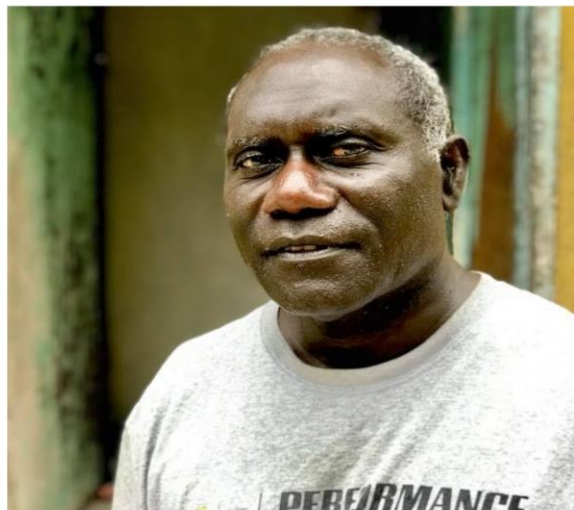


# A MAPPING OF JUSTICE SECTOR SERVICE PROVISION IN THE SOLOMON ISLANDS



November 2018



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## FOREWORD

The Ministry of Justice and Legal Affairs and UNDP jointly undertook this mapping of justice sector service provision in 2018 with a view to informing longer term planning and policy making in the justice sector. Whilst the primary intention of the mapping was to focus on how justice and police services are provided for women and girls subject to violence, the nature of the research is such that the findings are of wider relevance. The report includes a geographical mapping of formal justice and police services across the Provinces, and information on additional related services targeting women and girls affected by violence, and provided by non-government organisations.

The principal mapping exercise was undertaken by an independent researcher, Mr Charles Philpott, commissioned by UNDP during the first quarter of 2018. The researcher met with key stakeholders and travelled extensively in the Provinces. The Access to Justice Technical Working Group, convened under the leadership of the Permanent Secretary Ministry of Justice and Legal Affairs, subsequently undertook a review and validation of the data. The physical presence of key services has been represented visually on a series of maps that we hope will facilitate analysis and planning.

Also included in the report are a series of recommendations touching on research needs, strategic planning and extension of service outreach. The Access to Justice Technical Working Group is reviewing these, and where relevant working collaboratively to take them forward. We are pleased to see one of the principal recommendations moving forward as we speak in the form of a Comprehensive Access to Justice Survey to inform reforms and interventions.

In line with Sustainable Development Goal 16, which focuses on Peace, Justice and Strong Institutions, the Solomon Islands Government and UNDP remain committed to promoting equal access to justice and effective, accountable and transparent institutions at all levels. UNDP and the Solomon Islands Government look forward to a sustained partnership working in the justice sector moving forward.



Ethel Sigimanu  
Permanent Secretary  
Ministry of Justice and Legal Affairs



Azusa Kubota  
Country Manager  
UNDP Solomon Islands

# EXECUTIVE SUMMARY

## A. Context

There has been a transition in Solomon Islands over the last five years, from a focus on security, law and order, and stability, under the Regional Assistance Mission to the Solomon Islands (RAMSI), to one of protection and promotion of rights – particularly for women - systemic justice reform, and national ownership of processes. In 2014, the “Justice Sector Strategic Framework (2014-2020)” was officially endorsed. Its aim was that “all people in Solomon Islands have timely and relevant access to a robust and independent justice system, which they have confidence will support a safe and peaceful society”. Priority areas for action included **Access to Justice** and **Justice Sector and partner engagement and coordination**. A Justice Sector Coordination Committee was established to coordinate and oversee efforts in pursuit of these priorities. The same year, the *Family Protection Act* (FPA) was adopted. It introduced major innovations to extend and streamline the provision of protection to victims of Gender-Based Violence (GBV).

Impetus for the FPA came from a 2009 Secretariat of the Pacific Community (SPC) report that found that nearly 2/3 of women had experienced domestic violence; and 70% of women believed it was justified in certain circumstances. Subsequent studies, inter alia, recognized a need for: more systemic and increased support to justice service provision for women; systematic research on women’s experiences of access to justice; and a ‘mapping exercise’ to identify the location of justice and related service-providers. In turn, these recommendations led to a ‘mapping’ mission, in January 2018, of which this report is the product.

## B. Mapping Objective

The formal objective of the ‘Mapping’ was to inform Government planning for the sector, as well as the support extended by development partners, by identifying:

- The location of police stations, police posts, local courts, Magistrates’ Courts, High Courts, lawyers, paralegals, ‘authorized persons’, lawyers, Non-Governmental Organizations (NGOs), customary law courts or practitioners, and other justice service providers;
- The services they currently provide or potentially could provide;
- Their resources and resource needs: human, technical, financial, and logistical; and
- The provision of justice services, including gaps and needs, as they relate to women’s access to justice.

The Mapping was predicated upon a broader definition of ‘justice services’ and ‘justice service-provision’. That definition encompassed: **prevention** of crime or infringement of rights; the **process** followed when a crime has been committed or rights infringed; and **restorative** services that help to transform a ‘victim’ into a ‘survivor’. The effectiveness, as well as gaps and needs, of justice services and service-provision are assessed vis-à-vis their contribution to facilitating access to justice. Access to justice, in turn, can be broken down into four closely interrelated elements: (1) the **Justice Framework**; (2) people’s **Knowledge/Awareness** of legal rights and responsibilities, as well as available justice services and remedies; (3) the ability and extent of people to **Physically Access or Interact** with the justice system, including the affordability of justice services; and (4) public **Confidence in, or Perception** of the justice system, including service-providers.

The Mapping methodology was subject to a number of limitations. It focused upon **persons, rather than processes**: i.e., on the services provided, or which potentially could be provided, rather than the regulatory or procedural framework in which they are set. Similarly, it looked primarily at the quality of **justice services provided to victim/survivors, rather than to accused/perpetrators** – which was inevitable, given the emphasis on the access to justice of women. Finally, given the challenges of data collection in Solomon Islands and other constraints, the Mapping drew upon **qualitative, more than quantitative data** and, consequently, does not purport to be a comprehensive collation of data or cost-benefit analysis of justice service-provision systems.

