



**The Mid-term review of the
Solomon Islands Justice
Program**

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Executive Summary

The Australian government bilateral Solomon Islands Justice Program (SIJP) commenced on 1 July 2013. The program is underpinned by a Delivery Strategy with five targets. The program provides support to the judicial system in Solomon Islands. This includes cooperation with the Ministry of Justice and Legal Affairs (MJLA), the Attorney General's Chambers (AGC), the Law Reform Commission (LRC), the Office of the Director of Public Prosecutions (ODPP), the Public Solicitor's Office (PSO), the Police Prosecutions Directorate (PPD), the National Judiciary (NJ) and Correctional Services Solomon Islands (CSSI). It also works with the World Bank Justice for the Poor program (J4P). It cooperates with the Regional Assistance Mission to Solomon Islands (RAMSI) Participating Police Force (PPF) in its support to the Royal Solomon Islands Police Force (RSIPF).

The program is at a point where it needs to consider what longer term support the Australian government can provide in the law and justice sector. To this end an independent review was commissioned in May 2015.

Target 1. Courts and justice agencies are better able to deliver the core functions

Review of program documents and interviews with a wide range of respondents indicated that a number of law and justice institutions are now operating with some increased capacity as a result of SIJP support, and with some more effective systems than were previously in place. In addition, the relationship between these institutions and DFAT has matured, moving from dependency to some improved mutual accountability.

At the same time, there are considerable ongoing problems with the legal and court system in Solomon Islands. Overall it was clear to the review team that while SIJP has contributed to some improvements in the courts and justice agencies, looking at the sector as a whole, 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

There have been some promising outcomes in this area such as the new case management system being introduced in the Magistrates' Court. However, fixing the system in one agency is not necessarily leading to an improved system across the whole sector. Further, policies and procedures that have been introduced are not being sustained. Finally, the real issues which constrain effective operations in the law and justice sector are related to attracting and retaining good quality staff. It appears that this target is not being adequately addressed by the program at this time.

Target 3. The delivery of a range of justice services to rural communities is expanded

The significant achievement under this target area has been the mobilisation of the World Bank 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 made clear to the review team that beyond Honiara people feel that the formal and informal legal systems are failing, contributing to increased community disputes, failure to address family violence and inability of local systems to address larger scale disputes around land and resources. There are opportunities for the program to engage comprehensively in rural areas, and this would clearly be welcomed by provincial stakeholders.

Target 4. Strengthen laws, increased services and focus on violence against women and gender equality in the workplace

SIJP has made a significant contribution through support for the drafting and recent passing of the Family Protection Act. In addition, the program has increased the focus on violence against women across the law and justice sector. Overall 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.

Target 5. Improved Correctional Centre management and sustained focus on rehabilitation

Most respondents to the review suggested that the corrections area had seen considerable improvement. A significant conclusion is that the improvement means that program support to CSSI could be withdrawn by the end of 2017.

Additional findings

SIG have policy intentions for the law and justice sector. However, discussion with senior representatives within government and within the law and justice sector indicated that there was as yet no overall vision or clear direction for the sector as a whole or for the forms of law and justice which would best serve Solomon Islands into the future. This creates significant difficulties in assessing progress of SIJP and establishing clear objectives for the program.

Underlying many of the discussions with respondents was a concern with corruption. Most often people were concerned with corruption through misuse of public money or failure to use proper systems, particularly by government. In various examples, people identified that there was unfair and unequal application of the law. This appears to be an area where more attention needs to be directed by both law and justice and governance programs.

Discussion

The results indicate that while SIJP has contributed to some important achievements, overall it is currently not on track to significantly improve access to justice in Solomon Islands. In the second half of the program SIJP needs to clarify objectives with the Solomon Islands government, shift its approach from capacity development to problem-solving to achieve identified outcomes and create a better balance of activities between Honiara and the rest of the country.

Recommendations for SIJP 2015-17

For the remaining two years of the program it is recommended that:

1. DFAT should further develop its policy engagement with SIG, based on mutual accountability and clarity about respective donor and government roles. In the long term it should aim to support SIG to develop its own vision and long-term objectives for the sector.
2. SIJP should allocate resources in line with the original focus proposed for the program in the formal justice sector. That includes increased focus on services to people in the rural areas, alongside ongoing support to central law and justice agencies.
3. SIJP should develop a targeted and informed change strategy that focuses on mobilising local stakeholders to solve problems. In particular, SIJP needs to broaden its approach from a largely technical perspective to incorporate a more politically informed and problem-focused approach. This is in line with recent research on effective law and justice support.

While this should clearly be developed in ways which are appropriate to Solomon Islands context, it is likely to include the following:

- Identification of champions and change agents and increased cooperation with them;
 - Limited work with institutions especially where there are neither change agents nor opportunities to achieve change at this time;
 - Active identification of opportunities and situations where change can be triggered and a shift to resource these;
 - A focus on problem-solving to achieve service outcomes.
 - Systems which are developed from local experience, reflecting local problem solving.
4. Tighter systems should be introduced to accompany the existing technical adviser positions. This should include attention to quality control and performance management of the adviser work against terms of reference. Terms of reference should be redeveloped to support the revised objectives of the program.
 5. An exit plan should be developed for all technical advisers, with an understanding that where they serve either an in-line or central role, discussion begins around how SIG will maintain that role post-2017. Given that DFAT is committed to maintaining basic functionality in the justice system in the immediate future, it is further recommended that in development of these exit plans, particular attention is given to adviser positions in the Magistrates' Court, ODPP and PSO.
 6. In line with the focus on service delivery, a more deliberate strategy of engagement in rural areas should be developed, alongside the community officer program that will be delivered by the World Bank.
 7. The ongoing support for the RSIPF will be decided in due course, but SIJP should further develop working relationships with police, based around agreed project areas such as attention to family violence and the community officers program.
 8. As SIJP seeks to move forward with a new approach, it should collaborate with DFAT sector programs, particularly gender, health and governance, in order to increase impact and demonstrate to SIG the value of collaboration across sectors and skills sets.
 9. Action research approach should be instigated to accompany the program in order to address ongoing performance assessment and learning needs.

Recommendations for beyond 2017.

Beyond the end of SIJP there is opportunity to further build on a comprehensive and outcomes focused approach to support for law and justice. Recommendations for future phases of support include:

10. Construct an overall strategy for future work in the law and justice sector which addresses the complementary roles of support to the police alongside support to legal institutions and service delivery.
11. Underpinning the strategy, include a detailed program design that articulates the Australian contribution to law and justice service delivery and to good governance through improved law and justice institutions and systems.
12. Implementation mechanisms for future programming should maximise the opportunity for effective policy engagement and for politically informed and technically feasible approach.

They should be flexible and able to operate in a responsive and timely manner in what is likely to be an ongoing dynamic and complex context. An iterative approach to program assessment ought to accompany these implementation mechanisms.

13. Future programs should as far as possible, utilise Solomon Islands resources for advice and technical inputs rather than import this expertise from outside the country.
14. While maintaining some ongoing work with central law and justice institutions, future programs should increasingly focus on service delivery in provincial and rural areas
15. In order to increase impact, future programs should work proactively with other DFAT sectors, focusing on how law and justice issues underpinned service delivery and good governance across all areas of the Australian aid program.
16. In cooperation with ongoing DFAT support to good (or 'good enough') governance, and in line with Australian policy, future programs ought to give attention to the interaction of law and justice and corruption.
17. Ensure a strong and active communication strategy accompanies future programming

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Abbreviations and Acronyms

AGC	Attorney General's Chambers
CSSI	Correctional Services Solomon Islands
DFAT	Department of Foreign Affairs and Trade
J4P	World Bank Justice for the Poor program
LRC	Law Reform Commission
MJLA	Ministry of Justice and Legal Affairs
MTR	Mid Term Review
NGO	Non-Government Organisation
NJ	National Judiciary
ODPP	Office of the Director of Public Prosecutions
PPF	Participating Police Force
PPD	Police Prosecutions Directorate
PSO	Public Solicitor's Office
RAMSI	Regional Assistance Mission to Solomon Islands
RSIPF	Royal Solomon Islands Police Force
SIBA	Solomon Islands Bar Association
SIGOV	Solomon Islands Governance program
SIJP	Solomon Islands Justice Program
TSI	Transparency Solomon Islands
UN	United Nations

Introduction

The Australian government bilateral Solomon Islands Justice Program (SIJP) commenced on 1 July 2013. The program is underpinned by a Delivery Strategy with an overarching objective of:

Improved delivery of justice services

Towards this end, the Delivery Strategy outlines five targets for the program:

1. *Courts and justice agencies are better able to deliver their core functions;*
2. *Courts and justice agencies are better able to manage their financial and human resources;*
3. *The delivery of a range of justice services to rural communities is expanded;*
4. *Strengthened laws, increased services and focus on violence against women and gender equality in the workplace;*
5. *Improved correctional centre management and sustained focus on rehabilitation.*

The program provides support to the judicial system in Solomon Islands. This includes cooperation with the Ministry of Justice and Legal Affairs (MJLA), the Attorney General's Chambers (AGC), the Law Reform Commission (LRC), the Office of the Director of Public Prosecutions (ODPP), the Public Solicitor's Office (PSO), the Police Prosecutions Directorate (PPD), the National Judiciary (NJ) and Correctional Services Solomon Islands (CSSI). It also works with the World Bank Justice for the Poor program (J4P). It cooperates with the Regional Assistance Mission to Solomon Islands (RAMSI) Participating Police Force (PPF) in its support to the Royal Solomon Islands Police Force (RSIPF).

The program is at a point where it needs to consider what longer term support the Australian government can provide in the law and justice sector. SIJP will finish in 2017 and any future support will need to be shaped and prepared in advance of that date. In addition, RAMSI support for RSIPF is also due to end in 2017 and while the future of this support is still not decided, the relationship between the two programs ought to be a consideration in any future law and justice programming.

With these considerations in mind, and in line with the monitoring and evaluation approach proposed in the Delivery Strategy, SIJP commissioned a Mid-Term Review (MTR) in May 2015. This document reports on that review.

Methodology

The terms of reference for the MTR propose a twofold purpose:

- Assess SIJP's performance (modes and mechanisms) in working towards achievement of the targets identified in SIJP's Delivery Strategy (the targets) by 2017, and make recommendations on how this can be improved for the remainder of the current program cycle (mid-2017); and
- Provide early guidance on both what SIJP's successor program should aim to achieve, noting this may include post-RAMSI police capacity development, and how this could most effectively be done, in particular, how to position DFAT assistance to transition into this successor program.

A detailed evaluation plan was prepared for the MTR building on the terms of reference for the review and current programming documentation ([see Annex One](#)). The evaluation plan gave

attention to existing information, identifying what that information indicated around current challenges, opportunities and program reporting and direction.

It was clear from the considerable existing information that the MTR should focus on some verification of program outcomes and challenges to date, and exploration of the implications of these for the immediate and long-term program future. In light of this a critical evaluative approach¹ was proposed as the methodology.

The evaluation plan also identified the limitations of the review. As noted, the conclusions and recommendations from this review need to be received with these limitations in mind.

In practice the review team was able to meet with a wide range of respondents, both those working within the law and justice sector and citizens and representatives outside of the sector. This included field visits to two provinces, Western and Makira. (See [Annex Two](#) for a list of respondents to the MTR.)

The review team was also able to make use of recent research and analysis undertaken by both World Bank and SIJP. This additional research was invaluable in providing detailed verification and examination of key issues. (See [Annex Three](#) for a list of documents reviewed.)

Findings

SIJP is a four year program (2013- 2017) which builds on the Regional Assistance Mission to Solomon Islands (RAMSI) Law and Justice Program. The RAMSI program was focused on restoring law and order and stabilising government in Solomon Islands. SIJP was intended to build from this starting point, evolving away from the post-conflict stabilisation mission. The intention was to continue an emphasis on maintenance and development of formal justice agencies but with growing attention to the provision of justice services to rural communities.

In practice, SIJP has largely continued the RAMSI approach of support to Solomon Island Government (SIG) agencies to ensure their basic functionality, albeit with a reduction in resources. Utilising a strategy of capacity development, SIJP has worked to support the functioning of justice institutions and their systems, largely through the deployment of technical advisors. Alongside this and in cooperation with the wider Department of Foreign Affairs and Trade (DFAT) program, SIJP has given particular attention to addressing family violence. In cooperation with the World Bank, the program has also undertaken some research into the justice and legal needs of rural people. A new program managed by the World Bank is currently being mobilised in light of these research findings.

As noted above, the Delivery Strategy for the program has five targets against which the program reports and organises its work. The summary of findings presented below is organised around these targets. However, it is important to note that while the Delivery Strategy appears to have provided the right direction for investment in law and justice in Solomon Islands, these targets are not clear and measurable objectives and have not necessarily provided the best basis for program

¹ A critical approach to evaluation looks to understand a situation by drawing from multiple sources of information and triangulating that information to verify and confirm the information. The approach seeks to understand results and outcomes in context. It focuses on the process of how things have changed and what this means for the future of an activity.

management or performance assessment. This has contributed to some of the challenges in establishing priorities and directions for program.

Target 1. Courts and justice agencies are better able to deliver the core functions

Results

Much of the work undertaken by SIJP focuses around this target area. As noted above, the program works with a range of justice and legal institutions in the country. Technical advisers are in place in most of these institutions, providing capacity building to counterparts and in many situations, also providing direct services.

Review of program documents and interviews with a wide range of respondents indicated that a number of these law and justice institutions are now operating with some increased capacity as a result of SIJP support, and with some more effective systems than were previously in place.

