



**The Initiation Plan: Access To Justice in Solomon
Islands (A2J) Project
(01/06/2018 – 31/05 2019)**



Country: Solomon Islands

Initiation Plan

Project Title: Access to Justice (A2J) for the Solomon Islands - Initiation Plan

Expected CP Outcomes:

UNDP STRATEGIC PLAN OUTCOME #2: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democracy and governance.

Initiation Plan Start Date: 01 June 2018

Initiation Plan End Date: 31 May 2019

Implementing Partner: UNDP (DIM Project)

Brief Description

The Access to Justice (A2J) Initiation Plan Project will lay the groundwork for longer term support to enhancing access to justice, through the development of a fully-fledged UNDP project and a study aimed at providing key decision makers with the information they need to better plan, coordinate and monitor the sector.

The Initiation Plan Project will include support towards 3 inter-related initiatives:

1. Comprehensive study of the A2J sector including an assessment of needs, analysis of justice sector service delivery and forward-looking policy options;
2. Formulation of UNDP’s multi-year A2J project in close consultation with stakeholders; and
3. Secretariat support to the A2J TWG.

The Initiation Plan Project will be undertaken in close collaboration with the Ministry of Justice and Legal Affairs and other justice sector agencies through the A2J Technical Working Group (A2J TWG).

Programme Period: 01/06/2018-31/05/2019

SPRD Component: Effective Governance

Atlas Award ID: 00107710

PAC Meeting Date: 9th May 2018

Total resources required	450,000
Total allocated resources:	450,000
• Regular	100,000
• Other:	
o DFAT	350,000
o Donor	_____
o Donor	_____
o Government	_____
Unfunded budget:	0
In-kind Contributions	<i>Technical support from the A2J TWG members</i>

Agreed by UNDP, Azusa Kubota, Country Manager, Solomon Islands

Signature:

Date:

I. PURPOSE

Maintaining peace and stability is a priority for the Solomon Islands Government in the post Regional Assistance Mission to Solomon Islands (RAMSI) period. Ensuring effective systems for justice dispensation is considered by the people as a critical component for national peace and stability, as evidenced in recent provincial and national peace dialogues.

Despite significant improvements in the justice system, challenges remain and there are many parts of Solomon Islands with very limited access to formal justice services. Most formal services are limited to Honiara and urban centres of selected provinces. With over 80 per cent of the population living in rural areas, the majority therefore have very little experience of formal justice sector institutions. An expert from the World Bank's Justice Delivered Locally Report (August 2013) describes some of the complexities:

"Today, there are various overlapping systems relevant to dispute management. These are the state institutions, such as the courts and the police, and the locally based, nonstate systems, which include the "kastom system" and the various Christian church denominations found throughout Solomon Islands. The composition, effectiveness, and legitimacy of these institutions vary significantly across the country, such that it is not possible to talk of a uniform system of local justice."

Amongst the most vulnerable are women, and the Government recently introduced the Family Protection Act (FPA). The impetus for this came from a 2009 Secretariat for the Pacific Community (SPC) report that found that nearly 2/3 of women had experienced domestic violence; and 70% of women believed it was justified in certain circumstances. Alongside the Act, there is a general recognition that there is a need for more systemic and increased support to justice service provision for women.

As in all jurisdictions, Solomon Islands' formal justice institutions have limited human and financial resources, which need to be allocated efficiently to provide effective services to the public.

The Solomon Islands Justice Sector Strategic Framework (2014-2020) (JSSF), endorsed by key sector stakeholders in early 2014 identified the strengthening of access to justice as a key priority

Against this background and taking into consideration UNDP's extensive global and regional experience, the Government and UNDP have agreed to partner to support improved access to justice across the Solomon Islands. **The purpose of this initiation plan project is to lay the groundwork for longer term support to enhancing access to justice, through the development of a fully-fledged UNDP project and a study aimed at providing key decision makers with the information they need to better plan, coordinate and monitor the sector.**

The priority afforded to promoting justice is in line with the Government's and the United Nations' commitments to the Sustainable Development Goals. SDG 16 focuses on Peace, Justice and Strong Institutions and incorporates specific targets for equal access to justice and effective, accountable and transparent institutions at all levels.