### **C. Justice Service Providers**

The Mapping notes a number of positive developments in the legal framework for access to justice for women. These include the *Penal Code (Amendment) (Sexual Offences) Act 2016*, the *Child and Family Welfare Act 2017*, and, most importantly, the FPA. A number of other bills are in the pipeline that, along with longer term reform processes and the implementation of international obligations and standards, may improve the efficiency and consistency of the justice system, but may also require the allocation of additional resources or capacity-building. This framework is complemented by provincial ordinances and village ‘by-laws’, as well as by customary law, which may reinforce the authority of the national legislative norms at the local level, but occasionally run counter to them. Ultimately, it is practice that determines what justice services are delivered and their quality.

The formal/institutional justice service-providers – i.e., Corrections Service of Solomon Islands (CSSI), Director of Public Prosecutions (DPP), Law Reform Commission (LRC), Public Solicitor’s Office (PSO), Royal Solomon Islands Police Force (RSIPF), Bar Association, various levels of court, and customary dispute resolution mechanism – and the services they currently provide, are mapped. Details examined include their geographical coverage, main justice service-provision activities and activities specifically related to women’s access to justice, resources and staffing, and relations with other justice service-providers. The use of Justice Information Management System (JIMS) data, and the JIMS data collection system, to improve justice service-provision is also outlined.

Non-governmental organizations and projects that provide justice services - or justice-related services for victim/survivors of sexual or other GBV, such as health care, psychological or economic support or safe alternative accommodation - are also mapped. These include: the Family Support Centre, Seif Pleis, Vois Blo Mere, World Vision’s ‘Community Channels of Hope’ programme, Oxfam’s ‘Safe Families’ project, the World Bank’s ‘Community Governance & Grievance Management’ project, the Essential Services Package, SPC’s ‘Access to Justice’ project, Save the Children’s ‘Children & Youth in Conflict with the Law’ project, the Anglican and Catholic churches, including the Christian Care Centre (CCC), and SAFENET.

The study also looked at other government or quasi-government actors that provide relevant services: including, the Ministry of Health and Medical Services, and its Social Welfare Division, the Ministry of Women, Youth, Children & Family Affairs, as well as provincial Women’s Desk Officers; provincial Women’s Councils; and schools.

## D. Gaps & Needs

Based upon the mapping, the survey identified a number of gaps or needs:

1. **Justice Framework**: Principles and priorities set out in the systemic reforms, represented by the Justice Sector Strategic Framework (JSSF), need to be transformed into phased, concrete action plans and activities. Reform must be evidence-based, comprehensive, and managed, including analysis of state obligations vis-à-vis the administration of justice and provision of justice services. Without such research and analysis – such as a cost-benefit analysis - it will not be possible to identify gaps and needs in justice service-provision and allocate resources to them effectively. Constraints on the Justice Sector Coordination Committee’s (JSCC) capacity impede its ability to engage and coordinate all institutions and organizations associated with the justice sector.
2. **Knowledge & Awareness**: The training of judges and police has failed to address entrenched attitudes within these institutions. Gender-sensitization should be mainstreamed into such training. Regular debriefs of service-providers should also be conducted. There seems to be broader public understanding that domestic violence may result in prosecution, but less acceptance that it is ‘wrong’. Attitudinal change could be affected through community leaders, peer groups, or other trend-setters – not to mention those “at risk” of committing offences - in carefully targeted messages. Public legal education is not systematic. Rural and remote communities are often left out, unless they fall under one of the civil society projects. The government could make more use of both public and private media.

Given the limited resources available for legal outreach, cooperation between organizations and projects should be expanded: utilizing their respective networks and referral systems to extend the reach of each other’s services. Community leaders could also raise community awareness and change attitudes to deter GBV. In order to develop effective information and outreach services, however, it is necessary to conduct systematic research – including use of public surveys and other consultation tools – to ascertain actual gaps in public knowledge.

3. **Physical Access or Interaction**: The majority of provinces have no direct access to justice services. There is a significant variation between the services provided in each province, when they are provided, and not all services extend to all communities within each province. Justice services could and should be expanded to more provinces and communities within provinces. Moreover, there are no specialized facilities for victims or witnesses of sexual or other GBV anywhere in the country. There is a need to expand the scope of services provided: e.g., to legal information and aid with respect to land, family law or resource extraction-related issues.

Where services are provided, they are often under-resourced. There may be a lack of personnel and, in particular, qualified (‘sensitized’) personnel. Outreach services are often limited or even cancelled due to logistical problems or the unavailability of staff. Travel costs to/from remote areas can be very high. Case backlogs feed into the difficulty of keeping to a regular court/circuit schedule, or to the repeated adjournment of hearings, which makes it problematic for parties in rural or remote communities to attend. In turn, this further exacerbates the cycle of adjournments due to the unavailability of parties. Bottlenecks in the case management system need to be identified and removed.

Even then, it may not be feasible to maintain services for a small number of cases and dispersed population. A detailed cost-benefit analysis to rationalize the provision of services has not been done. A bottom-up, community-based approach – including using referral networks to maximize limited services – may be the most viable option; while a structured system of paralegals, reaching into rural and remote areas, could link into existing or planned networks. In the meantime, improving coordination between existing initiatives and referral-networks would facilitate the strengthening and scale-up or roll-out of successful initiatives. Training community leaders or representatives to provide “first response” legal information and access local referral systems could extend the reach of basic justice service-provision to the most remote communities on a low-cost basis.

4. **Confidence or Perception:** Public confidence in, or perception of, the justice system will vary: e.g., if the (potential) user has any direct experience of the system. Few people in the Solomon Islands have encountered the justice system: in many places, not even the police. This may reinforce a feeling of impunity on the part of (potential) perpetrators or, for (potential) victims, that no help will be forthcoming. This is being partially offset by outreach programmes, but there is still a widespread perception that ‘justice’ is determined by *wantok*, political connections or simple corruption. Delays in response times or legal proceedings impinge the rights both of the victim and of the accused. As the vast majority of formal justice system officials are men, this affects the perception of women, especially in GBV cases. More systematic, updated research and data is needed to assess, in detail, public perception of, and confidence in the system: e.g., in order to formulate more effective responses to improve it.

