

# Law and Justice in the Pacific: Emerging good practice in PNG and Solomon Islands

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# TOPICS

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- 01 Framework: 2012 ODE evaluation
- 02 PNG: sector coordination
- 03 JSS4D: FSV work
- 04 JSS4D: Community Safety work
- 05 Solomon Islands: results measurement

# 01 FRAMEWORK: 2012 ODE EVALUATION

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- ODE's 2012 evaluation rang true on many levels:
  - Sector coordination is necessary but can end up being donor driven
  - Top down organizational capacity development is an insufficient strategy
    - Need to mix it up with thematic, problem driven and service delivery approaches
  - Insufficient attention to gender and GBV
  - Weak approaches to results measurement

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# 02 JSS4D: Third phase of a sectoral approach in PNG

## 02 JSS4D: OWNERSHIP OF THE SECTORAL APPROACH

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- > GoPNG established the Law and Justice Sector Working Group and National Coordinating Mechanism in early 2000s
- > Under LJSP it did have a significant focus on managing Australian aid funds
- > In 2016/17 – fifteen years later – the NCM meets independently and Australia is occasionally invited to observe meetings when appropriate
- > Negotiations over the JSS4D design took almost a year

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# 03 JSS4D: Addressing Family and Sexual Violence

## 03 JSS4D: ADDRESSING FAMILY AND SEXUAL VIOLENCE

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- > FSV is one of the four components of the program: it currently gets 15% of the budget directly but is also addressed through some of the other components
- > It is led by a DTL and three advisers
- > Currently running 15 activities
- > 4 focus areas:
  - Women are empowered to influence the delivery of law and justice
  - Victims of FSV increasingly access referral and support services
  - Women and other vulnerable groups increasingly access effective legal protection and assistance
  - Increase in the timely investigation and prosecution of FSV cases in the lower and national courts

## 03 JSS4D: ADDRESSING FAMILY AND SEXUAL VIOLENCE

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### ➤ Examples of activities underway:

- Supporting the RPNGC Women's Advisory Network (WAN) in collaboration with AFP
- DJAG Sexual Harassment Policy introduced
- 25 Family and Sexual Violence Units have now been established within the RPNGC around the country and a FSVU Directorate will be established in the Crimes Division
- Survivor Advocate Toolkit has been developed and is being rolled out to civil society, churches, government, schools, safe houses etc.
- A training course on Investigation and Prosecution of Sexual Offences has been developed by RPNGC and Public Prosecutor's Office and is being rolled out



## 03 JSS4D: ADDRESSING FAMILY AND SEXUAL VIOLENCE

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➤ (Draft) ODE evaluation on GBV found: JSS4D and Pacific Women Shaping Pacific Development have made important contributions to positive outcomes, including:

- More laws and policies in place and having impact
- More awareness and advocacy work about rights
- Positive developments in police practices
- Increase in services available to survivors
- Greater community awareness that violence is preventable
- Increased discourse on the overlap between violence against women, gender equality and women's empowerment
- Increased recognition of the rights of women with disabilities

## 03 JSS4D: HOW HAS THIS CHANGE OCCURRED?

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- Key strategies used during PALJP and JSS4D to get to this point were:
  - To use the GoPNG GESI Policy as an entry point (note the confluence with other Aust Aid programs here)
  - Leveraged champions on this issue: Dr Lawrence Kalinoe, Dr Eric Kwa, John Kali – use their authority to influence middle management
  - DFAT played a key role in making it a core focus area in the PALJP Transition Program and JSS4D design
- Sector now sees it as an area of strong progress

## 03 OBSERVATIONS

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- > The 2012 evaluation said we should use a combination of approaches in strategic ways:
  - Organisational Capacity Building approach
  - Service Delivery approach
  - Problem-Solving approach
  - Thematic approach
- > FSV in PNG is an example of an area where this is occurring
- > This approach has been able to emerge in a context of very long term partnership with the L&JS in PNG spanning almost 30 years through multiple iterations

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# 04 Strengthening Community Safety and Security in Oro Province

## 04 IMPROVING COMMUNITY SAFETY AND SECURITY: THE STORY OF ORO

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- > This is another of the core focus areas of JSS4D
- > Focused on six priority provinces: Gulf, Hela, Morobe, Northern (Oro), Southern Highlands and Western
- > Aims to strengthen village courts, improve land mediation, strengthen coordination, address juvenile justice and FSV.
- > Oro has been a province of outstanding success in this area, gaining national attention

# IMPROVING COMMUNITY SAFETY AND SECURITY: THE STORY OF ORO

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- The Law and Justice Working Group was re-established in the provincial administration
  - It is very active in information sharing, coordination of activities and proactive awareness raising
- In a six month period the sector has reached 8500 people across 12 schools and 13 communities with awareness activities
- Start Your Own business training is being run for parolees and other at-risk youth:
  - 172 young people trained
  - survey of a sample found that 60% had started businesses that were still running six months later.
  - Participants reported a change in behavior, confidence and social acceptance

## 04 ORO: THE LIST GOES ON.....

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- > Juvenile Justice Committee has been established through which all agencies and stakeholders coordinate to manage JJ issues:
  - seen as a model for the nation
  - built a juvenile detention facility in the police lock up to enable separation of juveniles
- > Training on land mediation has ramped up:
  - Assessment that 80% of criminal justice issues derive from land conflicts
- > Plans to establish Youth Development Councils in every LLG and district, attracting national media attention

## 04 WHAT IS BEHIND THE SUCCESS

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- > Australia's investment through PALJP/JSS4D has been one adviser (Apolosi Bose – who works across two provinces) and some funding
  - To maintain momentum when Apolosi is away – internship program was introduced
  - Sustainability is a key risk
  - Focus has been on using existing resources

“When they see good things happening they come in and support it”



## 04 OBSERVATIONS

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- Crime prevention, community safety and provincial engagement were all nascent under LJSP
  - There were some champions but much disagreement about the proper role of the LJS in this work and/or how it should be done
  - Over 13 years it has evolved to become a core focus area of Australian-PNG cooperation in L&J
    - Results remain patchy and dependent on local actors
    - Successes in some provinces (eg EHP re tribal fighting) are being replicated in others (SHP)

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# 05 Solomon Islands Justice Program: Approach to Measurement

## 05 SIJP APPROACH TO MEASUREMENT

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- MERL unit in partnership with La Trobe University has developed a promising approach:
  - Agencies conduct own Organisational Capability Assessments:
    - What they want to achieve, core areas of priority
    - Where they have the capability to achieve them and where they don't
    - What they need to do to address these gaps
    - Where they want help and from whom
    - How they will measure if they are on track

## 05 SIJP APPROACH TO MEASUREMENT

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- Every six months the MERL team facilitates SIG agency reflection against the OCAs
  - Reflection on whether intended progress has been made
  - Team analysis day: brings DFAT and program together to reflect on progress, lessons and how to improve practice
    - This draws on SIG agency reflection and other data
  - Review and Reflect workshop once a year with all partners
- Team reports a huge surge in enthusiasm and engagement using this approach

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# 05 CONCLUSIONS

## 06 CONCLUSIONS

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- > 2012 Evaluation got it right
- > In PNG and Solomons, after decades of engagement, areas of promising practice have emerged
- > Top down organizational capacity development is certainly a very limited and limiting approach: but is it where we have to start?
  - From there, more promising approaches can grow
  - Important to start with and maintain LJS ownership
- > Importance of maintaining a historical perspective to give us understanding of progress over a longer term than the project cycle
  - Who can do this?

# Thank you

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For more information

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