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PROJECT DOCUMENT
UNDP Pacific Office – Solomon Islands

Project Title: Enhancing Access to Justice in the Solomon Islands through Paralegalism

Project Number: 00117811

Implementing Partner: United Nations Development Programme (Direct Implementation)

Start Date: 16th September 2019 End Date: 30th June 2021

PAC Meeting date: 4 July 2019

Brief Description
<p>The limited access to formal justice sector is a development challenge in the Solomon Islands. It is caused by a lack of physical access, community awareness and due to the costs borne by both individuals in accessing services and by government in supplying enough quantity and quality of service delivery to the Provinces. The lack of access particularly impacts vulnerable groups including people with disability, women and victims of domestic violence who are the least able to vindicate their rights. Lack of access leads to disaffection with the justice system and inefficient use of resources spent on dealing with large problems rather than dealing with and preventing smaller problems at a local level.</p> <p>The proposed project “Enhancing Access to Justice in the Solomon Islands” hereafter referred to as the “Paralegals Project” will build and strengthen the capacity of the Public Solicitor to improve greater access to justice services to people of Solomon Islands both at national and provincial level, including women, youths and the marginalised group in communities outside the urban centres. This project will be implemented through a two-tiered paralegal initiative (provincial paralegals and the community legal advocates) to be rolled out in the provinces in collaboration with the Public Solicitor’s office.</p>

Contributing Outcome: UNPS Outcome 5: By 2022, people and communities in the Pacific will contribute to and benefit from inclusive, informed and transparent decision-making processes, accountable and responsive institutions, and improved access to justice

Strategic Plan Outcome 2: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democracy and governance

Sustainable Development Goals 5 and 16

Indicative Output(s) with gender marker:
Output 5.3: More women and men benefit from strengthened governance systems for equitable service delivery, including access to justice. GEN2

Total Resources Required	USD 1,675,133	
Total Resources allocated	Australia:	1,675,133
	Government	In kind

Agreed by:

Government	UNDP	Implementing Partner
Name: Mr Freddie Me’esa, Permanent Secretary Special Duties, Ministry of Justice and Legal Affairs	Name: Mr Berdi Berdiyev, UNDP Country Manager, Solomon Islands	Name: Mr Howard Lawry Director, Public Solicitor Ministry of Justice and Legal Affairs
Signed:	Signed:	Signed:
Date: 28/10/19	Date: 30.10.2019	Date: 30/10/2019



I. DEVELOPMENT CHALLENGE

The Solomon Islands with a population of 670,000 people scattered across over 900 islands, has significant social and linguistic diversity, which, coupled with its scattered geography, low-density settlement patterns, and rapidly growing population, imposes especially high costs on linking people and places and deliver services. Political and administrative centralization since the 1990s has reduced the presence of formal government agencies in the provinces, including the police and the courts, and thus increased the costs and difficulties in accessing them. For example, in the early 1980s, some 65 local courts heard well over 1,000 cases annually. Provinces had access to Area Constables at a local level. Today, only 14 centrally administered Local Courts sit primarily in provincial capitals. Despite a broad jurisdiction including petty criminal matters,¹ in practice they rule almost exclusively on land cases and suffer from chronic backlogs and frequent cancellations of sittings.²

Three Resident Magistrates' Courts sit outside of Honiara – the capital city, primarily to hear criminal cases.³ Generally, about a quarter of their caseload requires a Principal Magistrate, who often needs to travel from Honiara on a court circuit that is not held regularly. The Royal Solomon Islands Police Force (RSIPF) is the only formal justice sector institution with a permanent presence in all Provinces.⁴ The DPP, PSO and courts operate through Circuits with permanent physical presences limited to Provincial capitals including Auki, Gizo and Kirakira. Circuits over the past decade have been plagued by poor coordination, significant cost and cancellations.⁵ This has resulted in a poor level of access to those outside urban centres and delay in the administration of justice for victims and indeed alleged perpetrators who may languish on remand for a number of years.⁶

It is estimated that only a third of all Solomon Islanders are aware of the role of lawyers. Women and those with disability have even lower levels of awareness.⁷ Even of those who are aware of lawyers, only around half are familiar of the work of the Public Solicitor's Office.⁸ The Access to Justice Study undertaken in 2019 confirmed that notions of justice in the Solomon Islands are largely characterized by the parallel existence of formal and customary systems. Further away from urban areas, the importance of Village Chiefs and Church Leaders for assisting with solving disputes increases, as does the relevance of community leaders to local dispute resolution. This remains largely the case despite innovative approaches to domestic violence including the *Family Protection Act*, the development and roll out of SafeNET and the co-opting of local authorities (Authorized Justices) and the World Bank's Community Liaison Officers in seeking to address community-based grievances.⁹ The Study also suggests that women are significantly less aware of the role of formal justice institutions than men. Women report lower levels of awareness than men relating to the roles the police

¹ *Local Courts Act* (1985).

² See, eg, World Bank (M. Allen, S. Dinnen, D. Evans, and R. Monson) *Justice Delivered Locally: Systems, Challenges, and Innovations in Solomon Islands* (2013); MJLA-UNDP Study Report, Analysis.

³ For a visual representation of all Courts in Solomon Islands as at November 2018, see especially, UNDP, *A Mapping of Justice Sector Service Provision in the Solomon Islands*, pp 19-22.

⁴ For a visual representation of RSIPF distribution, see, e.g. UNDP, *A Mapping of Justice Sector Service Provision in the Solomon Islands*, p 24; See also MJLA-UNDP Study Report.

⁵ See, eg, Malu'u Court Returns, 23 July 2018; See also Maka/Afio Court Circuit Returns 30 July 2018; SIJP, *Solomon Islands Justice Program Design Document 2017-2021*, p 66.

⁶ MJLA-UNDP Study Report p 49.

⁷ MJLA-UNDP Survey Technical Report pp 54-6

⁸ *Ibid* 57-8.

⁹ MJLA-UNDP Access to Justice Report, Analysis; See also A2J Study Survey Summary Report, Disability Section.

(68.0% compared to 73.8%),¹⁰ the courts (49.3% compared to 71.1%)¹¹ and lawyers (31.9% compared to 44.3%).¹² These patterns are also observed among youth¹³ and those with disability.¹⁴

Despite evidence that the majority of the population prefer to engage with formal justice process for at least some dispute types, most must rely on customary and traditional legal systems due to the inaccessibility of services.¹⁵ Both formal and customary systems can be discriminatory, slow and complex.¹⁶ All these factors result in inadequate and unequal access to the justice.¹⁷ Confidence in both customary and formal systems is relatively high though these sentiments tend to reduce among those who have had experience in either system.¹⁸ There is less confidence in the partiality and trustworthiness of community leaders as opposed to courts and lawyers, particularly regarding certain classes of disputes. Women, for example prefer the formal justice system as their first point of help over community leaders where they were victims of domestic violence and if their families were victims of crime or they were involved in a land dispute.¹⁹ This is despite their identified relative inaccessibility compared to community leaders.²⁰

In addition to being relatively inaccessible for those outside urban centres, unsurprisingly much of the formal justice system is also poorly understood by most Solomon Islanders. Almost half of Solomon Islanders reported having never heard of their rights under the laws of the Solomon Islands, with poorer awareness of rights among women, youth, rural Solomon islanders and those with disability.²¹

The availability of resources for legal information and assistance is an important component of access to justice.²² Community legal outreach is presently undertaken by individual Agencies often on an ad-hoc basis subject to funding. Public service announcements, community outreach on radio, by SMS or other media, have been carried out by actors across the board. This includes CSOs, formal justice service-providers, provincial administrations and development partners.²³ Nevertheless, particularly outside the domestic violence space, the provision of this information and outreach has been siloed and at times ad-hoc.²⁴

The Public Solicitor is a constitutionally mandated position and head of the core client-facing access to justice institution in the country.²⁵ The Public Solicitor's Office (PSO) provides free legal assistance to financially disadvantaged persons in criminal matters, family and civil matters, particularly at the Magistrates' Court and High Court levels. It has presence in three provinces with offices in Honiara, Gizo and Auki and takes part in Court Circuits when these take place. Of its 29 lawyers, 23 are based in Honiara with one in each provincial post.²⁶ Around 50% of the PSO's caseload is criminal. In Honiara there is a small two lawyer Family Protection Unit that handles cases related to Family Law and the *Family Protection Act*. There is also a Land Advocacy Legal Support Unit serviced by a single lawyer and one Australia Volunteer also based in Honiara who handle logging, environmental and land law cases for the entire country.

¹⁰ MJLA-UNDP Access to Justice Report, Analysis; See also A2J Study Survey Summary Report, pp 19, 21, 24.

¹¹ Ibid

¹² Ibid.

¹³ See A2J Survey Technical Report, *Youth and Disability Sections*.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid; See also Draft SIJP Gender and Social Inclusion Audit, *"Barriers to Justice"* (2019).

¹⁷ ADB, *Solomon Islands Country Gender Assessment* (2015) p 11.

¹⁸ MJLA-UNDP Access to Justice Report, Analysis; See also A2J Study Survey Summary Report, pp 19, 21, 24.

¹⁹ MJLA-UNDP Access to Justice Report, p 31; See also Survey Technical Report pp 156-165; Survey Summary Report 73-5.

²⁰ See, eg, Survey Summary Report, p 60; See also CEDAW *Consideration of reports submitted by States parties under article 18*, 1 November 2013, CEDAW/C/SLB/1-3.

²¹ A2J Study Survey Summary Report, pp 63-5.

²² United Nations, *Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, para 8.

²³ UNDP, *A Mapping of Justice Sector Service Provision in the Solomon Islands*, p 23.

²⁴ For example, in 2016 the ODPP undertook outreach in 3 schools in Honiara and Malaita. The PSO, on the other hand undertook no community awareness in 2017 due to no budget being allocated for that purpose (ODPP and PSO Annual Reports).

²⁵ Solomon Islands Constitution s 92; See also *The Public Solicitor Act 1987*

²⁶ The number of provincial lawyers was set to increase at the time of writing.

Access to Justice constitutes a cornerstone of UNDP Strategic Plan 2018-2022 with strengthening institutions and basic service delivery integrated in all 3 priority outcomes. The effective, accountable and transparent governance signature solution integrates specific outputs on access to justice as a cross-cutting issue. SDG 16 has established specific targets for access to justice with a particular focus on victims of violence and the number of remandees as a proportion of overall prison population. These specific access to justice related objectives emphasize the role insufficient access to justice plays as a potential bottleneck for the achievement of the SDGs and how accountable and transparent institutions can become accelerators for change in all sectors.

The Justice Sector Strategic Framework (2014-2020) identifies Access to Justice Services as a Key Priority Area for the Sector. This priority area commits the Solomon Island's Government to "ensuring that the wider Solomon Islands communities, including the rural population are able to access justice services"²⁷. With this overarching goal in mind, an Access to Justice Technical Working Group ('A2J TWG') was established in 2018 to *inter alia* "assist in developing project interventions aimed at promoting enhanced access to justice". The proposed intervention is a result of a collaborative effort led by the A2J TWG and its partners.

II. STRATEGY

The Project is designed around three mutually enforcing components. First, the need to provide access to justice to communities that due to government resource constraints, remoteness or the cost of transport are not served by the formal justice system. Second, the need to enhance the reach, depth, service delivery and effectiveness of the lawyers of the Public Solicitor's Office, the key demand side justice institution in the Solomon Islands. Finally, a prerequisite to meeting the above is the need to have strong sustainable direction in the Public Solicitor's Office into the medium term.

To address the challenges, the project will outline the approach/strategy that will be taken in the training and deployment of force multiplier paralegals (PPs) who would work closely to increase the capacity, coordination and reach of the PSO's existing lawyers and a proof of concept of community-based paralegals ('CLAs') based in communities. This multi-tiered paralegalism will address the issues of access, awareness and cost identified in the Development Challenge in the following ways. Provincial Paralegals will work within the institutions of the justice system housed in the Public Solicitor's Office. They will perform functions, as agreed with partners that do not require a solicitor, including a significant legal information, outreach and referral components.²⁸ Importantly, once trained to a sufficient level they will be permanently based in PSO offices outside of Honiara serving those Provinces and surrounding communities.

A *second tier* of paralegalism will be trialled as part of the tiered strategy. Community Legal Advocates will be based within communities providing a PSO presence to areas that previously had little access to the formal justice system. Working closely with Provincial Paralegals, the PSO, civil society and other relevant provincial level stakeholders they will undertake outreach, education and community advocacy activities based on the needs identified in communities, existing materials from across the Justice Sector and from the broader research base that now exists.²⁹ They will also act as a link to the formal justice sector, provide legal information, mediation and problem solving solutions based on the identified needs of the targeted communities.³⁰

Given the crucial role that government agencies, civil society and other service providers will play in the design, roll out and review of all interventions, the Project will commence with an Inception Phase. This Phase will provide an opportunity for the Sector (understood in broad terms) as a whole through a series of Paralegals Dialogues to convene, discuss and ultimately agree upon a path forward that extends the reach of legal aid

²⁷ Justice Sector Strategic Framework 2014-2020, p 16.

²⁸ In the development of curriculum, training and roll out, existing initiatives and strategies e.g. existing work community will be closely consulted to ensure synergies and avoid duplication.

²⁹ See eg MJLA-UNDP Comprehensive Access to Justice Study; See also CGGM and RRRT Project Knowledge Products.

³⁰ The project will in training, communications, visibility and roll out emphasize the clear distinction between all classes of paralegalism and lawyers. At no point will any paralegals give legal advice.

services to those beyond Honiara without unduly creating unsustainable burdens on other agencies, ministries or other service providers. The Inception Phase will draw upon UNDP's regional, South-South and global experience in successfully implementing a number of different models of paralegalism tailor-made to local context. It will also seek to anchor activities within existing programming such as the work conducted by the Solomon Islands Justice Program (SIJP), SPC RRRT, the World Bank as well as NGOs and other service providers in the justice and adjacent sectors.

Comparative Advantage

UNDP brings global, regional and Solomon-specific Access to Justice expertise and experience in project management, technical support and civil society engagement. UNDP's portfolio in Solomon Islands and the larger Pacific region including electoral support, anti-corruption support, Parliamentary effectiveness, Public Finance Management, Peacebuilding including integrity and leadership as well as expertise in the field of natural resources management and economic environment will be reinforcing the approach of the project and the interlinkages with the National development Objectives and the Sustainable Development Goals.

UNDP notably over the past year of the A2J in Solomon Islands Initiation Plan project has:

- Developed expertise, network and understanding of the justice framework in Solomon Islands, including through the existing coordination mechanisms and the Access to Justice Technical Working Group
- Undertaken a Mapping of Justice Sector Service Provision in the Solomon Islands, outlining all existing government and NGO service providers in Sector
- Carried out extensive research across all Provinces of the Solomon Islands on perceptions, needs as well as institutional and indicative individual costs and possible programmatic interventions through the MJLA-UNDP Comprehensive A2J Study.
- Partnered with the PSO, CSSI and civil society organizations in creating a substantial evidence base from which to create concrete Recommendations

The Project also aims to promote experiences from other Small Island Development States (SIDS) and other resource poor contexts, drawing on the UNDP's extensive networks from across the Pacific and globally. This collective comparative advantage of UNDP and its network of partners makes it a strategic partner to Solomon Islands through the project. The project will further rely on the extensive expertise and experience of UNDP national and regional activities and notably this presents possibilities in the areas of:

- Leadership and access to justice expertise developed regionally through innovative approaches such as the First Hour Procedure modality
- Novel approaches to community outreach and legal information systems including those carried out through the Rights Empowerment and Cohesion (REACH) platform.

Partnership and Coordination

The Project is in a unique position in relation to partnerships and coordination. On the one hand, if implemented successfully the distinct tiers of paralegals will help to enhance and backstop coordination within the Justice Sector (broadly understood). On the other hand, the success of the Project will depend in large part on successful partnerships across the Sector and with existing programs implemented by other development partners (e.g DFAT, World Bank). With this in mind, the Project will in its design, governance, inception, implementation and sustainability activities seek to enhance coordination across the Justice Sector.

Theory of Change

The lessons learnt and successes of the initiation phase of the A2J project implemented from September 2018 – July 2019 and consultations held with various stakeholders from Government ministries, non-state actors and development partners, provide a fair understanding of the development challenge that still exists and has confirmed and elaborated on the various inputs needed to overcome the challenge. The core output of the

A2J Initiation Plan, the Comprehensive Access to Justice Study provides a strong analytical and evidentiary basis for the work to be carried out under this Project.