## **E. Recommendations**

Based upon the Mapping, and given the country context, the following recommendations are made:

### **Research to inform reforms and interventions**

1. Dedicated research on national and international requirements for the provision of quality justice services and administration of justice.
2. Dedicated research on the provision of justice services and administration of justice, to identify reforms to improve the efficiency and quality of the system.
3. Dedicated research on women's experience with the judicial system/access to justice.
4. Cost-benefit analysis and advocacy for the allocation of resources for justice service-provision.
5. Ascertain public awareness of legal rights and responsibilities, as well as justice service needs.

### **Strategic planning, coordination and monitoring**

6. Develop a monitoring system for the provision of justice services and administration of justice.
7. Develop an action plan to implement JSSF key priorities.
8. Strengthen and systematize stakeholder coordination in the justice sector under the JSCC.

### **Initiation of outreach services**

9. Develop a strategy for the establishment of a sustainable system of paralegal services
10. Develop a strategic, targeted or innovative public information and awareness-raising or attitude changing campaigns and corresponding use of media
11. Develop "first response" legal information and local referral systems, and related skills for first responders
12. Support other initiatives to improve and expand justice service-provision and access to justice, particularly information flow



## ACRONYMS

ACOM	Anglican Church of Melanesia
ADB	Asian Development Bank
ADR	Alternative Dispute Resolution
AJ	Authorized Justice
CCC	Christian Care Centre
CCoH	Community Channels of Hope Programme (World Vision)
CCPC	Community Crime Prevention Committee
CFWA	<i>Child and Family Welfare Act 2017</i>
CGGM	Community Governance & Grievance Management Project (World Bank)
CLAC	Customary Land Appeal Court
CO	Community Officer (CGGM)
CSO	Civil Society Organization
CSSI	Corrections Service of Solomon Islands
DFAT	Department of Foreign Affairs and Trade (Australia)
DPP	Director of Public Prosecutions
DV	Domestic Violence
ESP	Essential Services Package for Women and Girls Subject to Violence
FASO	Family Sexual Violence Unit (ODPP)
FPA	<i>Family Protection Act 2014</i>
FPAC	Family Protection Advisory Council
FPU	Family Protection Unit (PSO)
FSC	Family Support Centre
GBV	Gender-Based Violence
HC	High Court
IOM	International Organization for Migration
IPO	Interim Protection Order
JIMS	Justice Information Management System
JSCC	Justice Sector Coordination Committee
JSSF	Justice Sector Strategic Framework
JSTOG	Justice Sector Technical Operations Group
LLSU	Landowners Legal Support Unit (PSO)
LRC	Law Reform Commission
MHMS	Ministry of Health & Medical Services
MJLA	Ministry of Justice and Legal Affairs
MWYCFA	Ministry of Women, Youth, Children and Family Affairs
NCPS	National Crime Prevention Strategy
NDS	National Development Strategy (2016-2035)
NGO	Non-Governmental Organization
ODPP	Office of the Director of Public Prosecutions
PACLII	Pacific Islands Legal Information Institute
PPD	Police Prosecution Directorate (RSIPF)
PS	Permanent Secretary
PSN	Police Safety Notice
PSO	Public Solicitor's Office

RAMSI	Regional Assistance Mission to Solomon Islands
RCCC	Rove Central Correction Centre
RDP	Rural Development Project (World Bank)
RRRT	Regional Rights Resource Team
RSIPF	Royal Solomon Islands Police Force
SI	Solomon Islands
SIBA	Solomon Islands Bar Association
SIBC	Solomon Islands Broadcasting Corporation
SPC	Secretariat of the Pacific Community
STC	Save the Children
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
USP	University of the South Pacific
VBM	Vois Blo Mere
WB	World Bank
WV	World Vision

## A. CONTEXT

In 2013, RAMSI, after a decade of work to restore law and order, improve security, and prevent the reoccurrence of conflict in Solomon Islands, made the ‘transition’ into a smaller mission, focusing on strengthening the capacity of the RSIPF. By June 2017, RAMSI had withdrawn completely from the country.

At the same time, international efforts in support of domestic institutions, and processes in order to strengthen the justice sector in Solomon Islands shifted to a longer-term, more systemic and sustainable approach, not least by strengthening national ownership of the process. Led by the Government of Australia, but working in partnership or tandem with the UN system, other bilateral development partners, and international and national CSOs and CSO-networks, support was channelled to a number of initiatives to enhance the rule of law and the protection of rights in various parts of the country.

UNDP established an office in Solomon Islands in 2001. In the subsequent years, it built up a strong portfolio in peace-building and governance, including local governance. UN Women, operating out of Fiji, has maintained a project office in the Solomon Islands since 2009, focusing on CEDAW, women’s access to justice, and women’s participation in governance.

In early 2014, a “Justice Sector Strategic Framework (2014-2020)” (JSSF) was endorsed by senior national officials in the sector. It envisioned that “all people in Solomon Islands have timely and relevant access to a robust and independent justice system, which they have confidence will support a safe and peaceful society” and was closely aligned with the National Development Strategy 2016-2035, Objective 5, to strengthen a “unified nation with stable and effective governance and public order”.

The Justice Sector Strategic Framework (JSSF) identified a number of ‘key priority areas’ for action. These priority areas included:

### **Access to Justice (Priority 2)**

This priority area is focussed on ensuring that all people in the Solomon Islands irrespective of ethnicity, place of origin, place of residence, religion, age, gender or disability have access to appropriate justice service; and

### **Justice Sector and partner engagement and coordination (Priority 3)**

The focus of this priority area is to build and nurture internal and external partnerships and relationships with stakeholders in the sector.

The JSSF also established a Justice Sector Coordination Committee (JSCC)<sup>1</sup> inter alia, in order to:

- Discuss issues of common sectoral interest and maintain transparent communication lines;
- Agree upon shared strategic directions and plans of action, as appropriate;
- Consider and, if agreed, provide common support to specific proposals; and

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<sup>1</sup> The JSCC is supported by the Justice Sector Technical Operations Group (JSTOG) which conducts research and provides advice and general assistance. The JSTOG is drawn from senior administrators from all justice sector agencies.

