reporting inputs & activities (a few outputs) • Limited linkage made to date to outcomes

Commentary and issues for consideration

9.28 **The most pressing issue to consider is the strategic intent of the program: is it the rule of law or is it access to justice?** Answering this question will determine the portfolio of activities, the balance between upstream and downstream investments, and the monitoring framework. This issue should be the point of departure for the next justice design.

9.29 **Three broad sets of changes are proposed** which have implications for the program's ways of working, the type of TA used, and funding modalities:

- **For sustained improvements in justice delivery and to address underlying problems inhibiting agency performance (e.g. budgets, staff performance), the program needs to align itself more closely, and engage more strongly with SIG's policy, planning, resource allocation, and monitoring and evaluation processes.** These processes are currently weak but have on-going support from SIGP. Such an approach implies TA with strategic planning, budgeting, and monitoring skills.
- **To address the bottlenecks and dysfunctionalities in the formal justice system, the program needs to re-focus itself to give a much stronger priority to encouraging cross-agency working** (starting with much stronger cross-embedded TA working). This needs to be coupled with a much clearer vision about what the priority problems in justice service delivery are (e.g. the endemic adjournments, the unacceptable percentage of remand prisoners) and the identification of a few clear targets related to these problems, which can only be solved by cross-agency working. Solving these problems could be facilitated and incentivised by a payment by results mechanism.
- **If the key desired result is improved justice service delivery at the community level, then the program needs to adopt a more strategic approach.** This would involve looking holistically at SIJP funded and other research and the range of recommendations made (including in UNDP's Access to Justice Report, World Bank's research;⁴⁴; FPA related research and perception

⁴⁴ Including *Justice Delivered Locally*, World Bank, August 2013; World Bank CGGM perception surveys including the beneficiary survey for the CGGM Project Review, February 2017

studies⁴⁵; the Gender Equality and Social Inclusion Audit Report⁴⁶; and the Review of Magistrate Court Provincial Circuits September 2018). It would also involve joining up the various initiatives currently funded (including the CGGM project, the proposed paralegals, and awareness raising) to support the SIG to develop a coherent approach to community level justice service delivery. It also implies engaging with new SIG partners including the Ministry of Provincial Government (building on World Bank engagement through the CGGM project), and the Ministry of Tribal Affairs, Peace and Ecclesiastical Affairs.

⁴⁵ Family Protection Act 2014 Annual Report 2017 and Women's Experiences of Family Violence Services in Solomon Islands November 2019 (draft report)

⁴⁶ Draft, January 2018

10 The MEL Framework

- 10.1 **In order to make assessments about the MEL approach, the current system must first be put into context.** The SIRQ MEL approach and partnership with La Trobe University- as it appears now- is a product of a unique and challenging set of circumstances.
- 10.2 **The Designs:** The Justice and Governance Designs both required MEL frameworks which would have three purposes: (i) accountability; (ii) informing program decisions, and (iii) enabling learning and program adaptation. While issues (ii) and (iii) are arguably the same thing (learning informs decision making which leads to adaptation) there is nothing technically *wrong* with these functions. They are sensible. And while somewhat stretching (vertical accountability to a log frame is more straight forward for most MEL practitioners than understanding and responding to complex change) – they are not wholly unachievable. Similarly, the Designs set five KEQs which are sensible and relevant to the intent of the two programs – focusing on: impact, capacity, modality, SIG-Australia relationships and how joined up the police, justice and governance investments are. The number of proposed indicators suggested in both designs are also not unreasonable.
- 10.3 **Four features of the Designs from a MEL perspective stand out:**
- **The indicators include measures that would require *whole of government coordination* - both vertical and horizontal - to achieve**, such as reductions in recidivism rates and remand times. The indicators also include measures of both demand and supply⁴⁷ side factors, such as citizen access to, and perceptions of, government services. However, these indicators- especially those on the governance side – have largely disappeared or been swamped (in the case of justice) by other, output level indicators, by the time both PAFs were developed. In fact, the governance performance area and indicators relating to “communities” experience of service delivery has disappeared from the latest Governance PAF.
 - **A critical assumption underpinning these two designs is that there will be vertical and horizontal coordination amongst SIG agencies and actors**; and that there will be the same coordination on the Australian Government’s side amongst its policing, justice and governance investments (as well as between governance and health and education). As we explain below – this may have been an assumption that has not held true, and thus had implications for the MEL Framework.
 - **Both designs assumed that a Strategic Committee would be established**, into which the MEL Unit would report learnings and information to inform program decision making and adaptation. In short, learning was to lead to action (changes in activities and budgets).
 - **The designs do not have an emphasis on an evidence-based approach to programming** – specifically, the commissioning and use of analysis and research to understand context and inform programming. This emphasis appears to have come later by virtue of La Trobe University’s engagement.
- 10.4 **Implementation was thwarted before it could begin:** Cardno made several unsuccessful approaches to market to find individuals and providers capable of leading and implementing the MEL unit. So, by early 2018, DFAT directly approached La Trobe University Institute of Human and Social Change to service the MEL needs of the justice, governance, *and* policing programs. The Scope of Services for LTU states the institute should:

“...deliver external technical support to; the SIRQ MEL Unit manager to both extend their capacity and assist in development of sophisticated monitoring and evaluation approaches, oversee a process of action learning/research developed to accompany program implementation, support to an adaptive practice approach, including possible formal and informal learning, support for communities of practice, collaboration workshops or other methodologies as determined, annually assess strategic priorities, ensuring that approaches are localised, including technical

expertise to establish terms of reference and approach and preparation and facilitation of a six monthly analysis and review workshops”.

10.5 **Two features are worth highlighting** here about the arrangement with LTU:

- **From what the team could gather; LTU is not directly accountable for implementing the PAF and MEL framework.** Its purpose is to build the capacity of the in-country MEL Unit. Therefore, LTU is accountable for providing technical expertise to ensure the approaches are sound, but not for whether they are carried out or the quality of what is produced. LTU’s contract is also with Cardno – yet the AHC (and again we did not cite the contracts but were told) is accountable for delivery of development outcomes. Thus, emerges the dilemma, who is accountable for delivery of program outcomes and thus the quality of the MEL reporting at outcomes level? and
- **The MEL Unit is operationally separate to the program.** The team was told that, until October 2019, the MEL Unit was to report into AHC directly, and not to the Governance or Justice Team Leaders.

10.6 **While the reasons for these arrangements were most likely well-intended (to put Pacific staff in the driving seat of the MEL unit) it creates a management and accountability dilemma for the program and for the AHC.** Who are the MEL unit servicing? AHC? The programs? Someone else? Who is ultimately accountable for implementing the MEL/PAFs and the quality of what is produced?

10.7 **Around the time that this contract was awarded, a number of other notable changes were also occurring:**

- The policing partnership hired their own MEL manager (mid 2018), and providing MEL support for the AFP was removed from MEL Unit/LTU’s duties
- The Governance and Justice Counsellor position in the AHC was abolished mid-2018. This is significant given this position had been driving the integration of the justice, police, and governance programs as well as the learning approach
- The First Secretary and Second Secretary for Justice and Governance turned over (early 2019 and mid 2018), and subsequent staff were increasingly drawn into Step Up and other security priority in the AHC
- The Overarching Strategy intending to tie together the justice, governance and policing programs and thus inform the PAFs, was designed, but then (and we were not provided a date for this) not authorised or made defunct
- The Strategic Committee, as proposed in the design was never established.

10.8 **As a result, what remained by early 2019** was strategic lacuna for the MEL Unit and Framework. Three programs now reduced to two, designs which relied on assumptions which were untenable in practice, Theories of Change which were somewhat redundant, the deprioritisation of learning, analytics and a local capacity building approach to MEL as AHC time became subsumed by other priorities and the ongoing engagement of an institute and MEL team who were brought on to service an agenda which had significantly changed since design.

10.9 **The team’s assessment is that the MEL Framework and approach is experiencing strategic drift** and beholden to a number of mismatched expectations. The model as currently operating is not well understood and valued in very different ways by the stakeholders spoken to (SIRF, SIG, AHC, Team Leads). See diagram on right.

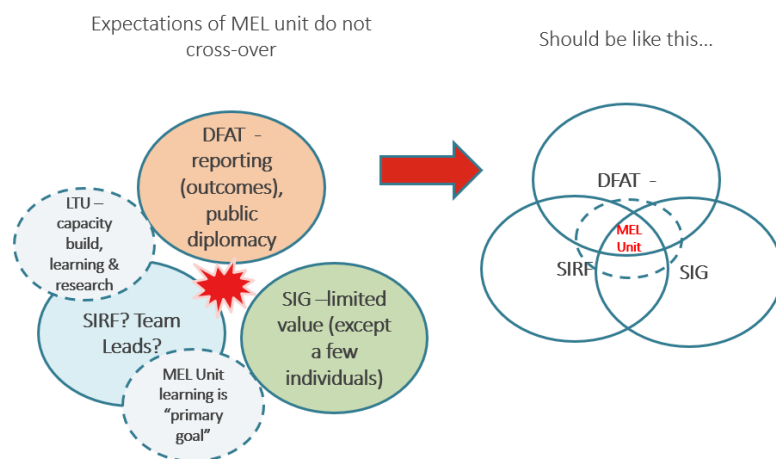


Figure 4. Strategic Drift, MEL Framework

- 10.10 Furthermore, and as a result of the ongoing strategic paralysis regarding the intent of the two programs (are they to be operating to an overarching strategy or not?), the MEL unit have become spread rather too thinly across a number of objectives (Organisational Capacity Assessments, Review and Reflection sessions, six monthly reporting, commissioning research with LTU and so on) – rather than be able to focus on a few things in depth.
- 10.11 The problem is now quite acute – with both LTU and AHC looking for a resolution to this impasse. Probably the main thing that most stakeholders agreed on was that something needs to change. The longer the mismatch in expectations continues; the less efficient the model risks becoming.

Strengths and weaknesses of the MEL approach (KEQ 4)

- 10.12 The team's assessment of the key operational strengths and weaknesses, as well as opportunities and threats (including 'killer assumptions') are summarised in Table 15.
- 10.13 These assessments have been made based on (i) the minimum guidelines proposed in the DFAT M&E Standards 2017 (specifically Standards 2 and 3 relating to investment MEL systems and reporting; (ii) the team's experience designing and delivering, and global good practice, MEL for complex programs in complex contexts; and (iii) the key program documents provided, including but not limited to: the Justice and Governance Designs, the Overarching Strategy, and the Governance and Justice MEL frameworks (including PAFs, which also contain another set of indicators and markers).
- 10.14 Other points worthy of note:
- The most obvious is the ongoing strategic lacunae – what is the status of the Justice and Governance Designs and the Overarching Strategy? Specifically, is the MEL Unit to be measuring changes in cross-government coordination, collective action, and impact for people sub-nationally relating to changes in access to and quality of services? It is a critical point to emphasise: a program must know what it is trying to achieve (its strategic intent) before it knows how to measure and learn from it (its MEL approach). Without clarifying the status of these strategy documents and the overarching strategic intent of the justice and governance programs, the MEL Unit will struggle.
 - Many of the user-focused (i.e. how everyday people experience services in Solomon Islands) and cross-sectoral indicators (i.e. that could only be achieved through agencies and individuals operating vertically and horizontally) have dropped off or been swamped by output level indicators. This is why it has been difficult for the program to tell a well evidenced story of contribution to outcomes thus far.