The Theory of change for the full-fledged Paralegals project reads as:

If the PSO has additional presence in the Provinces of “force-multiplying” paralegals based where the majority of the population lives able to raise awareness, problem-solve and facilitate better coordination with prisons, courts and communities in an inclusive manner

AND If the Solomon Islands Government and communities can be sensitized to an effective model of community paralegalism that proves effective, cost efficient and sustainable

Then access to justice outcomes in the Provinces will improve and resources will be used in a more efficient, effective and human rights compliant manner and then sustainable development objectives in line with the National Development Strategy and the Sustainable Development Goals will be contributed to in a way that leaves no one behind and ensure fair and equal access to services.

The evidence to support the approach taken in the theory of change is highlighted in annexed diagram. Apart from the work undertaken by UNDP under its Access to Justice Initiation Plan otherwise mentioned, there is also a substantial body of evidence from international strategies, regional initiatives, reports and studies in relation to development partner support to the justice sector.³¹ A large number of evaluations, reviews, Project Reports and studies also exist on Solomon Islands specific programming in the justice sector.³² Moreover, significant work has also been undertaken regarding the effective design and implementation of paralegals based programming.³³

Based on lessons learned undertaking programmatic work in the Solomon Islands,³⁴ the exact tasks to be undertaken by Provincial Paralegals will be determined through a collaborative approach amongst relevant Justice Sector stakeholders to ensure sustainability and ownership. This will include strengthening existing partnership protocols between Agencies, improving procedures and jointly deciding upon curriculum, advocacy materials and priority roll out areas. This process will be carried out through the Materials Advisory Panel. The Panel will be integral in ensuring that materials are accurate, targeted at the appropriate level and updated as appropriate based on lessons learned through their application in the field. The Panel would be chaired by the Permanent Secretary of the Ministry of Justice and Legal Affairs with secretarial and technical support provided by the Project Team.

As identified in the Development Challenge Section, the lack of presence outside of Honiara of Public Solicitor’s office impedes the access of women, people with disability and marginalized groups the most.³⁵

³¹ See, eg, UNDP and UNODC, *Global Study of Legal Aid* (2016); UNDP, *Programming for Justice for all: A Practitioners Guide to Change and Change Management for Rule of Law Practitioners* (2015); UNDP, UN Women, UNODC, OHCHR, *A Practitioners Toolkit on Women’s Access to Justice Programming* (2018);

³² SIJP, *Solomon Islands Justice Program Design Document 2017-2021*; See, eg, Linda Kelly, Daniel Woods, Ali Tuhanuku, *Mid Term Review of Solomon Islands Justice Program*, (2015); SIPDP, *Solomon Islands Police Development Program Design 2017-2021*; SIJP, *Program Approach to Gender and Social Inclusion* (2017); DFAT, *Solomon Islands Justice System Global Spending Comparison*; SIJP, *Solomon Islands Justice Program Draft Gender and Social Inclusion Audit*; World Bank, *CGGM Implementation Status and Results Report* (2019); World Bank, *CGGM Sustainability Study* (2017); World Bank, *CGGM Baseline Study* (2016); World Bank, *Towards More Effective and Legitimate Institutions to Handle Problems of Justice in the Solomon Islands*; World Bank, *Institutional and Fiscal Analysis of Lower Level Courts in the Solomon Islands*; World Bank, *Justice Delivered Locally: Systems, Challenges and Innovations in Solomon Islands* (2013); UN Women, *Seeking Redress: Challenges and Recommendations to Increase Women’s Access to Justice in Solomon Islands* (2015); Solomon Islands Government, *Justice Sector Strategic Framework 2014-2020*;

³³ *Open Society Foundation, Community Based Paralegals: A Practitioner’s Guide* (2010); *Namati, How to Develop a Community Paralegal Program* (2019); *Geoffrey Swenson, The Promise and Peril of Paralegal Aid* (2018).

³⁴ See *Lessons Learned*.

³⁵*Ibid*.

However, while presence and increased awareness are necessary components of increased access to justice they are by no means sufficient, given the multi-dimensional barriers to accessing the formal justice system.³⁶

Consequently, however, the Panel will include justice sector representation from women's groups, disability advocacy groups and civil society with relevant human rights norms around gender equality, non-discrimination social inclusion guiding the Project.³⁷ This same approach will be applied to the proof of concept trial to be undertaken regarding Community Legal Advocates.

It is assumed that by increasing PSO capacity, coordination, outreach and mainstreaming a more inclusive approach at Provincial level access and awareness in the Provinces will be increased. Further, it is assumed that the costs borne by individuals in accessing the PSO will be reduced as more offices will be closer to where the majority of the population lives. Further, it is assumed that those costs borne by government on a per case basis will be reduced as existing PSO solicitors have increased capacity to undertake legal work, fewer Honiara based practitioners need to travel on Circuit and the cost per case closed is reduced due to the reduced staffing costs of paralegals.

It is assumed that justice sector institutions will continue to seek to improve capacities and to make their services more accessible, inclusive and appropriate to women, people with disability and impoverished groups. It is further assumed that individuals, particularly impoverished and vulnerable groups when made aware of their rights will be empowered to exercise their rights.

Finally, it is assumed that the PSO will act in good faith to incorporate paralegalism into its staffing budget and that Solomon Island Government, DFAT and other donors will seek to build on successful models and concepts of paralegalism.

III. RESULTS AND PARTNERSHIPS

The envisaged project objective and the results fall directly under the UNDP sub regional programme document (SRPD) for the Pacific Island Countries and Territories ('PICTs') (2018-2022) and responds to Strategic Plan Outcome 2: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance. The project corresponds to the Indicative Indicator 5.3.1 Number of project beneficiaries, disaggregated by sex and rural/urban localities with access to legal aid services. The project corresponds directly to the United Nations Pacific Strategy (UNPS) 2018 – 2022 Outcome 5: By 2022, people and communities in the Pacific will contribute to and benefit from inclusive, informed and transparent decision-making processes, accountable and responsive institutions, and improved access to justice. The project directly contributes to UNPS Indicator 5.2 Number of PICTs in which the unsentenced detainees as a proportion of overall prison population has decreased (SDG 16.3.2).

The Project will focus on addressing access, awareness and cost, noting that the cost to individuals and institutions is deeply intertwined with challenges around both access and awareness. The Project will seek to address the Development Challenge through a strategy founded on evidence and embodied in the project Theory of Change. The design of the Project has benefitted from the extensive quantitative and qualitative research carried out first under the Mapping Exercise and most recently in the Comprehensive Access to Justice Study carried out in early 2019. The latter recommended a multi-tiered approach to paralegalism.³⁸

Expected Results: Inception Phase

Given the crucial role that government agencies, civil society and other service providers will play in the design, roll out and review of all interventions, the Project will commence with an Inception Phase. This Phase will provide an opportunity for the Sector (understood in broad terms) as a whole through a series of Paralegals

³⁶See, eg, *SJIP Draft Gender and Social Inclusion Audit, "Barriers to Justice" (2019) p 53.*

³⁷ See, eg, *Convention on Rights of Persons with Disabilities* Art 13; *Convention on the Elimination of All Forms of Discrimination Against Women*, Art 15; *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*, re: right to legal aid.

³⁸ See also, UN Women, *Seeking Redress Challenges and Recommendations to Increase Women's Access to Justice in Solomon Islands* (2015), Recommendation 9 which advocated for paralegalism as a means to increase access to justice for women and vulnerable groups.

Dialogues to convene, discuss and ultimately agree upon a path forward that extends the reach of legal aid services to those beyond Honiara without unduly creating unsustainable burdens on other agencies, ministries or other service providers.

The Inception Phase will draw upon UNDP's regional, South-South and global experience in successfully implementing a number of different models of paralegalism tailor-made to local context. It will also seek to anchor activities within existing programming such as the work conducted by the Solomon Islands Justice Program (SIJP), SPC RRRT, the World Bank as well as NGOs and other service providers in the justice and adjacent sectors.

Within three months of coming on board the A2J Programme Specialist will submit for Project Board approval:

- A detailed model of Provincial Paralegalism agreed with key partners including priority Roll Out Areas, and record of consultations with parties involved directly or indirectly.
- Formalized working arrangements between the Project Team and the Public Solicitor's Office and any other Agencies as necessary
- The Terms of Reference of a Materials Advisory Panel including how it is anchored within other bodies and Minutes from its first meeting
- A detailed Annual Workplan laying down benchmarks, timelines, contingencies
- A detailed Procurement Plan additionally endorsed by UNDP Senior Management and the Public Solicitor's Office.

In designing the project interventions, four complimentary approaches were employed: Firstly, interventions will *apply a human rights-based approach to development* which emphasizes the importance of empowering poor and vulnerable groups to understand their rights and choose the justice institutions that best serve their needs.³⁹ Secondly, *a service delivery and problem-solving focussed* approach underpins the need to capacitate the Public Solicitor's Office as a provider of efficient and effective justice services to a dispersed population. This is embodied in particular through the use of Provincial Paralegals and Community Legal Advocates who will expand the service delivery function of the Solomon Islands legal aid system. Thirdly, *a political economy approach* to interventions. This approach acknowledges the reality that interventions must be grounded in human rights norms and international best practice but also in with a clear understanding of the inherent resourcing limits of the Solomon Islands Government.

In line with the overall objective of the project to "*strengthen the Public Solicitor's Office and broader justice sector to deliver greater access to justice to women, men and vulnerable groups, particularly those outside urban centres*", the following outputs have been identified as critical:

Development Result 1 (Output 1): The capacity, reach and breadth of service delivery and awareness activities of the PSO is increased through the development and roll out of Provincial Paralegals

This project output will focus on working closely with the Public Solicitor's Office in consultation with other formal justice institutions (particularly CSSI and RSIPF) to develop a sustainable model of Provincial Paralegals (PPs) housed in the PSO. Four sets of activities are planned under this Output: (i) enhance partnerships between PSO, CSSI, Courts and RSIPF and existing initiatives (ii) development of a Provincial Paralegals curriculum and selection of inaugural PPs, (iii) Strengthen the capacity of PPs to support PSO lawyers, remandees, conduct training and awareness and refer cases as well as sensitizing PSO lawyers and other core justice sector personnel on how to best engage with paralegals.

Activity Result 1.1. *Coordination enhanced between PSO, CSSI, Courts, RSIPF and existing service providers*

Building on the initial work to be carried out under Activity Result 1.4, this Activity Result aims to create consensus, buy-in and agreement on the role that PPs will have within the broader justice system. This will include revising formal and informal partnership agreements, agreeing on Standard Operating Procedures, feedback mechanisms and codes of conduct. Buy-in from the broader justice sector (particular RSIPF and CSSI) will be crucial for the success of this Output. Sufficient time will thus be afforded for sensitization and

³⁹ See, eg, *Universal Declaration of Human Rights* (1948), Arts 7,8,10; *International Covenant on Civil and Political Rights* (1966) Arts 14, 26; *Convention on Elimination of All Forms of Discrimination Against Women* art 2(c); *Convention on the Rights of Persons with Disability* (2007) art 13; *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, Guideline 14*; See also, *Johannesburg Declaration on Implementation of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems* (2014).

discussions to be carried out. South-South opportunities will also be available ensuring the formulation of a sustainable Solomon Islands model with successful examples from the Pacific and where relevant, further afield, are showcased. This will involve the following activities;

Activity 1.1.1 Updating and enhancing cooperation arrangements between PSO and other justice sector service providers

Activity 1.1.2 Supporting international and regional knowledge networks on paralegalism for Solomon Islands Justice Agencies through South-South Co-operation

Activity. 1.1.3 Paralegal Roundtables

Activity 1.1.4 Identification of priority roll out areas for provincial paralegals

Activity Result 1.2: Development of a Provincial Paralegals Curriculum and Selection of Inaugural Provincial Paralegals

This activity result focuses on the development of a curriculum, training methodology and selection of PPs. Based on needs identified by Partners, stakeholders and relevant research and analysis a tailor-made PP curriculum will be developed. This process of curriculum formulation will be iterative drawing on global best practice material, local expertise and workshopped and field tested to ensure that it is appropriate and tailored to the role of the PPs and the needs of provincial communities involved. Specific activities will include the following;

Activity 1.2.1 Establishment of Provincial Paralegals Materials Advisory Panel

Activity 1.2.2 Curriculum and Support Material Designed according to Established Evidence Base and Best Practice

Activity 1.2.3 Partnership Development and Human Resources Strategy

Activity 1.2.4 Selection of Inaugural PPs

Activity Result 1.3: Strengthen the capacity of PPs to support PSO lawyers, remandees, referral and conduct training and awareness raising

This Activity aims to upskill PPs and educate and sensitize relevant justice sector service providers on the work, role of usefulness of PPs. This will be an ongoing process that includes formal training prior to assuming their duties, on the job training as well as ongoing formal and informal support through their mentoring, interactions with the Access to Justice Programme Specialist and PSO managers. Just as important as training PPs will be work done to foster a culture of paralegalism across the justice sector with a strong understanding on their proper role, use as well as limitations. Activities will include the following;

Activity 1.3.1. Development and Implementation of Annual Training Plan

Activity 1.3.2. Development and Implementation of Outreach and Communications Implementation Strategy

Activity 1.3.3 Training and capacity building of supervising Public Solicitor's Office staff

Activity Result 1.4: The Public Solicitor's Office as an institution is strengthened and has an enhanced strategic direction

The Strategic Plan will be formulated reviewing internal statistics, results of the SIG-UNDP A2J Study, public service rules, institutional mandate, governance, budget, staffing and strategy into the medium term. The Strategic Plan will set out how PSO's breadth, reach and capacity can be improved by outlining a future direction for the PSO in line with international standards and outline the resources required to get there. It will also review how paralegalism best integrates with that strategic direction. Importantly, this Activity will also seek to forecast the implications of any significant increase in resources for the PSO and possible adverse effects that this may have on other agencies, NGOs and other service providers. Activities will include the following;

Activity 1.4.1. Support, technical assistance and workshops carried out to formulate a Strategic Plan for the PSO including a Five Year Strategy, functional review, annual corporate planning and financial and human resourcing management support

Development Result 2 (Output 2): Community level access to justice is enhanced through the pilot, roll out and review of Community Legal Advocates

This project output will concentrate on working closely with the Public Solicitor's Office, relevant provincial authorities and NGOs to select, train, deploy and support a pilot of approximately a dozen "Community Legal Advocates". Four sets of activities are envisaged under this Output: (i) identification with partners and stakeholders of priority pilot communities, (ii) development of a CLA curriculum and selection of inaugural CLAs, (iii) strengthening the capacity of CLAs to provide legal information, advice, referral, mediation and public awareness, (iv) enhance coordination and linkages between formal and informal justice sector mechanisms

Activity Result 2.1. Identification of priority pilot communities

As illustrated in the *Mapping of Justice Sector Service Provision in the Solomon Islands*, despite limited access to formal justice services in Provincial areas, there are a relatively large number of government, NGO, INGO and traditional actors working in the space. On the whole coordination and linkages are weak and ad-hoc both on a national and local level. One of the objectives of the MJLA-UNDP Access to Justice Study was to identify the unmet needs of communities outside urban centres. Under this Activity Result, the emphasis will be on understanding on a more micro-level the specific needs, desires and existing mechanisms for justice within a number of pilot communities which will then inform the design of a pilot model of CLAs. Activities will include the following;

Activity 2.1.1 Desk Review and Stakeholder Consultations on Priority Communities

Activity 2.1.2 Stakeholder Mapping and Finalization of Pilot Areas

Activity 2.1.3 Baseline Survey Undertaken

Activity 2.1.4 Resourcing Strategy Developed

Activity Result 2.2: Development of a Community Legal Advocate Curriculum and Selection of Inaugural CLAs

This activity result is specifically focused on the development of a curriculum, training methodology and selection of inaugural CLAs. Based on the needs identified by communities in the Baseline Survey, a tailor-made CLA curriculum will be developed. This process of curriculum formulation will be iterative drawing on global best practice material, local expertise and workshoped and field tested to ensure that it is appropriate and tailored to the role of the CLAs and the needs of communities involved. The Project will develop an initial set of training and resource materials. These will continue to be improved as implementation of the program progresses and the CLAs gain experience as well as based on the experiences gained through the PP program. Activities will include the following;

Activity 2.2.1 Establishment of CLA Materials Advisory Panel

Activity 2.2.2 Curriculum and Support Material Designed according to Community Need and Best Practice

Activity 2.2.3 Selection of Inaugural CLAs

Activity Result 2.3: Strengthening the capacity of Community Legal Advocates to provide legal information, advice, referral, meditation and public awareness and for communities to have an enhanced understand of justice services and CLAs role within

Under this Activity Result, the focus is on the upskilling CLAs *and sensitizing communities* on the work of CLAs, PP and the PSO. This will be an ongoing process that includes formal training prior to assuming their duties, on the job training as well as ongoing formal and informal support through their fieldwork, supervisory visits and interactions with Access to Justice Programme Specialist, Project Staff and PSO managers. Just as important as training CLAs is sensitizing communities on their proper role and use. Without proper community buy-in and sensitization CLAs will be of limited effectiveness. Activities will include the following;

Activity 2.3.1. Establishment and Roll Out of Annual Training Plan

Activity 2.3.2. Development and Roll Out of Outreach and Communications Implementation Strategy

Activity 2.3.3 Training and capacity building of supervising Public Solicitor's Office staff and community

Activity Result 2.4: Enhanced coordination and linkages between formal and informal justice sector mechanisms. Under this Activity the Project will work with government and non-government stakeholders at a community level to cultivate positive working relationships and where possible Standard Operating Procedures to mitigate duplication, ensuring synergies and streamline justice service provision in the priority community. This will include, where relevant to the Community RRRT Authorized Justices, World Bank Officers, Crime Prevention Committees among others. Activities will include the following;

Activity 2.4.1 Enhancing coordination and relationships at Community Level

Activity 2.4.2 Formalizing relationships at Organizational Level

While project interventions focus mainly on the formal justice system through the Public Solicitor's Office, by enhancing intra-systemic linkages and improving outreach activities, informal institutions will also be positively impacted.

