

Executive Summary for Donors

Law, Justice & Community Services Sector Strategy 2009-2014

Background

The first ever Law & Justice Sector was launched as a very positive step in 2009 but it was recognised in 2011 that the original Strategy had a number of challenges. In particular, it did not provide a sufficiently clear monitoring process or framework, it did not encompass community based justice and it encouraged institutions within the sector to look inwards rather than as a sector with the potential, whilst maintaining independence where required, to work collaboratively to achieve mutually beneficial outcomes. Additionally, over the relevant period the 'Sector' as now defined had significantly changed in its size, composition and capacity.

The revised Strategy document is the culmination of extensive consultation at a community level and amongst key sector stakeholders that ranged from community leaders, government and civil society to donors.

It acknowledges the role government agencies play whilst also recognising that *kastom* and community based justice mechanisms are both a fundamental and beneficial part of everyday life for most people of Vanuatu. The Strategy emphasizes the need for Government agencies to maintain a clear focus on their core purpose – to deliver services for the benefit the citizens of Vanuatu.

Restructure of the Ministry was also discussed as a part of the consultations as a means of both building the capacity of the Ministry to provide sufficient support to the Sector and ensuring that the Community Services component of the portfolio maintains an appropriate profile and level of support.

Finally the Law, Justice & Community Services Strategy (Strategy) recognises that Development Partners play a very significant part in the Sector and should therefore be incorporated into the Strategy in a way that encourages a coordinated approach to activities and funding that aims to achieve equitable and harmonised distribution of donor funds across relevant agencies supporting justice, community or *kastom* activities.

Key theme from the Vanuatu National Law and Justice Summit in January 2012

A key theme of the Summit was the importance of government justice agencies in delivering consistently high levels of public service to citizens, and this insight included those agencies that play a coordinating role in Community Services.

[see (2) Public Value delivered by MJCS Slide]

Guiding Principles

The Summit identified the need for unifying principles designed to guide sector and agency decision making and planning. These include:

- The Constitution of the Republic of Vanuatu is the *Mama Loa* of the nation, and all Agency activities should maintain & strengthen the rule of law.
- Values of *kastom*, the Constitution, Christianity and International Conventions create a foundation for policy and practises for all.

- Public offices working across community, justice and *kastom* play a critical role in improving the wellbeing for all Ni'Vanuatu.
- Ni'Vanuatu communities and Ni'Vanuatu citizens have the ability to determine and progress appropriate arrangements for community and *kastom* governance
- Justice and community service is the business of *yumi everiwan* and Agencies acknowledge the importance of working together with churches, civil society and communities

High Level Sectoral Strategy Outcomes

[see (3) slide that synthesizes the proposed outcomes of the Strategy]

Sectoral Challenges

[see (4) Challenges slide]

Key identified sectoral challenges include: multiple agencies and services, diverse services, funding uncoordinated and uncertain, Ministry structure does not support service delivery, justice sector strategy is still developing, there is an increased level of demand for services, limited MOJCS capability in terms of finance, planning, performance, senior sector management and policy development.

Stakeholders

To effectively fulfil its mandate across the sector the Ministry must engage with a large and varied group of stakeholders. *[see (5) Stakeholders slide]*

Implementation

The MOJCS currently has limited capacity to drive and support the implementation of a multi agency strategy which would require significant change in planning, corporate and organizational arrangements. Restructuring the Ministry supports the equitable allocation of resources for the existing justice institutions but also emerging community service desks. It would give full and equal effect administratively and operationally to the justice and community services components of the Ministry and allow them to function independently but in coordination with the sector on a strategic level. It is intended to enhance communication, administration and coordination across the sector whilst recognizing and maintaining the independence of the constitutional agencies.

[see (6) Corporate structure of the proposed MOJSC slide]

Donor Coordination

Under the new Strategy, MOJCS leads and coordinates the process of developing strong justice institutions as well as giving community services support to develop their strategic vision within a sufficiently broad policy framework.

MOJCS engages with multiple donor partners dealing with a broad range of agencies at varying levels . The current arrangements are not sufficiently coordinated from the perspective of the MOJCS to facilitate strategic planning and oversight as focus has tended to be narrowed to specific activities.

MJCS would like to move towards an increasingly coordinated approach to donor partnerships with joint partner involvement in planning, development and delivery of programs especially in the medium term with respect to the proposed restructure of the Ministry which is seen as critical to its capacity to fulfil its mandate.

Further Planning

In conclusion, the Ministry is in the process of reviewing and revisiting its Sectoral Strategy as the overarching guiding document for the subsequent development of agency/institution level corporate plans and thereafter annual plans which will be developed consistently with the overarching strategy and with an awareness of shared or mutual challenges and strengths. [\[see \(7\) Planning slide\]](#)

Many thanks etc