- There are also a number of strategic documents relating to the MEL, where their status is unclear. In short, the team found it difficult to ascertain from AHC or SIRC which documents held true for them now – and which were defunct. Specifically, the Designs 2019, four- and ten-year achievements, the MEL and PAF indicators, and the various TOCs (in the design, the MEL and now what we understand are new/revised TOCs being finalised). It is important AHC clarify the status of these documents and which are the current benchmarks, results, and theories of change to which they are managing the two programs.

Table 22. MEL SWOT

Strengths	Weaknesses
<ul style="list-style-type: none"> • Evident investment in learning – and appreciation of both single and double loop learning: both internal reflection and facilitating partner led reflection, deeper analysis combined of underlying drivers/ inhibitors of change + shorter review and reflection cycles. This is critical for enabling adaptive management • Staff: highly capable and motivated Pacific staff in MEL unit, backed up by some of the best regarded MEL and adaptive management/ complexity thinkers in LTU. • A focus on servicing government needs and undertaking collaborative monitoring processes with government (not ‘of’ government): e.g. the OCAs • Presence of theories of change at the right level for governance and justice, and understanding of how this is different to a theory of action • Investing in trying to understand complex change through research and analysis. For example, the Chief Magistrate case study and the corruption case study • Clearly articulated program logic and hierarchy of Inputs, Outputs and Outcomes • Strong principles around using existing data where possible (although lack of indicators available for six-month reports may warrant checking of this in practice) • Good mix of qualitative and quantitative indicators and collection methods • Evident that work has been done to better align advisor reporting to outputs in PAF and now (work in progress, we are told) outcomes reporting. This is no small feat and is not done well in many DFAT programs 	<ul style="list-style-type: none"> • Outcomes reporting challenging (not unique to SIRC): evidence not always convincing or provided in six-monthly reports to substantiate success claims at the outcome level [DFAT M&E standard 3.5] • Indicators: too many to enable explain convincing story of change and program contribution at the outcome level. Scope to reduce number and focus on key changes observed at outcome level. Focus on measuring what matters most, not everything. [DFAT M&E standard 2.13] • Data availability: related to above, many indicators not able to be reported on or are missing in six-monthly reports. E.g. only 46% of indicators were reported against from the PAF in the latest six-monthly report for governance component 1 • Baselines: mixed progress here. PAF snapshot reports to not discuss change in indicators against baseline, so difficult to tell if reported changes are positive or negative in nature. Also very focused at output level, not outcome • Unclear whether or how learning processes influence activity/ budget decision making and adaptation of TOCs/sector strategies. Needs to be tied to (or at least explained how it links to) program management approach in absence of the Strategic Committee • Unclear what the strategy is for research and analytic uptake – e.g. of the corruption study. Who is it for? How will it be communicated persuasively to that audience? What is the political strategy for making research salient? Are the incentives for using data/or not/ understood? • Slower than hoped for production of research products (only two completed to date)
Opportunities	Threats (and ‘killer assumptions’)
<ul style="list-style-type: none"> • Good concepts (e.g. program R&R, OCA idea), initial systems (e.g. the PAF snapshot reports) to build upon and improve • MEL Unit now staffed and appear to be of very high calibre and capacity (supported by LTU expertise) • Individuals emerging or present in the SIG system who – if equipped with the right data and 	<ul style="list-style-type: none"> • Continued strategic lacuna remains – whereby the status of the Governance and Justice designs and Overarching Strategy remain unclear (and thus the focus on service delivery outcomes, cross-sectoral coordination and outcomes is unclear/lost and therefore aren’t measured in the MEL Units data collection approaches and methods)

Strengths	Weaknesses
<p>evidence – can make significant change. Chief Magistrate’s ability to leverage increased budget for Cabinet to clear case back-log using data compiled from Provinces an excellent case in point</p> <ul style="list-style-type: none"> Related to above, opportunity to use data in supporting collective action (i.e. way to bring together pro-reform individuals in the system around a specific problem they want addressed; and equip them with simple metric to help advocate for an outcome) 	<ul style="list-style-type: none"> Related to above - continued mismatch of expectations between key stakeholders, leading MEL Unit to deliver on wrong/ different needs or be spread too thinly That all SIG agencies value monitoring performance outcomes, and not tying these processes to incentives to act on data/ change behaviour – e.g. we heard mixed messages about the effectiveness of the OCA process; most critical being that it was not tied to performance incentives (rewards, punishments etc) so would have little impact on public servant behaviour regardless of result.

Is the current set up the best use of resources? (KEQ 4.1)

10.15 **There are three aspects to this question** – the first being the most critical, as it frames the latter two.

- Form (i.e. MEL resourcing and structure) must follow function** (i.e. purpose: what is the program’s overarching strategic intent that the MEL unit must serve?). Key stakeholders do not share a common strategic vision for the governance and justice programs and therefore their expectation of the function of the MEL unit differ. It is thus hard for the team to answer whether the resources are set up in the best way possible to deliver on its functions, in unequivocal terms. Is the function primarily accountability (and within this, output, outcome, or impact monitoring)? Is it program learning and adaptation? Is it building SIG capacity to monitor and assess its own performance? Is it public diplomacy pieces for AHC? Or is it the commissioning and communication of research and analytic products on challenging governance and justice issues in the Solomon Islands? Is it LTU building Pacific MEL capacity? Or is it all of these?

The team’s assessment of the current focus of the MEL structure (a largely autonomous MEL Unit which was, until recently, ostensibly reporting direct to DFAT but practically probably no-one) coupled with the FIFO support of an Australian academic institute – is that it is best resourced and structured to service a learning, Pacific capacity building and deep research/ analytic agenda. Yet these functions appear to have been deprioritised by the AHC and SIG since the LTU was engaged and the MEL Unit established.

- Second, is it appropriate to have an autonomous MEL Unit, supported by a third party from Australia?** If the purpose is to service a broader learning and research strategy that sits across three programs, and to stop-gap the inability to find suitable alternative providers in country - possibly yes. But if its primary function is to service programs (i.e. generating outcomes reporting, facilitating contestation of theories of change, commissioning research that directly informs programming), possibly no. And experience from numerous other DFAT funded facilities and programs in the Asia-Pacific⁴⁸ reinforce this.
- Third, is the best provider to service the MEL Unit an Australian-based academic institute?** This question is beyond our remit to answer as it speaks to a procurement process we are not (and should not be) privy to. But we can observe that LTU Institute for Human Security and Social Change is one of the few, if not only, academic institutes in Australia who have experience and

⁴⁸ For example: the Investing in Women initiative began with an external service provider, Metis, who have now been replaced by an internally-resourced MEL unit, which sits within and reports to the IW Team Leader; practical challenges have been experienced by the Partnership for Human Development program and M&E House in trying to make their external MEL provider arrangement work in Timor-Leste (it is still not resolved); and the PNG–Australia Governance Partnership and La Trobe University in PNG have had to make changes to integrate the ‘Knowledge Platform’ (serviced primarily by LTU) more closely into programming. While these brief statements are oversimplifications of the complexity of what has transpired in each context, it is clear that the common theme is all parties (DFAT, the program, and the external MEL provider) have found a *non-embedded MEL function extremely challenging to get ‘right’ in practice*

applied knowledge in complexity thinking, how this applies to governance, and what this means for MEL. Yet it is also clear that, while there was a need to engage LTU following several unsuccessful approaches to market by Cardno, the very functions the institute was brought on for appear to have been deprioritised by key stakeholders.

- 10.16 **Commentary and conclusions:** Notwithstanding the reasons why an independent MEL Unit and external Australian institute was engaged for the SIRF – it is clear that, if the focus is now on better servicing governance and justice programming needs and improving on core accountability requirements (baselines, outcomes reporting and so on) there may be more efficient ways to structure resourcing. This includes embedded MEL resources within each justice and governance team. But this also comes with trade-offs: notably cross-sector learning and knowledge sharing and the incentive to undertake multi-sector research and analytics. These options, and the trade-offs that come with them, are summarised in Figure 5.

How can it be improved? (KEQ 4.2)

- 10.17 While there are suggestions to be made over the next 18 months – that are strategic, operational and structural in nature – the team strongly suggests no significant changes be made to the overall MEL structure and approach until the strategic intent of the program, and thus the functions and purpose of the MEL Unit, are clarified. In short, the programs must know *what* it is they are trying to achieve (strategic intent) before they know *how best to measure* whether or not this is being achieved (MEL framework and approach).
- 10.18 **Figure 2 illustrated this point:** if the development challenges, and possible solutions, are known in advance⁴⁹ - then a basic accountability approach to MEL is appropriate for the program and donor. This is the top half of the table below: in practice, basic accountability will probably be cheaper and require less specialist MEL partners. However, if the development challenges are *not* well understood, the solutions require multiple stakeholders and individuals working together, and the possible ways to achieve change are unpredictable and contested – then a MEL approach which facilitates rapid feedback, program adaptation and testing is required. This approach is more likely to require a heavier investment in MEL by the program team and possibly the engagement of specialty partners.

Figure 5. Levels of investment in MEL

What type of program you want to “buy”	Type of MEARL you need	
Flexible, delivers pre-determined “stuff” on time in budget	Basic accountability (output monitoring)	Costs less, fewer partners needed
Flexible but tries to also impact development outcomes	Accountability ++ (outcomes monitoring)	
Can identify and respond to obvious political/ emergent change	Short learning cycles (R&R, strategy testing etc)	
Adaptive programming, responds to slower political change (TWP, DDD)	Medium-long learning cycles (mix of R&R and analysis/ deeper reflection)	Costs more, specialist partners needed
Research or evidence driven programming	Long-term learning cycles (research, analysis etc)	

⁴⁹ This is a simple change logic. It is clear how inputs lead to outputs and outcomes (e.g. vaccinating a child reduces child mortality rates due to measles)

- 10.19 **Over the next 18 months (or shorter, should the AHC decide to bring forward the re-designs)** the team would suggest the focus of the MEL unit be on simplifying the PAF and delivering a small number of core accountability functions. Learning and research activities can (and should) continue, but the team suggests that the weighting of effort be put on getting these basic accountability functions in place first. Recommendations are given in section 8.