- Provide expert advice, guidance, and direction to members on justice and related issues, including aid-related ones.

In the same year, following considerable advocacy and extensive consultation, Parliament adopted a landmark piece of legislation for the protection of women (and children) in the form of the *Family Protection Act* (FPA). The FPA introduced major innovations: such as police safety notices (PSNs), as well as interim protection orders (IPOs), which can be granted by local court justices or other ‘authorized justices’ (AJs) and can act as a temporary restraining order against the perpetrator while a formal protection order is sought in the Magistrates Court. However, the FPA only entered into force in April 2016.

Pursuant to section 49 of the FPA, a Family Protection Advisory Council (FPAC) was established in February 2016. The Ministry of Women, Youth, Children and Family Affairs (MWYCFA) chairs the FPAC and acts as a secretariat for it, including providing budgetary support. The other members are Ministry of Justice & Legal Affairs (MJLA), the Police Commissioner, Ministry of Health & Medical Services (Permanent Secretary and Social Welfare Division), Ministry of Finance and Treasury (MOFT), and a civil society representative, the Family Support Centre (FSC).

Under section 53 of the Act, the FPAC has a responsibility to prepare and submit a report of its operations in the previous year as soon as practicable after 31 December. In early 2018, it produced its first Annual Progress Report (for 2017) since commencement of the Act in 2016.

In part, impetus for the FPA came from a 2009 report by the Secretariat of the Pacific Community (SPC) “*Solomon Islands Family Health and Safety Study: A Study on Violence against Women and Children*”. The report found that nearly two-thirds (64%) of women aged 15-49, reported experiencing physical or sexual violence, or both, by an intimate partner. Of those who reported physical violence, 76% reported being subjected to severe violence. Twenty percent of women, between the ages of 15 and 49 years, reported that their first sexual experience was forced. Tellingly, 70% of women surveyed believed that a man was justified in beating his wife under a number of circumstances; including, disobedience or not completing housework ‘satisfactorily’.

The 2009 SPC report was subsequently cited extensively in UN Women’s “Seeking Redress: Challenges and Recommendations to Increase Women’s Access to Justice in Solomon Islands” report (May 2015). Amongst other recommendations, it argued for more systemic and increased support to justice service provision for women, in particular those affected by sexual or other gender-based violence (GBV), including outreach and awareness-raising, legal aid, gender-sensitization training for justice sector officials, and victim support.

As part of the design of UN 5-year planning framework (2018-2022), and in light of final phasing out of RAMSI, in August 2016, UNDP and UN Women conducted a joint-mission in Solomon Islands to assess governance programming options. The Mission report also drew heavily upon the 2009 SPC report and, *inter alia*, noted that “there is no systematic research on women’s experiences of access to justice (particularly in relation to the justice system response to violence against women).”<sup>2</sup>

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<sup>2</sup> The report also noted a dearth of research on access to justice per se in urban areas, especially in informal settlements.

Pursuant to another UNDP mission, in early 2017, Professor David McQuoid-Mason, “consultant on justice and police services for women and girls subject to violence in the Solomon Islands” prepared his report and recommendations. The consultant had been tasked with reviewing justice and police services for women and girls subject to violence in the Solomon Islands and identifying how UNDP might contribute to improve the system and fill gaps in it. One recommendation (of the 36) - recognizing that an estimated 81% of the over half million Solomon Islanders live in rural areas, spread over 28,000 km<sup>2</sup>, on 6 major and 900 smaller islands, and communicate in some 70 languages - called for a ‘mapping exercise’ to be conducted “to identify where the available police stations, police posts, local courts, magistrates courts, High Courts, lawyers, paralegals, authorized persons, lawyers, NGOs assisting victims of violence in the family etc. are located.”

In turn, this recommendation led the UNDP Country Office in Solomon Islands to organize a ‘mapping’ mission, combined with the formulation of an Initiation Plan for access to justice, in January 2018. The present ‘Mapping Survey Study’ report is a product of that mission.

## **B. MAPPING OBJECTIVE**

### **1. Formal Objective**

The formal objective of the ‘Mapping’ was to identify:

- The location of police stations, police posts, local courts, magistrates’ courts, High Courts, lawyers, paralegals, ‘authorized persons’, lawyers, NGOs, customary law courts or practitioners, and other justice service providers;
- The services they currently provide or potentially could provide;
- Their resources and resource needs: human, technical, financial, and logistical;
- The provision of justice services, including gaps and needs, as they relate to women’s access to justice.

Ultimately, the Mapping is expected to inform Government planning for the sector, as well as the support extended by development partners – and, in particular, the content and form of any UNDP support to strengthen access to justice in Solomon Islands in the near term.

### **2. Scope of Study**

The Mapping was predicated upon a broader definition of ‘justice services’ and ‘justice service-provision’. That definition encompassed:

- **Prevention:** services that prevent or reduce the occurrence or impact of crime or allowed a person to exercise/protect their rights;
- **Process:** support services in the event a crime has – or is alleged to have - been committed or rights infringed; and
- **Restoration:** services that help to transition a ‘victim’ of crime or some other infringement of rights to a ‘survivor’.

The effectiveness, as well as gaps and needs, of justice services and service-provision are assessed vis-à-vis their contribution to facilitating – or inhibiting - access to justice. Access to justice, in turn, can be divided into four main, but inter-related elements:

- **Justice Framework:** the legislation, procedures, practice and institutions (service-providers) that govern the justice system;
- **Knowledge/Awareness:** public – or sub-categories thereof, including justice-service providers – knowledge of their legal rights and responsibilities, as well as available justice sector services and services-provided, and processes and available remedies.
- **Physical Access/Interaction:** the ability and extent of people – in particular, vulnerable or marginalized persons, including rural or geographically remote residents - to access and utilize the justice system, including the actual provision and/or affordability of those services, in order to exercise or protect their rights; and
- **Confidence/Perception:** the transparency of the justice system and public – or specific categories thereof, particularly vulnerable or marginalized persons – trust in, or experience of, the justice service-providers and justice services provided.