II. EXPECTED OUTPUT

This Initiation Plan Project will establish a framework through which the Government and UNDP can effectively plan their longer-term support to the access to justice sector. The Plan has two closely related outputs:

Output 1: A2J study available to stakeholders with information to inform planning, coordination and monitoring in the justice sector

Output 2: UNDP A2J Project designed and ready for implementation

Output 1: A2J study available to stakeholders with information to inform planning, coordination and monitoring in the justice sector

The Government of Solomon Islands through the Ministry of Justice and Legal Affairs wishes to better understand the existing justice needs of the people of the Solomon Islands, challenges and issues that affect their access to services, and resources, and systems and institutional set-ups that are needed to meet people's demands.

UNDP will therefore support the Government to undertake a study that assesses justice related needs amongst people from across the country and explores the related implications for service delivery. The study will be designed to ensure a representative sample for specific groups including the 80% of the population living in rural areas and often vulnerable groups such as people with disabilities, women and youth.

Lessons and best practices from UNDP's experience conducting similar A2J studies in other settings will inform the methodology, as will recent experiences undertaking nationwide surveys in the Solomon Islands on peacebuilding (2017) and elections (2018).

The results of the study will enable decision makers and coordinating bodies such as the Justice Sector Coordination Committee (JSCC) and the Access to Justice Technical Working Group (A2J TWG) to make evidenced based policy decisions and to better monitor reform progress and effectiveness of justice administration. They will also help promote effective justice sector budgeting and resource mobilisation.

The study findings will also be a useful input into the planned review of the 2014-2020 Solomon Islands Justice Sector Strategic Framework (JSSF) by the Ministry of Justice and Legal Affairs (MJLA). The JSSF details the vision, values and key objectives for the sector. The JSSF vision is: *"All people in the Solomon Islands have timely and relevant access to a robust and independent justice system which they have confidence will support a safe and peaceful society."*

The study will feed into reporting against the Sustainable Development Goals (SDGs 16 and 5), as well as relevant goals under the Solomon Islands' National Development Strategy.

For UNDP, the results of the survey will inform the planning of, and provide baseline data for, the new project.

The study will be implemented under the guidance of the A2J TWG, thus promoting full national ownership throughout.

The draft terms of reference for the study are attached as an annex.

Output 2: UNDP A2J Project designed and ready for implementation

UNDP and the Government are planning to initiate a multi-year A2J project in early 2019, with the primary purpose of improving access to effective justice sector services for vulnerable people, including those living in remote parts of the country.

Through this project, support will be provided towards formulation of the full project and the effective functioning of the A2J TWG:

- i) **Formulation of UNDP's multi-year A2J project close consultation with stakeholders:** Informed by the results of the A2J study outlined above and the experiences of previous justice sector support, UNDP and the Government will together design the multi-year project. The principle reference group for consultation during the design phase will be the A2J TWG.

UNDP will concurrently reach out to development partners and civil society organisations active in the justice sector to seek inputs on the project's strategic direction and ensure coordination of activities. Protection of women will be a key objective of the project, and UNDP will liaise closely with all stakeholders engaged in supporting the FPA and the related Safenet initiative.

Resource mobilisation efforts will be undertaken in country and regionally. As well as approaching traditional development partners, UNDP will reach out to Government for cost-sharing opportunities and global trust funds.

- ii) **Secretariat support to the A2J TWG:** To facilitate the A2J TWG to play a lead role in guiding both the new project's development and the A2J study, UNDP will extend support for secretariat functions and meeting costs.

Both outputs will be informed by the experiences and lessons of the Government's Justice Sector Strategic Framework (2014-2020), UNDP regional access to justice programming, and the DFAT-funded "Solomon Islands Justice Program" (2017-2021)).