Respondents noted, in particular, the recent increase in the number of court magistrates brought about through a combination of leadership by the Chief Justice and SIJP support for improved conditions. People considered that this would make an important contribution to improving the functionality of the courts in Honiara and in the three provinces to which magistrates are soon to be assigned.

In addition, people pointed to the increased number of pieces of legislation that have been drafted, and in some cases subsequently enacted, as a result of support by advisers. A further common response was the satisfaction now felt in having Solomon Islands lawyers presenting in court. Respondents felt that this was a significant shift which represented the increased capacity and ability of those personnel.

Respondents also pointed to the improved infrastructure, particularly the range of prisons now completed around the country, together with housing for magistrates and courthouse renovation in some provinces.

Finally, people noted that in response to a very negative review of case flow management in the Magistrates Courts², an IT-based case management system was being introduced to improve court systems.

The review team observed that work undertaken across each of the institutions, and the process of transition to bilateral program responsibility, has meant that the relationship between these institutions and DFAT has matured. Responses from some senior government and judicial representatives indicated that they had experienced a shift from the previous relationships established under RAMSI. In particular, they identified that the bilateral relationship was less focused on funding activities and more about accountability for the outcomes of those activities. Government respondents believed that over the life of the program there would be reduced resources and reduced availability of in-line advisors and more need for SIG to provide resources for the sector. This is a significant change from SIG dependency upon a donor to a position of more shared responsibility for outcomes. The review team believes that this shift has been important in positioning the program to be able to move ahead effectively.

² Child, H. (2014) "Central Magistrates' Court criminal case flow management review", September.

At the same time, the review team received a range of very strong views from respondents about ongoing problems with the legal and court system in Solomon Islands. The overwhelming response from most respondents was that these systems remain largely inaccessible to most people, especially people outside Honiara.

The formal justice system doesn't go beyond Honiara or major centres. (Government employee)

People just don't bother to go through the system to settle disputes. (Small business owner)

I'd like to do two circuits of the whole island each year, but there is usually only budget for one. (Provincial court official)

It appears that that despite some identified improvements in courts and legal services these have made no identifiable difference to the majority of Solomon Islands people.

There is no justice at the moment (Gizo CSO represented)

There are lots of cases which never go to court. So offenders think they can continue to commit crimes (Western province church leader)

Further, discussion with the private sector indicated that the limited functionality of the legal system is a constraint on growth. Private-sector representatives explained how they required certainty that disputes would be addressed in an effective and timely manner. All respondents noted that this was not currently likely in Solomon Islands. Small-scale business owners spoke about the difficulty of accessing police and then the long time it takes to settle criminal issues such as robbery and assault through the court system.

Analysis

What is clear from respondents' feedback is that while some of the justice institutions have been able to improve their capacity and ways of working and that SIJP has contributed to these improvements, looking at the sector as a whole, those institutions are not currently delivering their core functions in a way that provides justice for Solomon Islands people. There appear to be a number of significant problems contributing to the situation.

Notwithstanding the recent increase in magistrates, the efficiency of the Magistrates Court in Honiara appears to be a major problem. It was suggested that the delays in criminal cases could be considerable and that the court experience itself was confusing and unsatisfactory.

There is such a backlog that is in serious cases might take many years to settle. (Church leader)

Outside of Honiara it was very clear that there are insufficient senior magistrates available in provinces and insufficient circuit courts travelling outside of provincial areas. In the two provinces visited by the review team, there was a high backlog of cases in the Magistrates Court. More significantly, as discussed later, it appeared that many issues and disputes do not even enter the formal system.

There are no PSO lawyers here. We have trained police prosecutors, so people come into court, but there is no one to represent them. (Makira province court official)

The circuit courts take too long. Mostly they get cancelled. So people don't have confidence in the system and they take matters into their own hands. (Western province community leader)

The limited number of judges available for the High Court is clearly an issue for timely resolution of major civil and criminal matters. While there are proposed changes in judges' conditions likely to be introduced, this remains a major concern. It particularly impacts major criminal and civil cases.

The review team was able to meet a range of competent and able staff in the PSO and ODPP. However, there appears to be common problems within these agencies, with too few staff and insufficient senior level staff available for supervision and management in both agencies. This contributes to delays as there are insufficient personnel to adequately manage criminal and civil matters. Other justice institutions are experiencing problems in leadership, leading to breakdown in prompt and efficient legislative drafting and in the provision of informed legal opinion to SIG. In some of these situations expatriate advisers are filling in line positions on a long-term basis, in the absence of suitably qualified staff.

While SIJP does not provide support to the RSIPF, it was clear that in many situations the police are the face of the justice system for people. Where police failed to respond or are unable to address particular disputes, people consider that the formal legal system has failed them.

Moving forward

There are two considerations from this assessment. The first is the ongoing focus on institutional capacity development in the current DFAT program of support. Despite considerable critique of this approach in previous reviews³, the program has continued a RAMSI style focus on 'fixing' institutions and counterparts.

This is a costly and outdated model. As discussed below, the support provided by Australia should shift to a focus on service delivery outcomes. This is likely to include closer cooperation between this program and the support being provided to the RSIPF, with a focus on increasing the effectiveness of the police as the most 'visible' face of law and justice. It is likely to shift the emphasis of the program away from institutions and towards citizens and the private sector.

Second, there is no sense of what the goals are for the law and justice sector in Solomon Islands. What will a viable and effective sector look like in this country? Who will it serve and in what ways? While this is the responsibility of the SIG and citizens, a failure to be clear about where the sector is going and what shape it will eventually take, means that any assistance is currently being provided into a vacuum. Resources will continue to be utilised without a benchmark for assessment of progress. At a minimum, support for the remainder of the program should be based on mutual objectives, with an expectation that SIG and justice agencies will take increased responsibility for the sector direction over time.

³Office of Development Effectiveness (2012) 'Solomon Islands Case study. Review of law and justice assistance', Australian Government.

Target 2. Courts and justice agencies are better able to manage their financial and human resources

Results

A considerable amount of program energy has been directed to establishing procedures and systems to improve the human resource and financial management in the justice agencies. As noted above there have been some promising outcomes in this area such as the new case management system being introduced in the Magistrates Court. However, there seem to be some fundamental problems in this area which are limiting overall progress and leading most respondents to suggest that this target has not been adequately addressed.

Analysis

The first problem, as noted by many of the respondents, was that fixing the system in one agency did not necessarily lead to an improved system across the whole sector. So while some of the justice agencies have improved in their management of personnel and/or the management of finances, this is not necessarily translated to other agencies. Therefore overall inefficiencies and problems remain.

Of further concern was the number of examples provided where policies and procedures had been introduced, largely by external advisers, which were not sustained beyond the intervention of that adviser.

There are lots of good policies and procedures, but no consequence if they aren't followed. Also, a lot of Australian supported policies and procedures are too much - for example, the new procurement rules. They are complicated and too onerous - it means that it is harder for people to procure things so they ignore the rules. People think it worked before and it was easier, so they just do it the way they used to. (Solomon Islands counterpart)

There are 47 steps in the new recruitment guideline. This delays things or people just do it their way. (Expatriate adviser)

Capacity development of institutions and individuals has proven very challenging. The technical advisers in SIJP have clearly worked very hard to position themselves as contributing to building the capacity of their counterparts and the institutions within which they are located. It was clear however from the range of discussions undertaken throughout the review that this has been a challenging and at times difficult process for those advisers and indeed for some of their counterparts.

A significant problem is either the lack of counterparts or where counterparts are regularly moved.

Internal decision-making impacts on the effectiveness of advisers. The continuous internal transfers - advisers bring people up then they are transferred - mean that when advisers also go there is no one left who knows the technical stuff. We need to maintain continuity more. (Adviser)

There were many comments received from advisers that indicate in their institutions they are the people who drive change and maintain systems.

Counterparts are dependent because we are here (Adviser)

Counterparts reported that they value the assistance provided by technical advisers but many of them indicated that they are now keen to have the opportunity to operate independent of technical assistance.

When the numbers of advisers reduced, executive saw potential in the directors. We have been able to maintain what the advisers had got us to. It is good for the advisers to go, then the directors can prove themselves without advisers, and if not they can get an adviser back. (Counterpart)

Scaling down adviser numbers has been beneficial for counterparts. People who have had the capacity developed can still perform better, even if they are moved. (Counterpart)

As noted previously, the strategy of capacity development now appears outdated for the purpose of SIJP. It appears that there is now some good capacity in the law and justice sector, for example among the new magistrates and the lawyers working in the offices of ODPP and PPD. It will be important to see that capacity nurtured and supported by SIG systems and recruitment. Technical advisers can be freed in many situations to serve more useful roles within a different program approach.

Related to this, it was suggested that the real issues which constrain effective operations in the law and justice are related to attracting and retaining good quality staff. Almost all respondents pointed to either a lack of effective senior leadership or a gap between good leaders and junior staff. There was considerable concern about how to attract quality legal and administrative personnel into the sector and then how to retain them through to senior and leadership positions. While there are very good and capable people working in positions across the justice institutions, there is inconsistent and uncoordinated effort to retain these people in a way that will ensure a sustainable service.

Moving forward

Previous experience in law and justice in the Solomon Islands⁴, together with observations from this review, strongly suggests that a focus on fixing systems in absence of motivated people and good management is probably a waste of resources.

While staff development, retention and succession planning are difficult issues, other research suggests that donors need to first consider their own contribution to the problem.⁵ SIJP can begin by limiting any perverse incentives in its approach. This requires attention to careful and limited use of technical advisors (discussed in more detail in the recommendations for the remainder of the program), and ensuring additional resources reward success rather than ongoing failure.

⁴ Review of SIJP support to the Magistrates' Court notes, 'It is apparent that the Australian Government had previously invested in a number of databases for Magistrates' Courts (around 2003), which had not been sufficiently maintained, with the result being that Case Management defaulted back to paper systems and the databases being de-commissioned. 'Roberts, J. & Ha'apio (2014), 'Supporting Effective Magistrates' Courts' Case Study 4, March, DFAT Solomon Islands Governance Program and Justice Program.

⁵ Review of the impact of RAMSI on human resources noted "Those state institutions that experienced a lighter RAMSI touch have also fared better subsequently, and in these areas the gains are potentially more sustainable." Fraenkel, J., Madraiwiwi, J & Okole, H. (2014) 'The RAMSI Decade: A Review of the Regional Assistance Mission to Solomon Islands, 2003---2013'.

Further, SIJP can look to learn lessons from its achievements to date. For example, the way program resources were used to support employment of new magistrates⁶ provides a good lesson about combining Solomon Islands leadership and strategy with targeted program resources. Rather than trying to develop capacity of existing staff the program worked with a Solomon Islands leader, facilitating his approach to change. This more informed and political strategy should become the approach of SIJP going forward.

More generally, sustainable systems are best developed through effective experience. In other words, look at what works and then systemise that approach. For the remainder of SIJP, the focus should be on identifying and/or creating positive examples of change in the law and justice sector and considering how individual examples of success can then be systematised throughout the sector.

This can be supported by encouraging better cooperation and communication between institutions. This is not to suggest a shift to a sector wide approach (Solomon Islands law and justice agencies are not currently functioning as a sector and an artificial imposition of a sector wide approach will likely receive limited buy in from those agencies), rather a practice of drawing together those people and representatives from across the sector, who are required to make decisions and implement agreed actions. A starting point would be to facilitate operational staff from different institutions to work together to solve obvious and pressing problems. Resources should shift accordingly to facilitate effective local solutions and cooperative processes.

Target 3. The delivery of a range of justice services to rural communities is expanded

This target area was an important change introduced by the Delivery Strategy. It was intended to enable the program to shift to a focus on access to justice for the majority of Solomon Islands people. It was a direct response to the criticism of the RAMSI focus on Honiara to the exclusion of law and justice concerns in rural areas.⁷

Results

The significant program achievement under this target area has been the mobilisation of the World Bank community officers program (officially known as the 'Community Governance & Grievance' program). This program, designed in response to the extensive research undertaken by the World Bank in a range of provinces across Solomon Islands, will see community-based officers working to connect government and communities, sharing information between both and enabling community people to better understand their legal and other rights and entitlements.

⁶ SIJP supported research to understand the problem, that is, why were lawyers not applying for the position of magistrates. The program worked with an informed and committed leader who identified the political and policy changes which were required to address the problem. SIJP then provided targeted and time limited resources to enable the immediate change. Following the appointment of the magistrates the program facilitated their training through a partnership arrangement with Australian institutions. (Roberts, J. & Ha'apio (2014), 'Supporting Effective Magistrates' Courts' Case Study 4, March, DFAT Solomon Islands Governance Program and Justice Program.)

⁷ A review of the RAMSI program in 2012 suggested, "It is becoming increasingly evident that Australia's support to law and justice in Solomon Islands, as well as its contribution to RAMSI, may in the future need to concentrate more explicitly on local law and justice service delivery to meet the needs of Solomon Islands people." Office of Development Effectiveness (2012) 'Solomon Islands Case study. Review of law and justice assistance', Australian Government.

The program appears to be a well-designed response to a clearly identified need. It is based on careful consideration of other existing services and the current limitation and gaps in those services. (This program is not being evaluated in detail here as it will be subject to rigorous, ongoing monitoring and evaluation through the World Bank's processes.)

In addition, it can be expected that there will be more access to Magistrates' Courts in the three provinces where new magistrates are soon to be located. Although, as respondents make clear, unless the magistrates are in turn supported by change across the whole sector in those provinces, with better management of PSO, ODPP and the police, as well as suitable support from administration and clerks, it is unlikely that there will be a sustained improvements in the court system (For example, people noted that the magistrates alone would not be able to conduct the necessary court circuits required in provincial areas.)