11 Recommendations

Governance

Table 23. Governance

	Next 18 months (for the current program)	Longer-term (for a new program)
Strategic	<ul style="list-style-type: none"> Phase out support to Leadership Code Commission and the Ombudsman Examine the role and functioning of Public Service Commission – can it reasonably be expected to change the ‘rules of the public service game’? Reframe Component 4 to investigate (and potentially support) formation of informal or formal networks to address specific service delivery bottlenecks (e.g. relating to remand times or filling vacancies), rather than more generic and abstract organisational, institutional, or systemic change goals. Give priority to initiatives which increase all forms of accountability (political, social, executive) Engage with education and health sector teams to consider whether upstream governance activities are impacting service delivery 	<ul style="list-style-type: none"> Adopt a problem-driven approach to delivery – where a few critical cross-sectoral bottlenecks to service delivery are identified and drive all activities/TA workplans (e.g. on procurement, placement/retention of staff at the front line, program-based budgeting and planning) See Figure 3 Focus governance activities on these critical binding constraints to performance and functionality Consider ways to support CDFs and nudge them in a more accountable, transparent, and accountable direction Component 4 designed to support issue-based and progressive reforms, however nascent, tackling specific service delivery bottlenecks
Operational	<ul style="list-style-type: none"> Bring timeline forward for the governance redesign Focus on amassing evidence, data and whole-of-AHC and government clarity / agreement on where the governance program should focus and why 	<ul style="list-style-type: none"> Consider if and how some element of a performance-based approach could work Put in place a process for SIG line ministries, central and / or provincial agencies to come together and agree shared solutions, accountabilities, and performance measures for addressing binding constraints
Structural	<ul style="list-style-type: none"> Establish steering committee with SIG to enable joint design process 	<ul style="list-style-type: none"> Use joint SIG / AHC committee to agree bindings constraints and necessary responses Establish AHC structure more closely to align successor governance program with sector programs

Justice

Table 24. Justice

	Next 18 months (for the current program)	Longer-term (for a new program)
Strategic	<ul style="list-style-type: none"> Task embedded TA to work with ‘their’ agencies to identify the underlying causes of the problems that the indicators speak to, ideally including convening a cross-agency forum (possibly using the Justice Sector Coordinating Committee (JSSC) as a platform) to develop a SIG cross-agency action plan Consider facilitating and incentivising a remand prisoner reduction (or similar) initiative through a payment by results 	<ul style="list-style-type: none"> Ensure clear strategic intent, goal, and outcomes with a few measurable performance indicators Align program with SIG’s vision for justice including the National Development Strategy and the (refreshed) Justice Sector Strategic Framework (JSSF) and its Performance Management Framework Identify core justice agencies and issues (e.g. cybercrime) where there are mutual Australia/ Solomon Island interests and

	Next 18 months (for the current program)	Longer-term (for a new program)
	<p>mechanism possibly implemented through the JSCC</p> <ul style="list-style-type: none"> Start work on a more strategic approach to improving access to justice at the community level including: much stronger lesson-learning among initiatives currently being funded under Component 3 (especially WB and UNDP); review existing evidence and lessons learnt; identify SIG institutional home with responsibility for community level access to justice; engage other SIG agencies (Ministry of Provincial Government, the Ministry of Tribal Affairs, Peace and Ecclesiastical Affairs) 	<p>promote partnerships between relevant Australian and Solomon Island agencies</p> <ul style="list-style-type: none"> Ensure community level access to justice lies at the heart of the program, with the ambition to take improved, affordable service delivery to scale. (The World Bank CGGM project's approach to securing SIG funds at the Provincial and potentially national level is a model) Work with the SIG and non-state actors to develop a realistic and affordable strategy to deliver community level justice using appropriate and context specific models (community officers/community paralegals / Crime Prevention Committees etc.) Pilot approaches through a series of 'small bets' backed up by a program design that encourages innovation, learning and then adapting Consider contracting out implementation to a service provider skilled in working in these highly context specific and adaptive ways, with robust DFAT monitoring at outcome and impact level
Operational	<ul style="list-style-type: none"> For the formal justice system, choose a handful of key outcome-oriented indicators where there is existing data and use those to monitor the program. Or just focus initially on one indicator – the per cent of remand prisoners, internationally accepted⁵⁰ as a key indicator of the functioning of the criminal justice system Continue with the JSSF refresh and push for the inclusion of RSIPF and CSSI Begin to put in place a baseline for M&E purposes 	<ul style="list-style-type: none"> Include as core activity strengthening SIG justice data collection and impact / outcome level M&E (operating across agencies), and the institutional arrangements (potentially the JSCC) responsible for such M&E Require design team to consider payment by results mechanism Put in place baselines at the start of the program, with regular follow up
Structural		<ul style="list-style-type: none"> Continue to provide embedded TA to core formal agencies, but with a stronger mandate to engage with SIG justice sector policy-making, planning, resource allocation and M&E processes, as well as to facilitate collective action to address cross-agency problems in the justice system Ensure advisers have the necessary hard and soft skills

⁵⁰ One of the two internationally agreed indicators to monitor SDG 16.3

MEL

Table 25. MEL recommendations for the next 18 months

Next 18 months	
Strategic	<ul style="list-style-type: none"> Given the lack of an agreed overarching-strategy for the two programs, the team suggests no major changes to the MEL approach and framework be made at this stage – and until the re-designs are complete. Instead focus on simplifying what exists and weighting MEL unit efforts towards bedding down core accountability functions (outlined below), and those learning processes where there is strong SIG and program buy-in
Operational	<ul style="list-style-type: none"> Simplify and reduce the number of indicators in the PAF to focus on measuring what matters most. Where data does not exist, think seriously about need for indicator. Focus on retaining outcome level indicators, not inputs or activity indicators Outcomes reporting and evidence of claims: continue to support the Team Leads to improve the quality of the six-monthly reports Confirm baselines are in place for major outcome areas (noting data was missing for many baseline measures in the PAF) and report on change against baseline in the snap-shot program reports. Alignment of key MEL docs where needed, including the forthcoming and revised justice theory of change with a far more streamlined and simplified PAF Rapid case studies/analytics: consider establishing an analytic pipeline with each Team Lead for the next 18 months. This pipeline could identify a number of rapid, short, policy relevant pieces of research that LTU will produce. Ensure all analysis/case studies are attached to a user-uptake and communications strategy: is the analysis politically salient? What incentives are there for SIG or program stakeholders to use the analysis to inform policy or program decision making? Continue those existing learning processes where there is greatest buy in from the program and SIG agencies. Also seek feedback from agencies on the OCA process, including their advice on how to ensure the indicators and monitoring methods proposed align with corporate or agency plans (the team heard mixed messages about how useful different agencies found the OCA process – therefore the sustainability of this approach remains unclear)
Structural	<ul style="list-style-type: none"> Embed MEL team in the program and clarify reporting lines (consider whether it makes most sense for the MEL unit to report into the two Team Leads). In so doing, ensure the MEL unit is allowed to retain focus on the core actions outlined above – and does not become captured by input/ output reporting requirements or constantly responding to data demands from the AHC La Trobe University support arrangement: suggest no fundamental changes to this arrangement be made until the strategic intent of both programs be clarified. However, in the meantime, the program could ensure the most value is achieved from this arrangement by setting a number of joint targets for the next 18 months and holding all parties to their achievement. For example, if capacity building of the MEL unit is an output of the arrangement, then be clear about this and use a simple way of measuring this. Same with analysis and research (which have been slow and lacking in uptake to date). Set a pipeline for the production of quick, short, user friendly case studies and think pieces and track this

Program management and the SIRQ

Table 26: Program management and the SIRQ

	Next 18 months (for the current program)	Longer-term (for a new program)
Strategic	<ul style="list-style-type: none"> • Confirm separate management arrangements for the two programs 	<ul style="list-style-type: none"> • Ensure SIRQ re-design: <ul style="list-style-type: none"> — Clarifies accountability arrangements among SIRQ, the Team Leads and the AHC: specifically, who is responsible for the delivery of outcomes, and how much delegated authority (regarding budget management, activity design and relationship management with SIG) — Clarify SIRQ core functions: is it as a logistics service provider or a programming entity or both? Note that the team's major concern is that the operational and programming systems and skills required for an operational vs a programming facility are different. It is challenging to find one provider who can do both well. It is usually better to separate sectors into several contracts and deal with the issues of coordination that necessarily need to be overcome
Operational	<ul style="list-style-type: none"> • Pause the SIRQ re-design • Bring forward the design of the governance program (at minimum) and ensure it is completed before the SIRQ is re-designed. The team's view is that the strategy for the governance redesign (and ideally health and education) must be clear before the delivery modality (currently much of what SIRQ does) is finalised. Sequencing is critical, otherwise the modality (how the program is to be delivered) will lock in and dictate the design (what DFAT and SIG want to achieve) 	
Structural	<ul style="list-style-type: none"> • Establish a 'light-touch' fortnightly (information sharing/coordination) mechanism for TLs and corresponding AHC staff 	<ul style="list-style-type: none"> • Keep justice and governance program management functionally separate – but: <ul style="list-style-type: none"> — Integrate the governance program more closely with health and education sector programs (see suggestions above regarding the governance re-design) — Focus the justice program on supporting SIG facilitate better integration within the justice sector (prosecutors, police, magistrates, and the Ministries of Policy and Justice); and on better alignment between SIPDP and the Justice program by the Australian Government • Put in place high level SIG-AHC oversight to review program progress and consider synergies

Technical Assistance

11.1 TA has played a major role in both programs to date – and it will in all likelihood play a major role in future programs⁵¹ The team would make four recommendations:

- **Judge each case on its merits**
- **Be clear about the objectives of the role.** This will determine whether an advisory position or an in-line position is appropriate. No *a priori* assumptions should be made that advisory positions are better at developing competencies and skills or promoting organisational capacity. The extent to which any TA can ‘build capacity’ depends more on their individual skills and talents and the terms of reference than it does on formal organisational placement
- **Give priority to organisational rather than individual ‘counterparting’.** Most TA is expected to work alongside an individual who, it is assumed, will take over the position once the TA departs. Experience shows that it is more effective for the TA to provide support to the unit, department, or agency in which he or she is working, rather than just one person
- **TA should be embedded in, and report to, national staff.** Such a relationship creates an appropriate set of incentives.

⁵¹ The long-term implications of the current Covid 19 epidemic are unknowable at this point

Annex 1: Terms of Reference

The Solomon Islands Governance and Justice Programs (the Programs) commenced on 1 July 2017 and will conclude on 30 June 2021. The Programs will be evaluated for the Department of Foreign Affairs and Trade (DFAT) to inform evidence-based decision making on future engagement in the sectors, including future program designs and implementation.

The Programs were designed together, and with Australian Federal Police's Solomon Islands Police Development Program, were to support the strategic pillar of stability identified in Australia's *Aid Investment Plan for Solomon Islands: 2015-16 to 2018-19*. Aligning the three programs was the 'Overarching Strategy: supporting stability in Solomon Islands through governance, policing, and justice programs. It identified the singular goal of the three programs as:

Communities in Solomon Islands are safe and experience better access to services.

The Programs were designed in the wake of the success of the Regional Assistance Mission to Solomon Islands (RAMSI) and reflected a considered approach to transforming Australian Government support in a new environment, rather than a wholesale revision.

Both program designs had three main points of difference to the preceding Australian support to the governance and justice sectors. These were to: use innovative methods to build institutional capacity; improve the performance of service delivery agencies; and build community demand for stability by working with a wide range of partners, particularly Solomon Islands' nascent civil society. The Programs were designed to be flexible and to deliver a more sustainable model of assistance over time – for both Solomon Islands Government (SIG) and the DFAT team that administers the Programs. The use of a facility was intended to assist in flexible and responsive implementation of the Programs, although DFAT wanted to maintain programming control in a politically sensitive area of development assistance.

This review will provide independent advice and assessment on whether the Programs are delivering support to Solomon Islands in the justice and governance sectors in effective, innovative and sustainable ways (for SIG and DFAT), and if not, what options are available for delivering our support differently to meet the Programs' objectives.