Recent research in the justice sector will also be reviewed. This includes, but is not limited to, the UNDP "Support to Governance in Solomon Islands: Situation Analysis and Recommendations (2016)" report, the UNDP 2017 "Access to Justice Assessment"¹, the World Bank's "Justice Delivered Locally" report (2013), ADB's "Solomon Islands country gender assessment" (2015), UN Women's "Seeking Redress: Challenges and Recommendations to Increase Women's Access to Justice in Solomon Islands" (2015), the World Bank's Community Governance & Grievance Management Project (CGGM) "Renbel & Makira Provinces Baseline Survey and Summary Analysis" (2016), UNDP's "National Perceptions Survey on Peacebuilding for Solomon Islands" (2017), Professor David McQuoid-Mason's report on justice and police services for women and girls (2017); UNDP's regional A2J mapping process (in progress) and the data identified by various civil society organisations and other development partners in the course of their own programming and activities.

III. MANAGEMENT ARRANGEMENTS

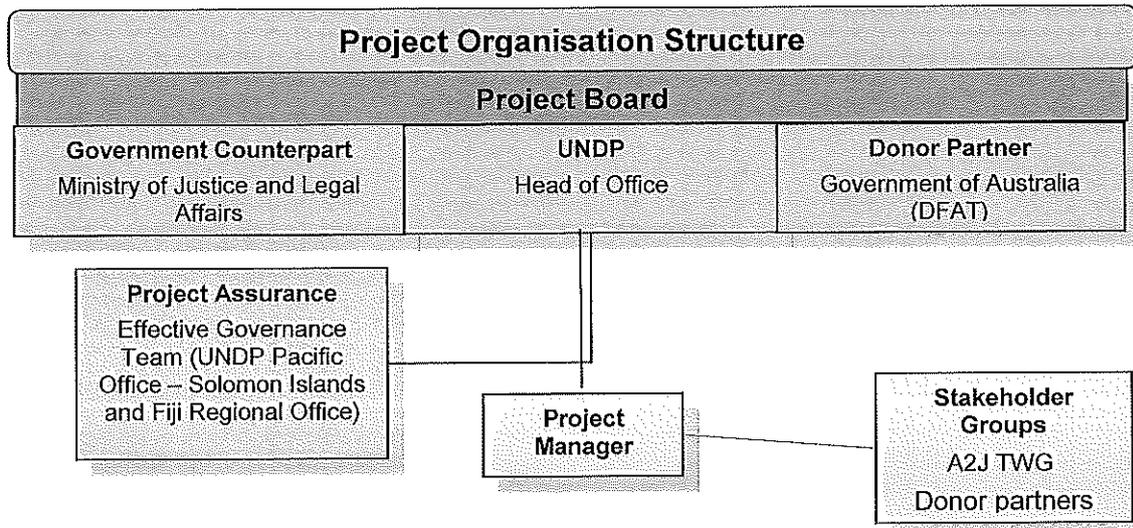
As an initiation plan project, the project will be Directly Implemented (DIM) by UNDP in close coordination with national partners. The project will be governed by a Project Board.

The Project Board will be responsible for providing overall guidance to the project and general oversight to ensure achievement of planned results. In the event of new risks or issues that could affect project deliverables, the Board will provide necessary direction. The Project Board will convene at least twice during the initiation project (ideally at the start of the project, and once the initial results from the study are available).

During this initiation phase, the Board will have a relatively simple structure, with members being from the Ministry of Justice and Legal Affairs, UNDP and the Australian Government (Department of Foreign Affairs and Trade (DFAT)). The A2J TWG² will serve as a Stakeholder Group, working closely with the Project Manager to support project implementation. The Project Manager will be responsible for managing day-to-day project operations in accordance with the direction provided by the Board and will report on a daily basis to the UNDP Effective Governance Team Leader. The UNDP Pacific Office in Fiji will provide technical support towards project activities, and will ensure that the new project is informed by regional lessons and best practice.

¹ "Recommendations and Suggestions for Implementation from Report on Mission to the Solomon Islands by Professor David McQuoid-Mason, UNDP Consultant on Justice and Police Services for Women and Girls subject to Violence in the Solomon Islands during the Period 29 January to 4 February [sic] 2017".