More generally respondents suggested that the lack of access to the formal legal system in the rural areas required far greater attention by SIJP. People in provinces and in Honiara identified that there are fundamental and very significant issues which need to be addressed. Overall, while SIJP has made some effort to support the expansion of some legal services to rural areas, it appears that given the scale and complexity of law and justice service issues in rural areas, the program contribution has been minimal. There are several issues to consider which are discussed further below.

Analysis

Looking to understand the perceived failure of the law and justice system in areas beyond Honiara, leads to a complex array of issues. The review team was only able to gain a broad perspective on these issues, albeit with some more detail in the two provinces visited by the team.

People in rural areas appear to see the police as the 'face' of the formal justice system.

Most community level disputes - family violence, social order - won't hit the formal system. The role the formal system has is sending in police, then it is their informal role after that that manages disputes. (Provincial respondent)

In the two provinces where the review team visited, police have inadequate resources and personnel. As a result, in both locations people complained that police are either not able or do not choose to respond. Further, when police do attend community disputes, they are often expected to mediate and deal with what can be very significant differences within communities. Police are not always trained or sufficiently experienced to act as mediators and negotiators in these situations.

Chiefs would like to be able to report things to the police, but there is no point, they are too slow. (Makira-Ulawa province official)

The Police always say that their delay to investigate is because of lack of transport and logistics fund to carry out arrests in the villages. As a result, the women are losing confidence in the Police. (Makira-Ulawa community representative)

Respondents in the provinces noted that in situations requiring additional sensitivity, such as issues of family violence police often lacked sufficient training and confidence to adequately address the problems. Women were particularly concerned with the need to improve the skills of police in their

response to community disputes. While there was insufficient opportunity for the review team to consult with other marginalised groups, in particular people with disability, young people and older people, it seems likely that interaction with these groups would also be more challenging for young and inexperienced police officers.

Finally, even when the police are able to take action and arrest perpetrators, the court system is generally unable to respond in a timely manner. The research undertaken by the World Bank indicates that the formal system in the rural areas, which was meant to include a local court system below the Magistrates' Court, is no longer functioning in any effective way.⁸ Few local courts operate, and the Magistrates' Courts, as noted above, are largely confined to provincial capitals. The backlog of cases in the Magistrates' Courts means that justice is often delayed by many years. Because local courts are not operating, minor issues are pushed up to the Magistrates' Court and in many cases eventually dismissed after long delay. People see justice delayed and therefore denied.

There are some crimes committed in 2010 that are still waiting to be addressed. These are serious crimes such as rape. Most of the accused are out on bail. (Western province legal provider)

Matters get stuck and people get frustrated (Western province community representative)

The informal justice system, meant to comprise chiefs and customary land courts is also not functioning in many locations. Chiefs should be able to resolve minor community disputes and together with the customary land courts, are expected to be able to resolve land disputes. However, in many situations their authority has been compromised. This seems to be for a variety of reasons. In some situation chiefs have themselves benefited from providing land for forestry and other resource extraction.⁹ This means they are no longer seen to have impartial authority. In other situations, including the provinces visited by the review team, chiefs' decisions are challenged in the formal systems. Finally, chiefs themselves identified that they often lack the knowledge and skills to address the complex disputes arising around resources.

Chiefs are there but they do not have the power – there is a no care attitude towards the chiefs decision (Makira Province Chief)

Land dispute cases are heard in the village, the chief makes a decision and then it is reported to the formal court justice for another hearing so the decision made by the formal court systems is conflicting to that of the chiefs (Makira Provincial Government representative)

This leaves ordinary community people with no recourse to justice. It gives a clear signal to perpetrators they can commit crimes with very little fear of being held to account.

⁸ World Bank (2015) "Institutional and fiscal analysis of lower level courts in Solomon islands", February.

⁹World Bank research notes '*Land-related disputes in particular are, in many respects, contributing to an erosion of the effectiveness and legitimacy of the kastom system. In some places, the system appears to have broken down altogether, due to the entanglement of chiefs and local leaders in parochial and self-interested power struggles, especially in areas experiencing logging.*', Allen, M., Dinnen, S., Evans, D., & Monson, R. (2013) 'Justice Delivered Locally', The World Bank.

Moving forward

While it is important not to try and simplify the complex and diverse issues in rural areas related to law and justice, there are some possible directions for SIJP to consider across the remaining life of the program.

Small scale community disputes, often fuelled by alcohol and disagreements between families and individuals are concerning to communities. These disputes are meant to be addressed by the informal system but with that system not functioning, such disputes either fester or find their way into the formal system where they contribute to the backlog and are rarely resolved quickly or satisfactorily.

Most of the criminal cases heard are common assaults, trespassing and drinking and disorderly behaviours. (Makira magistrate)

Communities thus see a breakdown in general law and order and it appears that offenders can act with impunity. Much could be achieved by supporting the chiefs to address small disputes and ensuring police and the formal systems respect and support their decisions. A process towards training and empowering the chiefs to that end is underway in Western province.

Other provinces are also experimenting with ordinances which would support chiefs' role. While these processes will not necessarily be successful in all locations¹⁰ recent research¹¹ suggests they are supported by rural people and offer ways forward and should therefore, be recognised and supported by the formal justice systems.

SIJP could also consider deepening its engagement with the police. SIJP does not

provide support to the RSIPF. (This is the responsibility of the PPF and the future level and nature of that support will be decided through a separate review). However it is clear that in order to provide increased service delivery for rural people, the RSIPF is a critical actor, particularly in rural areas.

Western Province community governance ordinance

In Western Province the Ministry of Peace and Reconciliation has been working with local chiefs and other stakeholders to develop an ordinance that will recognise and empower traditional leadership. The process has been a slow but culturally appropriate and respectful process of consultation throughout the entire province with chiefs and communities. The intention is to clarify the role of the chiefs and their relationship with the formal legal sector.

The ordinance appears to be locally endorsed and designed to complement a functioning magistrate and circuit court arrangement. It is supported by provincial government and by the resident magistrate.

The ordinance will not solve the large issues such as land ownership and domestic violence, but it provides a basis for chiefs to be involved in providing information, reconciling families and preventing further difficulties when these significant issues appear and are taken up by the formal justice system.

¹⁰ In contrast to Western province where local ordinances were strongly supported and appeared to be able to be implemented, the review team was told that in Makira Province local ordinances had been developed but because of insufficient funding to operationalise these in every ward, together with lack of training for the chiefs, these were still not being implemented.

¹¹ World Bank (2015) "Institutional and fiscal analysis of lower level courts in Solomon Islands", February.

Provincial authorities suggested that a first step was to improve communication between police, magistrates and the province, and establish ways of working together to address particular local issues. SIJP could provide facilitation for this process.

Alongside small community law and order problems are the complex and growing problems related to ownership of land and resource extraction. These issues are dividing some communities and causing increased unrest and dispute at community level. The informal system is generally unable to address these type of disputes, and it appears that the formal system at the level of police and Magistrates' Court either do not have the jurisdiction or lack the expertise to intervene. Significantly, there were examples provided to the review team, where there is growing tension and conflict as a result of a failure to address both types of issues.

Land disputes [related to logging] are on the rise. These also trigger disorderly behaviours in the community. (Makira provincial government representative)

This is very important from the perspective of Australian Government policy. Failure to resolve disputes around land and resources impacts the confidence and certainty for business and ongoing economic development. The review team were told by business leaders in the resource and extractive industries that they experienced considerable difficulty reaching peaceful and enduring agreements with communities over land. These private-sector representatives from large-scale companies considered that the issue of land dispute was one of the most significant barriers to lawful and sustainable resource development in Solomon Islands.

Further there were a range of examples provided to the review team where growing unrest in some provinces, related to land disputes and disputes over resource extraction, was leading to conflict and increasing tension and destabilisation.

Rennell is a powder keg.... There is massive tension around mining - there is a need for someone to provide independent legal advice to the landowners. There needs to be law changes so that there are agreements, informed consent, certainty for miners and a process for landowners. (Private sector respondent)

There is a big land case backlog and so people who are aggrieved engage in disorderly behaviour instead of going to court. (Makira-Ulawa province official)

There are real risks right now in Western province and in Choiseul. Both are close to Bougainville. It's possible to get guns from Bougainville. (Provincial respondent)

This raises broader concerns about the prospects for stability post-RAMSI. Where people's regular experience is that the justice system does not provide them with any avenues to address disputes about their land and livelihood, there is little incentive to respect that system. There is some danger, according to review respondents in the provinces, that the gains made by RAMSI in ensuring security in Solomon Islands may be reversed if attention is not given to the growing dissatisfaction with resource and land disputes.

SIJP is not positioned to address this complex issues of land ownership and resource extraction,(given the connection between land and fundamental legal, social and cultural issues, the issue will only be resolved through leadership by the Solomon Islands government, and participation

by citizens) but neither can it ignore the reality and threat it poses to development. Supporting some improved services and attention to strengthening local systems to address small scale disputes will increase local knowledge and understanding of law and justice processes. Over time it should improve the way local actors and coalitions are able to work for change. Through these steps, together with ongoing research to better understand the problem and where it is being addressed with more success, SIJP can develop the capability of citizens and local justice institutions to contribute more effectively to this national development issue.

Target 4. Strengthen laws, increased services and focus on violence against women and gender equality in the workplace

Results

SIJP has made a significant contribution to the focus on violence against women through support for the drafting and recent passing of the Family Protection Act. The review team noted that both police and magistrates are now aware of the Act and the implications for their roles. Both police and magistrates are undertaking training in preparation for the implementation of the Act.

Beyond the focus on the Family Protection Act, the program has increased the focus on violence against women across the law and justice sector. Police and other justice stakeholders are aware of the issue and its significance.

Analysis

Respondents noted that while the Family Protection Act has been a significant achievement, there was a risk that it would not lead to sustained change without considerable work and additional resources. This includes:

- Review and improvement to family law legislation to ensure issues of custody and maintenance can be addressed;
- Expansion of court services so that domestic violence matters can be addressed in a timely and effective manner;
- Access for women to legal representation so that they are able to effectively present this situation through the court system;
- Development and education of health services and health clinic personnel so that they are able to identify and refer family violence matters to the legal system;
- The development of support services such as counselling, housing and financial support to provide options for women and their children.

Alongside this, while other activities to address family violence are increasing and they in turn acknowledge the engagement and contribution of SIJP, most of these are taking place in Honiara, with less activity in the provincial areas. Expansion beyond Honiara is an important concern if the program is expecting to make a serious contribution to reduction in violence as it moves ahead.

Provincial respondents such as church leaders, police and civil society groups identified that family violence continues to be a major area of criminal offence. They suggested that a starting point would be to provide support for women and other to understand their legal rights and to explain more broadly to communities the legal provisions being introduced through the Family Protection Act.

People in provincial areas also pointed to the role of police in addressing family violence in rural areas. Women respondents in Makira Province, for example, said that it was essential to have the police and magistrates involved in addressing violence, to ensure a just outcome for women. They suggested that ongoing attention to police training was essential to see changes in this problem.

Moving forward

In order to consolidate the potential from the work undertaken so far it would be wise for SIJP, together with the DFAT Gender program, to give some additional attention to the implementation of the Family Protection Act. This should include attention to coordination between Government agencies and the law and justice sector as well as support for expanded training and preparation for implementation. Tracking implementation of the Act, particularly outside Honiara, should remain a focus for SIJP for the remaining half of the program.

More broadly SIJP could now consolidate its efforts in this area, identifying its contribution to reducing family violence and how this can best complement that of other DFAT programs and donors. In particular SIJP can ensure that in all program work in rural areas attention to family violence is included across all activities. For example, this would lead to specific attention and information about the Family Protection Act and people's legal rights under this Act being mainstreamed through the work of the community officers employed under the World Bank program. It would also likely lead to ongoing support for training for police, magistrates and all other court officials working in provinces where the program is active.

Target 5. Improved Correctional Centre management and sustained focus on rehabilitation

Results

Most respondents to the review suggested that the Corrections area had seen considerable improvement throughout the RAMSI period and during the two years of SIJP operations. Prisons are now built, refurbished and functioning across the country. Respondents also pointed to the drafting and passing of the Corrective Services Act as an important step towards improvement in prison management. This Act served to better define roles and responsibilities in the correction services. A further positive outcome is the increased number of women now working in various roles across the prison services. Finally, the focus on rehabilitation in the prisons was seen as a significant achievement and an important approach for corrective services in the country.

Analysis

A significant conclusion from the majority of respondents was that the CSSI is now in a position where a plan for withdrawing external support could be developed.¹² Respondents suggested that while this might lead to some reduction in the quality of services, the system was now sufficiently robust that it would be maintained.

They will manage without us (expatriate adviser)

Standards might decrease a little but CSSI will work (CSSI staff)

¹² Noting that with the likely retirement of the current leadership there needs to be some attention given to succession planning.

Some challenges remain. There does not appear to be any substantial plans or budget in place to maintain the new and refurbished prison infrastructure. Further, the prisons that have been built and refurbished exceed the present and likely future needs, so it is unclear if they will continue to function beyond SIJP support.

More significantly, similar to other justice agencies, CSSI appears to have a considerable capacity gap in its middle management level. There is a risk that the current high quality of service and standards that have been developed is fragile and will not be maintained.

Moving forward

Nevertheless, while standards and infrastructure might decrease, the most prevalent view among respondents is that the area is now stable and operational. It is the view of the Review team that support to Corrections, particularly infrastructure and direct technical assistance, should be wound down by the end of SIJP. Ongoing engagement with the Corrections services should be focused around their role in working with others to improve overall justice service delivery in Honiara and the provinces.

Additional findings

In addition to findings against the target areas, other relevant information emerged from the consultations.