Background

Solomon Islands remains a post-conflict country, with relatively weak institutions even by regional standards and a government with limited influence in communities beyond Honiara. The Governance and Justice Programs both sought to maintain the gains of RAMSI and used an incremental approach to reforming and strengthening key institutions to improve service delivery and contribute to safer, more stable communities in Solomon Islands.

The Programs were also designed to foster trust between citizen and state, improve development outcomes through non-state avenues and build the reach of services beyond Honiara. An important feature of both Programs was to increase community engagement in Solomon Islands' reform agenda.

Justice

Australia's 14 years of support for justice in the Solomon Islands continued with the Solomon Islands Justice Program (2017-2021). The \$32 million program was designed to continue the evolution away from the capacity substitution model – an essential model at the time of the Tensions and RAMSI – to a capacity building model to advance institutional capacity and deliver tangible, real world improvements for people.

The Justice Program goal is:

Communities in Solomon Islands have greater access to a credible justice system that supports the rule of law

The end of program outcomes are:

- Justice sector agencies are increasingly capable of delivering core services.
- Legislation is supported by sound policy development, is clearly written, and well understood.
- Solomon Islanders have improved access to justice.
- Good practice in leadership, community engagement and public sector management is increasingly demonstrated in the justice sector.

The Program was designed to deliver this through activities under four components: justice agency strengthening; legal policy and legislation; access to justice; and whole of sector strengthening.

The Justice Program would deliver its support through a variety of modalities. It would continue with advisory support where necessary to maintain a minimum level of functionality, but this would be carefully considered and regularly reviewed. Institutional advisers on professional development, human resources, finance and gender and social inclusion would work across the sector, helping to pull together ideas and improve the efficiency and continuity of these key operations. The program would make use of twinning arrangements, to mentor and build competencies of the next level of leaders in the justice sector. We would also work with international organisations Save the Children, the Pacific Community's Regional Rights Resource Team, the UN Development Programme and the World Bank on projects to expand access to justice particularly for youth, women and those in rural areas. Direct budget support would also be used as part of this program.

SIGP

The \$30 million Solomon Islands Governance Program (2017-2021) was designed to support all three strategic objectives of DFAT's Aid Investment Plan for Solomon Islands by supporting stability, enabling

economic growth and enhancing human development. The Governance Program would do this by building and sustaining capacity across the Solomon Islands' public sector. The aim would be to see the removal of barriers to service delivery that come from poor public financial management (PFM), poor public service systems and poor capacity. This would require working incrementally on reforms with SIG and collaborating with other Australian supported programs, such as justice and policing, but also health, education, and transport. The Program would also play a critical role in helping mitigate fiduciary risks to Australia across the broader Solomon Islands development program.

The Governance Program goal is:

To strengthen the ability of government agencies to support economic growth and improved public service delivery more effectively

There are three end of program outcomes:

- Fiscally and socially responsible budgeting and borrowing policies.
 - Professional Public Financial Management Cadre that facilitates improved service delivery.
 - A more accountable and responsible public service.

The Program was designed to deliver this through activities under four components: fiscally and socially responsible budgeting and borrowing policies; a professional public financial management cadre that facilitates improved service delivery, a more accountable and responsive public service; and strengthening coalitions for reform. The Program would use a range of delivery modalities including technical assistance (but emphasising short term assistance where practical), twinning arrangements, limited budget support, and support through specialist Pacific-region organisations.

The program would partner with SIG central agencies including the Ministry of Finance and Treasury, Ministry of Public Service and the Ministry of National Planning and Development Coordination to implement key reforms in areas such as public financial management including procurement, human resource management, budget planning and execution, customs and information communication technology. The program would work with civil society, professional associations, and accountability institutions to support increased demand for accountable public services. We would also coordinate with World Bank and Asian Development Bank and IMF, who would provide technical advice to the government on economic and financial reforms.

MEL

A MEL unit was established to ensure that the intended benefits of having co-designed programs are realised and that the programs collaborate to reach their shared outcome. It would provide timely and relevant information to DFAT to support an iterative and problem-solving approach to program implementation.

Under the original designs for the justice, governance and police programs, a shared monitoring, evaluation, and research unit with a mixture of in country staff and long-term technical expertise was proposed. In the face of recruitment difficulties, the approach of a locally managed unit with short-term technical assistance was developed. Recruitment difficulties also contributed to the MEL unit's established being delayed until the second half of 2018. It also was not able to recruit an embedded Communications Officer as the design had intended. The police program established its own MEL mechanism.

In practice, the MEL Unit supports the governance and justice programs by: engaging with SIG partners on capacity assessments and annual review workshops; collecting data for the Performance Assessment Framework; and synthesising adviser reports to assist SIRF in writing reporting. The MEL unit collaborates with the monitoring and evaluation resources in the police program. It is supported by specialist advice from the Institute for Human Security and Social Change at Latrobe University.

Program implementation

The Solomon Islands Resource Facility (SIRF) is responsible for implementing the bulk of program activities. The management and coordination of logistical arrangements, adviser recruitment and performance management is undertaken by SIRF.

DFAT has responsibility for program strategy and policy and is responsible for ensuring that the mix of activities will lead to the program outcomes. Aspects of the Programs, including engagement with NGOs or Australian Government partners, are managed directly by DFAT through direct arrangements. DFAT is responsible for understanding, engaging with and determining the impact of political dynamics on the outcomes of the Programs. Since implementation of the Program began dedicated Australian-based staffing numbers have been reduced. Program implementation has been slow in the fourth component of the Governance Program which aimed to strengthen coalitions for reform. Consequently, investments made within the component have been a lower value than the quantum proposed in the design. Across both Programs the use of long-term technical advisers and in-line advisers has remained a prominent demand driven modality of implementation, whereas the designs had envisaged increasingly transitioning to other modalities.

Purpose

The primary purpose of this independent evaluation is to assess progress against the Programs' objectives and to make recommendations to DFAT for improvements to program implementation and management. The information gathered in undertaking the review will guide DFAT in its strategic and management decisions regarding the Programs and will inform the use of facilities in the Solomon Islands context. The review will examine the operating context and assess the prioritisation of all four components of both Programs.

In addition to the evaluation forming part of the required reporting for DFAT's Aid Governance Board, there are two other key factors that have informed the design of the evaluation terms of reference.

Firstly, the hybrid programmatic approach to implementation with DFAT and SIRF both implementing parts of the program has created tensions around coordination, clarity of responsibilities and potentially threatened the achievement of outcomes. The reduction to post resources has exacerbated these challenges.

Secondly, the use of innovative methods across both programs has faltered, seen particularly in the development and use of adaptive MEL, in building community demand for stability and in the use of long term and in-line advisers.

While DFAT will be the principal audience and user of the review findings we may share its findings with the Solomon Islands' Government, SIRF and other partners involved in implementing the governance and justice program support. The review findings will be made available to the public on DFAT's website.

KEQs

The independent review should answer the following questions in undertaking its evaluation of the Programs:

- Do our interventions in Solomon Islands remain appropriate, fit for purpose and relevant to address stakeholders'⁵² needs?
 - Are the Program's objectives realistic and on track to being achieved?
- Are the delivery mechanisms in place, including the use of the Solomon Islands Resource Facility or TA, the most effective for achieving program outcomes?
 - What alternative implementation processes should be considered for the Programs now, and for future designs?
 - Have the synergies envisaged with the joint design and shared resourcing of the Programs been realised?
- Are the Programs using the best mix of modalities for achieving its results?
 - Are the Programs enabling change and supporting SIG to transition towards a sustainable model of assistance?
- What are the strengths and weaknesses of the monitoring, evaluation, and learning system?
 - How can the MEL system be improved, including identifying priorities to best support and drive progress within the program?
 - Is the current set up the best use of available program resources?

In answering the evaluation questions the review team will consider all aspects of the Programs' designs and implementation.

Processes and activities

The expected period for the independent evaluation is from 2 September to 29 November 2019, including in-country field work in Honiara, Solomon Islands and at least one provincial location. This evaluation period includes time for desk review, preparing the evaluation plan and methodology, consultation and preparing an aide memoire of preliminary findings and a final evaluation.

No	Tasks	Number of allocated days
1	Undertake a verbal briefing with DFAT to clarify scope and inform the evaluation plan	Within 1 week of engagement (9 September 2019)
2	Conduct a desk review of relevant documentation provided by DFAT	Within 2 weeks of engagement (13 September 2019)

⁵² Stakeholders are undefined in the Overarching Strategy and the designs, but throughout implementation has been regarded as the Solomon Islands' Government including the public service, the judiciary and statutory office holders, its civil society including communities and its private sector.

3	Submit an evaluation plan, including methodology, instruments, identification of key respondents, requirements for further documentation	Within 3 weeks of engagement (20 September 2019)
4	In-country briefing with DFAT and final team preparations for field work	Within 5 weeks of engagement (30 September)
5	In-country field work in Honiara and at least one provincial centre (e.g. Auki)	Within 5 weeks of engagement (Completed by 11 October 2019)
6	Conduct meetings/teleconference with Australian based stakeholders, including the World Bank, Department of Home Affairs, and the Australian Federal Police (travel by Solomon Islands-based team members not required)	Within 1 week of in-country mission (Completed by 21 October 2019)
7	Prepare and present an aide memoire for submission, outlining major findings and preliminary recommendations.	Within 3 weeks of the in-country mission (Completed by 4 November)
8	Further analysis of data and interview results and prepare draft report	By 19 November 2019
9	Submit draft report	By 20 November 2019
10	Submit final report	By 29 November 2019

The Evaluation Team Leader will be allocated up to 45 days. Other Evaluation Team members will be allocated up to 35 days to undertake the evaluation activities.

Key outputs

Evaluation Plan (up to 10 pages by 20 September)

The evaluation plan will be developed by the Team Leader in consultation with members of the evaluation team and outline the scope and methodology of the evaluation. The plan will be approved by DFAT prior to the commencement of the in-country mission. The evaluation plan should comply with DFAT's Monitoring and Evaluation Standards and describe the appropriate methodology the team intends to use to answer the key evaluation questions, within the allocated timeline and resources. A list of communities, organisations and individuals who will be consulted should be identified.

The plan will include:

- the methodology to be used for assessing the outcomes of the program
- the process for information collection and analysis

- the list of sub-questions developed from the key evaluation questions
- challenges anticipated in achieving the evaluation objectives
- allocation of tasks to the evaluation team
- key timings
- a consultation schedule for both Programs identifying key stakeholders for the purpose of the consultations, including for in-country meetings and visits
- activities and research to be undertaken
- an approach to provide feedback to relevant groups and stakeholders
- any ethical considerations in undertaking the evaluation.

Field Mission and Aide Memoire (up to 5 pages, plus attachments, by 4 November)

A field mission to the Solomon Islands, including meetings in Honiara and at least one provincial centre, is a key aspect of the review. The team will brief DFAT pre and post mission. Within three weeks of the mission the Team Leader will present and submit an aide memoire (maximum 5 pages) on initial findings.

The aide memoire should include:

- mission activities
- confirm and verify facts and assumptions
- initial findings, including the feasibility of initial recommendations in context
- an outline of the contents of the final report.

