



Australian Government  
AusAID



# Management Response

Independent Evaluation of the Australia Indonesia  
Partnership for Justice

6 February 2013

# Management Response – Independent Evaluation of the Australia Indonesia Partnership for Justice

## Aid Activity Objective

The Australia Indonesia Partnership for Justice (AIPJ) is a five-year, \$50 million program which commenced in June 2011 with the objective of “increased access to better quality legal information and services” for people in Indonesia. AIPJ is an initiative of the Governments of Australia and Indonesia.

## Aid Activity Summary

<b>Aid Activity Name</b>	<b>Australia Indonesia Partnership for Justice</b>		
<b>Commencement date</b>	1 June 2011	<b>Completion date</b>	31 December 2015
<b>Total Australian commitment</b>	A\$50 million		
<b>Total other commitment</b>	-		
<b>Delivery organisation(s)</b>	> Government and judiciary of Australia, coordinated by the Australian Agency for International Development (AusAID) > Government and judiciary of Indonesia, coordinated by the National Development Planning Agency (Bappenas)		
<b>Implementing Partner(s)</b>	Cardno Emerging Markets The Asia Foundation (substantively from 2013)		
<b>Country/Region</b>	Indonesia		
<b>Primary Sector</b>	Law and Justice sector		

## Independent Evaluation Summary

### Evaluation Objective

The Independent Progress Review (IPR) was undertaken approximately one year after the commencement of AIPJ and focused on measures to be taken at an early stage of the program to ensure maximum impact and relevance, particularly for poor and marginalised Indonesians. The review looked at:

1. To what extent AIPJ had selected the right interventions that will achieve its outcomes, considering the current environment in the justice sector and considering that the program should benefit the poor? To what extent does AIPJ have sufficient line of sight to poor people from its interventions?
2. Whether AIPJ has adequate resources to deliver the program and whether there is adequate breadth of engagement for the purpose of decision making. It also considered whether there is adequate contestability and clarity of roles and responsibilities within the current program structure.
3. Identifying potential synergies with other AusAID programs to maximise the program's overall benefits to poor people.

### **Evaluation Team**

- > Team Leader: John Dinsdale
- > Mr Sebastiaan Pompe, Indonesian Law and Justice Expert
- > Ms Tanya Pridannakoff, Law and Justice Section, AusAID Canberra
- > Mr Dwiagus Steptantoro, Monitoring and Evaluation Team, AusAID Jakarta
- > Ms Prahesti Pandwanwangi, Indonesian National Development Planning Agency (Bappenas)

### **Key Messages**

1. The focus of activities selected to date under AIPJ and the program's implementation arrangements needed to be reviewed by AusAID management. The review concluded that the current activities did not have sufficient line of sight to the poor and that the program needed to reorient to be less focussed on high-level institutional reform and more directly beneficial for the end user justice seeker. This reorientation of the program should be done in close consultation with program partners and the program's governance arrangements should be adjusted to complement this.
2. The current management structure was problematic and did not provide for sufficient contestability in the program. The review recommended that the AusAID-contracted Program Director position not be extended as this was creating confusion amongst program partners.
3. The program should look at meaningful synergies with other AusAID programs to enhance impact. Specific mention was given to how a national legal identity program could yield benefits for AusAID's investments in social protection and how AIPJ could leverage AusAID's decentralisation programs, such as those in eastern Indonesia, to assist Indonesia to implement its Legal Aid Act for maximum benefit to the poor.

### **Management Response**

AusAID agrees to all the recommendations in the IPR. AusAID is working with the Implementation Service Provider (Cardno Emerging Markets) to implement the recommendations.

## Recommendation One

AIPJ's activities should seek a more appropriate balance between institutional reform and local-level service delivery, with support at both levels having a line of sight to the poor and marginalised. At present, striking this balance will require greater investment in local-level service delivery, including through piloting activities at the district level. Where necessary, institutional reform activities should be discontinued or refocused to ensure they support the poor and marginalised.

**Response:** AusAID agrees with this recommendation.

**Actions:** AIPJ has begun work on responding to this recommendation. In December 2012, AusAID and Bappenas approved a Supplementary Work Program for AIPJ with new activities that will provide a greater line of sight to the poor. AusAID will require all activities in future work plans to explain how they have a line of sight to the poor.

## Recommendation Two

AIPJ should work with relevant stakeholders to develop a Strategic Framework which, using the original design as a starting point, explains what results AIPJ will achieve and how it will achieve them. The Strategic Framework should align with relevant Indonesian state and civil society policies and organisational plans, and should acknowledge the importance of reformist networks and coalitions.