### 3. Methodological Limitations

**Persons, not Processes:** The Mapping was focused more upon actors – i.e., service-providers and their beneficiaries – and the services provided, rather than the legal framework or formal justice sector processes and procedures per se; although the latter necessarily influence the services provided or service needs and gaps. Furthermore, specifically, the Mapping was intended to identify the provision of justice services as they related to women’s access to justice.

**Victims, not Perpetrators:** Given the focus on women’s access to justice, and the fact that relatively few women are charged with criminal offences,<sup>3</sup> the Mapping was primarily concerned with services provided for, or the service needs of, ‘victims’ (including, potential or alleged victims) and, to a lesser degree, witnesses of crime or the infringement of rights, where such witnesses are vulnerable persons in their own right. ‘Victims’, in this context, encompasses not only those affected by criminal acts, but also those whose civil or property rights are infringed or denied. Moreover, the Mapping did not examine in depth the services provided to, or service-providers for, those accused or convicted of crime,<sup>4</sup> except in the context of prevention (both *ab initio* and recurrence). As such, even the status of women or juveniles or other vulnerable persons, who are accused or convicted of a crime, is only touched upon tangentially in the present report.

**Qualitative, not Quantitative Data:** Owing to the broad objective of the Mapping, and challenges of data collection in Solomon Islands, the Mapping does not purport to collate – and still less analyse - comprehensive, or even significant volumes of, quantitative data about the sector. As such, this report does not contain precise information about: the coordinates or

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<sup>3</sup> RSIPF, “Solomon Islands Annual Crime Statistics Report 2016”: 122 women versus 3503 men.

<sup>4</sup> For example, the report does not seek to assess the issue of the very high number of persons in prison while on remand.

coverage of service-providers, or their contact details; staffing levels; budget resources; costs versus benefits; localized coordination or referral systems; patrols, circuits or other outreach or village-based services; or exact caseload statistics. Indeed, as data from JIMS becomes more complete and accessible, and given the difficulties encountered in obtaining data for this Mapping, this report makes several specific recommendations with respect to future priorities for data collection and analysis.

## **C. JUSTICE SERVICE-PROVIDERS & SERVICES PROVIDED**

### **1. Regulatory Framework**

As stated in the previous section, the Mapping is not intended as an assessment of the substantive legal framework for the provision of justice services, still less of its adherence to the constitutional requirements of Solomon Islands or international standards or best practice. Nevertheless, the law to a significant extent determines – albeit not exhaustively, if the law is severely deficient or there is a major discrepancy between the law and practice – what services should be provided to whom, demands on available personnel and resources, efficiency and effectiveness, and, thereby, what gaps or unmet demands exist in the provision of said justice services.

With respect to the focus of the Mapping, the legal framework has been strengthened in recent years, inter alia, with the adoption of the *Penal Code (Amendment) (Sexual Offences) Act 2016*,<sup>5</sup> the *Child and Family Welfare Act 2017*<sup>6</sup> (CFWA), and, most importantly, the entry into force of the FPA. The FPA expands the range of protection options – e.g., IPOs and PSNs - and number and location – i.e., the accessibility - of responsible officials in cases of domestic violence: imposing a number of new duties on the police, courts, MJLA, and MWYCFA.

Although the FPA was adopted following extensive consultation, the extent of consultation during the preparation and adoption of most other bills seems somewhat ad hoc, dependant on the sponsor. This negatively impacts upon the transparency of the process, as well as the ultimate feasibility, responsiveness, and public awareness and acceptance of legislation, if and when it is finally passed.

A number of bills in the pipeline will also impact upon the provision of justice services, if adopted, including those on:

- Tribal Lands Dispute Resolution Panels
- The Legal Profession
- Youth Justice
- Bail
- Sentencing

On the one hand, the reforms introduced by some of these bills may increase the efficiency and consistency of the justice system, reduce the drain on resources, especially in terms of courts and prison populations, reduce recidivism rates, and bring Solomon Islands' law more closely into line with international human rights standards. On the other hand, changes may require the

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<sup>5</sup> No. 3 of 2016.

<sup>6</sup> No. 3 of 2017.

commitment of additional resources: e.g., to set up facilities for juvenile offenders - or appoint or re-train responsible officials.

In addition to these specific (MJLA) legislative projects, there is a long-term Criminal Procedure Code review process being conducted by the Law Reform Commission (LRC), a National Judiciary Structural Reform process, an Alternative Dispute Resolution (ADR) Project, the JSSF, and a National Crime Prevention Strategy (NCPS). Any – or all of these – may improve the efficiency and quality of justice service provision but, at the same time, may impose additional demands upon limited government resources and capacity. Similarly, international obligations, standards, and best practice – particularly on human rights or, for example, the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems<sup>7</sup> can positively influence service-provision, but also put additional pressure on already limited resources and capacity.

In the Solomon Islands, the regulatory framework is augmented or ‘complemented’ by provincial ordinances and village ‘by-laws’, as well as by customary law. In theory, such ordinances or by-laws should be more administrative than substantive in nature. Customary law, which varies from ethnic group to ethnic group, applies mainly to family (law) matters and land rights. Provincial administrations, moreover, are engaged in a codification process with respect to customary law. This codification process should enhance public awareness of the norms and, while it risks reinforcing undesirable practices, such transparency exposes such practices to critical scrutiny. Similarly, ordinances – and, in particular, village by-laws - can provide greater clarity on the content and implementation of law, increasing knowledge and reinforcing acceptance of those norms. Conversely, as they are sometimes improperly formulated, they can give legitimacy to practices that run counter to the letter of the law: e.g., by prescribing compensation in cases of sexual or other criminal violence.

However, real-life practice – especially, the resources committed and capacity of the system to deliver justice services – can negate even the most progressive regulations and ultimately determines what justice services are actually delivered and the effectiveness and equity of them.

## **2. Population**

Population is a tool that can be used to estimate potential justice service demand. However, it is a flawed indicator. In the case of Solomon Islands, the last census was in 2009. Since then, there have been significant shifts in population patterns, which will only be precisely quantified after the next census in 2019. Census data does not necessarily reflect actual residence: many individuals will have been recorded in their home community, but may actually (unofficially) reside in a larger centre or Honiara.