SIG vision for law and justice

Alongside an evolving system of governance, the law and justice system is still developing in Solomon Islands. This presents considerable challenges for donors such as DFAT, in determining appropriate contributions and measures of success.

SIG have policy intentions for the law and justice sector. However, discussion with senior representatives within government and within the law and justice sector indicated that there was as yet no overall vision or clear direction for the sector as a whole, nor for forms of law and justice which would best serve Solomon Islands into the future.

It is the responsibility of the Government and citizens to establish the vision for justice in the Solomon Islands, but ongoing support from SIJP ought to foster opportunities for this development.¹³ Future program work also needs to be mindful of not trying to impose an external set of objectives or an external model which might in the long term prove entirely unsuitable or unsustainable in this country.¹⁴

The legal profession

A small amount of attention was given by the review team to understanding the legal profession in Solomon Islands. While lawyers are important to a functioning legal system, it was difficult to get a

¹³ This needs to be understood as a long term process. Current and future leader in the law and justice sector need the opportunity to engage with their peers in the region and to be challenged in peer forums about the direction of the law and justice systems. Civil society and the private sector need to have opportunities to enter the dialogue and identify their views and hopes for a Solomon Islands justice system.

¹⁴ It is probably unrealistic to think that a clear vision will emerge in the near future. SIJP and any successor programs ought therefore to focus very clearly on short term objectives around clearly identified problem areas that will lead to improved services. The aim would be to support a functioning system. The long term shape, limits and visions of that systems will have to be decided by Solomon Islanders over time.

complete picture of this profession. There seems to be a strong divide between private practitioners and lawyers working in the government legal system, with a very limited sense of professional collegiality or accountability. The Solomon Islands Bar Association (SIBA) is advocating for the passage of the Legal Professions Bill which would see more weight given to the professional association and to its role in representing and managing the legal profession. This could potentially be an important contribution to improving accountability and standards in the legal sector.

Apart from the activities of SIBA however, there does not seem to be any attention given to legal education (which is provided outside of the country) and how it prepares lawyers and future judges to serve effectively in Solomon Islands. Further, the career trajectory of lawyers seems to be similar, with new graduates moving into government positions to obtain experience and then leaving after a few years to go to more highly paid private practice. There are no pathways in place to attract private practitioners back into the public service at a senior level. There does not appear to be any sense of service or accountability from the private sector for general public law and justice services. There are no pro bono services apparently offered and no assistance by private practitioners with public legal clinics or other public services.

While this area is not currently a focus for SIJP, the program should consider how it might influence the professional development of lawyers in order that they are able to make more effective contributions to the law and justice sector. A starting point might be to facilitate increased opportunities for partnership and exchange with other professional bodies from countries with developing legal systems (This would need to be undertaken with minimal direct resourcing given other program priorities.)

A further contribution might be to support collaboration between SIBA and other stakeholders to undertake research/inquiry around career planning and incentives for experienced lawyers to return to the public sector in the Solomon Islands.

Corruption

Underlying many of the discussions with respondents was a concern with corruption. People referred to corrupt practices, for example in business transactions, and the failure of the formal legal system to be able to address corruption because it is both inaccessible and slow. Corruption is evident to people in their daily life and their concerns are with the **lack of effective mechanisms** through which they can address this corruption.

Most often people identified corrupt practices as misuse of public money or failure to use proper systems, particularly by government. This supported a very strong belief, expressed by the majority of respondents, that justice is not applied fairly and equally throughout Solomon Islands. A number of examples were provided to the review team about failure to follow proper procedure in tender and procurement matters, particularly those managed by government. Other examples were provided where matters such as land ownership and resource extraction were simply removed from formal decision making processes and were subject to ad hoc ministerial exemptions or decisions. Finally, examples were given where different treatment was apparently provided in sentencing and access to police and other services in response to people's prestige or influence. In these situations and others, people identified that there was **unfair and unequal application of the law**.

These findings are supported by wider research which indicates that Solomon Islanders are dissatisfied both with the services provided by justice agencies as well as the lack of fair dealing by SIG and others.¹⁵ In other words people want **better law and justice services** but they want them to **apply equally** to all people.

These two concerns speak to the need for law and justice to both deliver services and support good governance.

Law and justice as both a service to be delivered and a process to ensure good governance.

The service delivery aspect of law and justice is about providing a way for people to resolve disputes, including addressing criminal activity – these are the services provided by the police, courts, prosecutors, defenders and prisons, as well as the government departments that support their operation (such as the Ministry for Justice and Legal Affairs).

However, law and justice is also part of effective governance, as it is part of how power and authority is exercised in a country by individuals and through institutions – institutions in this sense are the formal and informal rules that organise social, political and economic relations. According to the DFAT policy on Effective Governance (2015), law and justice structures ...*'provide a framework for the way people live and interact – the way that people and groups of people agree and express their interests, and how competing interests are mediated'*.

An effective law and justice sector ensures the *rule of law*, which means that every person is subject to the same rules, and that those rules are applied and enforced equally. Clearly, the way justice services are delivered and where is intertwined with the rule of law.

SIJP has a focus on service delivery, but does not explicitly consider its contribution to good governance. It does not have a specific focus on corruption despite the considerable concern about this issue across the Solomon Islands. This should be given further consideration, particularly if the program intends to extend beyond 2017.

Discussion

The results summarised above indicate that SIJP is operating in a challenging sector in a complex and evolving country. The program has contributed to some important achievements, but overall the results suggest that it is currently not on track to significantly improved access to justice in Solomon Islands. The targets outlined in the Delivery Strategy are the right areas for attention but do not provide clear objectives or measurable outcomes against which the program can be regularly assessed. More importantly, activity under these outcomes has not, to date, added up to sufficient change to make a difference to people, especially those living outside of Honiara.

The review team consider that the underlying challenges for SIJP have to do with strategy and focus. The program understands what needs to change but has failed to specify objectives and outcomes. It has largely adopted an old-fashioned technical approach to achieving change, ignoring the political

¹⁵ World Bank (2015) 'Institutional and fiscal analysis of lower level courts in Solomon Islands', February.

determinants of law and justice in the Solomon Islands. Further, while the Delivery Strategy proposed that SIJP would direct resources to existing law and justice institutions in Honiara and develop justice services for people in rural areas, in practice it has largely continued to focus in Honiara.

In order to see a change in the remaining life of SIJP, the program needs retain its targeted areas of action but work in different ways and with a new approach. This has implications for policy engagement and program activities. The following section explores these implications and outlines proposed changes for SIJP for the remaining life of the program.

SIJP 2015-17

Partnership with SIG

SIJP has been on a trajectory of change since its inception. Much of this has been around positioning the program to work effectively as a bilateral partnership with SIG. It has, for example, moved to reduce advisers, particularly those working in line. As far as possible it is now undertaking new activities in a co-funding arrangement with SIG. This has shifted the unaccountable dependency the sector has had on donor funding. It has started a process of consideration by Solomon Islands stakeholders about their own capacity and ability to manage and provide legal services without donor support. (For example, the suggestion that an exit plan for donor support now be put in place in CSSI is an important sign of the growing maturity in the relationship.)

Recommendation 1. For the remaining two years of the program DFAT should further develop this policy engagement with SIG around law and justice development, based on mutual accountability and clarity about respective roles. In the long term it should aim to support SIG to develop its own vision and long-term objectives for the sector.

More immediately, SIJP should agree with SIG what objectives are being sought for remaining life of the program. These objectives should be modest and should fit under existing program target areas. While they should be in line with the Government interests¹⁶, they should also demonstrate a clear connection to service outcomes for Solomon Islands people.

In response to the views expressed to the review team, it is recommended that these objectives include actions that will increase the visibility of law and justice services in Honiara and in the provincial areas.¹⁷ This is likely to mean focus on services which are used most often by citizens and businesses such as police and the Magistrates' Courts. In addition the objectives ought to focus on

¹⁶In addition to building the functionality/ capacity of the court system, government representatives identified the following policy areas where SIG would like further developments.

- Focused attention on juvenile justice including separate facilities for juveniles and attention to courts and procedures to address juvenile offenders.
- A tribal land dispute resolution bill that would precede the establishment of a panel to resolve disputes over customary land ownership.
- A review of the Sexual Offences Act.
- The establishment of alternative dispute resolution and mediation services to enable resolution of disputes outside the court system.

¹⁷ A view expressed by a number of respondents, particularly those in senior positions in law and justice institutions in the Solomon Islands, was the need for law and justice service delivery to be more visible to citizens

consolidation of work to date. Attention and energy has already been employed to bring the Family Protection Act to this point, to ensure the employment of new magistrates and the related revival of the Magistrates' Court in the provinces, and to design and mobilise the World Bank community officers program. All or any of these areas ought to be the subject of attention in the second half of the program in order to consolidate achievements to date and to ensure sustained change by the end of SIJP.

Objectives focused solely on further capacity development, systems development and/ or development of legislation, in isolation from implementation and service delivery, should probably be excluded from consideration. Resources should be closely connected to the achievement of outcomes under these objectives.

Significantly, the objectives ought to be accompanied by clear agreements about the mutual contributions to be made by Australia and Solomon Islands and a process for regular assessment of progress towards these objectives.

Program Focus

Many of SIJP's operations have been underpinned by a concern, inherited from RAMSI, that basic law and justice systems must be supported to maintain national stability. The emphasis on stability has seen a concentration of resources on the maintenance of the formal legal system in Honiara. This focus is because the formal legal system is the most tangible, visible and easily understood process for donors and other external stakeholders. The review team considers that this support for parts of the formal system has reassured stakeholders that effective law and justice is largely in place and supporting social stability. It has come however at the expense of a focus on justice services for ordinary Solomon Islands people, especially those on provinces.¹⁸ The results of the review indicate that despite the original Delivery Strategy proposing a balance between stability and service delivery, most citizens and the private sector are experiencing insufficient, and declining, law and justice services.

Recommendation 2. For the remainder of the program SIJP should allocate resources in line with the original focus proposed for the program in the formal justice sector. That includes increased focus on services to people in the rural areas alongside ongoing support to central law and justice agencies.

Program Approach and Implementation

Ongoing support to central law and justice institutions

As noted, SIJP has mainly utilised a technical approach to program implementation. Using a broad capacity development lens, the program has mainly worked through technical advisors to either support institutional development or fill gaps in specific justice services. For various reasons this has been a largely unsatisfactory approach, leading to a seemingly ongoing cycle of human resource needs and gaps. Alongside this, a focus on developing systems to solve problems, when management and staff do not own or engage with those systems, has led to a history of failed attempts to change work practices.

¹⁸World Bank research notes "However, in many respects, the centralized nature of the assistance provided [by RAMSI] did nothing to counter rural people's perceptions of declining state presence and effectiveness." World Bank (2015) 'Institutional and fiscal analysis of lower level courts in Solomon Islands', February.

Recommendation 3. For the remainder of the program life, SIJP should develop a targeted and informed change strategy that focuses on mobilising local stakeholders to solve problems. In particular, SIJP needs to broaden its approach from a largely technical perspective to incorporate a more politically informed and problem focused approach.¹⁹ This is in line with recent research on effective law and justice support.²⁰ While this should clearly be developed in ways which are appropriate to Solomon Islands context, it is likely to include the following:

- *Identification of champions and change agents and increased cooperation with them;*
- *Limited work with institutions especially where there are neither change agents nor opportunities to achieve change at this time.*
- *Active identification of opportunities and situations where change can be triggered and a shift to resource these;*
- *A focus on problem-solving to achieve service outcomes.*
- *Systems which are developed from local experience, reflecting local problem solving.*

In practice, for SIJP this is likely to mean:

- An analysis of power (both formal and informal power relations and how these impact change and allocation of national and local resources) and stakeholder analysis to identify the influences that various players will bring to any situation and what might motivate them or their institutions to support efforts for positive change. Based on this analysis, the aim is to identify the areas where change is possible²¹ and how local agents can achieve that change, supported by targeted and thoughtful donor resources.
- A close assessment of existing institutional work in Honiara, with a view to maintaining only that support which is essential to the stability of key institutions, such as the Magistrates' courts, ODPP and PSO.
- Shifting the program work away from institutional capacity building, towards a focus on service delivery outcomes. Towards this end resources should be directed towards mobilising stakeholders and change agents to work on specific outcome areas. This should be supported by a cessation of work on systems and general capacity development and a withdrawal of resources. Agreement to work areas should be conditional upon the agreed outcomes to be achieved.

¹⁹ This approach is well outlined and developed in a current DFAT publication:

Teskey, G. (2015) "What is the big deal about thinking and working politically?" Maastricht, May, Department of Foreign Affairs and Trade.

²⁰ Bahrain, S. (2014) 'Security and justice: towards politically informed programming', Developmental Leadership Program, State of the Art Paper 1, July. In this paper Bahrain points to the deeply political and contested nature of the justice sector in most countries. He draws from international experience to argue that donor assistance needs to be both technically and politically informed. In practice this means: negotiated partnerships; contextual understanding; linking state and non-state actors; and ensuring practitioners have the competency to work politically.

²¹ From the observations of the review team, there was clearly interest by some up and coming lawyers, both in the private and public sectors to have a better functioning legal systems, where they could pursue a satisfactory career. In addition private sector respondents were certainly interested in an improved law and justice sector. Civil society actors were also interested in change but the impression was that their power is currently quite limited.

While it is important to have long term objectives for change, as agreed with the SIG, solving specific problems towards those objectives and shifting entrenched arrangements, are often important steps towards building momentum and capacity for larger change. Ongoing analysis will identify when opportunities for larger change might occur.

It will be important that SIJP act in a politically wise way in focusing on these areas. That means first focusing on mobilising and catalysing existing resources, capacities and interest towards feasible and sustainable action which makes a difference in people's lives, with the introduction of additional program resources directed towards specific actions which will further support better use of those existing resources.