² The TWG includes national justice sector institutions and the three major development partners active in promoting A2J – the Government of Australia, World Bank and UNDP.



IV. MONITORING AND RISK LOG

- The Project Board will meet at least twice, and the Project Manager will provide brief but structured progress reports.
- Regular meetings will take place between the Project Manager, Team Leader of the Effective Governance Unit and the Head of the UNDP Solomon Islands Office to monitor project implementation
- A Lessons-learned Report shall be prepared at the end of the Initiation Plan Project. The purpose of the report will be to inform similar studies and initiation projects in the future.

Risk Log

Nature of Risk	Description	Likelihood	Mitigation Measure
Operational	Unable to identify a partner to undertake the A2J Study	Low	UNDP has already begun reaching out to potential research institutions
Operational	The research team encounters delays	Medium	UNDP and the A2J TWG will closely monitor performance and provide support to address bottlenecks where possible. Any delays that risk upsetting overall timeline will be communicated early to the Project Board.
Political	The elections in early 2019 make it difficult to finalise the study and new project	Medium	UNDP will work closely with government counterparts to progress the project related dialogue. If adjustments are required to the timeline, they will be brought for Project Board consideration.

V. ANNUAL WORK PLAN

Year: 2018

EXPECTED OUTPUTS <i>And baseline, indicators including annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	INDICATIVE BUDGET		
		June	July – Sept	Oct – Dec	Jan – May		Funding Source	Budget Description	Amount (USD)
<p>Output 1: A2J study available to stakeholders with information to inform planning, coordination and monitoring in the justice sector</p> <p>Indicator 1a: National A2J study available to stakeholders</p> <p>Baseline: Various studies and reports, of various dates and specificity, but no updated ones that can directly inform intended planning and activities to improve access to justice and justice service delivery in provinces and communities</p> <p>Targets:</p> <ul style="list-style-type: none"> • Terms of Reference for the study finalised in consultation with the A2J TWG (May 2018). • Research team contracted and work initiated (July/August 2018) • Draft findings available (October 2018) • Findings are disaggregated by gender (October 2018) • TWG convenes to craft policy options (November/December 2018) 	<p>1. A2J study undertaken</p> <ul style="list-style-type: none"> • Research team identified and contracted • Data for the study collected • Data analysed (disaggregated by gender, age, geography etc) and reviewed by A2J TWG • Policy options crafted by A2J TWG and research team • Final report available 	Y	Y	Y	Y	UNDP	DFAT	Contractual services (international technical expertise and local legal expertise i.e. to support as enumerators)	220,000

<ul style="list-style-type: none"> Final Report (December 2018) 													
<ul style="list-style-type: none"> Output 2: UNDP A2J Project designed and ready for implementation 	<p>Indicator 2a: Project Designed Baseline: A2J Initiation Plan Project in place Target: New A2J Project Finalised (December 2018)</p> <p>Indicator 2b: Number of TWG meetings Baseline: TWG has convened once to agree formation Target: i.e. as below (although some can be merged)</p> <ul style="list-style-type: none"> TWG ToR endorsed by TWG (May 2018). TWG agrees research questions for the survey (July/August 2018). TWG consulted on the priorities for the UNDP project (October 2018) TWG crafts policy options for the study (November/December 2018); TWG reviews draft project document (November/December 2018) <p>Indicator 2c: The new project includes specific interventions aimed at strengthening outreach and protection for women Baseline: n/a Target: interventions included to address identified justice needs of vulnerable women</p>	<p>1. Project document developed</p> <ul style="list-style-type: none"> Process for project development agreed with Project Board and A2J TWG Necessary technical expertise identified Draft project document developed informed by findings of A2J study and wide stakeholder consultation Project document finalized 	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>	<p>20,000</p> <p>Contractual services (external technical expertise) and travel</p> <p>Workshop costs and local travel</p> <p>5,000</p> <p>Workshop costs (venue hire/refreshments etc)</p> <p>120,000 (DFAT 65,000)</p>									

Annex: Draft Terms of Reference for A2J Study