Particularly in the case of unarticulated, or unsatisfied justice service demand – i.e., not reflected in complaints, other service requests or crime statistics, as is often the case with sexual or other GBV – a more detailed analysis of settlement patterns, economic activity, and other factors, not to mention field research and data collection is necessary, before any reliable correlation can be made between population and potential justice service demand.

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<sup>7</sup> Commission on Crime Prevention and Criminal Justice, UN Economic and Social Council, E/CN.15/2012/L.14/Rev.1 (25 April 2012).



Nevertheless, subject to these caveats, the population distribution in 2009 – and projected for 2017<sup>8</sup> - in the light of which the service-delivery described in the following sections may be read, was as follows:

<b>Province</b>	<b>Population (Projected)</b>	<b>Female</b>	<b>Male</b>	<b>Population as % of Total</b>
Central (CT)	26,051 (31,289)	12,790	13,261	5
Choiseul (CH)	26,372 (34,197)	12,840	13,532	5
Guadalcanal (GC)	93,613 (139,164)	45,330	48,283	18
Honiara (Capital Territory) (HN)	64,609 (84,522)	30,520	34,089	12
Isabel (IS)	26,158 (33,139)	12,830	13,328	5
Makira-Ulawa (MU)	40,419 (51,755)	19,630	20,789	8
Malaita (ML)	137, 596 (156,787)	68,364	69,232	27
Rennell & Bellona (RB)	3,041 (3,923)	1,492	1,549	1
Temotu (TM)	21,362 (24,520)	10,896	10,466	4
Western (WS)	76,649 (93,153)	36,723	39,926	15
<b>TOTAL</b>	<b>515,870 (653,248)</b>	<b>251,415</b>	<b>264,455</b>	<b>100</b>

<sup>8</sup> 'Projected population by Province', Solomon Islands National Statistics Office at <http://www.statistics.gov.sb/statistics/social-statistics/population>

### **3. Formal Justice Institutions**

With respect to the institutional framework – i.e., justice service providers – for justice service-provision and access to justice, in particular women’s access to justice, the geographical disposition and basic services provided by the traditional or formal – i.e., government or judicial - institutions in Solomon Islands is summarized in the table and maps below.

Honiara, as the capital city, is the main centre with all justice service providers present. The next largest centres are Auki in Malaita Province and Gizo in the Western Province. Kirakira in Makira-Ulawa Province and Lata in Temotu Province are circuit court centres, with PSO and corrections present but without the Department of Public Prosecutions. The police force is the only service provider with a permanent presence in all Provinces.

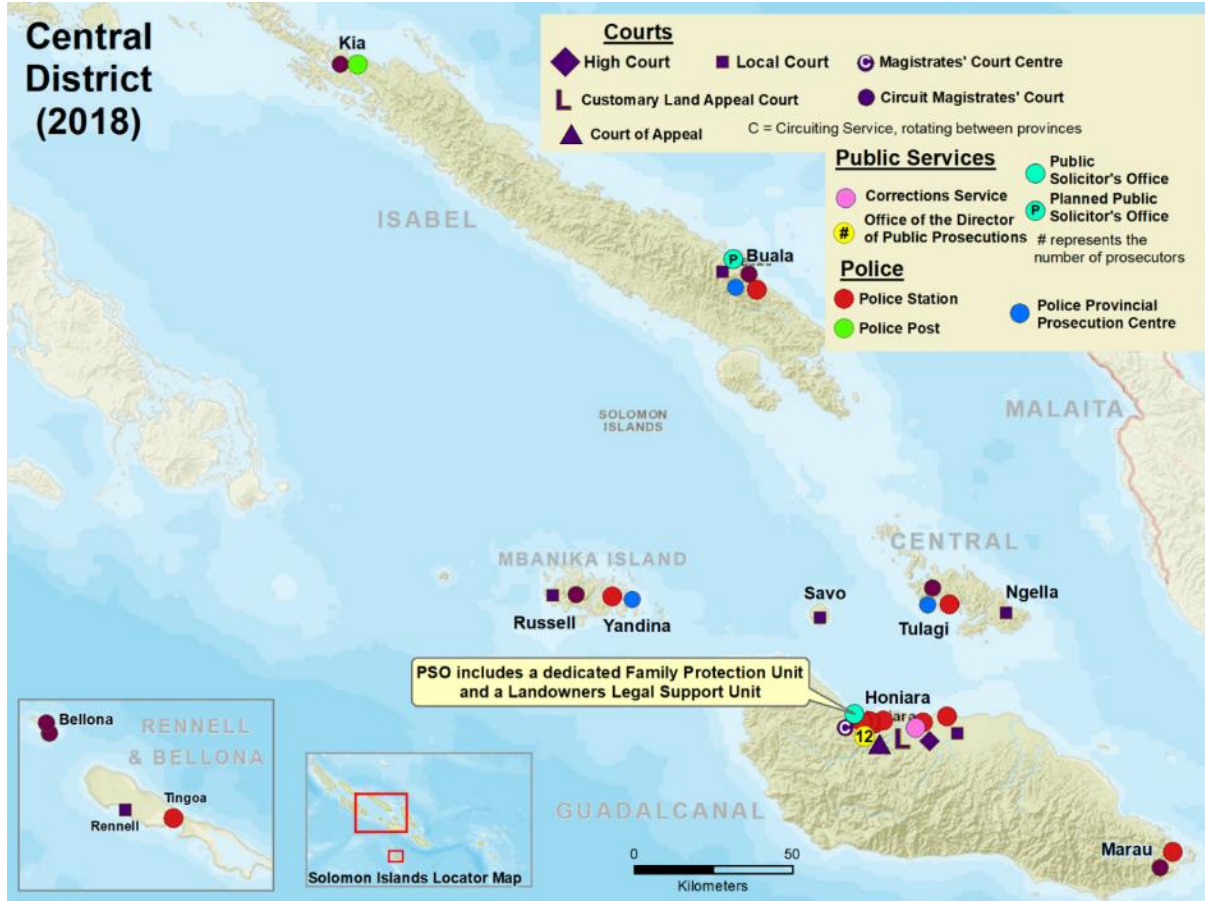
#### 4. Formal Justice Institutions Summary Table