- The outcomes from the areas chosen for focus and greater attention ought to be very publicly communicated, alongside transparent explanation about how a change was achieved and those change agents who contributed positively to the change outcomes. This kind of public accountability provides to reinforce the value of the service as well as build citizen knowledge.

This different approach to program implementation will require high-quality and careful facilitation and development skills. The negotiation and discussion around this ought to be led by DFAT, and informed by the range of good quality technical personnel available in SIJP. The implementation of the strategy should become the responsibility of the program management team.

There is now considerable experience in the Australian government aid program around politically informed programming. This includes the program of support for law and justice in Indonesia as well as the governance work in East Timor and the economic and social development work in the Philippines and the Pacific Leadership Program. These programs have shown that assistance is most effective when practitioners understand and then adapt their programs based on local political dynamics, including both formal and informal rules. To date, lessons include:

- politically informed programs need to be flexible enough to respond to changing country realities, but still be technically sound and well-planned;
- an iterative approach is best to allow programs to continually refine management and guide any adaptation where necessary and timely; and
- when change happens, it involves contestation between factions (winners and losers), informal coalitions of groups with shared interests combining forces, elites or powerful actors pursuing their own interests (supporting the change), and resistance by entrenched actors (benefiting the status quo).

DFAT is well-positioned to communicate and cooperate with these other programs to learn from this experience and establish ongoing interaction and learning.

Attention to the role of technical advisors

To support the shift in program approach outlined above some additional attention needs to be given to the technical adviser positions currently within SIJP. Some positions will need to be maintained, but others should be freed to support outcome focused work areas, bringing the technical knowledge to more politically unlikely informed strategies.

Recommendation 4. In regard to advisor positions, some tighter systems should be introduced to accompany the existing technical positions. This would include attention to quality control and performance management of the adviser work against terms of reference, in order that they will best support the revised objectives of SIJP.

This should be undertaken by SIJP program management together with the appropriate levels of management within each institution. This will be an opportunity to focus SIG on the contribution and challenges of those adviser positions.

In the immediate term, the focus of advisors not working in inline positions should shift to supporting problem solving by Solomon Islands stakeholders. Technical advisors will continue to bring the experience and external knowledge to a situation but not the solutions. They will be responsible for facilitating dialogue, ideas and communication. They will assist with assessment for the purposes of accountability and learning.

Longer term use of advisers as part of a law and justice program in the Solomon Islands needs attention, with a view to reducing this dependency upon external inputs over time.

Recommendation 5. An exit plan should be developed for all technical advisers, with an understanding that where they serve either an in-line or central role, discussion begins around how SIG will maintain that role post-2017. Given that DFAT is committed to maintaining basic functionality in the justice sector in the immediate future, we would recommend that in development of these exit plans, particular attention is given to adviser positions in the Magistrates' Court, ODPP and PSO.

A plan for these adviser positions and how that technical support will be maintained post the SIJP program needs to be given urgent attention from now. We would suggest that positions in other institutions ought to be reduced and finalised by the end of program. As above, some of the work of these advisers will need to continue and this ought to be a subject of discussion with SIG, with those advisers moving to the government budget or replaced by other arrangements as decided by SIG. (Note: [Annex 4](#) contains recommendations on specific adviser positions and is not included in this public document)

Facilitating service development in rural areas.

The law and justice sector has an important role to play in contributing to good governance (or, perhaps more accurately, good-enough governance) and service delivery in provincial areas that will assist in addressing potential sources of instability. At a minimum this is by providing a way for disputes to be resolved in an effective and efficient manner.

Recommendation 6. In line with the focus on service delivery, in the second half of the program a more deliberate strategy of engagement in rural areas should be developed, alongside the community officer program that will be delivered by the World Bank.

This work should be undertaken as a pilot process, in only one or two provinces for the remainder of SIJP. It should focus on supporting the rule of law and people's experience of fair dealing in those locations, through support to existing or developing local systems.

In the brief review undertaken by the MTR team it is clear that there is considerable activity in provinces where people are keen to establish systems of governance and dispute resolution to address the needs of their area. There is good opportunity to build on this interest and local knowledge and commitment.

Starting with one province we suggest that SIJP should begin a process of dialogue with stakeholders in the province about how law and justice and the overall rule of law can be strengthened and improved in that location. This should be undertaken by local facilitators who are familiar with the province and able to easily enter into dialogue with stakeholders. It will take time, building trust and engagement with people for a long term process. Ideally the facilitator ought to either stay in the province or visit over a number of months to learn about relationships and power and how law and justice is currently administered in both the formal and informal systems (much information is already available through the World Bank research and this will serve as a useful basis to identify the provinces where the best starting points might be available.)

It is unlikely that in the two remaining years of the program, and given the complexity of the issues, that SIJP and other stakeholders will be able to provide solutions to the complex issues such as land ownership and management of resources. However starting a process of consultation around formal and informal systems of governance and dispute resolution, together with effective management of services such as police and the Magistrates' Courts, will provide a basis for bringing together and facilitating change agents to develop immediate solutions that in turn can be the basis for wider action.

For example, through discussions in Western Province the priorities identified by many stakeholders were around strengthening the existing legal services, that is police and Magistrates' Court, and focusing on transparent action to improve the quality and reliability of both services. In addition to this, people talked about the need to increase information to communities about laws that affected them and their rights and responsibilities under those laws. Church leaders and CSO representatives, as well as provincial government representatives spoke about the need to consult with and talk further with people about arrangements for chiefs and local communities to resolve small-scale disputes before they escalated and destroyed community harmony.

In Makira there was considerable discussion about the need to train and support police, especially so they were able to address family violence and small scale disputes. Alongside this there was considerable interest in better training and development for the Chiefs so that they could play a more clearly identified role in community dispute resolution.

Any of these areas could be the starting point for facilitated dialogue, local enquiry and development of local activity plans.

There is an opportunity to work with provincial government in this process. While they are often under-resourced they also play a role in local governance and have the power over local regulations which can impact the work of police and magistrates as well as the informal justice systems. Where chiefs are able to exercise respected and recognised authority, such as is being redeveloped in Western province, this is also an opportunity to work through them. Churches are also well-positioned to be part of the process, although currently seem to lack the skills and knowledge about the contribution that they could make. Facilitating these and other stakeholders to come together to

plan and implement change would be a valuable contribution by SIJP to establishing a focus on law and justice services in rural areas.

If stakeholders were able to work on local small-scale issues and disputes, and see changes in the formal legal services, this would likely lead to two important changes. Identifying appropriate processes to deal with minor disputes would address the backlog of cases for Magistrates' Courts, freeing the courts up to deal more effectively with serious cases. Further, this action would provide a basis for communities experiencing good rule of law and fair dealing. This could over the long term, provide both incentive and capacity for provincial stakeholders to then consider how they will address the more significant issues impacting their communities.

SIJP should develop some careful criteria around one or two provinces where they might pilot this approach. Ideally these provinces ought to be where there are some identified and engaged change agents, existing action at community and provincial level to mobilise informal and formal structures and where SIJP resources can be mobilised and located. As noted, the research already undertaken by the World Bank will assist with the identification. SIJP might also want to pilot this approach alongside the World Bank community officer program, multiplying the incentives for positive change in the same location.

It would be a mistake to simply try to develop a model which could then be transported to other provinces. Clearly each province across Solomon Islands has very different experience and needs. However, the processes of engagement, working with change agents and identifying small but tangible areas for action ought to be recorded and developed as an approach that may be utilised beyond the current SIJP program.

This process should be treated as an action research project, that is, learning from doing. Plans ought to be developed for each new set of actions and then reviewed together with stakeholders to assess what has worked and why. New plans should then be devised based on that assessment. Alongside this, for the purpose of both accountability and wider learning, technical resources need to be allocated to record intentions and outcomes and the selection and analysis of the results and learning. This ensures that the work in one province becomes a source of learning for other areas. But it also ensures that SIJP has a detailed and grounded evidence base from which to inform ongoing policy dialogue with SIG. It provides real experience with law and justice agencies in the rural areas which in turn can be shared with central agencies to inform their development and improvements.

Wider collaborations

Relationship building with RSIPF

While this review does not cover the work of the RSIPF, it is clear that the police are a very important public face of justice in Solomon Islands and any attempt to increase visibility of the justice sector should be done in cooperation with them.

There is an enormous expectation of police in the community - it goes way beyond the role. Police only formally involved when there is a crisis - for example when villages steal mining equipment - but they do a lot informally. Communities want a police officer in every village with a gun. The police are doing their best the people don't understand their role. (Provincial representative)

Recommendation 7. The ongoing support for the RSIPF will be decided in due course, but SIJP should further develop working relationships with police throughout the second half of the program, based around agreed project areas such as attention to family violence and the community officers program.

There are two areas where such cooperation has begun and should be further explored. This includes the work around family violence, particularly as this expands under the implementation of the Family Protection Act. The RSIPF are also supportive of the World Bank community officers program, and see this as complementing their role in the communities. Dialogue with the police around how to work effectively in these two areas and others, to maximise justice visibility and service delivery, should be a specific work area in the second half of SIJP.

Once again this activity should be carefully monitored and transparently reported. This provides the opportunity for all participants to learn lessons and consider how to cooperate over the longer term. It also provides for public accountability, building the notion of increased visibility to the public around what actions are being taken and what services are being provided across the whole law and justice sector.

Collaboration with other DFAT programs

The target areas for SIJP inevitably overlap with work being undertaken by other DFAT sectors. In particular the work on family violence directly intersects with that of the gender program and some areas of the health program. The potential work on rule of law overlaps with the interests of the DFAT governance program (SIGOV). The work to improve human resource and finance systems also overlaps with targets in that program.

The second half of SIJP ought to formally acknowledge and utilise these intersections.

Recommendation 8. As SIJP seeks to move forward with a new approach, it should collaborate with DFAT sector programs, particularly gender, health and governance, in order to increase impact and demonstrate to SIG the value of collaboration across sectors and skills sets.

Keeping in mind the objectives developed with SIG through the policy dialogue, SIJP should formally identify where these objectives have intentions which are shared with DFAT programs working in health, gender and governance. This is most likely to be around issues related to family violence and issues related to human resource and systems development. There may also be possible overlap related to contribution to good governance. These identified shared intentions should then be the basis for a series of specific proposals where collaboration and joint action will lead to demonstrably greater outcome than sectors and programs acting alone.

DFAT should then facilitate discussions between program management and implementing agents to identify the contributions that are required from each sector and how these will be taken forward. A small number of areas for collaboration should be identified, with clear agreements about responsibilities, outcomes sought and an assessment processes.

This process should be undertaken as a pilot approach to developing further collaborations between law and justice program support and other sectors in the future. It provides the opportunity for learning a demonstration across a range of areas. Alongside the opportunity for SIJP to benefit from

collaborative approaches to problem solving, the relationship of law and justice to both service delivery and good governance is likely to be made clearer to people through example rather than description.

By working with other sectors on real issues of concern to them and within law and justice providence, SIJP will better communicate the fundamental contribution law and justice makes to social economic and political development in a country. This is likely to provide a practice informed basis for a more integrated and comprehensive design for law and justice support post-2017.

Program management roles and responsibilities

Currently, in large part due to the transition process that SIJP has experienced, together with some changes in team leadership, there is some lack of clarity in the program management arrangements. With the recent introduction of an experienced team leader, there is a good opportunity for DFAT to step back from program management and deepen its role in policy engagement and overall program performance assessment.

While there might need to be some modification to the current contract for program implementation, the most important change required in the immediate term is clear communication of future processes of accountability and responsibility. That is, who makes what decisions and who is accountable for what outcomes.

This is especially important as DFAT take forward a role around policy discussion with SIG to agree program objectives, complemented by a program focus on corresponding work to solve problems and achieve outcomes underneath these objectives. Advisors and partners will need to be clear about who is responsible for decisions around strategy change and resource distribution (ideally left to the program to manage), while also understanding the direct role DFAT will play in policy negotiations and possibly in performance assessment.

Attention to this clarification soon will assist all stakeholders to understand how the program will operate in its second half but also will clarify responsibilities and enable people to engage appropriately with counterparts and other stakeholders.

Performance assessment

While SIJP has undertaken some good quality research, overall the program has suffered from a lack of monitoring and evaluation focused on outcomes. It is the view of the review team that it is not appropriate to try to introduce detailed monitoring and evaluation system at this point. There is a strong risk that it would not obtain sufficient engagement from stakeholders. Further, that focus on assessment of outcomes at this point would not serve the most pressing needs of the program.

Recommendation 9. An action research approach should be instigated to accompany the program over the next two years, in order to address ongoing performance assessment and learning needs.

Focusing on those activities identified above, that is the activities agreed under the objectives established with SIG, activities potentially agreed with RSIPF, activities focused in the rural areas and those areas of collaboration with other DFAT sectors, it is proposed that SIJP introduce an action reflection research approach to all activities.

The intention would be for each activity to be accompanied over time by a light touch research process, identifying progress towards agreed outcomes, but also assessing the role and interaction of change agents and other stakeholders as well as wider influences that either assist or inhibit the desired change. This information would be collated and regularly shared with key stakeholders for the purpose of reflection and changed action. With due attention to confidentiality, the information would also be shared more publicly in order to promote wider learning and accountability to citizens about the use of government and donor resources.

The DFAT Pacific Leadership Program is currently utilising this methodology to accompany its work in Solomon Islands and other locations. The methodology developed by that program is now publicly available and could be utilised by SIJP. It requires dedicated resources to ensure good quality research accompanies each major activity, but this could be complemented by use of existing program staff and DFAT personnel.