Final Report for Justice Program and Governance Program (one report up to 20 pages, plus attachments, by 29 November)

The Final Report should meet the DFAT Monitoring and Evaluation Standards. The evaluation report should be a useful, clear, and concise summary of the evaluation findings, implications, and recommendations. The report should:

- include a succinct and clear executive summary
- be written in plain English that can be read as a stand-alone document
- clearly present key achievements and challenges
- be evidence based
- present unambiguous, contextually practical, and strategic conclusions and recommendations.

The Evaluation Team must submit the draft report to DFAT with at least five working days for DFAT to consider the draft. The Team will be provided with at least two working days to incorporate feedback on the draft. The final report must be submitted before 29 November 2019.

Roles and responsibilities for team members

With regard to the scale of the evaluation, which must review two multiyear programs simultaneously, the review will be led by a Team Leader and include up to two team members. The team must have sectoral expertise in both governance and justice. A team that can incorporate local expertise from the Solomon Islands within the evaluation team would be highly valued. The evaluation team will be independent of DFAT. The evaluation team will be supported in-country by an adviser from the Solomon Islands Government and two DFAT program staff from each program. Where required, the evaluation team will work collectively and in smaller groups.

The evaluation team is required to collectively possess the following skills and experience:

- monitoring and evaluation skills and experience in applying learning to program implementation, including through facilities
- critical thinking, broad evaluation, analytical and research skills
- consultative skills and participatory research methods
- comprehensive report writing skills
- strong knowledge of public financial management, public sector reform and the role of CSOs in the development context
- strong knowledge of justice functions, legal policy development and community access to justice
- strong knowledge of gender and social inclusion issues
- experience working in the Pacific and
- sound knowledge and understanding of aid effectiveness.

The Team Leader will be a monitoring and evaluation specialist. They will lead the evaluation process, including participating in the initial briefing, assigning tasks and responsibilities to the other team members, and presenting preliminary evaluation findings in the aide memoire. The team leader will also bear primary responsibility for delivering the following outputs, and will marshal the expertise of the other team members to those ends:

- develop the overall approach and methodology for the evaluation
- manage and direct the review team
- represent the review team and lead the review team's consultations
- manage, compile, and edit inputs from other review team members
- produce the aide memoire
- produce the draft report and
- produce the final report.

Team Members, or the justice and governance sector experts will be responsible for providing:

- intellectual and contextual insights to the Team Leader on the preparation and finalisation of the key outputs
- contribute towards writing the evaluation products
- participate in the in-country mission and Australian meetings as directed by the Team Leader
- finalise data collection tools and gather field data (interviews, focus groups, secondary data collection and
- perform other duties as directed by the Team Leader.

The Solomon Islands Government nominated representative will provide advice on the policies, priorities and interests of the Government and the wider social, political, and cultural context of the Solomon Islands, and their implications for the evaluation.

The DFAT program staff will be responsible for providing broader policy advice and inputs on the interconnection of the justice and governance programming to other Australian investments across the Solomon Islands. They will advise on Australian government priorities and the intersection of the political objectives with the program.

The Solomon Islands Resource Facility will provide logistical support, including: obtaining visas for the evaluation team; acting as language interpreters if required; transcribing field interviews and focus groups; liaising with local stakeholders and organising in-country visits and consultation

Annex 2: People Met

Key Informants	Position
Australia	Position
Mr James Gilling	First Assistance Secretary, Pacific Division, DFAT
Mr James Batley	Distinguished Policy Fellow, ANU (ex-Deputy Secretary DFAT and ex High Commissioner to the Solomon Islands)
Ms Saku Akmeemana	Principal Sector Specialist. Governance, DFAT
Ms Sarah Boddington	Director, Governance, DFAT
Ms Kirsten Hawke	Director, Contracting and Aid Management Department, DFAT
Mr Michael Hassett	Director, Corporate ex-Deputy High Commissioner, Solomon Islands
Ms Tanya Morjanoff	Director
Ms Karen Moore	Assistant Secretary, Attorney-General's Department
Ms Jennifer Hyatt	Attorney General's Department
Mr Scott Lee	Assistant Commissioner, Australia Federal Police
Mr Peter Adams	Ex L and J Program Manager, now DFAT Canberra
Mr Alan Butler	General Manager, Capability & Development Queensland Corrective Services Academy
Mr David Woodroffe	Principal Legal Officer, North Australian Aboriginal Justice Agency
Ms Fiona Hussin	Deputy Director, NT Legal Aid Commission
Mr Ian Park	Inspector – Operational Legal Advice and Development, Prosecution Services, Queensland Police Service
Mr Jack Karczewski QC	Director of Public Prosecutions, Department of the Attorney-General and Justice, Darwin
Mr Matt Nathan	Department of the Attorney-General and Justice, Darwin
Ms Lisa Denney	Independent consultant
Tuvalu	
Ms Karyn Murray	High Commissioner, Australian High Commission, ex Counsellor, Justice Program, Solomon Islands
Timor Leste	
Ms Pip Venning	Deputy Head of Mission, Dili previously WB/ J4P + consultant for DFAT
Mr Robin Perry	Program Manager, Asia Foundation (ex-Program Manager, Solomons Justice)
World Bank	
Ms Ginnie Horscroft	World Bank, Washington DC
Mr Ali Tuhanuku	World Bank, Honiara
Mr Serdar Yilmaz	World Bank, Washington DC

Solomon Islands	
Mr Rod Brazier	Australian High Commissioner
Ms Sally-Anne Vincent	Australian Deputy High Commissioner
Mr Max Willis	Counsellor, Australian High Commission
Mr Andrew Schloeffel	Counsellor, Australian High Commission
Ms Alison Barmsey	First Secretary, Australian High Commission
Ms Kate Webb	First Secretary, Australian High Commission
Ms Olivia Chambers	First Secretary, Australian High Commission
Ms Fiona Mulhearn	First Secretary, Australian High Commission
MS Julie McCullum	Counsellor, Australian High Commission
Ms Natalina Hong	Senior Program Manager, Australian High Commission
Ms Jemma Malcolm	Gender Adviser, Australian High Commission
Mr Erik Lui	Senior Program Manager, Australian High Commission
Ms Lanita Waleanisia-Spillius	Senior Program Manager, Australian High Commission
Ms Bridget Sitai	Program Manager, Australian High Commission
Mr Jude Devesi	Under Secretary, Ministry of Public Service
Mr Andrew Houlia	Under Secretary, Ministry of Justice
Ms Carol Qilakomala	MEL Coordinator, SIRF
Ms Lisa Clearly	Team Leader, Governance Program
Mr Dentana Mackinnie	Permanent Secretary, Ministry of Finance and Treasury
Ms Karen Galokale	Permanent Secretary, Ministry of Police, National Security and Correctional Services
Ms Mactus Forau	Under Secretary, Ministry of Police, National Security and Correctional Services
Ms Julie Twumasi	Financial Controller, Ministry of Police, National Security and Correctional Services
Mr Nego Sisiolo	Permanent Secretary, Ministry of Public Service
Mr David Suirara	Under Secretary, Ministry of Public Service
Mr Cornelius Tariga	Assistant Secretary, Ministry of Public Service
Mr Pio Vunitaraga	Adviser, Ministry of Public Service
Ms Pauline McNeil	Permanent Secretary, Ministry of Public Service
Mr Bruce Philip	Accountant General
Mr David Stewart	JANUS Task Force
Ms Julieanne	JNAUS Task Force
Mr Peter Lokay	Accountant General

Ms Rachel McKechnie	Deputy Accountant General
Ms Pamela Alamu	CEO of Solomon Islands Institute of Accountants
Mr Solomon Kalu	Chair, Leadership Code Commission
Mr Fred Fakirii	Ombudsman
Mr James Bosamat	Deputy Secretary, Ministry of Education & Human Resources Development
Mr John Dinsdale	Manager, SIRF
Ms Pranita Sharma	LTA, Budget Adviser MoFT
Ms Deborah Sargeant	LTA, Procurement Adviser, MoFT
Ms Mereani Naisara	LTA, Internal Audit
Mr Dean Hunter	LTA, MoFT upgrade of FMIS
Mr Tione Bugotu	Acting Chair, Public service Commission
Ms Jenny Tuhaika	PSC Commissioner
Mr Benjamin Newyear	PSC Commissioner
Mr Jim Sutton	Comptroller, Solomon Islands Customs and Excise
Ms Alison Boso	Deputy Comptroller, Solomon Islands Customs and Excise
Dr Henry Kako	Director, Provincial Health Office
Mr Solomon Sisimia	Provincial Police Commander, Malaita
Mr Jasper Anisi	Office of the Director of Public Prosecutions, Malaita
Mr Oxley Limeniala	Office of the Public Solicitor, Malaita
Ms Corinah Batt	Office of the Public Solicitor, Malaita
Mr Andie Siarani	Chief Education Officer, Malaita
Mr Edward Afea	Commandant, Auki Correctional Centre, Malaita
Mr John Talo	Coordinator, Auki Urban Disability Community Alliance
Mr Jack	Mental Health Nurse. Kilu'ufi Hospital, Malaita
Mr Moses	Team Leader. Rural Development Program, Malaita
Mr John Lee	Deputy Team Leader, Rural Development Program, Malaita
Mr Frank Fono	Program Manager, SIJP, DFAT
Ms Brenda Wara	Ministry of Justice and Legal Affairs
Mr Freddy Me'esa	Permanent Secretary, Special Duties, Ministry of Justice and Legal Affairs
Mr Philip Waletobata	Authorised Justice, Malaita
Mr Nelson Ne'e	Authorised Justice, Malaita
Mr Whitlan Saeni	Deputy Director, Ministry of Tribal Affairs, Peace and Ecclesiastical Affairs

Ms Emma Garo	Chief Magistrate
Sister Mere	Malaita Christian Care Centre
Brother John Mark	Malaita Christian Care Centre Financial Officer
Mr John Wate	Save the Children, Malaita, Regional Coordinator
Youth group members	Save the Children, Malaita
Mr Frank Paulsen	Chairman, Law Reform Commission
Mr Philip Kanairara	Chairman, Law Reform Commission
Ms Alice McGrath	Head of Program, SIJP
Mr Kevin Raue	Facilitator, SIJP
Ms Rachel Olutimayin	Director of Public Prosecutions
Mr Andrew Kelesi	Deputy Director of Public Prosecutions
Mr Howard Lawry	Public Solicitor
Mr George Grey	Deputy Public Solicitor
Ms Kathleen Kohata	Head of Family Unit, Public Solicitors Office
Mr David Kwalai	Public Solicitors Office
Mr John Muria	Attorney General
Mr Savenaca Banuve	Solicitor General
Ms Lynette Tora	CEO, Judiciary
Mr Leonard Alufurai	Chief Infrastructure Officer, Judiciary
Mr Gabriel Manelusi	Commissioner, CSSI
Acting Commissioner Cory Wiggett	SIDP
Ms Brenda Lawler	SIDP
Ms Louise Hiele	Save the Children, Honiara
Ms Falu Maesugea	Deputy Centre Manager, Sief Ples
Ms Ethel Sigimanu	Former Permanent Secretary, Ministry of Justice and Legal Affairs
Mr Rodney Wheatney	Acting Director, Police Prosecutions
Ms Sopnia Ata	Program Manager, Gender
Ms Donna Hoffmeier	SIPDP
Ms Kylie Walsh	SIPDP
Mr Birdie Berdiyev	Country Manager, UNDP
Ms Jane Waetara	Team Leader, Effective Governance UNDP
Ms Kasanita Seruvatu	SIJP Learning and Development Adviser
Ms Andie Driu	SIJP Police Prosecutions Adviser
Ms Pamela Wilde	SIJP Legal Policy Adviser

Ms Lorraine Kershaw	SIJP Gender Adviser
Ms Mary Louise O'Callaghan	SIJP Communications Adviser
Mr James Apaniai	Former Attorney General
Ms Penelopa Gjurchilova	Consultant SIJP
Mr David Shenman	SIJP TA for CSSI
Mr George Samuel	SIJP TA for CSSI

Annex 3: A Program history

The RAMSI legacy

The contemporary development and security context of Solomon Islands cannot be understood without reference to the past: the so-called ‘Tensions’ of 1998-2003 and the subsequent Regional Assistance Mission to Solomon Islands (RAMSI), 2003-2017. This context is manifest in two domains: first, Solomon Islands remains a post-conflict country where communal alliances remain strong, and second, despite a long history of Australia’s engagement with the governance and justice sectors through RAMSI and beyond, national institutions remain weak. It is important therefore to situate this evaluation in the context of Australia’s long and complex engagement with the governance and justice sectors in the Solomons over the last 20 years.