Institution	Province									
	CT	CH	GC	HN	IS	MU	ML	RB	TM	WS
CSSI			•	•		•	•		•	•
DPP				•••			•			•
LRC				•						
PSO		Circuit		•	Planned	•	•		Planned	•
RSIPF	•	•	••	•• ••	•	•	•	•	•	•• •
SIBA				•						•
Court of Appeal				•						
High Court				•		Circuit	Circuit		Circuit	Circuit
Magistrates Court <sup>9</sup>				•		Circuit	Circuit		Circuit	Circuit
<b>Local Court</b>	3		1	1	1	2	1	1	5	4
	Savo Local Court  Ngella Local Court  Russell Local Court		Guadalcanal Local Court	Honiara Local Court	Ysabel Local Court	Makira Local Court  Ugi/Ulawa Local Court	Malaita Local Court	Rennell/Bellona	Santa Cruz Local Court  Reef Islands Local Court  Duff Island Local Court  Utupua Local Court  Vanikoro Local Court	Shortlands Local Court  Lauru Local Court  Ghorena Local Court  New Georgia Local Court

<sup>9</sup> The five districts with Magistrate's Courts also administer the Customary Lands Appeal Court (CLAC).

## 5. Maps by Region

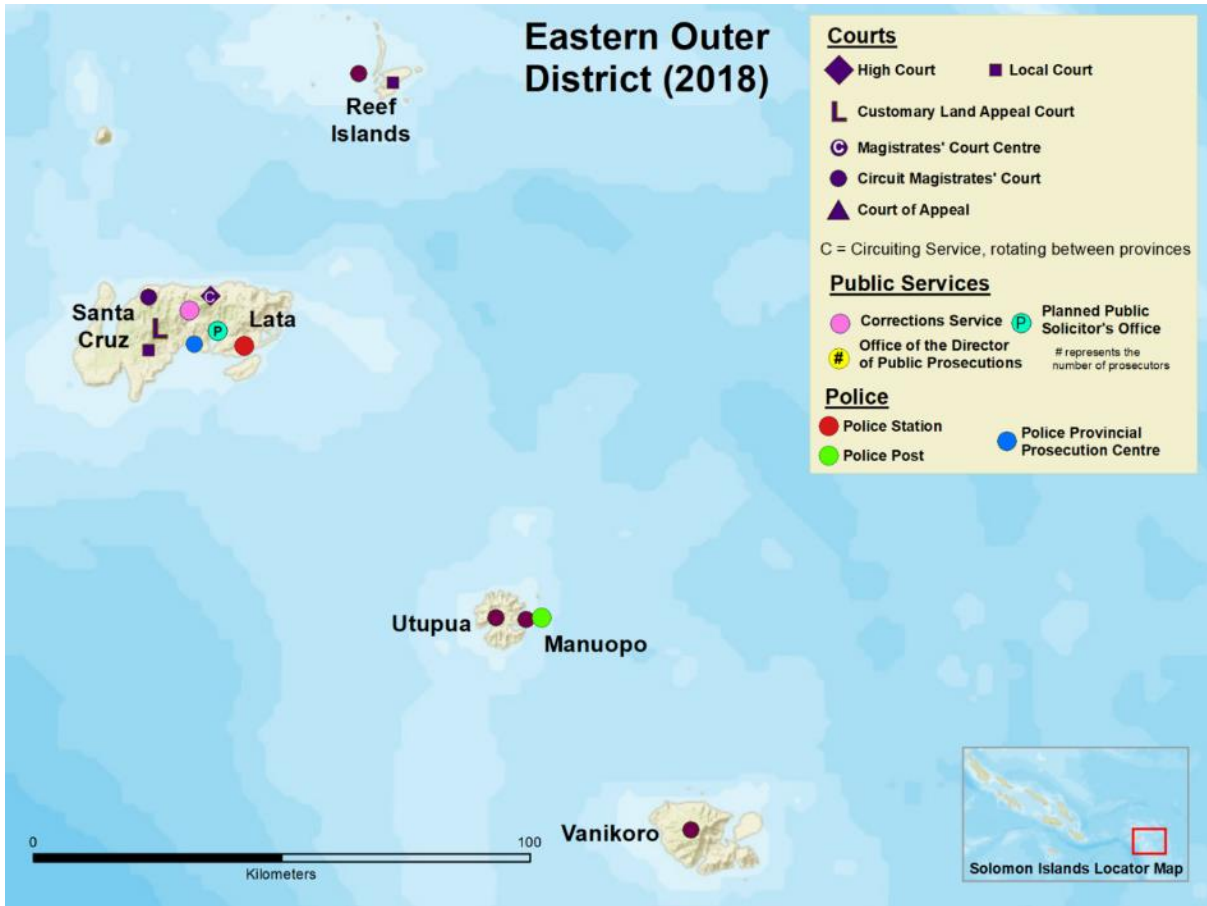
The five maps below illustrate the services by District and corresponding Magistrates' Court circuit.