The process would provide some performance information to meet DFAT reporting requirements. But the emphasis would be upon increasing the capacity of the program to analyse and understand the political and other interactions that assist or limit opportunities for change. This would be an important addition to the skill base of SIJP as it seeks to work in a more politically informed way.

Recommendations beyond 2017

The MTR team were asked to give attention to future possible assistance for law and justice in Solomon Islands. Overall the team recommends that the approach begun in the second half of the program as outlined above ought to be the basis for further support. That is, working towards agreed policy objectives, utilising a politically informed approach, good quality action research and an iterative theory of change. The review team proposes that the approach focus on tangible service delivery alongside the role of law and justice contributing to governance and social and economic stability. Specific recommendations for second phase include those outlined below.

Strategy and Design

Recommendation 10. Construct an overall strategy for future work in the law and justice sector which addresses the complementary roles of support to the police alongside support to legal institutions and service delivery.

Building from the collaboration with RSIPF proposed for the second half of SIJP, future law and justice work ought to be informed by a comprehensive strategy that draws from a detailed theory of change. The aim of the strategy will be to outline the specific and realistic contribution that Australia can make to changes in this sector in Solomon Islands; the areas where resources will be focused and the overarching strategies for change.

The strategy should give attention to the central role that SIG and other stakeholders in Solomon Islands have in determining the shape and future of law and justice in the country. It ought to address the way that Australia can trigger, catalyse and support government ownership for progress in the sector.

Program Design and Approach

Recommendation 11. Underpinning the strategy, include a detailed program design that articulates the Australian contribution to law and justice service delivery and to good governance through improved law and justice institutions and systems.

Building upon the ideas introduced for the second half of SIJP, we recommend that future programs give careful consideration to the essential role of law and justice in nation building. The current Australian Aid policy proposes that economic development is a major component of national development. In Solomon Islands good quality economic development requires attention to improved justice services and improved rule of law. This relationship needs full and detailed examination in any future program design. This examination should serve as a basis to further engage with the private sector in Solomon Islands and look to strategies to deepen their support for an improved law and justice sector.

Further, Australia would like to support Solomon Islands maintain national stability and security in order that it can pursue its economic and social development. It is clear that maintaining the rule of law, particularly in provincial areas, is a critical aspect of such long-term stability. This relationship likewise needs to be examined and carefully articulated in the next program design. This will be an important basis for ensuring that appropriate range of activities are included in any future work.

At the same time, the basic functionality of law and justice services, particularly police and courts, should also be supported in future programs. However, rather than a focus on transfer of resources, attention should be given to solving service delivery limitations and assisting service providers to fulfil their roles, in order to lead to sustainable options for law and justice service delivery.

Recommendation 12. Implementation mechanisms for future programming need to maximise the opportunity for effective policy engagement and for politically informed and technically feasible approach. They should be flexible and able to operate in a responsive and timely manner in what is likely to be an ongoing dynamic and complex context. An iterative approach to program assessment ought to accompany these implementation mechanisms.

Any future program support ought to maintain a process of policy dialogue with SIG and informed collaboration with change agents and key stakeholders. The implementation arrangements underpinning this dialogue however need to be developed as flexible and responsive mechanisms, able to adapt to the evolving political, social and economic context of Solomon Islands.

Lessons from other DFAT program suggest that this can be achieved through a combination or hybrid approach. This typically involves an experienced managing contractor responsible for program implementation, in partnership with multilateral, CSO or other partners who bring political and analytic insights and expertise in facilitation, problem-solving, networking and coalition building as well as specific technical expertise. In these situations DFAT maintains responsibility for policy dialogue and direction and works in close cooperation with the implementing contractor and other partners. However DFAT is not directly involved in program implementation and is therefore able to cooperate with the national government to assess progress and shift program direction accordingly.

In addition, future programs need to be characterised by high quality assessment. The design needs to be focused around an iterative approach that provides regular (perhaps six monthly) review points, where activities can be assessed and decisions made to maintain these, change them or stop them altogether. This process of program management, based on reflection, analysis and action, needs to be widely communicated on a regular basis to all stakeholders.

The Delivery Strategy and corresponding program design should utilise the experience from DFAT and other donor support to law and justice in other locations.²² For example, the Indonesia law and justice program supported by DFAT has good experience in working with local champions to catalyse opportunities for change. The law and justice work in East Timor has made good use of political and power analysis to understand how to influence change particularly within government. Future designs should reflect this wide ranging Australian experience.

The long-term intention of future support ought to be to develop a law and justice system which suits the Solomon Island context and needs, drawing from the most appropriate and relevant other experience.

Recommendation 13. Future programs should as far as possible, utilise Solomon Islands resources for advice and technical inputs rather than import this expertise from outside the country.

In support of a politically informed approach, it is recommended that as far as possible future programming is well informed by senior Solomon Island change agents. Often these people can be found among retired senior public servants, or people who have retired from senior private sector positions. Ideally they would be employed by the program in part-time advisory roles with the specific intention of acting as political informants; assisting to mobilise networks and other change agents around particular topics or areas for improvement. This type of resource should be included in future designs.

To further support this type of positioning, it is recommended that any technical advice which is sought is provided, as far as possible, through Solomon Islands expertise, or through twinning and partnering arrangements with other Pacific Island or countries with some similarity of experience to Solomon Islands development trajectory. While there may be some merit in partnering with some Australian institutions, this ought to be undertaken carefully and only with those institutions who are well experienced in effective partnering approaches.

²² The trajectory of support for law and justice in Solomon Islands is similar to that identified in other countries. There is a well identified pattern of adviser supported capacity building for individuals and counterparts, shifting to institutional capacity building focus which in turn ideally shifts to a problem-solving and service delivery focus.

Decentralised programming

Recommendation 14. While maintaining some ongoing work with central law and justice institutions, future programs should increasingly focus on service delivery in provincial and rural areas

If the proposed provincial pilots in the second half of SIJP prove successful, future law and justice support should expand this to a wider program of decentralisation, working across several different provincial locations.

As proposed for the second half of SIJP, the work in provinces and rural areas ought to build from existing strengths and resources in those locations to initially address local and community-based disputes and issues. As people are able to see effective operation of informal systems and their interaction with the formal justice sector, they are likely to be in a better position to create solutions around larger problems such as land ownership and management of resources.

In future phases this process could widen, helping citizens obtain administrative justice by holding deliverers of public services to account (not just for justice services but also health, education etc.)²³

A review is about to commence on Provincial Government authority which will be an important step in clarifying the respective authority and roles of provincial governments in relation to national government and communities. This is a timely intervention which should assist in establishing the relationship that the legal sector has with provincial governments and the role that they should play in service delivery and rule of law. This could be utilised in the design of the next phase of support.

Sector collaboration

Recommendation 15. In order to increase impact, future programs should work proactively with other DFAT sectors, focusing on how law and justice issues underpinned service delivery and good governance across all areas of the Australian aid program.

Building on collaboration begun under SIJP, future law and justice programs ought to seek active engagement with both service delivery and governance sectors in the DFAT Solomon Islands program. More proactive cooperation with these programs clearly increases the likelihood of impact and outcomes. It ensures that future program support is able to build and contribute to specialist knowledge and approaches from the law and justice area while cooperating with other sectors to utilise their respective strengths.

The starting point for this collaboration should be an analysis of the legal and justice issues associated with each sector. SIJP has worked effectively from this approach with the current DFAT gender program. It should, as part of a new design process, explore with each sector the ways in which law and justice (both service delivery and rule of law) impact upon the development of citizens and businesses in Solomon Islands. This analysis will provide a clear picture of the way in

²³ Redress of administrative grievances has become an increasing focus of justice programs in recent years. The World Bank J4P program has good experience in this area which can be drawn from to guide this development. See for example Gauri, V. (2011) 'Redressing Grievances and Complaints regarding Basic Service Delivery' the World Bank Policy Research paper No, 5699.

which laws and legal agencies underpin social functioning in the country. It will provide a wide range of options for collaboration with other sectors.

While it will not be possible for future law and justice programs to address all possible areas of collaboration, the analysis will serve to better position and identify the contribution that a law and justice program makes to the Australian aid and diplomatic engagement in the Solomon Islands. It will assist with development of an overall theory of change.

Once priority areas for collaboration are established, experience from other countries suggests that implementation arrangements should include agreed areas of project cooperation and specific tasks for implementing contractors to facilitate such outcomes. Performance assessment and contract payments can be directly linked to successful activity in these areas.

Additional target area to address corruption

Recommendation 16. In cooperation with ongoing DFAT support to good governance, and in line with Australian policy, future programs should give attention to the interaction of law and justice and corruption.

Corruption, particularly the lack of fair dealing in government service provision and other interactions, remains a major barrier to effective governance and rule of law in Solomon Islands. Some attention is being given to this area in the SIGOV program, looking at addressing fraud in government service delivery sectors. The work here indicates that Solomon Islands people have the capacity and the interest in addressing such issues but struggle to see it effectively addressed through the justice system.

Future law and justice programming could give attention to this area, initially to ensure resources are focused on timely attention to instances of fraud and corruption as identified by police and other investigators, and transparent treatment of such cases. From a broader perspective however, the notion of 'rule of law' also needs attention in any future program. Together with the SIGOV program, future law and justice support could include a particular focus on attention to corruption. This could draw from lessons developed in programs elsewhere.

New evidence around anti-corruption suggests that it is important to focus on information and education that mobilises people to act against low level corruption and bolster public support for anti-corruption institutions.²⁴ This is supported by the responses received by the MTR team that emphasised the need for citizens to have more information.²⁵ SIJP has begun action in this space.

²⁴ The research also indicates that too great a focus on government action at the national level to address corruption can undermine citizen concern with everyday corruption. Peiffer, C. & Alvarez, L (2014) "Who will be the Principled Principals?" DLP Research Paper 31.

²⁵ This approach is based on the assumption that rural people will not be empowered to challenge large-scale corruption until they begin to experience attention to immediate issues that affect their day-to-day life. Giving people information about their rights in regard to service delivery, providing them with information about community entitlements and the appropriate level of resourcing that should flow from provinces and national government, provides a basis to raise expectations and start to create citizen demand. There are obvious actors to collaborate with in this area. Beyond the World Bank program, churches and existing CSOs can act as information providers and can help begin a process of reporting and researching where services and other

The World Bank program working through community mobilisers is intended to facilitate information down to community level.

Other research in the area of corruption suggests that the more people own and invest in activity the more likely they will be to protect it from corrupt and damaging influences. This is a lesson for the program as a whole, around the need to engage stakeholders to ensure that they have strong ownership and investment in any activities. However, it also speaks to specific activities that might be developed directed at corruption. Such activities need to be based in issues identified by people, of concern to them and built on strategies developed with them. This approach requires a far more participatory and consultative approach to change. It will require specialist development expertise that should form part of any future program implementation.

Alongside this, there is evidence from international experience to suggest that local complaints mechanisms do help in establishing local commitment to rule of law and justice. Again in cooperation with SIGOV, it might be possible to look at extending attention to fraud in service delivery ministries down to a local level where there is some opportunity to directly receive complaints from the public and in turn to have these publicly and transparently addressed.

These lessons and other research from international experience ought to inform the program going forward. Through an additional target area, future programs can focus on corruption in a way that empowers action, in order to begin an expectation that rule of law is a right to be enjoyed by Solomon Islands citizens.

Communication

Recommendation 17. Ensure a strong and active communication strategy accompanies future programming

It is the experience of programs directed at law and justice that these are difficult to communicate to external stakeholders. There is often a limited understanding of the interaction between service delivery and governance in law and justice programs and people outside the program do not understand the need to work with multiple stakeholders in different locations across often interacting issues and concerns.

Added to this, political and iterative approaches to programming do not lend themselves to simple program assessment or reporting. While the approach is well accepted in many parts of the Australian aid program, it is not necessarily well understood and current aid reporting systems do not facilitate easy application of such an approach.

Nevertheless, considerable work has been done on both appropriate performance assessment approaches and appropriate management approaches for thinking and working politically. The missing element is often clear and coherent communication both of intention and outcomes.

rights are not provided to people. To that end, SIJP recently solicited, and is currently reviewing, a proposal from Transparency Solomon Islands for conduct of a court monitoring project.

Added to this, in Solomon Islands there is a strong tendency for information to be withheld. This undermines citizen engagement and limits lesson learning and processes of accountability. Future programming ought to model a much more open and transparent and accountable approach.

For these reasons it will be important in any future programming that resources are dedicated to a detailed communication strategy that supports reporting to stakeholders in different ways and for the various purposes of accountability, lessons learning and program improvement. This ought to be a dedicated component of the performance assessment and learning approach of future programs.

Conclusions

The MTR team found most respondents to be frank and keen to discuss the challenges and potential of the law and justice sector in Solomon Islands. People have a good understanding of the issues and most people would like to see further improvements and would like to ensure that limited donor resources are well directed towards effective outcomes.

It is also important to emphasise that the team encountered very strong capacity among Solomon Islands people, albeit within systems and institutions that are struggling and within a highly challenging context. These people were found in private enterprise, working in government, in the voluntary sector and among private citizens. There is much potential to be utilised in future programming.

On the other hand, the review team also found a significant lack of access to justice for most citizens in Solomon Islands and a very limited experience of fair dealing and rule of law. While immediate stability and security within Honiara is an important priority, a focus simply on this is likely to be a very limited and short term gain and if this remains the main focus of future work it may in fact undermine the policy outcomes being sought by the Australian government.

For these reasons we strongly recommend that SIJP continue its process of change and maturity, giving considerations to the areas recommended for attention in the second half of the program and to those areas identified beyond 2017. We recognise that this will not be an easy or simple process and that it requires considerable shifts in resources and attention. However, we would suggest that there is the potential for this shift and in terms of effective development in Solomon Islands a necessity for such direction.