Resources Required to Achieved the Expected Results

The implementation will be done in close coordination and with advisory guidance of UNDP's technical expertise based the UNDP Multi Country Office in Suva, Fiji. The Solomon Islands will also continue to benefit from the regional stream of work in this area. Additional resources will complement the Paralegals Project through the Regional Programme as well as UNDP's presence in the Bangkok Regional Hub. As the aim will be that the project results are based on cutting-edge knowledge and international best practices, the project can benefit from resources acquired through partnerships with regional players active in this area.

Gender equality will be mainstreamed across all Project Outputs and activities. The implications for women and men of planned activities will also be assessed. Gender equality is integrated as a cross-cutting area in activities, indicators and the financial commitments associated with each Output.

The required project resources can be categorised into financial, technical, and managerial. The financial resources needed by the project have been indicated on the cover page of the Project Document and allied funding indications by the donor have been cited. Resources in terms of staff time from the various justice institution as the main project stakeholders and the corporate support (financial management and management services, human resources, procurement management) of the UNDP Solomon Islands and Pacific Office in Fiji will also be required to achieve the expected outputs and outcomes of the project. These resources are embedded within the project activities and are defined further in the Annual Work Plan.

Partnerships

As noted in *Mapping of Justice Sector Service Provision in Solomon Islands* justice sector programmatic interventions in the Solomon Islands are often siloed, limited to one or a number of Provinces and without sufficient coordination. The importance of partnership and coordination both within Development Partners and SIG is also highlighted in the DFAT Solomon Islands Justice Program Design 2017-2021 which rightly notes that:

The system can only function efficiently and effectively if all parties perform their duties consistently. CSSI rely on the courts processing matters effectively so that citizens do not languish on remand. Courts rely on defendants, witnesses, prosecutors and solicitors appearing and being sufficiently prepared so that cases can proceed. The Office of the Director of Public Prosecutions relies on the cooperation of the Police Prosecutions Directorate. The community relies on the prosecutors prosecuting offenders effectively, and solicitors to defend them.⁴⁰

There are a large number of development partners working in the access to justice space. This is, in part, due to the cross-cutting nature of access to justice which encompasses areas such as gender equality, social inclusion, policing, community governance, family violence, anti-corruption and peacebuilding. This list is not

⁴⁰ DFAT Solomon Islands Justice Program Design 2017-2021, p9.

exhaustive⁴¹ but provides an overview of some of the most relevant development partners working in this space.

- The Australian Government is the largest development partner in the Solomon Islands and by far the largest in the justice sector. Given the cross-cutting nature of access to justice, there are a number of programs that cross over with the scope of this Project, the Solomon Islands Justice Program,⁴² the Solomon Islands Police Development Program⁴³ as well as DFAT's portfolios of work in disability, gender and social inclusion. The Australian Government also heads a number of coordination bodies within and between these programs and the wider sector as well as facilitating a comprehensive MEL framework.
- The World Bank runs the Community Governance and Grievance Management Project. This project aims to enhance state presence and community level dispute resolution and now has pilot Community Officer presence in four provinces: Renbel, Makira, Malaita and Central.
- The SPC through the Regional Rights Resource Team has trained Local Court justices in Malaita and Guadalcanal to act as Authorized Justices under the *Family Protection Act*.⁴⁴
- UN Women manages the Advancing Gender Justice in the Pacific Programme which assists SIG to develop gender sensitive legislation and empower women to leadership. It also works closely with UNFPA and UNDP on the Essential Services Package for Women Subject to Violence and the implementation of the "Eliminating Violence Against Women and Girls Implementation Policy"
- UNICEF is working with the Magistracy to develop protocols for dealing with young people in the justice system
- Oxfam implements the "Safe Families Project" in two Provinces working on changing attitudes and norms around violence.
- Save the Children works on Youth Diversions Project in Malaita and West with Community Crime Prevention Committees
- IOM undertakes work in the trafficking, logging, family and gender-based violence nexus
- UNDP, as noted above has a number of Solomon Islands and regional programmes in the area of peacebuilding and anti-corruption

The Project is in a unique position in relation to partnerships and coordination. On the one hand, if implemented successfully the distinct tiers of paralegals will help to enhance and backstop coordination within the Justice Sector. On the other hand, the success of the Project will depend in large part on successful partnerships across the Sector and with existing programs.

UNDP will continue to coordinate and seek synergies with other donors in the justice sector to harness efficiencies, reduce duplication and upscale results. This will build upon the successful partnerships forged during the Access to Justice Study and Mapping activities through the A2J Technical Working Group. As a DFAT funded project, the paralegals intervention will also continue to benefit from the input and collaboration of DFAT's network of advisers across the range of cross-cutting areas that intersect with access to justice.

Risks and Assumptions

Project risks are comprehensively identified in the Risk Log attached. The project assumptions are detailed in the annotated Theory of Change and Supply and Demand Side assumptions found in Annex 4.

Stakeholder Engagement

Stakeholders were engaged throughout the A2J Initiation Plan and Mapping Exercises respectively. The Project also builds in substantial space for consultation to ensure flexibility, buy-in and national ownership.

⁴¹ For a more exhaustive list see *Mapping of Justice Sector Service Provision in SOI pp 39-46*

⁴² Solomon Islands Justice Program Design Document July 2017- June 2021

⁴³ Solomon Islands Police Development Program Design Document July 2017- June 2021.

⁴⁴ *Family Protection Act ss 9, 14, 17, 23, 24.*

Under the Comprehensive A2J Study overseen by the Ministry of Justice and Legal Affairs through the A2J Technical Working Group and supported by UNDP a broad cross section of key informants were engaged on access to justice issues. This included Ministries, Agencies, civil society, community based organizations as well as the approximately 3,000 individual Solomon Islanders from all Provinces who took part in the Perceptions Survey on Access to Justice.⁴⁵ This included a cross-section of men, women, youth and people with disabilities as well as more in-depth field work with remandees, victims of GBV and those with land disputes. Certain recommendations emerged from the A2J Study which were validated on 15 May 2019 by approximately 40 members of the broader Justice System.⁴⁶ That body recommended enhanced efforts to consolidate legal information and referral networks, decentralization and paralegalism as possible solutions to the issues identified in the Study.

The key stakeholders of Outputs 1 and 2 include formal justice sector agencies: the Ministry of Justice and Legal Affairs, the Ministry of Police National Security and Correctional Services, the Public Solicitor's Office, the Office of the Director of Public Prosecutions, the Royal Solomon Islands Police Force, Correctional Services Solomon Islands and the Magistrates', High and Local Courts, many of whom sat on the A2J Technical Working Group. NGOs and Civil Society Groups who work in or adjacent to the Justice Sector are also key stakeholders.⁴⁷

During the implementation stages, the project will also identify other potentially affected groups and a strategy for engagement to ensure that they are aware of mechanisms to submit any concerns about the social and environmental impacts of the project. This will be achieved through the inclusive approach to Material Advisory Panels, Paralegals Roundtables and a Baseline Study to be undertaken in priority roll out communities of Community Legal Advocates. Both Provincial Paralegals and Community Legal Advocates will also have sufficient funding to enable micro and macro engagement with key formal and community partners through joint activities, referrals and other opportunities that may arise.

The general public is also a key stakeholder and will be engaged through the roll out of a Communications and Visibility Plan.

South-South and Triangular Cooperation (SSC/TrC)

The Project aims to promote and apply the lessons and experiences of in particular SIDS, drawing on the UN's extensive networks from across the Pacific and globally. UNDP's global and regional structures will be utilized to support this exchange, such as the global programmes and the regional presence offices (including the UNDP Bangkok Regional Hub for Asia and Pacific). Through the Access to Justice regional programming based out of the Pacific Office in Suva, the experience and lessons learned in the Solomon Islands Initiation Plan project and SIG's experience in implementing paralegalism will find a platform for sharing and exchanging with peers, notably in line with the international best practice standards set out in the *UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*.⁴⁸

Funds have been allocated under the Project to support a number of South-South exchanges both of overseas practitioners inbound to Solomon Islands as well as a number of opportunities for relevant partners overseas. Advantage will be taken of a number of partnerships that UNDP has regionally and globally, including the Fiji Legal Aid Commission and experience working with global knowledge networks such as Namati.

Knowledge Management

The project team will include a Communications and Awareness Officer who will coordinate the activities related to the visibility of the project. Lessons learned generated by the project will be included in the Lessons

⁴⁵ For a detailed analysis of the scope of the Study, the survey component and its limitations see both MJLA-UNDP Study Report and Access to Justice Survey Technical Report.

⁴⁶ See UNDP *New Study Shines Light on Justice Sector*: available at: <http://www.pacific.undp.org/content/pacific/en/home/presscenter/pressreleases/2019/new-study-shines-light-on-justice-sector.html>

⁴⁷ For a more exhaustive list of Justice Sector Stakeholders see, eg, *Mapping of Justice Sector Service Provision in the Solomon Islands*.

⁴⁸ *UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*.

Learned Log and shared with development partners globally through the UNDP learning platforms and at relevant legal aid conferences organized regionally and globally as appropriate.

Sustainability and Scaling Up

The project directly works to build the institutional capacities of justice sector institutions to more effectively perform their roles and responsibilities, better coordinate activities between the various institutions and enables sharing and pooling of limited resources for maximum impact.

The project is dependent on DFAT and UNDP support for the next 5 years. The ambition of the Project, however is that a sustainable model of paralegalism involving Provincial Paralegals, Community Paralegals or some combination thereof is mainstreamed into the Solomon Islands Justice Sector within five years. How this will be achieved is detailed in more depth in the annexed Sustainability Plan agreed to by MJLA and the Public Solicitor's Office. This approach builds on lessons learned from previous programming in this space, particularly the experience of SPC RRRT in working with community paralegals.⁴⁹

The Project will also make significant investment in building local capacities both within institutions and civil society.

IV. PROJECT MANAGEMENT

Cost Efficiency and Effectiveness

Cost efficiency and effectiveness in the project management will be achieved through adherence to the UNDP Programme and Operations Policies and Procedures (POPP) and reviewed regularly through the governance mechanism of the United Nations Development Assistance Framework (UNDAF) in the Pacific Annual Review and the Project Board. In addition, there are specific measures for ensuring cost-efficient use of resources through using a portfolio management approach. This approach by the UNDP Pacific Office - Solomon Islands leverages activities and partnerships among several initiatives and projects in the Pacific and in Solomon Islands. Applying this approach, the project will look to ensure synergies with the Peacebuilding, Electoral and Anti-Corruption projects. One pertinent possible entry point would be through UNDP's upcoming Anti-Corruption Project and the roll that CLAs and PPs might play in enhancing anti-corruption awareness and legal aid service on anti-corruption.

At the UNDP Pacific Office – Solomon Islands, all project implemented are directly executed by UNDP. Therefore, UNDP will be the implementing partner with the Project implemented by the UNDP Effective Governance Team in Solomon Islands with technical inputs and guidance provided by the UNDP Access to Justice Specialists based in Suva, Fiji. Technical experts with the expertise required for the various project activities will be recruited based on need. UNDP will seek to ensure cost efficiency by exploring the applicability of existing partnerships globally such as that with Namati. The project's Multi-Year Work Plan provides all details of associated management expenses to be incurred over the project duration.

Project Management

The project team for the direct implementation of the project is featured in Governance and Management Arrangements. The strong substantive team will enable the project to invest fully in capacity building of partners. It is expected that capacity building project staff will spend a number of days each week based with the PSO Offices. This arrangement will be further discussed during inception and agreed, where necessary in writing.

Like during the Initiation phase of Project, the strategy the full-fledged Project is designed to deliver maximum project results with the available resources through ensuring the design is based on good practices and lessons learned, that activities are specific and clearly linked to the expected outputs, and that there is a sound results management and monitoring framework in place with indicators linked to the Theory of Change. The project

⁴⁹ See Lessons Learned.

aims to balance cost efficient implementation and best value for money with quality delivery and effectiveness of activities. For its capacity building activities, the project will utilise outside experts as well as in-house experts from within UNDP and UN sister organisations.

The associated Direct Project Costing (DPC) that will be incurred by UNDP in providing project management and technical project implementation support is effectively indicated in the Multi-Year Work Plan.

The project's Multi-Year Work Plan also includes a General Management Support (GMS) that covers the costs for UNDP that are not directly attributable to specific projects or services, but are necessary to fund the corporate structure, management and oversight costs of UNDP as per global UNDP practices. The GMS is applied to all projects funded by either member governments at 3% for projects implemented directly in those member countries, and at 8% for contributions from other development partners for all projects that are implemented by UNDP around the world.

V. RESULTS FRAMEWORK

<p>Intended Outcome as stated in the UNDAF/Country [or Global/Regional] Programme Results and Resource Framework: Outcome 5: By 2022, people and communities in the Pacific will contribute to and benefit from inclusive, informed and transparent decision-making processes, accountable and responsive institutions, and improved access to justice.</p> <p>Outcome indicators as stated in the Country Programme [or Global/Regional] Results and Resources Framework, including baseline and targets: Indicative indicator 5.3.1. Number of project beneficiaries, disaggregated by sex and rural/urban localities, with access to legal aid services Baseline (2016): 1,117 (male); 1,815 (female); 80% rural and 20% urban Target: 6,000 (male); 9,000 (female); 80% rural and 20% urban</p> <p>Applicable Output(s) from the 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</p> <p>Project title : Enhancing Access to Justice in the Solomon Islands through Paralegalism Atlas Project Number: 00117811</p>								
EXPECTED OUTPUTS	OUTPUT INDICATORS	DATA SOURCE	BASELINE		TARGETS/YEAR			DATA COLLECTION METHODS & RISKS
			Value	2019	2020	2021	Final	
Output 1 The capacity, reach and breadth of service delivery and awareness activities of PSO increased through the development and roll out of Provincial Paralegals	1.1 Number of Provincial PSO offices supported with provincial paralegal services	PSO and Project Reports. Monitoring Visits	0	0	1	3	4	This information will be collected by the Project team.
GEN 2	1.2 Number of provincial paralegals appointed and	PSO Annual Reports and Project Reports	Nil	2019	6	6	12	This information will be collected by the Project team.

VI. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans.

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.	Public Solicitor's Office	Built into existing Workshops and Management budgets
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	Public Solicitor's Office	Built into existing management/workshops budget
Learn	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	Quarterly	Relevant lessons are captured by the project team and used to inform management decisions.	Public Solicitor's Office, wide Justice Sector and development partners as appropriate	Built into existing management budget with use of workshops/meetings budget as required with partners
Project Quality Assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	QA Monitoring and Evaluation could be done after year one.	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	Public Solicitor's Office	Built into existing Workshops budget
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by	Public Solicitor's Office, wide	Built into existing management and Workshops budget

				the project board and used to make course corrections.	Justice Sector as appropriate	
Project Report	A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk long with mitigation measures, and any evaluation or review reports prepared over the period.	Annually, at the end of the Pilot and at the end of the project (final report)	Project Reporting may be altered depending on the prospect of a two-year project being extended to four or five years to ensure	PSO, MJLA Project Team, wider sector as appropriate	Covered in Management Costs	
Project Review (Project Board)	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.	At least Annually	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.	See Project Board Section	Covered in Workshop costs	

Evaluation Plan⁵⁰

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDAF/CPD Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
e.g., Mid-Term Evaluation	PSO	Outcome 2	UNPS Outcome 5	June 2021	PSO, MJLA	\$30,000 Project funds (DFAT)

⁵⁰ The exact scope of this evaluation may depend on whether further programmatic years are forthcoming or not.