**Response:** AusAID agrees with this recommendation.

**Actions:** To respond to this AIPJ has developed a new strategic framework that is centred on realising rights to fair legal processes, legal identity and legal information — particularly for poor and marginalised people. The Realising Rights Framework was developed with AIPJ partners and has been endorsed by Bappenas. The Framework was the basis for the development of the 2012 Supplementary Work Plan and will continue to shape AIPJ's programming decisions.

## Recommendation Three

AIPJ should establish communication protocols which ensure both constant discourse with partners (in Indonesia and Australia) and a consultative annual planning process. A budget forecast for the remainder of the program should be produced and shared with key stakeholders.

**Response:** AusAID agrees with this recommendation.

**Actions:** AusAID will work with the ISP to change communication protocols and program planning processes in early 2013. With these changes, there will be clearer responsibilities for engaging with partners — including for AIPJ's locally engaged program staff. AIPJ has produced a budget forecast, as part of the 2012 Supplementary Work Plan.

## Recommendation Four

AIPJ should establish more effective governance arrangements, involving:

1. structured consultation with senior, experienced reformers (primarily Indonesians but possibly also international experts), to ensure independent strategic advice and contestability. These resource people should be properly engaged and remunerated;
2. refining the composition and role of the Partnership Board, which should focus on ensuring AIPJ has visibility and ownership by major government and non-government partners in Indonesia and Australia;
3. reinforcing the role of the Working Committee (AusAID and Bappenas) as the body which approves and is consulted in advance on AIPJ's work plans.

**Response:** AusAID agrees with this recommendation.

**Actions:** AusAID has tasked the ISP to suggest reform to AIPJ's governance arrangements in accordance with this recommendation. New governance arrangements will commence from early 2013.

## Recommendation Five

The Program Director role should be discontinued, with that position's high-level policy-making responsibilities transferred to AusAID's Counsellor for Democratic Governance and the remainder of responsibilities – including those relating to strategic direction, activity implementation and quality assurance – transferred to the Implementation Service Provider.

**Response:** AusAID agrees with this recommendation.

**Actions:** The Program Director contract will conclude in January 2013 and will not be extended. Most of the responsibilities will be transferred to the ISP and reflected in a new program structure, with the residual responsibilities, including high level policy making, transferred to AusAID Jakarta's Counsellor for Governance and Social Development.

## Recommendation Six

AIPJ should deepen its engagement with The Asia Foundation (TAF), drawing on TAF's knowledge and experience in fostering reformist networks and coalitions in Indonesia.

**Response:** AusAID agrees with this recommendation.

**Actions:** AIPJ has engaged TAF to be the primary implementing partner for Component 5 of AIPJ. TAF will also assume the role of a strategic partner for AIPJ.

## Recommendation Seven

AIPJ should establish a modest level of local representation in one or more sub-national target areas where AusAID's decentralisation programs work.

**Response:** AusAID agrees with this recommendation.

**Actions:** AIPJ will open offices in Lombok and West Timor in early 2013 and use this presence to leverage work being undertaken in these areas under other AusAID investments. After an initial scoping period, the precise roles, functions and resources of AIPJ staff in the sub-national offices will be further clarified and shared with key stakeholders.

## Recommendation Eight

AIPJ should produce and regularly update a brief matrix outlining possible integration and synergies with other Australian aid investments (both those funded by AusAID and other Australian Government agencies). This matrix should inform the design and implementation of AIPJ activities.

**Response:** AusAID agrees with this recommendation.

**Actions:** AusAID will work with the ISP to establish these relationships, consider options for working together and implement those joint activities.

## Recommendation Nine

AIPJ should draft a brief Donor Coordination Framework, explaining how its activities will avoid duplication and maximise complementarity with other donor-funded law and justice programs in Indonesia – particularly those funded or managed by the World Bank (Justice for the Poor), USAID (Changes for Justice, Educating and Equipping Tomorrow’s Justice Reformers), UNDP (Strengthening Access to Justice in Indonesia), the TAF-managed Prison Reform Program and the Open Society (Open Society Justice Initiative).

**Response:** AusAID agrees with this recommendation.

**Actions:** AusAID will task the ISP to produce a brief donor coordination framework and to update it with each work plan submission to AusAID and Bappenas (the latter being the institution responsible for donor coordination in this sector).