Annex One: Evaluation Plan

Introduction

The Solomon Islands Justice program (SIJP) 2013-17 builds on the previous law and justice program undertaken through RAMSI. The program has a twin track approach, seeking to maintain the restoration of law and order while also moving to increase the delivery of justice services for the people of Solomon Islands.

The program approach for SIJP is outlined in a delivery strategy. There are five 5-year targets for the program:

- Courts and justice agencies are better able to deliver their core functions
- Courts and justice agencies are better able to manage their financial and human resources
- The delivery of a range of justice services to rural communities is expanded
- Strengthened laws, increased services and focus on violence against women and gender equality in the workplace
- Improved correctional centre management and sustained focus on rehabilitation

These five targets in turn are meant to achieve the delivery strategy objective:

Improved delivery of justice services

This delivery strategy objective contributes to long-term program outcomes which in turn contribute to a program goal and development purpose.

The program is supported by considerable documentation including a detailed work plan covering 2014-15, regular six monthly reports and a recently completed emerging series of focused research pieces directed at important program areas. Together these documents provide considerable detail about program activity, challenges and some analysis.

In line with the monitoring and evaluation approach outlined in the delivery strategy, the program is undertaking a mid-term review. This document outlines the proposed evaluation approach for that review.

Existing information

Challenges

There is considerable existing information about the context, development and rationale for this program. Much of this information points to ongoing challenges for effective law and justice system development in Solomon Islands. These include:

- At the level of the nation itself it is proposed that there is lack of clarity around what type of law and justice system is appropriate for Solomon Islands and how that would bring together the best of the existing formal and informal systems. While there seems to be agreement that in rural areas the formal system is not serving people well, particularly women and children, there is much less clarity in the research to date around realistic alternatives.
- The Australian Government program, emerging from the RAMSI experience, has had an inevitable emphasis upon maintaining stability, and a functioning law and order system. This

appears to have locked in many resources, directed at technical assistance, limiting program opportunity for experimentation and resourcing in other areas. As program resources are likely to be further limited in future iterations, this prioritisation between maintaining stability in the sector and developing services that are sustainable into the future, will need to be addressed.

- This program, and others supported by DFAT, seems to be experiencing considerable challenge in achieving and maintaining change at SIG agency central level. While there are some exceptions to this, there appears to be real challenges around motivation and political 'buy-in' to ensure SIG resourcing and take-up of capacity development and reform opportunities at the central level. In contrast to this, several reports point to the need for a greater focus on justice services in the rural areas, but generally fail to outline how this could be brought about in a sustained and comprehensive way.
- A challenge outlined in several of the documents is the limited human resource and other capacities in the law and justice sector in Solomon Islands. The delivery strategy largely assumes that this is the overarching problem to be addressed. However more recent documents suggest that it is 'political' rather than 'technical' solutions that are required in the sector. How this alternative approach to naming and addressing problems would actually work in practice, building from where the program is at this point, is not clear.
- Significantly a challenge which is not identified to any degree in program documentation is that of corruption. In other locations access to justice is often tightly connected to the opportunity for ordinary people to challenge and overcome small-scale corruption. In the case of the private sector development it is larger scale corruption which the justice system is expected to address, particularly through formal systems such as the courts. There appears to be very little attention given to this within the current program.

Opportunities

Alongside these challenges, the existing information points to opportunities and lessons. For example progress has been achieved in recent developments in the Magistrates' Courts, which are located outside of Honiara. The Corrections sector seems to have been an area where sustainable capacity has been built and maintained. Alongside these examples, the World Bank program, J4P, has embarked on a series of research pieces which hold some promise around unravelling potential for a community orientated justice service. All of these examples may serve to provide important lessons for moving forward.

In addition, the SIJP works alongside the Australian Federal Police program in Solomon Islands together with wider diplomatic and political engagement. As noted in one document, there are a range of advisers and Australian government staff spread throughout these programs with good knowledge of Solomon Islands, good engagement with Solomon Islands people both at political and bureaucratic levels, and well-informed understanding of how to support effective change processes in the country. The police program in particular, undertaking its own review and redevelopment, has been identified as an important consideration in how broader support for the justice system might move ahead.

Finally, this program is not alone in seeking to increase opportunities for justice and improved well-being for people in Solomon Islands. Together with other donors, there is strong presence of NGOs

and an active church network throughout the country. It is likely that there is much to be learned from greater collaboration across this wider range of stakeholders.

Program reporting

Looking specifically at the documents which guide and underpin SIJP, it is clear that the program has been designed to align SIG priorities and strategies, in line with the partnership approach that underpins Australia's engagement in the country. At the same time the documents propose a very broad underlying program logic with a number of significant assumptions. There are several statements which could be construed as program objectives or as providing guidance for the overall direction of the program. To date there has been insufficient focus in the monitoring and evaluation on progress towards outcomes (much of the available reporting is activity focused). Together with the large gaps in program logic, this leaves a number of areas unexamined, at least as reported in the formal documents. This creates some challenges for identification of program progress. Finally there is not a lot of information around how the program is actually managed and implemented, beyond discussion of application of technical assistance. These gaps limit the value of some of the existing documents.

On the other hand, it is noted that there are currently a series of research pieces being undertaken which might contribute to addressing some of the knowledge gaps. And the DFAT quality reporting indicates that there is a very considered strategy guiding the program in practice. It may be that careful exploration beyond program reports will be required to fully understand the details and nuances of this program.

Alignment to service delivery

The existing program documentation points to the need for further attention to gender across the program. There is some mention of alignment and interaction with the *Pacific Women* program in Solomon Islands, but this is not currently explained in detail. Actual progress in bringing increased access to justice for women and girls is not clear.

Some attention is given to the justice issues likely to be present in service delivery, but this is not obviously pursued within the program reporting. Given the intention of the program to be forward-looking all of these areas will need to be explored in the review.

Review purpose and objectives

The terms of reference for the review identify very clear intentions. The purpose is described as twofold, with particular attention given to how the program can be improved in the immediate term and in further successor programs.

Assess SIJP's performance (modes and mechanisms) in working towards achievement of the targets identified in SIJP's Delivery Strategy (the Targets) by 2017, and make recommendations on how this can be improved for the remainder of the current program cycle (mid 2017); and

Provide early guidance on both what SIJP's successor program should aim to achieve, noting this may include post-RAMSI police capacity development, and how this could most effectively be done. In particular, how to position our assistance to transition into this successor program.

The evaluation scope and questions outlined in the terms of reference make it clear that the review is meant to be forward looking, giving attention to the changing context for Australia. This includes a new aid policy, increased interest in greater alignment with other sectors, outcomes that directly increase service delivery and potentially a transition away from direct support under the model developed through RAMSI.

The terms of reference also identify the need for a greater focus on the end users of Solomon Islands multiple justice systems. And the need for a more action reflection type approach that allows a better response to prevailing political interests and incentives in Solomon Islands.

Building on these terms of reference and review of existing documentation there seems to be a number of important areas for review focus. These include:

- A thorough understanding of program relevance and outcomes to date. This requires attention to what changes have happened at the outcome level, both positive and negative, and analysis of why? Currently there is limited outcome information in existing documents and a very limited sense of program relevance. Discussion with stakeholders needs to focus on understanding this program in the context of other changes and supports for access to justice in Solomon Islands (relevance) and an understanding of the significance of its activities to date (outcomes). Exploration of why and how outcomes have been achieved will provide important learning for possible future strategies.
- There are obviously some areas of the program such as Magistrates Court and Corrections, where positive outcomes are being/have been achieved. Some particular attention to lessons learned in these areas will be valuable for further program development.
- It appears that SIJP's experience with support for central agencies is similar to the experience of other DFAT supported programs in Solomon Islands. Some exploration with those other programs about the strategies for moving past political and other barriers to change might provide important information around future program strategies.
- In collaboration with other programs funded by the Australian Government and other donors, attention needs to be given to the way in which access to justice enhances and addresses the provision and delivery of basic services, such as health and education and infrastructure. Better understanding of the interaction of justice needs within service delivery is likely to provide options for future program focus.
- In line with this, a thorough review of the way in which the program can best serve the needs of particular vulnerable groups such as women, children, people with disability and people marginalised by extreme poverty, may provide for a rationale for prioritisation of resources and better focus for program activities in the future.
- The challenges facing SIG and people to establish a sustainable and accessible law and justice system are considerable. Support from the Australian Government can go some way to assisting with this challenge. But there also needs to be clear identification of the limits for that support and how Australia wants to prioritise and direct its support based on its emerging aid and trade priorities. The review needs to assist in surfacing some of those limits and interests in the short term and the implications for any future programs of support.
- It is reasonable to expect that other stakeholders and actors also have a strong interest in a sustainable and appropriate law and justice system for the country. This is likely to include

the private sector as well as civil society and the churches. Presumably there are also other donors engaged directly in the sector or concerned with the way issues of law and justice are relevant to their work. A wide consultation with a broad range of stakeholders to identify needs and priorities, increase options and ideas would seem to be a useful addition to the review data collection.

- As identified in the terms of reference, this review needs to be undertaken with some attention to the post-RAMSI police capacity development program and how this is transiting to a successor program. Clearly there are shared lessons and potential opportunities for cooperation as both programs look to the future.

Methodology

Approach

From the discussion above, the mid-term review clearly requires a *critical* evaluative approach. That is, an approach that asks ‘what has been achieved and why?’ and ‘what are the implications for moving forward?’

Given the amount of documentation already available about activities and the details of program interactions, there is less need to collect more general information. The emphasis should be on collecting specific areas of information in greater depth and creating opportunities for stakeholder review and analysis to explore the ‘why?’ and identify implications for the future.

Data collection

Data collection has commenced this review of existing documentation. That documentation will be revisited as appropriate throughout the review to identify required details and existing analysis and interpretation.

Further data will be collected through discussions and interviews with stakeholders in country during a two week field visit.

The program clearly operates in a series of relationships with different central agencies. While there is a need to allow representatives from those agencies to provide their views and opinion as part of a comprehensive review, it is also very important to go beyond those actors to broaden the range of data able to be collected. This includes collection of information that will verify or further illuminate outcomes to date, as well as review and discussion with stakeholders and institutions likely to propose new ideas and different analysis of existing information. This could be undertaken in a range of ways. One proposal is that data collection could be focused around themes and locations of activity

This would include the following elements:

Outcomes and achievements: Interviews and discussion with major government partners/justice agencies to explore outcomes and relevance of the program to date.

Lessons learned: Interviews and discussions with informed advisers and program implementers to analyse effective program strategies and lessons learned from positive achievements to date. Particular attention should be given to the work with the Magistrates’ Court and with Corrections.

Systematic comparison and review of similar programs in other fragile states to compare and contrast strategies and lessons learned. Documents are already available for this process and some overall comparative research has been undertaken, but this could likely be further developed following the field process.

Future program directions: Focus group discussions, and when necessary specific interviews, with other DFAT service delivery programs (and those of other donors?) to identify justice issues related to service delivery. Interviews with other DFAT programs and those of other donors working at central government level to identify effective strategies for change and the required political motivations and incentives.

Likewise discussions with the DFAT *Pacific Women* program/country gender program in Solomon Islands to explore how law and justice development can better serve the needs of women and marginalised groups.

Verification and further exploration for the future: Focus group discussions with a broad range of relevant stakeholders beyond DFAT and its law and justice government partners. This is likely to include the private sector, civil society and the churches as well as local leaders and others in the rural areas.²⁶ The purpose of these discussions would be to triangulate and further verify identified outcomes, as well as look to the implications of those outcomes and how positive achievements might be expanded and taken forward.

Discussion with other donors, in particular the World Bank, to look at alternative strategies and priorities for access to justice in rural areas.

The data collection should be undertaken at both central and in some rural areas, ideally where the program has been active and able to contribute some clearly identify outcomes.

A draft program has been developed for the review which provides a comprehensive range of interviews and discussions. Some opportunity to expand the existing list and perhaps bring groups together, where appropriate, particular towards the end of the review period, will be discussed before the schedule is finalised.

Data analysis

Given that the mid-term review is intended to be forward-looking, some analysis and interpretation of the data should ideally be undertaken while the team is still in place in Solomon Islands. This suggests that some time towards the very end of the visit the opportunity to draw together key stakeholders such as DFAT, SIG personnel, civil society, private sector and others to reflect upon the findings to date and provide assistance with initial analysis, might be of value.

The mid-term review team then have responsibility to provide further analysis from the perspective of Australian Government policy and interests as well as the achievements and potential of the program to serve the development needs of the people of Solomon Islands. This analysis should be

²⁶ Where possible it would be useful to bring together different groups of people from this list in order to facilitate discussion, although this needs to be tested against appropriate cultural and other norms in terms of encouraging frank ideas and feedback. Individual discussions with different groups may be more appropriate.

undertaken through triangulation and therefore validation of the data collected, as well as comparison to international practice and lessons learned.

SIJP is able to access a wide range of existing research and informed analysis of the political and historical and other influences within Solomon Islands. This does not need to be repeated within the data collection, but should be given due attention in the analysis process to ensure that simplistic or unsustainable solutions are avoided.

The review team will compile a draft report which will be subject to review by DFAT program staff and others therefore providing a further layer of analysis and consideration. This will be reflected in the final review report.

Limitations

This review is being undertaken after only two years of what is a highly ambitious program designed to introduce a considerable change in strategy and emphasis. This is supposed to take place within a challenging and complex sector. It would be unrealistic to expect significant program outcomes and coherence after such a short time. The review needs to be mindful of this limitation and frame its findings and conclusions in an appropriate way.