VII. MULTI-YEAR WORK PLAN

EXPECTED OUTPUTS	PLANNED ACTIVITIES	Planned Budget by Year				RESPONSIBLE PARTY	PLANNED BUDGET	
		2019	2020	2021	Y4		Funding Source	Budget Description
Output 1: Provincial Paralegals	Activity Result 1.1 Coordination enhanced b/w PSO, CSSI, Courts & RSIPF							
	1.1.1 Activity: Updating and enhancing cooperation b/w PSO & Justice Sector	2,000				UNDP/PSO	DFAT	Workshops- 75700 2,000
Gender marker: GEN 2	1..1.2 Activity: Regional Knowledge networks of paralegalism	4,000	5,000			UNDP/PSO	DFAT	Travel- 71600 9,000
	1.1.3. Activity : Paralegals Roundtables	2,500	5,000	2,500		UNDP/PSO	DFAT	Workshops-75700 10,000
	1.1.4. Activity : Identification of Priority Roll out Areas							
	Activity Result 1.2 Development of Provincial Paralegals Curriculum and Selection							
	1.2.1 Establish of Paralegal Materials Advisory Panel	2,500	2,500			UNDP/PSO	DFAT	Workshops-75700 5,000
	1.2.2 Curriculum and Support Material Design	25,000	25,000			UNDP/PSO	DFAT	International Consultant- 71200 50,000
		5,000	15,000			UNDP/PSO	DFAT	Local Consultant- 71300 20,000
		1,000	3,000	1,000		UNDP/PSO	DFAT	Workshops-75700 5,000

	1.2.3 Partnerships Building & HR Strategy	2,500	2,500				UNDP/PSO	DFAT	Travel- 71600	5,000
									Inhouse	
	1.2.4 Selection of Inaugural Paralegals		2,000				UNDP/PSO	DFAT	Media	2,000
			2,500				UNDP/PSO	DFAT	Travel- 71600	2,500
	Activity Result 1.3 Strengthen Capacity of PPs to support lawyers remandees etc.									
	1.3.1 Establish Annual Training Plans	9,000	8,000				UNDP/PSO	DFAT	Workshops-75700	17,000
		5,000	2,000				UNDP/PSO	DFAT	Travel-71600	7,000
		15,000	10,000				UNDP/PSO	DFAT	Local Consultant-71300	25,000
		20,000	30,000				UNDP/PSO	DFAT	International Consultant- 71200	50,000
		10,000	20,000	20,000			UNDP/PSO	DFAT	Paralegal Training Allowance 75700	50,000
		2,000	4,500	2,000			UNDP/PSO	DFAT	Paralegal Travel Allowances-71600	8,500
			2,500	2,500			UNDP/PSO	DFAT	Travel-71600	5,000
	1.3.2 Outreach and Comms Implementation Strategy						UNDP/PSO	DFAT	Workshops-75700	-
		10,000	10,000				UNDP/PSO	DFAT	International Consultant- 71200	20,000
		5,000	5,000				UNDP/PSO	DFAT	Local Consultant-71300	10,000

		5,000	5,000	5,000		UNDP/PSO	DFAT	Outreach Grants-72600	15,000
		1,000	7,000	2,000		UNDP/PSO	DFAT	Outreach Workshops-75700	10,000
		2,667	2,000	1,000		UNDP/PSO	DFAT	Printing- 72400	5,667
	1.3.3 Training of supervising staff	2,000	1,000			UNDP/PSO	DFAT	Workshops-75700	3,000
		1,000	2,000	2,000		UNDP/PSO	DFAT	Monitoring Travel-71600	5,000
	Activity Result 1.4 Strategic Direction of PSO Strengthened								-
	1.4.1 PSO Strategic Plan Developed		20,000			UNDP/PSO	DFAT	International Consultant- 71200	20,000
		500	500			UNDP/PSO	DFAT	Workshops-75700	1,000
	Communication Related Costs	3,500	750	750			DFAT		5,000
	Programme Manager (P3)	68,282	113,803	45,521			DFAT		227,606
	Regional TA	4,800	3,200	8,000			DFAT		16,000
	Deputy Project Manager	8,100	13,500	5,400			DFAT		27,000
	Communication Officer	7,010	4,673	11,683			DFAT		23,365
	Monitoring & Evaluation Officer	7,010	11,683	4,673			DFAT		23,365
	MONITORING	3,600	6,000	2,400			DFAT		12,000
	Output 1 Direct Project Costs (DPC)	11,748	17,280	5,821					
	Sub-Total for Output 1	246,716	362,889	122,248					
	Output 1 GMS + DPC	19,737	29,031	9,780					58,548
	Grand-Total for Output 1	266,453	391,920	132,028					790,401

Output 2: Community Legal Advocates	Activity Result 2.1 Identification of priority pilot communities																					
	2.1.1 Desk Review and Stakeholder Consultations on Priority Communities	500	2,000	500						UNDP/PSO	DFAT		Travel- 71600			3,000						
		1,000	1,000							UNDP/PSO	DFAT		Workshops-75700			2,000						
	2.1.2 Stakeholder Mapping and Finalization of Pilot Areas		9,000							UNDP/PSO	DFAT		Local Consultant- 71300			9,000						
	Draft Stakeholder Engagement and Sensitization Strategy	5,000	5,000							UNDP/PSO	DFAT		International Consultant-71200			10,000						
		2,000	2,000	1,000						UNDP/PSO	DFAT		Workshops-75700			5,000						
		1,000	1,000	1,000						UNDP/PSO	DFAT		Travel- 71600			3,000						
	Human Resourcing Strategy												Inhouse			-						
			5,000							UNDP/PSO	DFAT		Workshops-75700			5,000						
			7,000							UNDP/PSO	DFAT		Travel-71600			7,000						
	Baseline Survey	50,000								UNDP/PSO	DFAT		Contractual Services Companies- 72100			50,000						
	2.1.4 Resourcing Strategy												Inhouse			-						
	Activity Result 2.2 Development of a CLA Curriculum and Selection of Inaugural CLAs															-						
	2.2.1 Establishment of CLA Materials Advisory Panel	5,000								UNDP/PSO	DFAT		Workshops-75700			5,000						
2.2.2 Curriculum and Materials Designed and Updated		35,000							UNDP/PSO	DFAT		International Consultant-71200			35,000							

		24,931						UNDP/PSO	DFAT	Local Consultants (Team) 71300	24,931
			20,000					UNDP/PSO	DFAT	Community Engagement Consultant-71300	20,000
			10,000					UNDP/PSO	DFAT	Trainers Local Consultant - 71300	10,000
									DFAT	Printing-74200	-
		1,000	2,500	1,500				UNDP/PSO	DFAT	Travel- 71600	5,000
	2.2.3 Selection of Inaugural CLAs	1,000	1,000					UNDP/PSO	DFAT	Media	2,000
		1,000	1,000	1,000				UNDP/PSO	DFAT	Travel- 71600	3,000
		1,000						UNDP/PSO	DFAT	Workshops-75700	1,000
	Activity Result 2.3 Strengthen capacity of CLAs to provide leg info, advice, refer, awareness										-
	2.3.1 Establishment and Roll Out of Annual Training Plans	2,500	10,000	2,500				UNDP/PSO	DFAT	Workshops-75700	15,000
		1,000	7,000	2,000				UNDP/PSO	DFAT	Travel- 71600	10,000
		1,000	7,000	2,000				UNDP/PSO	DFAT	Travel- 71600	10,000
		9,000	9,000	9,000				UNDP/PSO	DFAT	Travel DSA (Domestic Travel Paralegals)-71600	27,000
	2.3.2 Development and Implementation of Outreach and Communication Strategy	7,500	7,500					UNDP/PSO	DFAT	International Consultant-71200	15,000
		1,000	2,500	1,500				UNDP/PSO	DFAT	Travel- 71600	5,000
		1,000	2,500	1,500				UNDP/PSO	DFAT	Paralegal Outreach Travel- 71600	3,500

		1,000	1,000	1,000	1,000				UNDP/PSO	DFAT	Workshops-75700	3,000
			5,000	3,000	3,000				UNDP/PSO	DFAT	Printing-74200	8,000
	Activity Result 2.4 Enhanced Coordination and Linkages between formal and informal agencies											-
	2.4.1 Community Level Relationship Building		3,000	1,000	1,000				UNDP/PSO	DFAT	Workshops-75700	4,000
			2,000	2,000	2,000				UNDP/PSO	DFAT	Travel- 71600	4,000
		1,000	2,000	2,000	2,000				UNDP/PSO	DFAT	Travel- 71600	5,000
	2.4.2 Organisational Level Relationship Building	1,000	1,000						UNDP/PSO	DFAT	Workshops-75700	2,000
			2,500	2,500	2,500				UNDP/PSO	DFAT	Travel- 71600	5,000
	Communication Related Costs	3,500	750	750						DFAT		5,000
	Programme Manager (P3)	68,282	113,803	45,521						DFAT		227,606
	Regional TA	4,800	8,000	3,200						DFAT		16,000
	Deputy Project Manager	8,100	13,500	5,400						DFAT		27,000
	Communication Officer	7,010	11,683	4,673						DFAT		23,365
	Monitoring & Evaluation Officer	7,010	4,673	11,683						DFAT		23,365
	MONITORING	3,600	6,000	2,400						DFAT		12,000
	Output 2 Direct Project Costs (DPC)	11,087	16,095	5,431								
	Sub-Total for Output 2 +DPC	232,819	338,004	114,058								
	Output 2 GMS (8%)	18,626	27,040	9,125								54,790
	Grand-Total for Output 2	251,444	365,044	123,183								739,671
General Project Management Support												

Evaluation (as relevant)	EVALUATION (Mid Term Evaluation)	30,000										
	Procurement Support	4,760	7,934	3,173						DFAT	International Consultant- 71200	30,000
	Project Assistant	5,310	8,850	3,540						DFAT	71400	15,867
	ICT Equipment and Maintenance	3,158	5,264	2,106						DFAT	ICT- 72800	17,700
	Rental	7,000	14,000	7,000						DFAT	Rental- 73100	10,528
	Furniture	10,000	5,000							DFAT	72200	28,000
	Audit and Quality Assurance		7,500							DFAT	Audit- 74100	15,000
	Common Security Contributions	4,860	4,860							DFAT	74300	7,500
	Direct Project Costs	1,754	4,170	791						DFAT		9,720
	Sub-Total for General Project Management Support	35,089	83,408	15,819								
	General Project Management Support GMS	2,807.09	6,672.61	1,265.52								10,745
	Grand-Total for General Project Management Support	37,896	90,080	17,085								145,061
TOTAL		555,793	847,045	272,295								1,675,133

VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

Governance of the project is expected to be undertaken by the Project Board which will convene at least twice a year and more frequently if decided so by the Board. The Project Board is the group responsible for making by consensus, management decisions for a project when guidance is required by the Access to Justice Programme Specialist, including recommendation for approval of project plans and revisions. To ensure accountability, Project Board decisions should be made in accordance with standards that shall ensure management for development results, best value for money, fairness, integrity, transparency and effective international competition. In case a consensus cannot be reached within the Board, final decision shall rest with UNDP. In addition, the Project Board plays a critical role in UNDP-commissioned project evaluations by quality assuring the evaluation process and products, and using evaluations for performance improvement, accountability and learning. The Terms of Reference for the Project Board are annexed. The Project Board structure is provided in the diagram below.

The Permanent Secretary, MJLA, sits of the Justice Sector Consultative Committee. The Justice Sector Consultative Committee (JSCC) as a policy development and central coordination group provides a forum for the Chief Justice, Permanent Secretary, MJLA and Heads of Agencies among others to meet and discuss issues with a view to improving the sector, provide leadership and establish good linkages with internal and external stakeholders. The Permanent Secretary MJLA will assist, as necessary to link and coordinate the work of the JSCC with decision making at a Project Board Level ensuring open lines of communication, shared strategic direction and buy-in.

On a day-to-day basis, the Access to Justice Programme Specialist based at UNDP has the authority to run the project on behalf of UNDP with the constraints laid down by the Project Board and in accordance with the UNDP Programme and Operations Policies and Procedures (POPP). The Access to Justice Programme Specialist is responsible for the daily management and decision-making of the project. The Access to Justice Programme Specialist's prime responsibility is to ensure that the project produces the results (outputs) specified in the Project Document to the required standard of quality and within the specified constraint of time and cost. UNDP appoints the Access to Justice Programme Specialist, who is different from the UNDP representative on the Project Board. Project backstopping and quality assurance will be provided by the UNDP A2J Team based at the UNDP Pacific Office in Suva and the Governance Team Leader based in Honiara. All major technical products and support to the government will be cleared by the Regional Access to Justice Specialist to ensure alignment with international standards and best practices.

Project Management

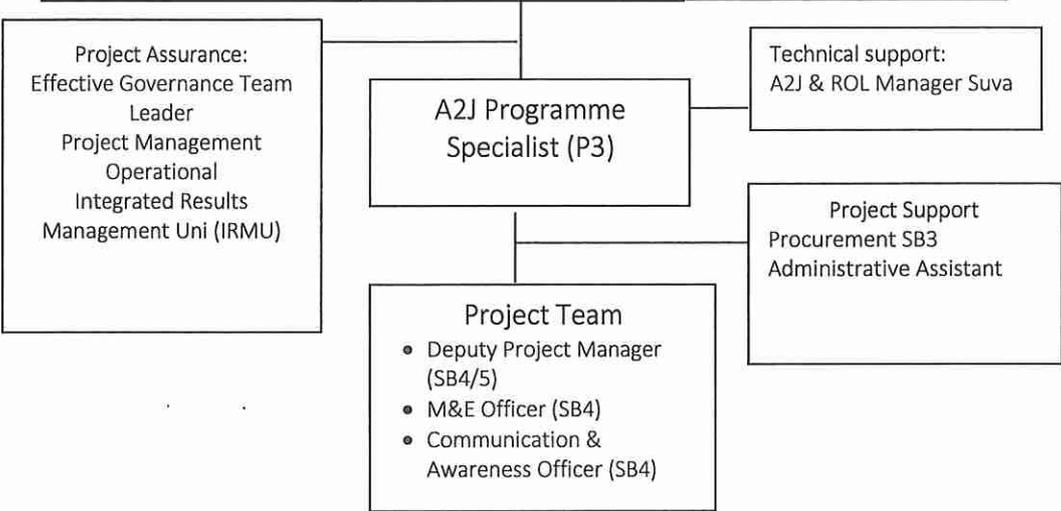
At the UNDP Pacific Office – Solomon Islands, all project implemented are directly executed by UNDP. Therefore, UNDP will be the implementing partner with the Project implemented by the UNDP Effective Governance Team in Solomon Islands with technical inputs and guidance provided by the UNDP Access to Justice Specialist based in Suva, Fiji. Technical experts with the expertise required for the various project activities will be recruited on a needs basis. The project's Multi-Year Work Plan provides all details of associated management expenses to be incurred over the project duration.

The project team for the direct implementation of the project will comprise of a minimum team of six technical and one administrative officer. The strong substantive team will enable the project to invest fully in capacity building of partners and future resources for access to justice initiatives in Solomon Islands. The team has been designed so that each of the activities envisaged in the ProDoc relies mostly on building local capacity and dependence on external consultants is phased out over the life of the project.

- Access to Justice Programme Specialist – P3
- Deputy Project Manager – SB4/5
- M&E Officer – SB4
- Communication & Awareness – SB4
- Procurement Officer – SB3

Project Organisation Structure

Project Board (Governance Mechanism)		
Senior Beneficiary MJLA Public Solicitor's Office MDPAC	Executive UNDP Country Manager	Senior Supplier DFAT



IX. LEGAL CONTEXT

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of (Solomon Islands) and UNDP, signed on 4th April 1986. All references in the SBAA to “Executing Agency” shall be deemed to refer to “Implementing Partner.”