The Solomons state almost collapsed in 2003. RAMSI’s mandate focused not only on re-establishing law and order but also re-establishing core state functionality and laying the foundation for macroeconomic stability:⁵³

- Restoring civil order in Honiara and the rest of the country;
- Stabilising government finances, including securing revenue collection and controlling expenditure, and strengthening financial administrative safeguards;
- Promoting longer-term economic recovery and reform; and
- Rebuilding the machinery of government, including the functioning of the national parliament, the cabinet, the public service, and the electoral process.

Since its deployment in 2003, RAMSI has had impressive achievements in some areas. The regional program not only restored law and order rebuilt broken government machinery as well as rescue a collapsing economy. RAMSI worked across three pillars: (i) justice; (ii) economic reform; and (iii) machinery of government and with key central institutions of state, including Royal Solomon Islands Police Force (RSIPF), the Ministry of Finance and Treasury (MoFT) and partially with the formal court system to rebuild the state of Solomon Islands.⁵⁴ But some important lessons can be drawn from RAMSI for any future aid investment and intervention in the Solomon’s Law, Justice and Governance programs.

Deep drivers of conflict and development challenges

Many of the drivers of instability and development remain. Solomon Islands is a culturally diverse and geographically fragmented archipelago of 998 islands. Over 80 percent of the population live in rural and isolated communities with an estimated urban growth of 4.7% per annum⁵⁵. A majority of Solomon Islanders living in rural and remote communities face numerous barriers when it comes to accessing government services, that is, justice, law, education, and employment. Access and outreach of state services beyond Honiara is poor and unreliable. Short-term prospects are poor: the fiscal position is deteriorating with a declining spend on essential services.⁵⁶

Predecessor programs: strength, weaknesses, and issues

Apart from RAMSI’s security and policing assistance, development efforts regarding state building were based on three pillars: (i) justice that focused on strengthening the courts, prisons and the law system; (ii) economic

⁵³ Judy Putt, Dinnen Sinclair, Keen Meg, and Batley, James. (2018) *The RAMSI Legacy for Policing in the Pacific Region: A Research Report*. Department of Pacific Affairs: Canberra.

⁵⁴ Overarching Strategy: Supporting stability in Solomon Islands through Governance, Policing and Justice Programs 2017-2021, p. 3.

⁵⁵ Ibid.

⁵⁶ Ibid.

government aimed at improving fiscal stability and stimulating growth and investment; and (iii) public sector reform that involved strengthening accountability mechanisms.⁵⁷ This section provides a detailed overview of the non-policing components of RAMSI's development programs from 2013 to 2017.

Solomon Islands Economic and Public Sector Governance Program (SIGOV)

SIGOV coincided with planning for the departure of RAMSI as part of Australia's broader aid investment that focused on improving prosperity and human development through a stable and secure state.⁵⁸ The Manning review (2014) of SIGOV highlights that while RAMSI was able to restore peace and provide macroeconomic stability in Solomon Islands, it failed to achieve substantial public sector reforms. This finding is consistent with literature across similar public sector reform programs in fragile states where the improvements in service delivery at the centre fails to trickle down to the communities.⁵⁹

One of the main observations of the review was that the dominance of clientelism: the *wantok* system prevails. RAMSI of course was not able to change the clientelist relationship that individuals have with the politicians in Solomon Islands⁶⁰. In recent years, the growth of Constituency Development Funds (CDF) has further strengthened the transactional relationship between voters and politicians while at same time, fractured the accountability relationships between public servants, politicians and the citizens (see Figure 1 below). The disconnect between the government and constituents (voters) seems to have widened than narrowed.

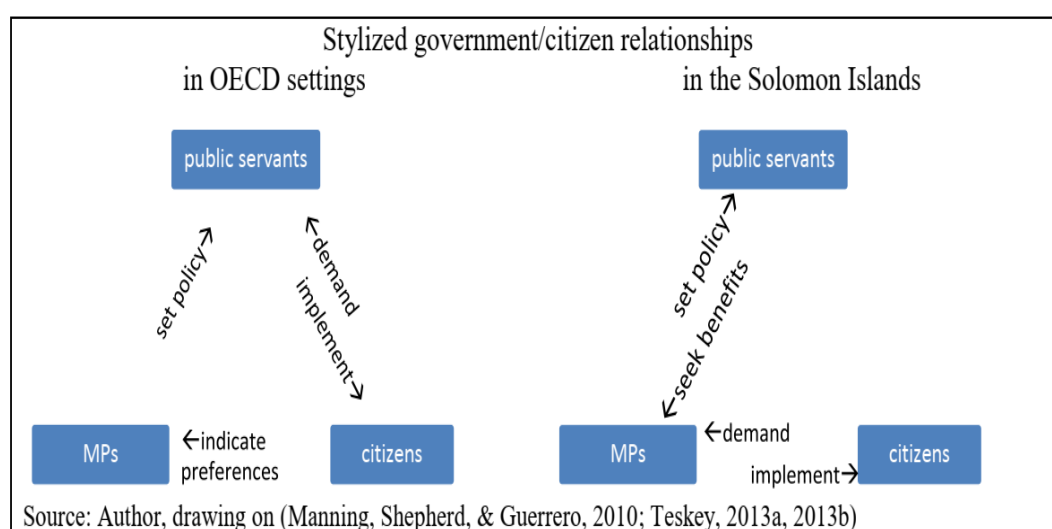


Figure 1: Accountability Relationships⁶¹

⁵⁷ Judy Putt, Dinnen Sinclair, Keen Meg, and Batley, James. (2018) *The RAMSI Legacy for Policing in the Pacific Region: A Research Report*. Department of Pacific Affairs: Canberra.

⁵⁸ Manning, Nick (2014) *Independent Review of DFAT's Solomon Islands Economic and Public Sector Governance Program (SIGOV)* Report.

⁵⁹ Independent Evaluation Group (2006) *Engaging with Fragile States: An IEG Review of World Bank Support to Low-Income Countries under Stress*. Washington DC: World Bank; Independent Evaluation Group. (2008). *Public Sector Reform: What Works and Why?* Washington DC: World Bank; World Bank. (2011). *World Development Report: Conflict, Security and Development*. Washington DC: World Bank; World Bank. (2012). *The World Bank's Approach to Public Sector Management 2011-2020: Better Results from Public Sector Institutions*. Washington DC: World Bank.

⁶⁰ Wood, Terence (2013)

⁶¹ Cited in Manning, Nick (2014) *Independent Review of DFAT's Solomon Islands Economic and Public Sector Governance Program (SIGOV)* Report, p.11.

The review further noted that SIGOV was unlikely to result in improvements to service delivery at the local level. In particular, the report identified problems with SIGOV's two-part intervention logic:⁶²

- *Part A – interventions which cause functional improvements in central agencies*
The inputs focus narrowly on technical advice and guidance and temporary capacity enhancement through external advisors; and'
- *Part B – ensuring that those improvements result in government performance improvements*
It seems that the program had limited understanding of how the public sector operates downstream now or could in the future operate more effectively are not acknowledged explicitly and consequently no approach to learning about how the public sector operates is incorporated within the project design. There was little evidence on which to prioritize improvements in the central agencies, or to address the distinctively strong role of MPs in determining public sector outputs.

Areas for further reflection included the following:⁶³

- *The program objectives to be re-specified:* improving the performance of the central agencies to enable effective delivery of key services and support economic growth; Identifying and removing other systemic obstacles to sector service delivery and to the creation of an enabling environment for growth; and mitigating fiduciary risks to Australian and SIG funds;
- *Coordination bodies:* reducing the number of governance bodies and developing a new "Delivery and Results" coordinating body, with tightly limited attendance, including Permanent Secretaries from the central agencies and from key sector departments and no more than 2 or 3 donor representatives. This new body should be able to discuss political challenges to delivery in confidence and be the owner of key indicators of central agency improvement and of a very small set of service delivery indicators; and
- *Incorporate learning within SIGOV:* With a radically improved level of coordination with other DFAT sector programs (health, infrastructure and more), Solomon Island Government (SIG) counterparts and others working on sector service delivery issues, (1) undertaking explicit diagnostic work to pinpoint where there are constraints to service delivery which are particularly amenable to central agency/upstream work by SIGOV; (2) Implementing cautious piloting, with clear specifications and criteria for considering it effective and for rolling it back if it is not, to allow experiments in: sector or entity level reforms; building on the Constituency Development Funds; and enhancing demand-side pressures; (3) experimenting with management coaches and confidential advice to selected senior SIG management and with peer learning and developing a "learning and strategy" function for SIGOV.

The Governance Program as implemented

Inception period AWP 1 (2017-18) was organised around a range of activities to be implemented across the four components of the SIGP:

- Component 1: Fiscally and socially responsible budgeting and borrowing;
- Component 2: Professional PFM cadre that facilitates improved service delivery; and
- Component 3: A more accountable and responsive public service.
- Component 4: Strengthening coalitions for reform.

The following features of the program implementation in the first year are worth noting. First, The SIGP design is quite prescriptive in terms of the broadly defined activities to be implemented across the four components in order to realise the expected EoPOs. The first Annual Work Plan (2017-18) is dominated by support for component 1 that focuses on improving budget planning and execution so that SIG debts are well managed

⁶² Ibid, p. 2.

⁶³ Ibid, p. 2-3.

and operating effectively with an efficient customs and excise division. There is a heavy emphasis on supporting SIG-led initiatives through targeted STA inputs and lesser reliance on LTA across activities for Components 1-3. Though there is less clarity on how coalitions for reform will be strengthened and technical capacity of public servants sustained across a whole range of SIG agencies and institutions.

Second, there is a strong emphasis in this reporting period for close alignment of both Overarching Strategy and SIGP to the government priorities outlined in the SIG's National Development Strategy as well as in the sector/ministry-based plans. This is underpinned by a heavy investment of time and effort in establishing effective partnerships with the key SIG counterparts that are critical to achieving SIGP outcomes. The activities in first AWP are particularly aimed at establishing mechanisms for closer collaboration across the Police, Justice and Governance programs that are not only demand driven by SIG but also sustainable in the long term. Key result of this new approach to Australia's engagement with the SIG has not only led to renewed relationships between DFAT/SIG but also developed some degree of mutual accountability and shared responsibilities that did not exist in the past.