The review itself will largely focus around a two week field visit which will be sufficient for broad information gathering but will not provide time for any original research or independent testing of the views and information provided during the field visit or reported in program documents to date. At best the approach to triangulating data and seeking to cross verify through discussion with different informants, will provide some validity to the findings but they will be far from fully certain. Conclusions and recommendations from the review will need to be interpreted with this understanding in mind.

The review team brings together a wide range of skills and experience which is a positive strength. At the same time the team will bring particular experiences and interpretations which are always likely to colour the data collection and analysis. As far as possible the team will work to cross check and challenge each other's findings and conclusions, but given the short and focused nature of the review there will inevitably be some bias introduced by team members. It will be important that a broad analysis process is undertaken in order to counter such inevitable bias.

Evaluation team

The evaluation team will include four people: A Team Leader, a Justice Specialist, a Solomon Islands Specialist and a representative from the DFAT Solomon Islands Desk.

Specific responsibilities

The broad responsibilities for each of these four people are outlined in the terms of reference. Additional responsibilities are proposed as follows:

The Team Leader will be responsible for ensuring the review maintains a critical approach to data collection and analysis. This would require careful attention to the respondent groups and to the questions directed towards those groups.

The Justice Specialist will have particular responsibility to ensure that information is analysed within a well informed and current law and justice conceptual understanding. This will include drawing

from wider international experience to propose analysis approaches as well as identifying significant likely areas of challenge common to all law and justice system development. It is expected that the specialist will also be able to point to the necessary preconditions for sustained and effective change in the sector and able to identify likely signs or indications of that change (drawing from relevant international practice).

The Solomon Islands Specialist will play a role in ongoing analysis and interpretation of information received from stakeholders, particularly SIG personnel and local civil society and other in country respondents. It is expected this specialist will assist the review team to understand 'why' outcomes have been achieved, or not, in any particular situation and 'why' particular ideas and strategies are, or are not, effective in any given context. This is a very significant role which will require the specialist to provide regular debriefing for the rest of the team following major meetings and data collection processes.

The Desk Officer will be responsible for maintaining the Australian government policy and program perspective throughout the review. This will require regular inputs around relevant aid policy and diplomatic priorities as well as identification of additional relevant DFAT and other stakeholders to be consulted.

All of the team will be required to contribute to the draft report, and will be assigned specific areas of analysis and report drafting by the team leader at the end of the field visit.

Approach to data collection

Given the limited time the team is able to be in country, it is proposed that it would be divided into two sub teams and therefore be able to gather material from a broader range of stakeholders. This is a sensible strategy provided it is managed in a way that ensures data is systematically collected around the key areas identified above and with due attention to ongoing analysis and verification, especially from a cultural perspective.

For this reason it is proposed that the team schedule will be reviewed with the whole team, identifying the specific purpose of each meeting and how it contributes to the information being sought. As far as possible, within Honiara, the team members will divide the tasks of data collection against the purpose of each meeting and according to the skill mix within the team. This will mean that different team members work together for different meetings. While this will be limited somewhat because of logistics, a purposeful approach to data collection is required in order to maximise the information able to be obtained. Each night the team will meet to share collected data and undertake initial analysis.

When the teams go to the field, it will be important to ensure that both teams have a clear understanding of the purpose of the inquiry within that location. There is some risk that without this preparation considerable data will be collected of disparate nature which will be of limited value to the review intentions. Some time will be spent during the intervening weekend period in preparation with the team for this process.

At all times Australian team members will need to be accompanied by a person from Solomon Islands to assist in interpretation and analysis of responses and appropriate presentation of information. This may require additional resourcing from the Post.

Timelines

The terms of reference propose the following timelines and reporting.

Tasks	Indicative Date
Evaluation plan	End of April
Presentation of the aide memoire to DFAT-Australian Aid Program including Senior Management	2 June
Submission of draft report	14 June
Submission of final report	10 July

Annex Two: People consulted for the MTR

Respondents	Agency/Organisation
Andrew Byrne, Head of Mission	DFAT
Sue Connell, Minister Counsellor	DFAT
Rochelle White	DFAT(Justice)
Robin Perry	DFAT(Justice)
Sarah Kernot	DFAT(Justice)
Brown Onahikeni	DFAT(Justice)
Jessica Suri	DFAT(Justice)
Claire Cochrane	DFAT (SIGOV)
Kelly	DFAT (SIGOV)
Tanya Morjanoff	DFAT (SIGOV)
Charles Jakosa	SIJP Management Group
Martin Grandelis	SIJP Management Group
Kevin Raue	SIJP Management Group
Frank Fono	SIJP Management Group
Debbie Bax , Finance Adviser	CSSI
John King, Professional Standards Adviser	CSSI
Pip Venning- Project Coordinator	World Bank Community Officer Project
Frank Prendergast, Commissioner	Royal Solomon Islands Police Force
Junita Matanga, Deputy Commissioner	Royal Solomon Islands Police Force
Sir Albert Palmer, Chief Justice	National Judiciary
Ranjit Hewagama, Senior Legislation Drafting Counsel	Attorney General's Chambers
Savenaca Banuve, Solicitor General	Attorney General's Chambers
Roberta Ramoifuala	Family Support Centre
Felicity Errington	Oxfam
Shiv Nair	Save the Children
Alicia Kenilorea	UN Women

Marni Gilbert	UN Women
Lorio Sisiolo	SI National Council of Women
Koisau Sade	World Vision
Patrick Toleyi	World Vision
Nashley Vozoto	Safenet
Kathleen Kohata	Family Support Unit, PSO
Martin Haga	RSIPF
Solomon Sisimia	RSIPF
Freddy Me'esa, Permanent Secretary	Ministry of Justice and Legal Affairs
Pamela Wilde, Legal Policy Adviser	MJLA
Douglas Hou, Public Solicitor	Public Solicitors Office
Resley Brooke,	Public Solicitors Office
George Gray	Public Solicitors Office
Sarah Karani	Public Solicitors Office
Benham Ifuto'o	Public Solicitors Office
Shepherd Lapo, Deputy Chief Magistrate	Central Magistrates' Court (NJ)
Todd Hunter, Acting Commander	RAMSI
Justine Braithwaite, Special Coordinator	RAMSI
Paul	RAMSI
Mike	RAMSI
Minnie Ora	MJLA Finance Coordinator
James Remobatu	Secretary to Cabinet
	SI Chamber of Commerce
	SI Women in Business Assoc;

	Small Business Enterprise Centre
Lorena Elvira Ayuso	European Union
	World Bank,
	Asian Development Bank.
Marni Gilbert, Markets for Change program	UN Women
Peter Thompson, Finance and Budget Adviser	MJLA/NJ
Andrew Baura, Acting Director, Training	CSSI
George , Director, Programs & Industry	CSSI
Leah Alufooa, Director, Strategic & Planning Unit	CSSI
James Manatee, Director of Professional Standards	CSSI
Acting Director, Finance and Anti-corruption	CSSI
Acting Director, HR	CSSI
Colin McKenzie - Executive Group Adviser	CSSI
George Samuel - Gizo Commissioning Adviser	CSSI
Angelique Deep - HR & Training Adviser	CSSI
John King - Professional Standards Adviser	CSSI
Debbie Bax- Finance Adviser	CSSI
David Shenman, Programs & Rehabilitation Adviser,	CSSI
Adam Hatfield, Correctional Management Adviser	CSSI
Michael Boki, Magistrates' Court Administrator	Central Magistrates' Court (NJ)
Cecil Pohe, Criminal Court Listing Clerk	Central Magistrates' Court (NJ)
Fatima Taeburi, Principal Magistrate	Central Magistrates' Court (NJ)
Ricky Iomea , Principal Magistrate	Central Magistrates' Court (NJ)
Edwin Saramo, Principal Magistrate	Central Magistrates' Court (NJ)

Augustine Aulanga , First Class Magistrate	Central Magistrates' Court (NJ)
Ronald Talasasa, Director	ODPP
Florence Joel,	ODPP
Sirepu Ngava	ODPP
John Numapo , Judicial Adviser	ODPP
Gavin Withers, Registry Management Adviser	Central Magistrates' Court (NJ)
Linda Dalton, Court User Adviser	SIJP
Andie Driu, Prosecutions Adviser	DPP
Rachel Olutimayin, Senior Prosecutions Adviser	DPP
Andie Driu , Police Prosecutions Adviser	Police Prosecutions Directorate
Sevuloni Valenitabua , Legal Adviser	PSO
Magistrate Davis Vurusu	National Judiciary, Gizo
	CSSI, Gizo
Superintendent Cydar Nevol	Provincial Police Commander, Gizo
Andrew Kelesi	ODPP, Gizo
Scott Langtry, Team Leader	Gizo RAMSI-Participating Police Force
Edward Afea - Commander, Kirakira Corrections Centre	CSSI , Makira
David Surongo - Kirakira Magistrate	Makira
Peter Sitai, Provincial Police Commander, Kirakira Police Station	RSIPF , Makira
Wilco Bosma , Manager	Natural Resources Development Foundation
Ferguson Vaghi	Kolombangara Island Bio-Diversity Conservation Association
David Boseto	Ecological Solutions SI
Patrick Pikacha	Ecological Solutions SI
Joshua Loko, Chairperson	Gizo Ward Committee

Maeva Kuse, member, Saeraghi Village	Gizo Ward Committee
Save the Children;	Joe Haga
Nasario Maena, Chairperson	Western Province Youth Council
William Evo, Chairperson	Kolombangara Counsel of Chiefs
Chris Waiwori-Justice Adviser	Prime Ministers Office
Peter Mae, Under Secretary /Former CEO NJ & Under Secretary MJLA	Ministry of Peace & Reconciliation
Kata Ziru, President /also Executive member, Chamber of Commerce	SI Bar Association
Chief Magistrate	Central Magistrates' Court
Richard Evans - HR Adviser	Ministry for Justice and Legal Affairs, National Judiciary
Kim Abbey, Coordinator / Representative of FSC	Family Support Centre/Seif Ples
Pioni Boso, FPA Implementation Officer	Family Protection Act Implementation - Min of Women
Ryan Mount	Axiom Mining;
Chris Anns	Evita Solomon Islands
Stratis Kirmos	Solomon Bauxite Ltd
Frank Paulsen, Commissioner	Law Reform Commission
Philip Kanairara, Principal Legal Officer	Law Reform Commission
Louise	Transparency Solomon Islands (TSI)
Alan McNeil - Adviser,	Ministry of Lands, Housing and Surveys
Martha	Landowners Advocacy and Legal Support Unit, Public Solicitors Office
Catherine	Solomon Islands Development Trust
Gaylyn Puairana	UN Markets for Change
Holmes Saue, General Secretary	SI Church Association
Bishop Adrian Smith	Catholic Church
Rev. Willie Maezama	United Church in Solomon

Rev. Peter Maeshufi, Vice Bishop	SEEC
	Church of the Nazarene
Catriona Steele, Legislation Drafting Adviser	AGC
Catherine Fitch, Legal Adviser	AGC
David Kelly	DFAT, Health Program
Sgt Rodney Wheatney, Director-Acting	Police Prosecutions Directorate
Peter Meyer - Deputy Secretary,	Ministry of Peace and Reconciliation
Chris	Adviser, SIGOV
Edmund Sekra	Permanent Secretary
Sammy	SDA Church Pastor, Makira
Kate Kamaka'a	President Makira Council of Women
Ireen Mekope	Catholic's Women's Group Makira
Andrew Weago	Superintendent SSEC Makira
Timothy Tako	Community Leader Mwaniwiriwiri Makira
Jasper	Mwaniwiriwiri Youth Makira
Philip Taraiu	Tawani/ Taratarau Community Chief Makira
Eric Waisi	Chief – Matanagoa Community Makira
Selina Campbell	Ngorangagora – Community women's representative Makira
Andrew Ngere	Chief – Mwanibena Community Makira
Charles Tautamae	Chief – Hao Community Makira
Danny Dicks	Chief – Kokana Community Makira
Iris Oche Pasuri	World Vision Area Manager Makira
Elizabeth Tatahu	Arohane Women's Leader Makira

Annex Three: Documents reviewed for the MTR

- URS Six Monthly Report – June 2014 and Jan 2015
- SIG Justice Sector Strategic Framework
- ODE L&J Eval (inc SI case study), 2012
- SIGOV review, 2014
- Qal – 2013 and 2014
- Aid Investment Plan
- SIJP, Delivery Strategy, 2013
- SIJP, 18 month Workplan, 2014
- SIJP case-flow management report, 2014
- SIJP information management report, 2014
- World Bank, 'Justice Delivered Locally - Systems, Challenges and Innovations', 2013
- World Bank J4P Policy Note, 'Toward More Effective and Legitimate Institutions to Manage Problems of Justice in Solomon Islands', 2014
- World Bank J4P Briefing Note, 'Learning from Logging: Toward Equitable Mining in Solomon Islands', 2014
- ODE/Adrian Leftwich, 'The Political Approach to the Law and Justice Sector', 2011
- Fraenkel et al, 'The RAMSI Decade: A Review of the Regional Assistance Mission to Solomon Islands, 2003-2013', 2014
- RAMSI PPF-RSIPF Drawdown Strategy 2013-17
- RAMSI Annual Program Performance Report
- Bazeley et al, 'Solomon Islands – Australia Partnership for Development: Independent Performance Assessment Panel Assessment for 2013', 2014
- Correctional Services Solomon Islands Capacity Development Review
- Ministry of Justice & Legal Affairs Corporate Plan 2013
- Public Solicitor's Office Corporate Plan 2013
- Office of the Director of Public Prosecutions Corporate Plan 2013
- Solomon Islands Law Reform Commission Corporate Plan 2013