This project will be implemented by United Nations Development Programme (UNDP) (“Implementing Partner”) in accordance with its financial regulations, rules, practices and procedures only to the extent that they do not contravene the principles of the Financial Regulations and Rules of UNDP. Where the financial governance of an Implementing Partner does not provide the required guidance to ensure best value for money, fairness, integrity, transparency, and effective international competition, the financial governance of UNDP shall apply.

X. RISK MANAGEMENT

UNDP (DIM)

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the project funds⁵¹ are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/sc/committees/1267/ag_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered under this Project Document.
3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.
6. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
 - a. Consistent with the Article III of the SBAA [*for the Supplemental Provisions to the Project Document*], the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP’s property in such responsible party’s, subcontractor’s and sub-recipient’s custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
 - i. put in place an appropriate security plan and maintain the security plan, considering the security situation in the country where the project is being carried;

⁵¹ To be used where UNDP is the Implementing Partner

- ii. assume all risks and liabilities related to such responsible party's, subcontractor's and sub-recipient's security, and the full implementation of the security plan.
- b. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of the responsible party's, subcontractor's and sub-recipient's obligations under this Project Document.
- c. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.
- d. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at www.undp.org.
- e. If an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- f. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

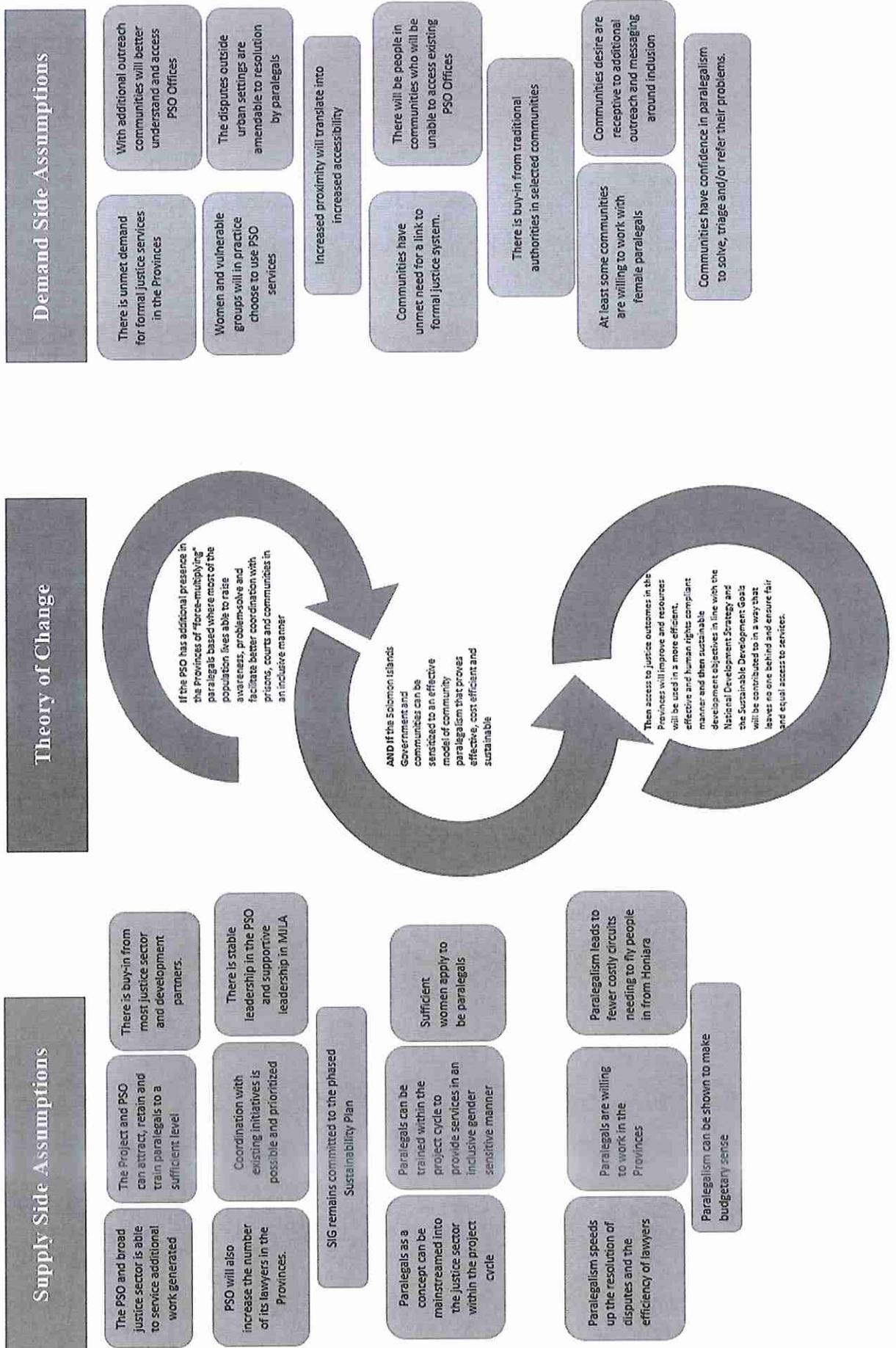
- g. UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.
 - h. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.

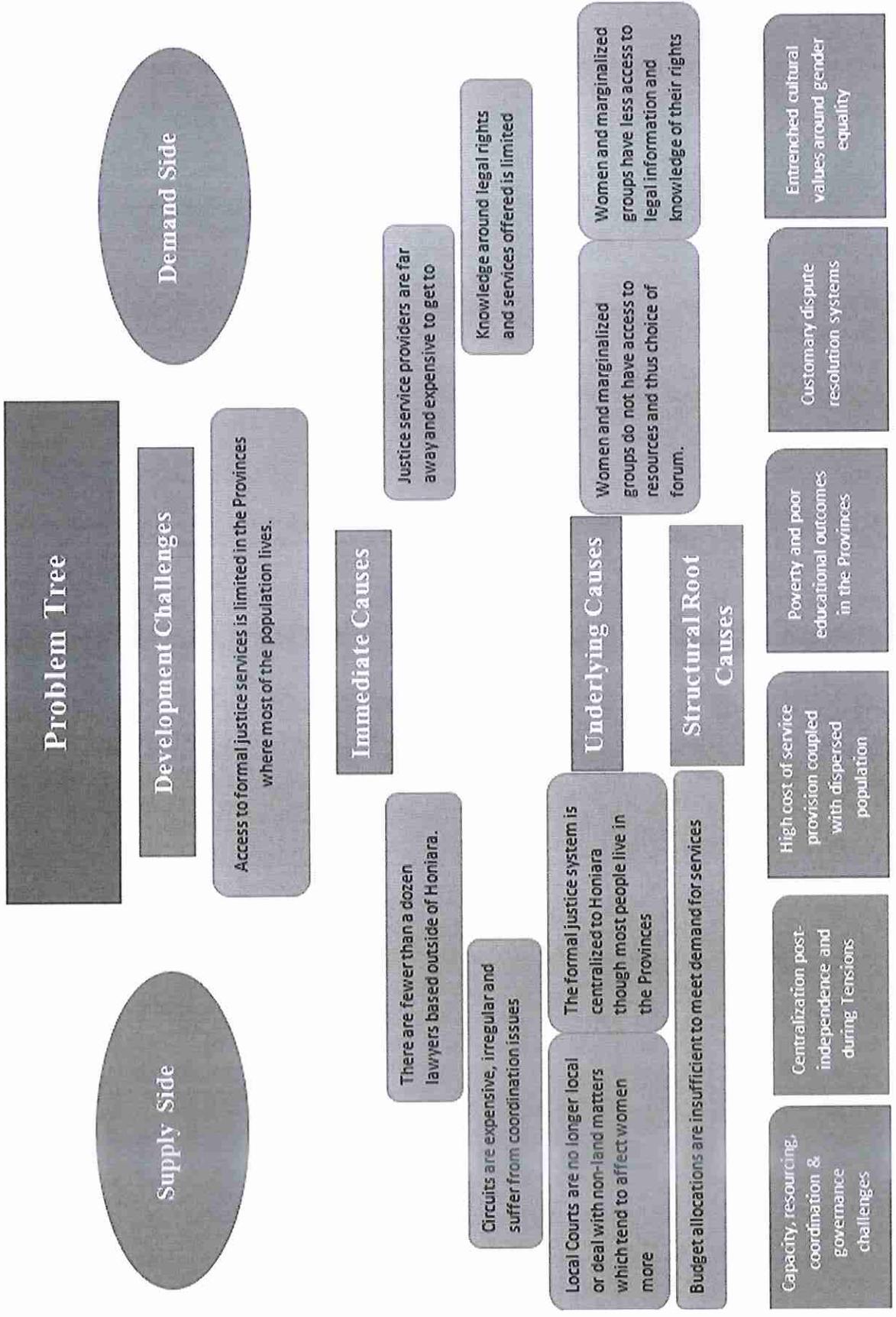
- i. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- j. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.
- k. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.

XI. ANNEXES

1. Theory of Change
2. Project Quality Assurance Report
3. Social and Environmental Screening Assessment
4. Risk Register
5. Capacity Assessment Report
6. Project Board Terms of Reference and TORs for key management positions
7. Sustainability Strategy
8. Assorted PSO Data

ANNEX 1: THEORY OF CHANGE





ANNEX 2: PROJECT QUALITY ASSURANCE REPORT

PROJECT QA ASSESSMENT: DESIGN AND APPRAISAL					
OVERALL PROJECT					
EXEMPLARY (5) ◎◎◎◎◎	HIGHLY SATISFACTORY (4) ◎◎◎◎○	SATISFACTORY (3) ◎◎◎○○	NEEDS IMPROVEMENT (2) ◎◎○○○	INADEQUATE (1) ◎○○○○	
At least four criteria are rated Exemplary, and all criteria are rated High or Exemplary.	All criteria are rated Satisfactory or higher, and at least four criteria are rated High or Exemplary.	At least six criteria are rated Satisfactory or higher, and only one may be rated Needs Improvement. The Principled criterion must be rated Satisfactory or above.	At least three criteria are rated Satisfactory or higher, and only four criteria may be rated Needs Improvement.	One or more criteria are rated Inadequate, or five or more criteria are rated Needs Improvement.	
DECISION					
<ul style="list-style-type: none"> • APPROVE – the project is of sufficient quality to be approved in its current form. Any management actions must be addressed in a timely manner. • APPROVE WITH QUALIFICATIONS – the project has issues that must be addressed before the project document can be approved. Any management actions must be addressed in a timely manner. • DISAPPROVE – the project has significant issues that should prevent the project from being approved as drafted. 					
RATING CRITERIA					
For all questions, select the option that best reflects the project					
STRATEGIC					
<p>1. Does the project specify how it will contribute to higher level change through linkage to the programme’s Theory of Change?</p> <ul style="list-style-type: none"> • 3: The project is clearly linked to the programme’s theory of change. It has an explicit change pathway that explains how the project will contribute to outcome level change and why the project’s strategy will likely lead to this change. This analysis is backed by credible evidence of what works effectively in this context and includes assumptions and risks. • 2: The project is clearly linked to the programme’s theory of change. It has a change pathway that explains how the project will contribute to outcome-level change and why the project strategy will likely lead to this change. • 1: The project document may describe in generic terms how the project will contribute to development results, without an explicit link to the programme’s theory of change. <p><i>*Note: Projects not contributing to a programme must have a project-specific Theory of Change. See alternative question under the lightbulb for these cases.</i></p>	3	2			
	3		Evidence		
			Theory of change on page 5-7		
<p>2. Is the project aligned with the UNDP Strategic Plan?</p>	3	2			
	2		Evidence		
			Refer pages 1, 16,		

<ul style="list-style-type: none"> • 3: The project responds to at least one of the development settings as specified in the Strategic Plan⁵² and adapts at least one Signature Solution⁵³. The project's RRF includes all the relevant SP output indicators. <i>(all must be true)</i> • 2: The project responds to at least one of the development settings as specified in the Strategic Plan⁴. The project's RRF includes at least one SP output indicator, if relevant. <i>(both must be true)</i> • 1: The project responds to a partner's identified need, but this need falls outside of the UNDP Strategic Plan. Also select this option if none of the relevant SP indicators are included in the RRF. 		
3. Is the project linked to the programme outputs? (i.e., UNDAF Results Group Workplan/CPD, RPD or Strategic Plan IRRF for global projects/strategic interventions not part of a programme)	Yes	N e
RELEVANT		
4. Does the project target groups left furthest behind? <ul style="list-style-type: none"> • 3: The target groups are clearly specified, prioritising discriminated and marginalized groups left furthest behind, identified through a rigorous process based on evidence. • 2: The target groups are clearly specified, prioritizing groups left furthest behind. • 1: The target groups are not clearly specified. <p><i>*Note: Management Action must be taken for a score of 1. Projects that build institutional capacity should still identify targeted groups to justify support</i></p>	3	2
	2	
	Evidence Page 9 & 10 (activity 1.3), activity 2.2.3)	
5. Have knowledge, good practices, and past lessons learned of UNDP and others informed the project design? <ul style="list-style-type: none"> • 3: Knowledge and lessons learned backed by credible evidence from sources such as evaluation, corporate policies/strategies, and/or monitoring have been explicitly used, with appropriate referencing, to justify the approach used by the project. • 2: The project design mentions knowledge and lessons learned backed by evidence/sources, but have not been used to justify the approach selected. • 1: There is little or no mention of knowledge and lessons learned informing the project design. Any references made are anecdotal and not backed by evidence. <p><i>*Note: Management Action or strong management justification must be given for a score of 1</i></p>	3	2
	3	
	Evidence Pages 2-3, 8	
6. Does UNDP have a clear advantage to engage in the role envisioned by the project vis-à-vis national/regional/global partners and other actors? <ul style="list-style-type: none"> • 3: An analysis has been conducted on the role of other partners in the area where the project intends to work, and credible evidence supports the proposed engagement of UNDP and partners through the project, including identification of potential funding partners. It is clear how results achieved by partners will complement the project's intended results and a communication strategy is in place to communicate results and raise visibility vis-à-vis key partners. Options for south-south and triangular cooperation have been considered, as appropriate. <i>(all must be true)</i> • 2: Some analysis has been conducted on the role of other partners in the area where the project intends to work, and relatively limited evidence supports the proposed engagement of and division of labour between UNDP and partners 	3	2
	3	
	Evidence Pages 5	

<p>through the project, with unclear funding and communications strategies or plans.</p> <ul style="list-style-type: none"> • <u>1</u>: No clear analysis has been conducted on the role of other partners in the area that the project intends to work. There is risk that the project overlaps and/or does not coordinate with partners' interventions in this area. Options for south-south and triangular cooperation have not been considered, despite its potential relevance. <p>*Note: Management Action or strong management justification must be given for a score of 1</p>		
PRINCIPLED		
<p>7. Does the project apply a human rights-based approach?</p> <ul style="list-style-type: none"> • <u>3</u>: The project is guided by human rights and incorporates the principles of accountability, meaningful participation, and non-discrimination in the project's strategy. The project upholds the relevant international and national laws and standards. Any potential adverse impacts on enjoyment of human rights were rigorously identified and assessed as relevant, with appropriate mitigation and management measures incorporated into project design and budget. (<i>all must be true</i>) • <u>2</u>: The project is guided by human rights by prioritizing accountability, meaningful participation and non-discrimination. Potential adverse impacts on enjoyment of human rights were identified and assessed as relevant, and appropriate mitigation and management measures incorporated into the project design and budget. (<i>both must be true</i>) • <u>1</u>: No evidence that the project is guided by human rights. Limited or no evidence that potential adverse impacts on enjoyment of human rights were considered. <p>*Note: Management action or strong management justification must be given for a score of 1</p>	3	2
	2	
	Evidence Page 4-5	
<p>8. Does the project use gender analysis in the project design?</p> <ul style="list-style-type: none"> • <u>3</u>: A participatory gender analysis has been conducted and results from this gender analysis inform the development challenge, strategy and expected results sections of the project document. Outputs and indicators of the results framework include explicit references to gender equality, and specific indicators measure and monitor results to ensure women are fully benefitting from the project. (<i>all must be true</i>) • <u>2</u>: A basic gender analysis has been carried out and results from this analysis are scattered (i.e., fragmented and not consistent) across the development challenge and strategy sections of the project document. The results framework may include some gender sensitive outputs and/or activities but gender inequalities are not consistently integrated across each output. (<i>all must be true</i>) • <u>1</u>: The project design may or may not mention information and/or data on the differential impact of the project's development situation on gender relations, women and men, but the gender inequalities have not been clearly identified and reflected in the project document. <p>*Note: Management Action or strong management justification must be given for a score of 1</p>	3	2
	2	
	Evidence Refer page 2	
<p>9. Did the project support the resilience and sustainability of societies and/or ecosystems?</p> <ul style="list-style-type: none"> • <u>3</u>: Credible evidence that the project addresses sustainability and resilience dimensions of development challenges, which are integrated in the project strategy and design. The project reflects the interconnections between the social, economic and environmental dimensions of sustainable development. Relevant 	3	2
	2	
	Evidence Refer annex 2 (SESP)	