Third, as per the SIGP design, the selection of activities under Components 1-3 seem to be "scaling back" from long-term technical assistance (LTA) to other modalities such as short-term assistance (STA). SIGP envisages that the LTA will build on the gains from the earlier iterations of the governance program by providing capacity building support to MoFT budget unit and strengthen LM capacity to effectively monitor and evaluate LM implementation of development budget projects with an overall aim to strengthen SIG's medium-term development budget framework. As the SIGP evolves, it is expected that the activities supported by the LTA in the AWP 2017-18 as well as AWP 2018-2019 will focus less on MOFT capacity building and more on strengthening LM capacity. Rather than creating unsustainable parallel systems, the first year of activities are built around creating a lean TA model but supported by other modalities such as south-south capacity building initiatives with key professional, industry associations, and regional coalitions.

Fourth, while there is value in SIGP's lean TA model but whether or not moving away from capacity substitution to capacity building is actually strengthening MDPAC's internal capacity is questionable. The SIGP six monthly report (July – December 2017) noted a sheer lack of ability amongst many SIG financial officers to fully understand basic PFM principles and apply responsible budget processes. For instance, the first six months saw a continuous dwindling and reprioritisation of LM development budgets by SIG to the Constituency Development Funds (CDFs) and payments for essential services that resulted in many LM development projects being postponed or cancelled. This not only poses a potential risk to realising EoPOs but also the need for SIGP to balance these risks with benefits of retaining key personnel in MDPAC who can effectively implement SIG recurrent and development budget processes. Despite Australia's significant investments over a long period of time, many of the longstanding risks remain within the SICED, such as, technical capacity gaps, staff integrity, organisational structure and leadership, and lack of succession planning.

Fifth, a heavy reliance on intervention models in all the predecessor governance programs, such as, the use of LTAs to substitute capacity certainly would have created "capacity dependencies" that will be hard to let go now. As noted earlier, local capacity in PFM and fiscal budgeting processes and frameworks is quite low and, in some areas, non-existent. Moving forward, the SIGP needs to take into consideration a long-term approach to capacity building so that the gains from the SIGP relating to its core governance functions are sustained. Added to this, is the complexity of the Solomon Island's political economy context and the growth of CDF funds. Technical interventions may not necessarily be enough to change political behaviour and bureaucratic

realities of SIG agencies. Although, there is scope for piloting the CDF as a mechanism for service delivery in Honiara and across the provinces in Solomon Islands.⁶⁴

Sixth, unless the SIG counterparts take ownership of country's deeper problems and build a greater understanding of their political economy context, it may be unlikely the SIGP EoPOs would be achieved as the preconditions for capacity development does not exist even after so many years of technical support and assistance to the Governance sector. Hence it is important for both SIG and DFAT to understand that "using the same approaches, and using the same modalities, will bring the same outcomes."⁶⁵ While it is early days in the new program, there are very strong early indicators to suggest that sustainability will be much more likely as a result of the elevated levels of buy-in, ownership and partnership approach.

Finally, the design is based on the premise that the SIGP needs to adapt to the changing political context of Solomon Islands and provide tailored response to the SIG's capacity needs, priorities and expectations. Sustaining change implemented through SIGP will depend on the long-term commitment and buy in of the SIG government whilst building on existing relationships and partnerships. To sustainably improve service delivery, the SIGP design is aimed at moving beyond technical assistance to improving local capacity that ensures service delivery in Honiara and across the provinces. SIGP also has a strong focus on gender and inclusion outcomes through gender mainstreaming efforts across the public service and gender-budget impact analyses.

Solomon Islands Justice Program (SIJP)

Like SIGOV, the non-policing component of RAMSI's justice sector transitioned into Australia's bilateral Solomon Islands Justice Program (SIJP) in 2013. Midterm independent review of SIJP highlighted the need to shift the focus away from capacity development to improving access to justice outside of Honiara. The program's Delivery Strategy was underpinned by five targets and the main findings were:⁶⁶

- *Target 1. Courts and justice agencies are better able to deliver the core functions:* a number of justice institutions were now operating with some increased capacity as a result of SIJP support, and with some more effective systems than were previously in place. The relationship between these institutions and DFAT has matured, moving from dependency to some improved mutual accountability. While SIJP has contributed to some improvements in the courts and justice agencies, at the sectoral level, those institutions are not currently delivering their core functions in a way that provides justice for Solomon Islands people;
- *Target 2. Courts and justice agencies are better able to manage their financial and human resources:* some promising outcomes were noted in this area such as the new case management system being introduced in the Magistrates' Court. However, fixing the system in one agency was not necessarily leading to an improved system across the whole sector. Policies and procedures that were introduced simply did not sustain. The persistent problem of attracting and retaining capable justice staff was not being adequately addressed by the program at the time of the review;
- *Target 3. The delivery of a range of justice services to rural communities is expanded:* a significant level of achievement under this target area has been possible through the mobilisation of the World Bank's community officers' program. Beyond this program however the lack of access to the formal legal system in the rural areas requires far greater attention. It was evident in this review that beyond Honiara people felt that the formal and informal legal systems are failing, contributing to increased community disputes, failure to address family

⁶⁴ Solomon Islands Governance Program Design 2017-2021; see also Manning, Nick (2014) *Independent Review of DFAT's Solomon Islands Economic and Public Sector Governance Program (SIGOV)*

⁶⁵ Solomon Islands Governance Program Design 2017-2021

⁶⁶ Kelly, Linda, Woods, Daniel, and Tuhanuku, A. (2015) *The Mid-term Review of the Solomon Islands Justice Program*

violence and inability of local systems to address larger scale disputes around land and resources;

- *Target 4. Strengthen laws, increased services and focus on violence against women and gender equality in the workplace:* SIJP had made a significant contribution through support for the drafting and recent passing of the Family Protection Act. The program has also increased the focus on violence against women across the justice sector. However, the program needs to consolidate its efforts in this area and build on achievements to date in order to see sustained and significant changes for women; and
- *Target 5. Improved Correctional Centre management and sustained focus on rehabilitation:* the corrections area had seen considerable improvement through program's support to Correctional Services Solomon Islands.

Kelly et. al (2015)⁶⁷ report noted that future support for justice sector should be underpinned by an overall strategy that addresses and supports the complementary roles of police, legal institutions, and service delivery⁶⁸:

- With an increased focus on service delivery to the people outside of Honiara;
- Greater emphasis on problem-solving approach that is locally driven to achieve outcomes; and
- More clarity around respective donor and government roles and how DFAT can help support SIG's long-term sectoral outcomes and vision.

The Overarching strategy of 2016

The overarching strategy comprises of Australian government's investments to support stability in Solomon Islands through Governance, Police Development and Justice programs. The strategy is directly aligned to Australia's Aid Investment Plan to Solomon Islands (AIP) 2015-16 to 2018-19. The objectives of the AIP are:⁶⁹

- Supporting stability;
- Enabling economic growth; and
- Enhancing human development.

The three programs are focused on achieving outcomes that support stability. In particular, investments underlying the Police Development and Justice program directly support stability through improving access to justice and supporting the rule of law.⁷⁰ While the Governance program aims to strengthen and improve the performance of the public service and contribute to enabling economic growth and promoting human development in the Solomon Islands.

The main objective of the Overall Strategy is to "drive a coherent strategic direction across the programs and assist the Department of Foreign Affairs and Trade (DFAT) and the Australian Federal Police (AFP) better manage their investments in supporting stability" as well as alignment with Government's (SIG) National Development Strategy and sector plans.⁷¹ The goals of the strategy include the following:⁷²

- identify key dimensions of security and stability in Solomon Islands that Australia can and should contribute to within the context of supporting stability;
- provide direction for ongoing alignment of Australia's investments with SIG development priorities;

⁶⁷ Ibid

⁶⁸ Ibid

⁶⁹ Australia's Aid Investment Plan (AIP) to Solomon Islands 2015-16 to 2018-2019

⁷⁰ *Overarching Strategy: Supporting stability in Solomon Islands through Governance, Policing and Justice Programs 2017-2021*

⁷¹ Ibid

⁷² Ibid

- provide strategic direction to the programs, and identify the overarching outcomes and goals that the programs all contribute to, and how these will be measured;
- generate efficiencies in program management that translate into more cost effective implementation; and
- outline opportunities for inter-program value-added benefits, thereby increasing the overall achievement of outcomes.

A key point of departure from the predecessor justice, law and governance programs is the strategic coordination, alignment, and linkages between and across programs and partners. In particular, all three programs collectively contribute to one overarching goal, four program-level goals and three specific program goals through mutually reinforcing and intersecting whole of program architecture (see Figure 2 below).⁷³ For example:⁷⁴

- the Governance Program contributes to both its own end of program outcomes, to achievement of outcomes across SIG and across all Australian Aid investments, and to the outcomes achieved in the Justice and Police Development Programs;
- the Governance Program end of program outcome contributes directly to Australian Government Aid Investment Plan economic growth goal, as well as to the Australian Government funded sector programs such as health and education; and
- the Justice and Police Development Programs are discrete programs of the Australian Government, however they are mutually reinforcing, hence the need for increasing lines of intersection between the two programs.

⁷³ *Overarching Strategy: Supporting stability in Solomon Islands through Governance, Policing and Justice Programs 2017-2021*, p. 10

⁷⁴ *Ibid*, p. 9

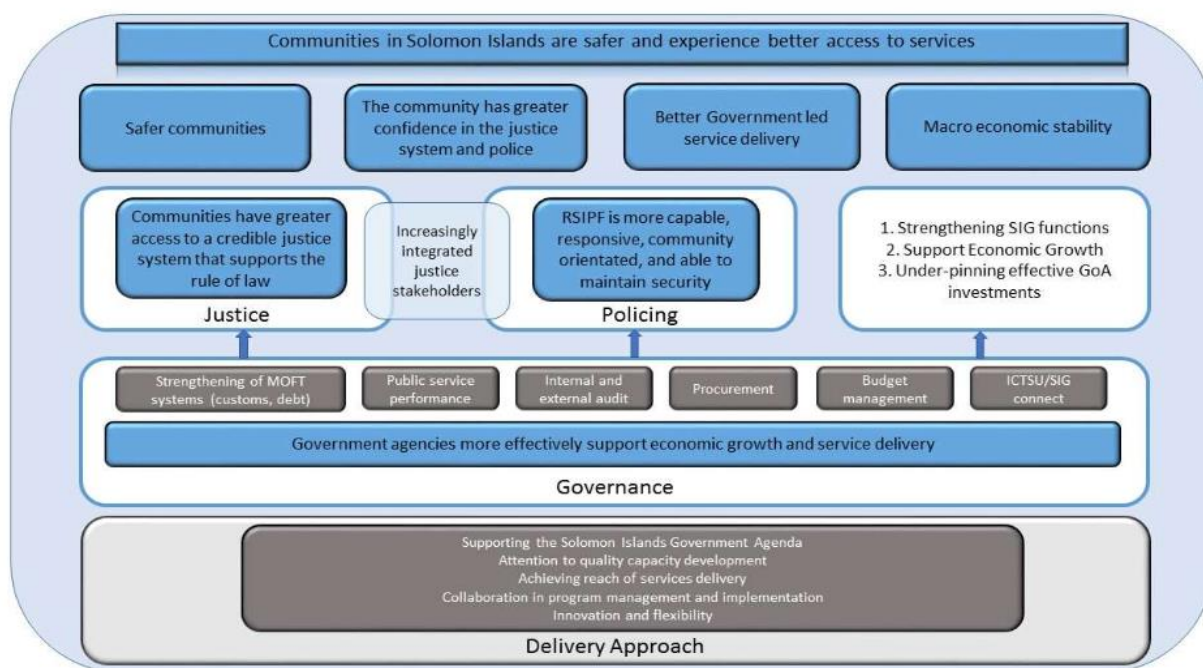


Figure 2: Whole of Program Architecture

RAMSI's Drawdown Strategy: Why was the Police program peeled off?