<p>shocks, hazards and adverse social and environmental impacts have been identified and rigorously assessed with appropriate management and mitigation measures incorporated into project design and budget. <i>(all must be true)</i>.</p> <ul style="list-style-type: none"> • <u>2</u>: The project design integrates sustainability and resilience dimensions of development challenges. Relevant shocks, hazards and adverse social and environmental impacts have been identified and assessed, and relevant management and mitigation measures incorporated into project design and budget. <i>(both must be true)</i> • <u>1</u>: Sustainability and resilience dimensions and impacts were not adequately considered. <p>*Note: Management action or strong management justification must be given for a score of 1</p>		
<p>10. Has the Social and Environmental Screening Procedure (SESP) been conducted to identify potential social and environmental impacts and risks? The SESP is not required for projects in which UNDP is Administrative Agent only and/or projects comprised solely of reports, coordination of events, trainings, workshops, meetings, conferences and/or communication materials and information dissemination. [if yes, upload the completed checklist. If SESP is not required, provide the reason for the exemption in the evidence section.]</p>	Yes	No
	SESP may be relevant and applicable in year 2 of implementation	
MANAGEMENT & MONITORING		
<p>11. Does the project have a strong results framework?</p> <ul style="list-style-type: none"> • <u>3</u>: The project's selection of outputs and activities are at an appropriate level. Outputs are accompanied by SMART, results-oriented indicators that measure the key expected development changes, each with credible data sources and populated baselines and targets, including gender sensitive, target group focused, sex-disaggregated indicators where appropriate. <i>(all must be true)</i> • <u>2</u>: The project's selection of outputs and activities are at an appropriate level. Outputs are accompanied by SMART, results-oriented indicators, but baselines, targets and data sources may not yet be fully specified. Some use of target group focused, sex-disaggregated indicators, as appropriate. <i>(all must be true)</i> • <u>1</u>: The project's selection of outputs and activities are not at an appropriate level; outputs are not accompanied by SMART, results-oriented indicators that measure the expected change and have not been populated with baselines and targets; data sources are not specified, and/or no gender sensitive, sex-disaggregation of indicators. <i>(if any is true)</i> <p>*Note: Management Action or strong management justification must be given for a score of 1</p>	3	2
	3	
	Evidence Refer pages 8-10 & 16-17	
<p>12. Is the project's governance mechanism clearly defined in the project document, including composition of the project board?</p> <ul style="list-style-type: none"> • <u>3</u>: The project's governance mechanism is fully defined. Individuals have been specified for each position in the governance mechanism (especially all members of the project board.) Project Board members have agreed on their roles and responsibilities as specified in the terms of reference. The ToR of the project board has been attached to the project document. <i>(all must be true)</i>. • <u>2</u>: The project's governance mechanism is defined; specific institutions are noted as holding key governance roles, but individuals may not have been specified yet. The project document lists the most important responsibilities of the project board, project director/manager and quality assurance roles. <i>(all must be true)</i> • <u>1</u>: The project's governance mechanism is loosely defined in the project document, only mentioning key roles that will need to be filled at a later date. No 	3	2
	3	
	Evidence Refer pages 11, 14, annex 5	

<p>information on the responsibilities of key positions in the governance mechanism is provided.</p> <p>*Note: Management Action or strong management justification must be given for a score of 1</p>		
<p>13. Have the project risks been identified with clear plans stated to manage and mitigate each risk?</p> <ul style="list-style-type: none"> • <u>3</u>: Project risks related to the achievement of results are fully described in the project risk log, based on comprehensive analysis drawing on the programme’s theory of change, Social and Environmental Standards and screening, situation analysis, capacity assessments and other analysis such as funding potential and reputational risk. Risks have been identified through a consultative process with key internal and external stakeholders. Clear and complete plan in place to manage and mitigate each risk, reflected in project budgeting and monitoring plans. (<i>both must be true</i>) • <u>2</u>: Project risks related to the achievement of results are identified in the initial project risk log based on a minimum level of analysis and consultation, with mitigation measures identified for each risk. • <u>1</u>: Some risks may be identified in the initial project risk log, but no evidence of consultation or analysis and no clear risk mitigation measures identified. This option is also selected if risks are not clearly identified and/or no initial risk log is included with the project document. <p>*Note: Management Action must be taken for a score of 1</p>	3	2
	2	
	<p>Evidence</p> <p>Refer pages annex 3</p>	
EFFICIENT		
<p>14. Have specific measures for ensuring cost-efficient use of resources been explicitly mentioned as part of the project design? This can include, for example: i) using the theory of change analysis to explore different options of achieving the maximum results with the resources available; ii) using a portfolio management approach to improve cost effectiveness through synergies with other interventions; iii) through joint operations (e.g., monitoring or procurement) with other partners; iv) sharing resources or coordinating delivery with other projects, v) using innovative approaches and technologies to reduce the cost of service delivery or other types of interventions.</p> <p>(Note: Evidence of at least one measure must be provided to answer yes for this question)</p>	<p>Yes (3)</p> <p>Refer page 26</p>	<p>4 e (1)</p>
<p>15. Is the budget justified and supported with valid estimates?</p> <ul style="list-style-type: none"> • <u>3</u>: The project’s budget is at the activity level with funding sources, and is specified for the duration of the project period in a multi-year budget. Realistic resource mobilisation plans are in place to fill unfunded components. Costs are supported with valid estimates using benchmarks from similar projects or activities. Cost implications from inflation and foreign exchange exposure have been estimated and incorporated in the budget. Adequate costs for monitoring, evaluation, communications and security have been incorporated. • <u>2</u>: The project’s budget is at the activity level with funding sources, when possible, and is specified for the duration of the project in a multi-year budget, but no funding plan is in place. Costs are supported with valid estimates based on prevailing rates. • <u>1</u>: The project’s budget is not specified at the activity level, and/or may not be captured in a multi-year budget. 	3	2
	3	
	<p>Evidence</p> <p>Refer pages 21 – 29</p>	
<p>16. Is the Country Office/Regional Hub/Global Project fully recovering the costs involved with project implementation?</p>	3	2
	3	

<ul style="list-style-type: none"> • <u>3</u>: The budget fully covers all project costs that are attributable to the project, including programme management and development effectiveness services related to strategic country programme planning, quality assurance, pipeline development, policy advocacy services, finance, procurement, human resources, administration, issuance of contracts, security, travel, assets, general services, information and communications based on full costing in accordance with prevailing UNDP policies (i.e., UPL, LPL.) • <u>2</u>: The budget covers significant project costs that are attributable to the project based on prevailing UNDP policies (i.e., UPL, LPL) as relevant. • <u>1</u>: The budget does not adequately cover project costs that are attributable to the project, and UNDP is cross-subsidizing the project. • *Note: Management Action must be given for a score of 1. The budget must be revised to fully reflect the costs of implementation before the project commences. 	<p>Evidence</p> <p>Refer pages 21-29</p>	
EFFECTIVE		
<p>17. Have targeted groups been engaged in the design of the project?</p> <ul style="list-style-type: none"> • <u>3</u>: Credible evidence that all targeted groups, prioritising discriminated and marginalized populations that will be involved in or affected by the project, have been actively engaged in the design of the project. The project has an explicit strategy to identify, engage and ensure the meaningful participation of target groups as stakeholders throughout the project, including through monitoring and decision-making (e.g., representation on the project board, inclusion in samples for evaluations, etc.) • <u>2</u>: Some evidence that key targeted groups have been consulted in the design of the project. • <u>1</u>: No evidence of engagement with targeted groups during project design. 	3	2
	3	
	<p>Evidence</p> <p>The design of the project was informed by the findings of the A2J survey study, which involves Solomon islanders from all provinces, and specific target/focus groups, such as women, PLWD, remandees etc</p>	
<p>18. Does the project plan for adaptation and course correction if regular monitoring activities, evaluation, and lesson learned demonstrate there are better approaches to achieve the intended results and/or circumstances change during implementation?</p>	<p>Yes (3) Refer M&E plan</p>	
<p>19. The gender marker for all project outputs are scored at GEN2 or GEN3, indicating that gender has been fully mainstreamed into all project outputs at a minimum.</p> <p>*Note: Management Action or strong management justification must be given for a score of "no"</p>	<p>Yes (GEN2)</p>	<p>N o (1)</p>
	Evidence	
SUSTAINABILITY & NATIONAL OWNERSHIP		
<p>20. Have national/regional/global partners led, or proactively engaged in, the design of the project?</p> <ul style="list-style-type: none"> • <u>3</u>: National partners (or regional/global partners for regional and global projects) have full ownership of the project and led the process of the development of the project jointly with UNDP. • <u>2</u>: The project has been developed by UNDP in close consultation with national/regional/global partners. • <u>1</u>: The project has been developed by UNDP with limited or no engagement with national partners. 	3	2
	3	
	<p>Evidence</p> <p>Pages 2, 10</p> <p>Project designed is endorsed by the A2J technical working group, that consisted of the Permanent Secretary of MJLA and members from other Justice agencies.</p>	
	3	2

<p>21. Are key institutions and systems identified, and is there a strategy for strengthening specific/ comprehensive capacities based on capacity assessments conducted?</p> <ul style="list-style-type: none"> • <u>3</u>: The project has a strategy for strengthening specific capacities of national institutions and/or actors based on a completed capacity assessment. This strategy includes an approach to regularly monitor national capacities using clear indicators and rigorous methods of data collection, and adjust the strategy to strengthen national capacities accordingly. • <u>2</u>: A capacity assessment has been completed. There are plans to develop a strategy to strengthen specific capacities of national institutions and/or actors based on the results of the capacity assessment. • <u>1</u>: Capacity assessments have not been carried out. 	<p>Evidence Refer pages 7-11 . The key project strategy is to strengthen capacity of Public Solicitor's Office</p>	
<p>22. Is there is a clear strategy embedded in the project specifying how the project will use national systems (i.e., procurement, monitoring, evaluations, etc.,) to the extent possible?</p>	<p>Project implementation is DIM</p>	<p>N o (1)</p>
<p>23. Is there a clear transition arrangement/ phase-out plan developed with key stakeholders in order to sustain or scale up results (including resource mobilisation and communications strategy)?</p>	<p>Yes (3) Refer page 13</p>	<p>N o (1)</p>

ANNEX 3. SOCIAL AND ENVIRONMENTAL SCREENING ASSESSMENT

<i>Project Information</i>	
1. Project Title	Enhancing Access to Justice in the Solomon Islands
2. Project Number	00117811
3. Location (Global/Region/Country)	Solomon Islands

Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?

Briefly describe in the space below how the Project mainstreams the human-rights based approach

The Project Design includes measures to assist the Solomon Islands Government and in particular the Public Solicitor's Office to realize and implement human rights enshrined within the Constitution and law of the Solomon Islands as well as international instruments.

The Project aims to enhance the availability, accessibility, supply and quality of access to justice for potentially marginalized individuals and groups through support to the Public Solicitor's Office. The Project supports meaningful participation and inclusion of all stakeholders (whether duty-bearers and rights holders) in processes that may impact them. It will also provide a meaningful process through which beneficiaries may raise concerns.

The Project contributes to the development of the capacities of duty bearers to meet their obligations as well as those or rights holders to claim their rights

Firstly, interventions will apply a human rights based approach to development which emphasizes the importance of empowering poor and vulnerable groups to understand their rights and choose the justice institutions that best serve their needs.⁵⁴ Inequality, discrimination and exclusion remain severe obstacles to universal human development. Poor people and marginalized groups may not be aware of their legal rights and often lack legal protection and access to mechanisms to remedy their grievances, resulting in increased vulnerability.

⁵⁴ See, eg. *Universal Declaration of Human Rights (1948)*, Arts 7, 8, 10; *International Covenant on Civil and Political Rights (1966)* Arts 14, 26; *Convention on Elimination of All Forms of Discrimination Against Women art 2(c)*; *Convention on the Rights of Persons with Disability (2007)* art. 13; *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, Guideline 14*; See also, *Johannesburg Declaration on Implementation of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (2014)*.

The human rights based approach further stresses the importance of enhancing the capacity of formal justice institutions to deliver their justice mandates to the population and a priori to develop procedures and approaches that facilitate access to formal justice institutions to vulnerable groups, particularly women and those with disabilities as well as other marginalized groups.

This human rights based approach will be implemented at all levels, from mainstreaming gender equality into recruitment all the way down to service delivery to enhancing access for those with disability.

The Project will further support the meaningful participation and inclusion of all stakeholders, in particular marginalized individuals and groups, in processes that may impact them including design, implementation and monitoring of the project through bodies such as the Materials Advisory Panel.

Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment

The human rights based approach further stresses the importance of enhancing the capacity of formal justice institutions to deliver their justice mandates to the population and a priori to develop procedures and approaches that facilitate access to formal justice institutions to vulnerable groups, particularly women and those with disabilities as well as other marginalized groups.

The project through its design of a gender sensitive and inclusive curriculum, through employing equal number of male and female paralegals and by expanding the reach of the formal justice system which is preferred by women in many cases will likely lead to improvements in gender equality and women's empowerment.

The project in its implementation will apply a meaningful participatory process for engaging women's voices as well as building upon regional and global knowledge networks on issues of gender empowerment in access to justice. Further, the project incorporates indicators relating to gender equality and recognizes the constraints on women's potential participation will not be overcome but mere access.

The Project is designed to score GEN2 on the UNDP Atlas Gender Marker i.e. gender equality is a significant objective.

Briefly describe in the space below how the Project mainstreams environmental sustainability

The project does not directly touch on the issue of environmental sustainability. However, given the nexus between lack of law and environmental degradation through logging in the Solomon Islands, an increase in rural populations' access to justice or perceived access to justice may have positive externalities on environmental sustainability within the country and increase the capacity and willingness of the government to enforce environmental laws.