When RAMSI was conceived in 2003, an AFP contingent of between 150 to 180 police officers was deployed through the Participating Police Force (PPF) in order to restore stability. In the early phase of RAMSI (2004-2005), institutional strengthening of courts, police, courts as well as government machinery were major components. However, given the deteriorating bilateral relationship between Australia and Solomon Islands, a Partnership Framework came into place to re-energise the cooperative partnerships between Canberra and Honiara but also to set the conditions for RAMSI's Drawdown. From 2013 to 2017 the in-line police component of RAMSI transitioned into capacity development of the Royal Solomon Islands Police Force, while the non-policing components of RAMSI were merged into Australia's bilateral Governance and Justice programs in 2013.⁷⁵ This saw the withdrawal of PPF presence across the 13 provincial bases and the RSIPF taking charge in 2013, including the military contingent.

As per RAMSI's drawdown strategy, police assistance to Solomon Islands from mid-2017 onwards continued via bilateral arrangements with Australia and New Zealand but RAMSI was concluded in June 2017. The post-RAMSI era saw the strengthening of Australia's strategic objectives and bilateral relationships in Solomon Islands through a more coordinated and collaborative approach across justice and law, governance and policing programs and sectors that was aimed at building long term state stability and promoting sustainable growth.

Longstanding risks to stability and security

While RAMSI had some success in building capacity, improving accountability, and strengthening governance practices, the underlying political system – clientelism – remains unchanged.⁷⁶ It is important to note that changing the political culture of Solomon Islands was never RAMSI's mandate. One of the key lessons from

⁷⁵ *Overarching Strategy: Supporting stability in Solomon Islands through Governance, Policing and Justice Programs 2017-2021*

⁷⁶ Jenny Hayward-Jones (2014) *Australia's costly investment in Solomon Islands: The Lessons of RAMSI*. LOWY Institute, Sydney

RAMSI is that future donor investments on governance reforms and justice sectors should be cognisant of the underlying causes of instability and Solomon's political economy context⁷⁷:

- the country has not fully recovered from the conflict as deep-rooted issues relating to the Tensions still exist;
- state failure effectively to meet the needs of citizens outside of Honiara continues to be a potential source of fragility and instability; and
- gendered power relations and traditional gender norms still persist- making women more vulnerable to gender-based violence as well as being excluded from public spheres.

⁷⁷ *Overarching Strategy: Supporting stability in Solomon Islands through Governance, Policing and Justice Programs 2017-2021*. p.5-7

Annex 4: Key Evaluation Questions

The Overarching Strategy articulated four (sensible and important) key evaluation questions⁷⁸:

- What **impact is the program having on government service delivery** in Solomon Islands? (consider equity of access to services – geographic, gender and social inclusion – quality of services – timeliness, spread, and more)
- **How well has SIG’s capacity been built** through the program? (consider organisational and individual capacity, the fact capacity development is a process, and the performance of technical assistance)
- **In what ways is the relationship between SIG and GoA changing?**
- **In what ways are the joined up approaches of the three programs adding value** to the overall investment? (consider efficiencies, effectiveness, other benefits/challenges)

KEQ	Observation
What impact is the program having on government service delivery in Solomon Islands?	<ul style="list-style-type: none"> ➤ In some aspect of the formal Justice sector, due to an energetic Chief Magistrate, circuit courts are now operating, and the backlog of cases is being addressed, although the total number continues to increase ➤ On the basis of this review it is not possible to offer a definitive view regarding the impact of the upstream governance program on downstream service delivery. Our very small sample of Provincial staff could not identify any benefits
How well has SIG’s capacity been built through the program?	<ul style="list-style-type: none"> ➤ A relevant but hard question to answer unequivocally. The team met many energetic and impressive senior leaders in the executive. How far down the bureaucracy does this competence go? How many of these senior leaders are in their positions due to the Governance or Justice program? ➤ All three members of the review team have prior experience of the Solomon Islands. The TL worked in Honiara 1993-1996, and although based in Suva he made regular six-weekly visits to Honiara, working with UK TA in the MoF and the Accountant General’s Department. Over that length of time there is no doubt that systems have improved, there are more staff with deeper skills and competencies, especially in MoFT, where an impressive middle management cadre is in place. Donors and contractors all need to bear in mind the long-term: there is overwhelming evidence that building functioning institutions in post-conflict states is a decades long enterprise. DFAT need to be patient. Just because it is not possible unequivocally to demonstrate successful achievement of program EoPOs over three years does not mean the program has failed or that it should be stopped or amended
In what ways is the relationship between SIG and GoA changing?	<ul style="list-style-type: none"> ➤ Again, it is presumptuous of the team to offer any defining view here. Suffice it to say that SIG officials were positive in their assessment of the two programs; praise was lavished on the TA (“of high quality”) and SIG staff offered their views confidently
In what ways are the joined-up approaches of the three programs adding value to the overall investment?	<ul style="list-style-type: none"> ➤ This is the one area where the original vision failed. The three programs have been separately managed

⁷⁸ Ibid page 23

Annex 5: Why Are Public Sector Management Reforms So Challenging?

Numerous explanations are offered by researchers, academics and practitioners regarding the relatively poor performance of public service reform initiatives (and of course even this statement is contested – some argue such reforms perform about as well as most single-ministry government reform initiatives in low / middle income developing countries). Four broad hypotheses are given: (i) poor design; (ii) poor implementation support; (iii) contradictory sets of interventions; and (iv) political economy constraints.

- I. **Poor design:** The ‘poor design’ hypothesis is perhaps most forcibly enunciated in the World Bank, where ex-post evaluations and independent Evaluation Group reviews fault Bank support for public sector management (PSM) reforms as being ‘over-designed, by which it means that the design is either (a) too demanding for the institutional capacities of the client country, or (b) fails to be adequately tailored to the organisational culture in which the PSM reform is to be implemented. In the former case, failure is due simply to absorptive capacity being more limited than required by the design. In the latter case, failure is more fundamentally caused by design features that are incompatible with the organizational culture within which the reforms are slated to be implemented; e.g., Weberian civil service reforms in a thoroughly patronage system of management;
- II. **Poor implementation support:** The ‘poor implementation support’ hypothesis asserts that successful PSM reform requires interventions implemented only when strategically significant ‘windows of opportunity’ open, and when tailored interventions are mobilised in time to take advantage of those ‘windows’. Moreover, this hypothesis recognizes that sustainability of the impacts of such reforms is rarely guaranteed by a single such intervention. Rather, a critical mass of such reforms is required before they can become mutually reinforcing, and hence, sustainable. As a consequence, implementation support needs to be provided on an uninterrupted basis over an inherently unpredictable period of time, and constantly adjusting to changing windows of opportunity. Most donors are just unable to operate in this way. Usually too, donors emphasise project design, and skimp on project supervision. Further, donors tend to demand quick results, and abandon reform support that does not yielding quick results;
- III. **Contradictory interventions:** The ‘contradictory interventions’ hypothesis includes two elements. First, donor interest in having a well-performing portfolio of projects leads to the creation of parallel organisations and staffing structures. This is the long-standing Project Implementation Unit (PIU) phenomenon, which is periodically bemoaned and criticized. While such PIUs can ensure effective project implementation, they typically undermine any efforts to create a functional public administration, in at least two ways:
 - a. they create a counterproductive dynamic between highly paid domestic PIU staff and the typically poorly remunerated public administration staff. That dynamic leads to things like (a) resentment among regular staff of the higher salaries and greater autonomy of the PIU staff; which, in turn leads to (b) lack of cooperation between PIU and regular staff, and (c) failure of the PIU staff to actually build capacity among existing public administration staff.; and
 - b. such PIUs (not to mention in-country donor offices themselves) attract the better staff away from the public administration, thereby further weakening an already weak public administration. These dynamics are particularly acute in fragile states and low income countries.

The second element of the ‘contradictory interventions’ hypothesis is that donors often provide contradictory advice on PSM issues for example on performance-related pay; and

- IV. **Political economy constraints:** The ‘political economy constraints hypothesis is a recognition that many, and particularly the most fundamental, PSM reforms pose direct threats to the interests of key actors within a country’s public administration and its political leadership. As such, it should come as no surprise when such reforms are poorly implemented by those same counterparts, if they manage to get beyond the design stage in the first place.

Annex 6: Why is Justice Sector Reform So Challenging?

While the change mechanisms identified in the SIJP Design Document can be questioned, the reality is that internationally, donor efforts to improve access to justice have met with limited success⁷⁹ and knowledge about how donor programming can deliver scaled-up sustainable change is limited. Justice is a highly complex sector. It is deeply political, doing to the heart of power and the relationship between the population and the state. In practice, as discussed above it also tends to be a highly fragmented sector with a wide range of actors involved each with their own cultures, objectives, and ways of operating. Linked to this, there is often a policy lacuna with no one agency being clearly responsible for leading on delivering access to justice. In many countries, including the Solomon Islands, the justice system is a plural one, with informal, non-state systems having more legitimacy than the formal system, with which donors may feel more comfortable interacting. Finally, linked to its fragmented nature, it is a sector that suffers from severe data gaps with basic information and metrics lacking. These common challenges in justice programming resonate in the Solomon Islands.

Where donor programming has had success, it has tended to have modest aims, be highly context specific and country-led. As suggested in the SIJP Design Document's theory of action, this is linked to approaches that are adaptable, with a strong emphasis on learning about what works in practice as the program implementations goes along. The approach is summarised in the key recommendations of the 2012 Evaluation of Australian Justice Assistance⁸⁰:

- **Adopt modest, specific objectives**, with clarify about what is achievable in the particular context based on an analysis of the specific problems to be addressed and their underlying causes;
- **Adopt context-specific capacity-building strategies** rather than standardised packages;
- **Provide programmatic support to the justice sector only when genuine country leadership is in place and institutionalised;** and
- **Focus on monitoring progress, scaling up gradually and based on proven success.**

⁷⁹ For an overview of recent critiques see: *Achieving equal access to justice for all by 2013: lessons from global funds*. Manuel & Manuel July 2018 ODI Working Paper 537 section 3.2, p 13

⁸⁰ *Building on Local Strengths: Evaluation of Australian Law and Justice Assistance*. Marcus Cox, Emele Duituturaga & Eric Scheye. AusAID, December 2012