Part B. Identifying and Managing Social and Environmental Risks

<p>QUESTION 2: What are the Potential Social and Environmental Risks? <i>Note: Describe briefly potential social and environmental risks identified in Attachment 1 – Risk Screening Checklist (based on any “Yes” responses). If no risks have been identified in Attachment 1 then note “No Risks Identified” and skip to Question 4 and Select “Low Risk”. Questions 5 and 6 not required for Low Risk Projects.</i></p>	<p>QUESTION 3: What is the level of significance of the potential social and environmental risks? <i>Note: Respond to Questions 4 and 5 below before proceeding to Question 6</i></p>	<p>QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?</p>	
<p>Risk Description</p>	<p>Impact and Probability (1-5)</p>	<p>Significance (Low, Moderate, High)</p>	<p>Comments</p>
<p>Risk 1: There is a risk that Provincial Paralegals and Community Legal Advocates (duty bearers) do not have the capacity to meet their obligations under the Project.</p>	<p>Impact:3 Probability:3</p>	<p>Moderate</p>	<p><i>Description of assessment and management measures as reflected in the Project design. If ESIA or SESA is required note that the assessment should consider all potential impacts and risks.</i></p> <p>A focused Social Assessment will be carried out before the roll out into communities of CLAs. This will be incorporated into the Baseline Study to be carried out within targeted communities.</p> <p>While the risks identified are classed as moderate, this is a prudent step to ensure that risks unique to particular communities are identified and mitigated to the extent possible.</p> <p>It is possible that provincial paralegals and community legal advocates do not have the capacity to perform the tasks that they will be asked to undertake by the Public Solicitor’s Office.</p> <p>While this is a moderately significant risk it can be properly mitigated in a number of ways:</p> <p>Firstly, through proper training CLAs and PPs will be able to adequately understand their roles in communities, the limits of their roles and indeed from whom to seek advice or to whom to triage issues should they arise.</p>

		<p>As this project will be overseen by the PSO with support from a significant Project staff, there is scope for support, mentoring and hands-on support in developing the capacities and confidence of all tiers of paralegals.</p> <p>Further, the level of responsibility to be given to the various tiers of paralegals can also be expanded or reduced based upon the level of capacity.</p> <p>In any case, no paralegals will be giving legal advice. Rather their role will focus on legal information, advocacy and outreach and problem solving. The limits of their tasks will be reinforced regularly through monitoring, learning and evaluation processes developed in a collaborative and inclusive manner.</p> <p>There is also a different level of risk in the different tiers of paralegals with more risk being borne by CLAs. This differential risk level will be reflected in the risk mitigation methods put forward.</p>	
Risk 3:	Y I = P =		

Risk 4:	I =					
[add additional rows as needed]	P =					
QUESTION 4: What is the overall Project risk categorization?						
Select one (see <u>SESP</u> for guidance)						
Low Risk						
<u>Moderate Risk</u> X						
High Risk						
QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?						
Check all that apply						
<i>Principle 1: Human Rights</i>						
<i>Principle 2: Gender Equality and Women's Empowerment</i>						
1. <i>Biodiversity Conservation and Natural Resource Management</i>						
2. <i>Climate Change Mitigation and Adaptation</i>						
3. <i>Community Health, Safety and Working Conditions</i>						
4. <i>Cultural Heritage</i>						
5. <i>Displacement and Resettlement</i>						
6. <i>Indigenous Peoples</i>						
7. <i>Pollution Prevention and Resource Efficiency</i>						
Comments						
This Project is deemed to present Moderate risks. It includes activities with potential adverse social and environmental risks and impacts, that are limited in scale, can be identified with a reasonable degree of certainty, and can be addressed through application of standard best practice, mitigation measures and stakeholder engagement during Project implementation.						
Comments						

Final Sign Off

	Signature	Date	Description
QA Assessor		24/06/2019	Jane Waetara, Team Leader (Effective Governance)
QA Approver		30/08/2019	Mr. Berdi Berdiyev UNDP Country Manager Solomon Islands
PAC Chair		4/07/19	Barbel Riti Ziku UNDP RBM Communications Analyst

SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental Risks		
Principles 1: Human Rights		Answer (Yes/No)
1.	Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	N
2.	Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups? ⁵⁵	N
3.	Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?	N
4.	Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?	N
5.	Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?	Y
6.	Is there a risk that rights-holders do not have the capacity to claim their rights?	N
7.	Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process?	N
8.	Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?	Y
Principle 2: Gender Equality and Women's Empowerment		
1.	Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?	N
2.	Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	N
3.	Have women's groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?	N
4.	Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services? <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i>	N
Principle 3: Environmental Sustainability: Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
1.1	Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	N
1.2	Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	N
1.3	Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	N

1.4	Would Project activities pose risks to endangered species?	N
1.5	Would the Project pose a risk of introducing invasive alien species?	N
1.6	Does the Project involve harvesting of natural forests, plantation development, or reforestation?	N
1.7	Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	N
1.8	Does the Project involve significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	N
1.9	Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	N
1.10	Would the Project generate potential adverse transboundary or global environmental concerns?	N
1.11	Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area? <i>For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.</i>	N
Standard 2: Climate Change Mitigation and Adaptation		N
2.1	Will the proposed Project result in significant ⁵⁶ greenhouse gas emissions or may exacerbate climate change?	N
2.2	Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	N
2.3	Is the proposed Project likely to directly or indirectly increase social and environmental vulnerability to climate change now or in the future (also known as maladaptive practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	N
Standard 3: Community Health, Safety and Working Conditions		
3.1	Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?	N
3.2	Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	N
3.3	Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?	N
3.4	Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)	N
3.5	Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?	N
3.6	Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?	N
3.7	Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?	N
3.8	Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?	N
3.9	Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)?	N

⁵⁶ In regards to CO₂, 'significant emissions' corresponds generally to more than 25,000 tons per year (from both direct and indirect sources). [The Guidance Note on Climate Change Mitigation and Adaptation provides additional information on GHG emissions.]

Standard 4: Cultural Heritage		
4.1	Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	N
4.2	Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?	N
Standard 5: Displacement and Resettlement		
5.1	Would the Project potentially involve temporary or permanent and full or partial physical displacement?	N
5.2	Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	N
5.3	Is there a risk that the Project would lead to forced evictions? ⁵⁷	N
5.4	Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	N
Standard 6: Indigenous Peoples		
6.1	Are indigenous peoples present in the Project area (including Project area of influence)?	N
6.2	Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	N
6.3	Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)? <i>If the answer to the screening question 6.3 is “yes” the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.</i>	N
6.4	Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	N
6.5	Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	N
6.6	Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	N
6.7	Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	N
6.8	Would the Project potentially affect the physical and cultural survival of indigenous peoples?	N
6.9	Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	N
Standard 7: Pollution Prevention and Resource Efficiency		
7.1	Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	N
7.2	Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)?	N
7.3	Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs?	N

	<i>For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol</i>	
7.4	Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	N
7.5	Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	N

ANNEX 4: PROJECT RISK ANALYSIS

#	Description	Risk Category	Impact & Likelihood = Risk Level	Risk Treatment / Management Measures	Risk Owner
1.	Organizational and political environment impacts on project implementation through events such as change of government or leadership change in key Justice Sector partners	Political Organizational	A change in political leadership of key agencies and Ministries at the Minister or Permanent Secretary level may alter the level of buy-in for the project. Likelihood 2 Impact 3 Risk Level: Moderate	The design of the project specifically creates space for dialogue, enhanced partnership and flexibility in terms of partnership models at both a HQ and Provincial level.	UNDP

2	Public Solicitor's Office not able to cope with increased demand for services, that in part are a result of paralegals and project awareness raising activities which may reflect poorly on stakeholders and Project credibility	Organizational	Likelihood 2 Impact 2 Risk Level: Moderate	Project activities will be designed to support efficiency and effectiveness of Public Solicitor's Office including strategic direction, planning and more efficient case management through the use of paralegals. The Project will also strengthen existing referral and service delivery mechanisms and coordination.	UNDP/PSO
3	Limited buy-in from Justice Sector partners	Political	Likelihood 3 Impact 2 Risk Level: Moderate	Given the flexible approach and role of Provincial Paralegals initial work can commence where the strongest partnerships exist. The Project will build on the strength of existing partnerships with the PSO as well as broader work that UNDP has undertaken with the Justice Sector and civil society more generally.	UNDP/PSO
4	Provincial Paralegals lack capacity to enhance access to justice in Solomon Islands	Operational	Likelihood 2 Impact 2 Risk Level: Low	Provincial paralegals will be given ample opportunities for training both in a theoretical and technical sense. There will be oversight from a Project level as well as through the PSO. The Human Resourcing Strategy will also seek to identify the class of individuals uniquely suited to this role maximizing the opportunity of a successful roll out. In terms of the ability for paralegalism to increase access to justice, the priority area for intervention will be agreed amongst stakeholders through the inception period.	UNDP

5	Difficult in reporting from paralegals	Operational	Likelihood: 3 Impact: 3 Risk Level Moderate	<p>A substantive reporting framework will be developed for the provincial paralegals under AR 1.2. This will seek to build upon and indeed strengthen existing in-house systems for reporting such as JIMS while also creating project data from which decision making can be made.</p> <p>Innovative approaches such as those taking by the WB's Community Liaison Officers will be closely looked at and considered.</p> <p>The Solomon Islands Government ICTSU will be consulted to ensure that wherever possible SIG standards, guidelines and frameworks are followed.</p>	UNDP/PSO
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6	Duplication in PSO reporting mechanisms	Operational Organizational	Likelihood: 3 Impact: 3 Risk Level Moderate	A substantive reporting framework will be developed for the provincial paralegals under AR 1.2. This will seek to build upon and indeed strengthen existing in-house systems for reporting such as JIMS while also creating project data from which decision making can be made. As with the inception phase of the project as a whole a collaborative, partnership centered approach will be taken seeking to strengthen existing mechanisms.	UNDP/PSO
7	Paralegals model is unsustainable	Operational Political Strategic	Likelihood: 3 Impact: 4 Risk Level: Substantial	A Sustainability Plan has been developed and agreed to by government. This incorporates a phased approach to incorporating the costs of provincial paralegals into SIG budgeting purposes. This work is detailed further in the Sustainability Plan annexed to this Project Document	UNDP/SIG
8	Project funds not fully mobilized of expended	Financial Operational	Likelihood: 2 Impact: 2 Risk Impact: Moderate	Application of monitoring and evaluation processes combined with Project Board oversight and monitoring	UNDP

9	There is difficulty in mainstreaming gender and disability into the work of paralegals	Social and Environmental Political Strategic	Likelihood 3 Impact: 3 Risk Impact: Substantial	<p>The aim of the project is to expand access to justice to more people, particularly to vulnerable groups. If gender equality and inclusion is not mainstreamed into all project work then the work of the project will be undermined and not achieve its aims.</p> <p>The Project will work closely with the UNDP Disability Inclusion Access to Justice Officer, civil society actors as well SIJP stakeholders on implementing lessons learned through the GESI Audit process.</p> <p>Lessons learned from World Bank and RRRT programming will also be harnessed in the inception phase by including these partners on Panels and seeking their wisdom.</p>	UNDP
10	There are difficulties in managing a large number of contracts	Organizational	Likelihood: 2 Impact: 2 Risk Impact: Moderate	<p>While the number of contracts is not enormous by UNDP standards, without proper planning and monitoring this may cause undue delays that undermine project progress.</p> <p>Given the moderate risk a Human Resourcing Strategy will be developed that addresses issues around timelines, procurement, contracting payment and any other miscellaneous issues that may arise.</p>	UNDP

11	<p>Busy PSO staff will not be able to make the most of paralegals</p>	Strategic Operational	<p>Likelihood: 2 Impact: 2</p> <p>Risk Impact: Moderate</p>	<p>The project aims to increase the capacity of paralegals as force-multipliers to the legal work of PSO lawyers. However, for this to be effective PSO lawyers must also be trained and empowered to properly engage with provincial paralegals and CLAs as these programs are rolled out.</p> <p>ARs 1.3.3 and 2.3.3 respectively aims to train relevant PSO staff on how best to make the most of the efficiency and outreach gains that can be made through the use of paralegals.</p>	UNDP/PSO
12	<p>There are competing visions for paralegalism testing partnership strength</p>	Strategic Organizational Operational	<p>Likelihood: 3 Impact: 2</p> <p>Risk Impact: Moderate</p>	<p>By design, the project provides some room to maneuver in terms of the exact subject matter and task focus of paralegals of both streams.</p> <p>It creates in its inception phase room for dialogue and partnership building and ultimately consensus building. While this may risk competing visions emerging, this in the long term is more likely to result in a locally suitable nationally owned model emerging.</p> <p>Any discrepancy or disagreement can be dealt with, as need by first at a Project level and if need be at a Project Board level.</p>	UNDP
13	<p>Community members are confused with other paralegals-like projects</p>	Operational	<p>Likelihood: 2 Impact: 2</p> <p>Risk Impact: Moderate</p>	<p>The Outreach and Communications Implementation Strategy will be part of a collaborative approach that will build on and support rather than duplicate existing work.</p> <p>Communities will be chosen with the existence of other programming kept in mind.</p>	UNDP/PSO

14	There are complaints or liability issues on information given from the public and/or partners. PPs or CLAs overstep their bounds and provide legal advice.	Regulatory Strategic Social and Environmental	Likelihood: 3 Risk: 4 Risk Impact: Substantial	<p>At the inception stage a Draft Complaints Procedure will be developed and reviewed by a cross-section of the justice sector and development partners represented on the Materials Advisory Panel. A similar approach will be adopted regarding the CLAs.</p> <p>Open dialogue and feedback mechanisms will also be established between individual agencies to ensure that any issues that may emerge and addressed quickly and in an effective manner and brought to the Project and Project Board's attention as necessary.</p> <p>Training will emphasize the role of paralegals within the justice system and the serious consequences to be faced for those who step outside these bounds.</p>	UNDP/PSO
15	Paralegals are not safe to work	Safety and Security Political Social and Environmental	Likelihood: 2 Risk: 4 Risk Impact: Moderate	<p>This will further be emphasized through the training of PSO lawyers and other officials across the justice sector.</p> <p>Paralegals, particularly those posted in remote communities may be placed in dangerous settings. This risk will be addressed in the training given to all streams of paralegals addressing personal safety.</p> <p>The Project Team will continue to monitor any issues that may arise.</p>	UNDP/PSO

16	Donor does not fund the full five years	Political Financial	Likelihood: 3 Risk: 4 Risk Impact Significant	<p>The Donor is well aware that interventions in this space need to be long-term in nature. An initial funding period of 2 years has been confirmed with a new Phase of Justice Sector Funding to commence in July 2021.</p> <p>UNDP will implement the sustainability plan and provide data and results information through an Independent Mid-Term Review that provide evidence upon which to justify continued support.</p>	UNDP/MJLA/PSO
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ANNEX 5: CAPACITY ASSESSMENT

HACT Micro assessment report for the Implementing Partner (Ministry of Justice and Legal Affairs) was done in August 2019. Summary result below indicates a moderate risk overall.

In summary, we conclude that the overall assessment of the Implementing Partner's programme, financial and operations management policies, procedures, systems and internal controls with regard to cash transfers is Moderate.

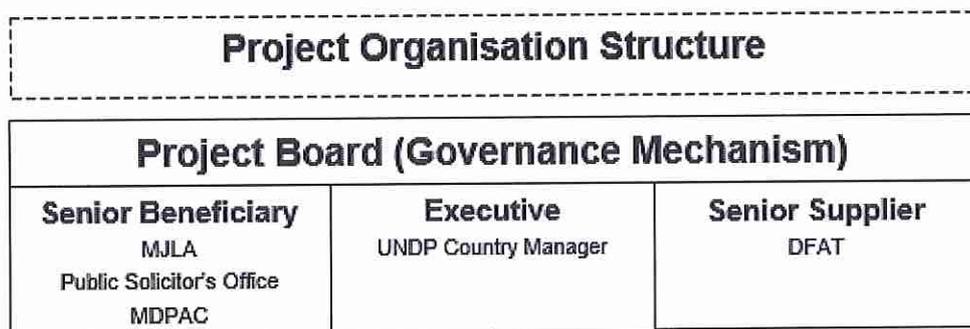
The current processes and procedures can be improved further. The issues identified are areas for improvement that we believe should be addressed.

We believe that it is important for the IP to understand the impact of their work on managing overall risk.

The issues highlighted warrant timely action and will remain a risk to the IP until they are addressed.

The table below summarizes the results and main internal control gaps found during application of the HACT micro-assessment questionnaire (in Annex Vi). Detailed key findings and recommendations are set out in Section 3 below.

Tested subject area	Risk assessment	Brief justification for rating
1. Implementing partner	High	Finding No. 1, No. 2 & No. 3
2. Programme management	Significant	Finding No. 4
3. Organizational structure and staffing	Moderate	Finding No. 5
4. Accounting policies and procedures	Moderate	Finding No. 6, No. 7 & No. 11
5. Fixed assets and inventory	High	Finding No. 8
6. Financial reporting and monitoring	Significant	Finding No. 2
7. Procurement	Moderate	Finding No. 2, No. 5, No. 9 & No. 10
Overall Risk Assessment	Moderate	



Overall responsibilities: The Project Board is the group responsible for making by consensus management decisions for a project when guidance is required by the Project Manager, including recommendation for UNDP/Implementing Partner approval of project plans and revisions. In order to ensure UNDP’s ultimate accountability, Project Board decisions should be made in accordance to standards that shall ensure best value to money, fairness, integrity transparency and effective international competition. In case a consensus cannot be reached, final decision shall rest with the UNDP Programme Manager. Project reviews by this group are made at designated decision points during the running of a project, or as necessary when raised by the Project Manager. This group is consulted by the Project Manager for decisions when PM tolerances (normally in terms of time and budget) have been exceeded.

Based on the approved annual work plan (AWP), the Project Board may review and approve project quarterly plans when required and authorizes any major deviation from these agreed quarterly plans. It is the authority that signs off the completion of each quarterly plan as well as authorizes the start of the next quarterly plan. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems between the project and external bodies. In addition, it approves the appointment and responsibilities of the Project Manager and any delegation of its Project Assurance responsibilities.

Composition and organization: This group contains three roles, including:

- 1) An Executive: individual representing the project ownership to chair the group.
- 2) Senior Supplier: individual or group representing the interests of the parties concerned which provide funding and/or technical expertise to the project. The Senior Supplier’s primary function within the Board is to provide guidance regarding the technical feasibility of the project.
- 3) Senior Beneficiary: individual or group of individuals representing the interests of those who will ultimately benefit from the project. The Senior Beneficiary’s primary function within the Board is to ensure the realization of project results from the perspective of project beneficiaries

Potential members of the Project Board are reviewed and recommended for approval during the LPAC meeting. For example, the Executive role can be held by a representative from the Government Cooperating Agency or UNDP, the Senior Supplier role is held by a representative of the Implementing Partner and/or UNDP, and the Senior Beneficiary role is held by a representative of the government or civil society. Representative of other stakeholders can be included in the Board as appropriate.

Executive

The Executive is ultimately responsible for the project, supported by the Senior Beneficiary and Senior Supplier. The Executive’s role is to ensure that the project is focused throughout its life cycle on achieving its objectives and delivering outputs that will contribute to higher level outcomes. The Executive has to ensure

that the project gives value for money, ensuring a cost-conscious approach to the project, balancing the demands of beneficiary and supplier.

The Executive is responsible for overall assurance of the project as described below. If the project warrants it, the Executive may delegate some responsibility for the project assurance functions.

Senior Beneficiary

The Senior Beneficiary is responsible for validating the needs and for monitoring that the solution will meet those needs within the constraints of the project. The role represents the interests of all those who will benefit from the project, or those for whom the deliverables resulting from activities will achieve specific output targets. The Senior Beneficiary role monitors progress against targets and quality criteria. This role may require more than one person to cover all the beneficiary interests. For the sake of effectiveness the role should not be split between too many people.

Senior Supplier

The Senior Supplier represents the interests of the parties which provide funding and/or technical expertise to the project (designing, developing, facilitating, procuring, implementing). The Senior Supplier's primary function within the Board is to provide guidance regarding the technical feasibility of the project. The Senior Supplier role must have the authority to commit or acquire supplier resources required. If necessary, more than one person may be required for this role. Typically, the implementing partner, UNDP and/or donor(s) would be represented under this role.

Project Manager Terms of Reference

I. Position Information	
Job Title: Access to Justice Programme Specialist	Grade Level: P3
Position Number: 25176	Duty Station: Honiara, Solomon Islands
Department: UNDP	Family Duty Station as of Date of Issuance: Yes
Reports to: UNDP Country Manager, Solomon Islands	Date of Issuance: TBC
Direct Reports: Team Leader Effective Governance	Closing Date: 19/09/2019
Position Status: Non-Rotational	Duration and Type of Assignment: More than a year; Fixed Term Appointment
Job Family: Yes	

II. JOB PURPOSE AND ORGANIZATIONAL CONTEXT

The Solomon Islands Justice Sector Strategic Framework (2014-2020) identifies Access to Justice Services as a Key Priority Area for the Sector. This priority area commits the Solomon Island's Government to "ensuring that the wider Solomon Islands communities, including the rural population are able to access justice services. With this overarching goal in mind, an Access to Justice Technical Working Group ('A2J TWG') was established in 2018 to *inter alia* "assist in developing project interventions aimed at promoting enhanced access to justice".

The first step in developing project interventions led by the A2J TWG involved the development of a Report, "*Mapping of Justice Sector Service Provision in the Solomon Islands*"⁵⁸ which set out in detail all existing justice sector service providers across the Solomon Islands. These included government, non-government and faith-based initiatives across all provinces with a particular focus on the access of women to core justice services acknowledging the unique challenges faced by women in accessing

⁵⁸ Full Report available at: www.pacific.undp.org/content/pacific/en/home/library/eg/a-mapping-of-justice-sector-service-provision-in-soi.html

justice. The Mapping Report recommended dedicated research to inform its proposed reforms which included the strengthening and expansion of referral networks for legal information and the development of a sustainable system of paralegal services in rural and remote areas.⁵⁹

This led to the commissioning of the *Comprehensive Access to Justice Study* which was designed, developed and implemented through the A2J TWG. The Study carried out a wide scale Perceptions Survey and institutional and costing analysis, setting out to provide a coherent evidence base to guide access to justice interventions for both government and development partners. The results of the Study which interviewed 2633 Solomon Islanders form a strong evidence base upon which to undertake programming in this space.

Enhancing Access to Justice in the Solomon Islands Through Paralegalism consists of three mutually enforcing components. First, the need to provide access to justice to communities that due to government resource constraints, remoteness or the cost of transport are not served by the formal justice system. Second, the need to enhance the reach, depth, service delivery and effectiveness of the lawyers of the Public Solicitor's Office, the key demand side justice institution in the Solomon Islands. Finally, a prerequisite to meeting the above is the need to have strong sustainable direction at the Public Solicitor's Office into the medium term.

The interventions undertaken under this Project will focus on addressing access, awareness and cost, noting that the cost to individuals and institutions is deeply intertwined with challenges around both access and awareness.

The project will achieve the desired change through a multi-tiered paralegalism as recommended through the substantial research base undertaken in this space.

Provincial Paralegals will work within the institutions of the justice system housed in the Public Solicitor's Office. They will perform functions, as agreed with partners that do not require a solicitor, including a significant legal information, outreach and referral components. Importantly, once trained to a sufficient level they will be permanently based in PSO offices outside of Honiara serving those Provinces and surrounding communities.

A second tier of paralegalism will be trialled as part of the tiered strategy. Community Legal Advocates, will be based within communities providing a PSO presence to areas that previously had little access to the formal justice system. Working closely with Provincial Paralegals, the PSO, civil society and other relevant provincial level stakeholders they will undertake outreach, education and advocacy activities based on the needs identified in communities, existing materials from across the Justice Sector and from the broader research base that now exists.⁶⁰ They will also act as a link to the formal justice sector, provide legal information, mediation and problem solving solutions based on the identified needs of the targeted communities.

The Programme Specialist will work closely with the Public Solicitor's office to manage the vision, direction, scale and implementation of the Project.

⁵⁹ Ibid.

⁶⁰ See eg MJLA-UNDP *Comprehensive Access to Justice Study*; See also CGGM and RRRRT *Project Knowledge Products*.

Under the overall guidance of the UNDP Country Manager of the UNDP Office in the Solomon Islands, the Access to Justice Programme Specialist will lead implementation of activities related to the roll out of paralegalism within the Public Solicitor's Office. This will involve supporting enhanced coordination within the sector, overseeing the development of a curriculum, training of paralegals and practitioners and overseeing the successful roll out monitoring and evaluation of the paralegals into provincial offices. The Specialist will also assist in the design, roll out, monitoring, evaluation and review of community level paralegalism.

III. DUTIES AND RESPONSIBILITIES

In this section list the primary responsibilities of the position (Typically five). As needed add additional context below the responsibilities. Tip: Focus on what the job entails not how to do the job.

- Provide leadership, strategic guidance, technical advisory and capacity building support to the Public Solicitor's Office on the design, initiation and roll out of the two-tiered paralegals project.
 - Provide advice, expertise, training and leadership to Project Staff, government partners on planning and implementation of all Project activities relating to Access to Justice and enhancing legal aid
 - Implement the overall strategic vision of access to justice, rule of law and human rights in line with project document
 - Manage and coordinate with regional programming that covers this area
 - Utilize existing literature, lessons learned and global best practice to inform implementation of activities
 - In collaboration with Suva based A2J/ROL colleagues provide strategic advice to UNDP Senior Management leading to strategic position of UNDP with regards to sustainable capacity development of the access to justice, rule of law and human rights portfolio and advise the UNDP Pacific Office on possible key interventions with a longer term perspective and facilitate the development of new projects in this and/or adjacent programmatic areas
 - Work in close collaboration with the broader Justice Sector through Material Advisory Panels on formulating a model of paralegalism that is locally relevant, feasible and sustainable
- Lead timely delivery of high quality programme activities in the area of access to justice and reporting
 - Oversee day-to-day implementation of activities and quality of team outputs
 - Analyze and monitor progress and advise and implement timely corrective actions as required
 - Manage the delivery of all aspects of access to justice programming including project workplans, and outputs through consultants, contractors and NGOs including developing Terms of Reference, participating in procurement, selection and hiring and overseeing quality assurance
 - Together with programme counterparts identify new areas of support and facilitate implementation of new initiatives and partnerships
 - Ensure the effective design, application and roll out of results based management tools, elaboration and implementation of coherent work plans, project and programme documents, preparation of compelling proposals and achievement of results on time and on budget
- Lead and facilitate the establishment, monitoring and evaluation of project activities and support the Public Solicitor's Office in implementation of all activities

<ul style="list-style-type: none"> ● Ensure that Monitoring and Evaluation data for Access to justice rule of law and human rights programming is delivered in a timely manner and appropriate format ● Create a culture of Results Based Management and effective M&E both within the Project as well as in the training support and roll out of paralegals ● Effectively engage with the Project Board and relevant Project oversight bodies ● Contribute to quarterly, mid-year and annual reporting and lead and facilitate all updating in ATLAS ● Lead quality contributions to Country Office Reporting, Regional and Global reporting as required from time-to-time including ROAR ● Contribute to identification of risks and issues and update relevant risk logs in Atlas ● Lead in developing donor reports on implementation, achievement of outputs and contribute to reporting on progress towards outcomes and impact ● Promote a culture of collaboration, coordination and information sharing among the UN system 	<ul style="list-style-type: none"> ● Support partnership building, synergies and knowledge sharing across the broad Solomon Islands Justice Sector as well as through South-South knowledge sharing avenues ● Maintain strong partnerships with key development partners also working in the space ensuring no duplication, synergies and value adding of programming both intra-UN (e.g. Anti-Corruption, Peacebuilding, Gender Equality programming) and with external partners, particularly with partners such as the World Bank, RRRT, DFAT's suite of programming across Justice, Disability, Gender as well as work undertaken through the Solomon Islands Police Development Program ● Develops partnerships with other agencies providing support to access to justice, rule of law and human rights across the Pacific; ● Ensures that UNDP and international best practice and lesson learning is fed into programmatic and strategic development of the access to justice, rule of law and human rights portfolio; ● Strengthens UNDP's partnerships with the international community of access to justice, rule of law and human rights development practitioners. 	<ul style="list-style-type: none"> ● Ensure strengthening of gender equality and social inclusion outcomes through all project interventions <ul style="list-style-type: none"> ● Integrate and mainstream cross-cutting issues such as gender equality, anti-corruption, peacebuilding, disability inclusion and human rights in the roll out of all access to justice programming ● Work closely with Solomon Islands based and regional partners including NGOs to mainstream gender equality, disability inclusion and an overall culture of inclusiveness into all programmatic interventions ● Pursue additional programming and resource mobilization efforts in line with the priorities set out by the Solomon Islands Government within the body of research undertaken by UNDP and others in this space ● Collaborate with Access to Justice Disability Inclusion Officer to develop additional appropriate programming in line with the body of research and lessons learned around inclusive access to justice
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IV. COMPETENCIES AND SELECTION CRITERIA	
Core	
Innovation <i>Ability to make new and useful ideas work</i>	Level 5: Creates new and relevant ideas and leads others to implement them
Leadership <i>Ability to persuade others to follow</i>	Level 5: Plans and acts transparently, actively works to remove barriers
People Management <i>Ability to improve performance and satisfaction</i>	Level 5: Models high professional standards and motivates excellence in others
Communication <i>Ability to listen, adapt, persuade and transform</i>	Level 5: Gains trust of peers, partners, clients by presenting complex concepts in practical terms to others
Delivery <i>Ability to get things done while exercising good judgement</i>	Level 5: Critically assesses value and relevance of existing policy / practice and contributes to enhanced delivery of products, services, and innovative solutions
Technical/Functional	
Justice Sector Development: <i>Justice sector development including access to justice and human rights institutions</i>	Level 5: Originate: Catalyzes new ideas, methods, and applications to pave a path for innovation and continuous improvement in professional area of expertise
Women's Access to Justice <i>Knowledge of Women's Legal Rights and Access to Justice/RoL issues and concepts and ability to apply in strategic and/or practical situations</i>	Level 5: Originate: Catalyzes new ideas, methods, and applications to pave a path for innovation and continuous improvement in professional area of expertise
Social Inclusion and Inequalities <i>Knowledge of nature and trends of multidimensional inequalities and disparities, issues of social exclusion (including issues of disability, youth and ageing) and ability to apply in strategic and/or practical situations</i>	Level 5: Originate: Catalyzes new ideas, methods, and applications to pave a path for innovation and continuous improvement in professional area of expertise
Coordination of South- South Cooperation/ Triangular Cooperation initiatives and/or partnerships	Level 5: Originate: Catalyzes new ideas, methods, and applications to pave a path for innovation and continuous improvement in professional area of expertise

<p><i>Ability to recognize and facilitate South-South South and Triangular Cooperation with ability to demonstrate clear organizational value add</i></p>	
<p>Knowledge Management <i>Ability to capture, develop, share and effectively use information and knowledge on access to justice, rule of law, human rights and adjacent disciplines</i></p>	<p>Level 5: Originate: Catalyzes new ideas, methods, and applications to pave a path for innovation and continuous improvement in professional area of expertise</p>

V. Recruitment Qualifications	
Education:	Master's degree in law, human rights, access to justice, rule of law, judicial policy, community development, development studies or a related area.
Experience:	<ul style="list-style-type: none"> i) At least 5 years designing, implementing and rolling out successful paralegal projects in a resource poor setting ii) Excellent written and oral communication skills and conflict resolution competency to manage inter-group dynamics and mediate conflicting interests of varied actors iii) Demonstrates knowledge and experience of international best practice for roll out of paralegalism <i>inter alia</i> community paralegalism iv) Possessing an established network of legal aid/ paralegals contacts within the Pacific or further afield would be highly advantageous v) Experience with setting up Monitoring and Evaluation Frameworks that are able to be implemented in rural and remote settings vi) Demonstrable experience in mainstreaming gender and disability inclusion into access to justice initiatives vii) Experience training and overseeing the training of paralegals in resource poor settings of more than a dozen paralegals viii) Demonstrated experience training legal practitioners on best practice working with paralegals and formulating Human Resourcing Strategies for paralegals in resource poor settings
Language Requirements:	<p>Proficiency in English. Working knowledge of other UN language desirable. Knowledge of a Melanesian pidgin an advantage</p>
Other:	

ANNEX 7: SUSTAINABILITY STRATEGY

Provincial Paralegals

Past experience within the Solomon Islands and around the world has shown that if proactive measures are not implemented and a culture of paralegalism is not mainstreamed across the justice sector then paralegal programmes will not be sustainable beyond the programmatic cycle.⁶¹ Hence for this programme to succeed long time it will require a staged transfer of responsibility and budget from donor sources to Solomon Island Government sources.

Under the Project 12 Provincial Paralegals will be contracted using donor funds. They will receive a training allowance subject to satisfactory performance of approximately SBD\$20,000 per year throughout the programme cycle. *The Human Resourcing Strategy* to be developed under the Project will seek to source paralegals to work in Provinces where they have family and/or strong family links.

For context, presently the Public Solicitor's Office employs its most junior Solicitors, the aptly named "Senior Legal Officers" on Level 10/11 salary level under the Public Service Unified Salary Structure with an annual salary of around SBD\$70,000. This Strategy proposes to gradually transfer the cost of paralegals to the PSO's recurrent budget under the following formula:

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
1 paralegal employed using SIG resources	3 paralegals employed using SIG resources	5 paralegals employed using SIG resources	7 paralegals employed using SIG resources	9 paralegals employed using SIG resources	12 paralegals employed using SIG resources

This phased approach will allow the Public Solicitor's Office to "try before they buy" with the most talented, committed and effective paralegals being offered a position within the office. The paralegals program may also be of interest to unemployed law graduates. With their foot in the door, an established program of training and several years of practical experience in legal practice the paralegals program will provide a pathway to a legal job for paralegals and a ready source of talent for the PSO and wider justice sector.

Within the programme period, the Project will also seek to build and harness partnerships that ensure sustainability. The Public Solicitor's Office already has strong informal partnerships with a number of tertiary institutions in the region including USP, UPNG and universities in Australia and New Zealand. The Project has allocated budget for several Partnership Building trips. Of particular interest is the possibility of aligning the PDLP qualification requirements of universities around the Pacific with the provincial and community paralegals programme.

It is proposed that this Sustainability Strategy be implemented by way of Statement of Intent between UNDP and MJLA. The signing of this would take place alongside the signing of the fully-fledged Project Document.

Community Legal Advocates

⁶¹ See, eg, Geoffrey Swenson, 'The promise and peril of paralegal aid' 106 *World Development* (2018); See also RRRP programming in this area between 1997-2012.

Unlike the Provincial Paralegals, the “Community Legal Advocates” component will consist of a “proof of concept” pilot. This tier would be rolled out in selected communities with a baseline study informing and accompanying its inception. Based on an independent evaluation and cost-benefit analysis undertaken in Year 4 of programming, MJLA, SIG, UNDP and the donor will be well placed to either roll out further, revise or fold into existing PSO activities.

ANNEX 8: ASSORTED PSO DATA (2018)