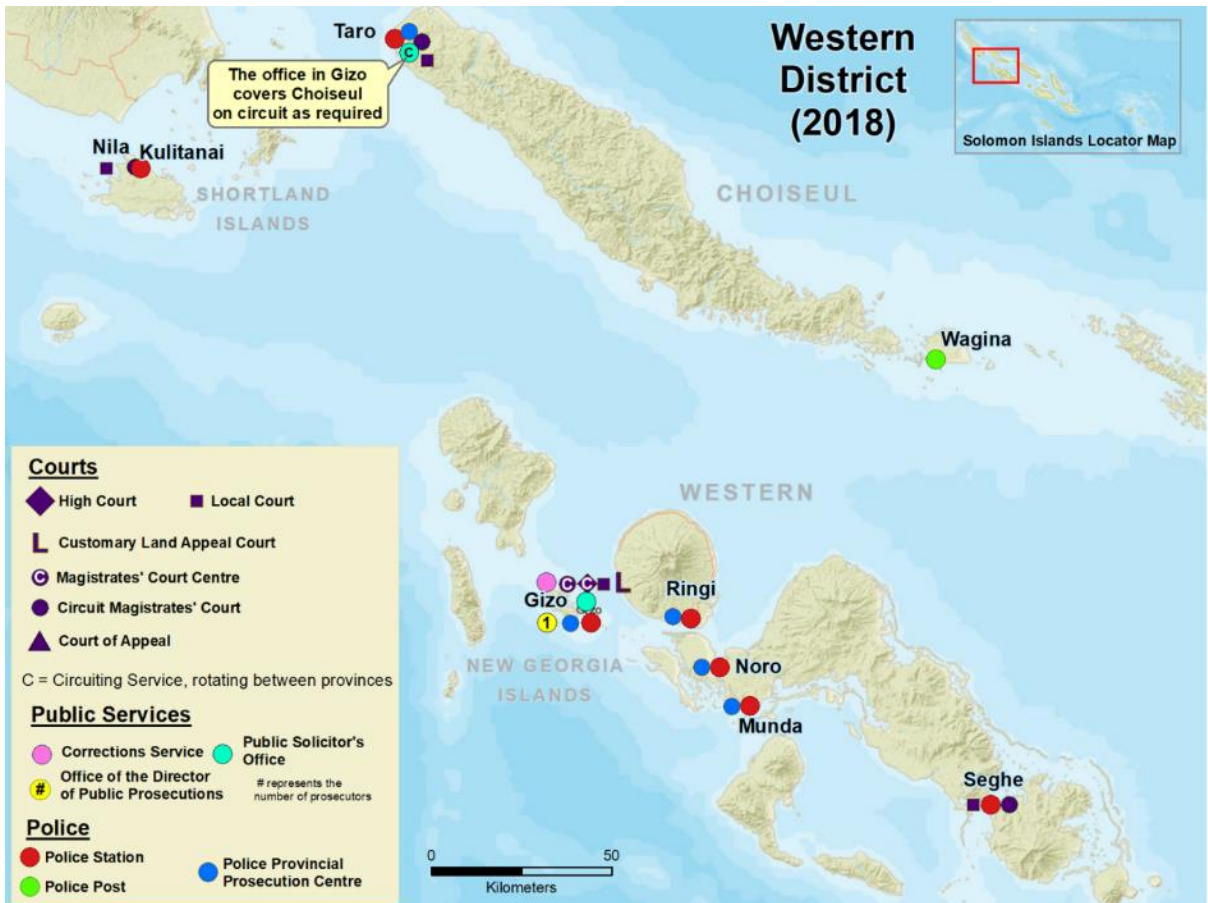
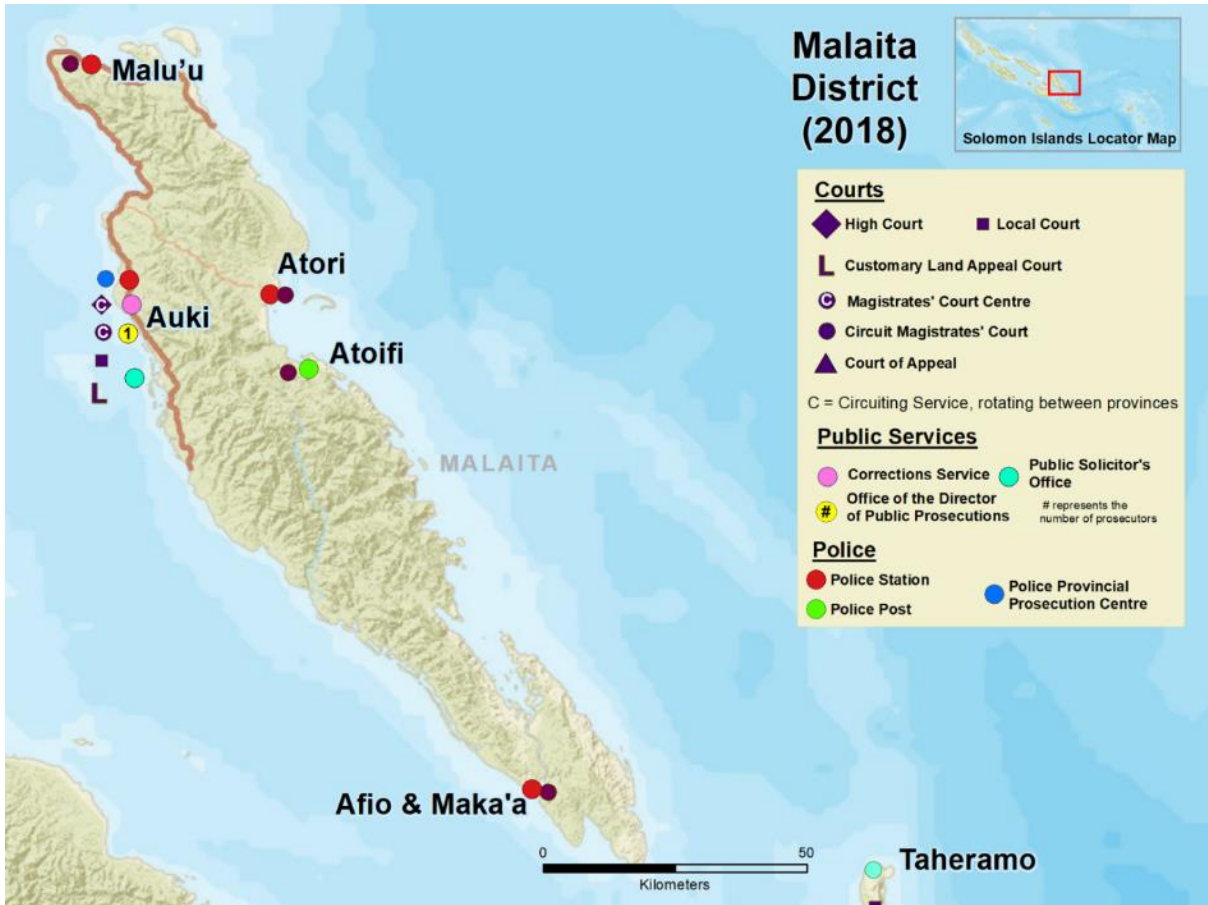


# Eastern Inner District (2018)



# Eastern Outer District (2018)

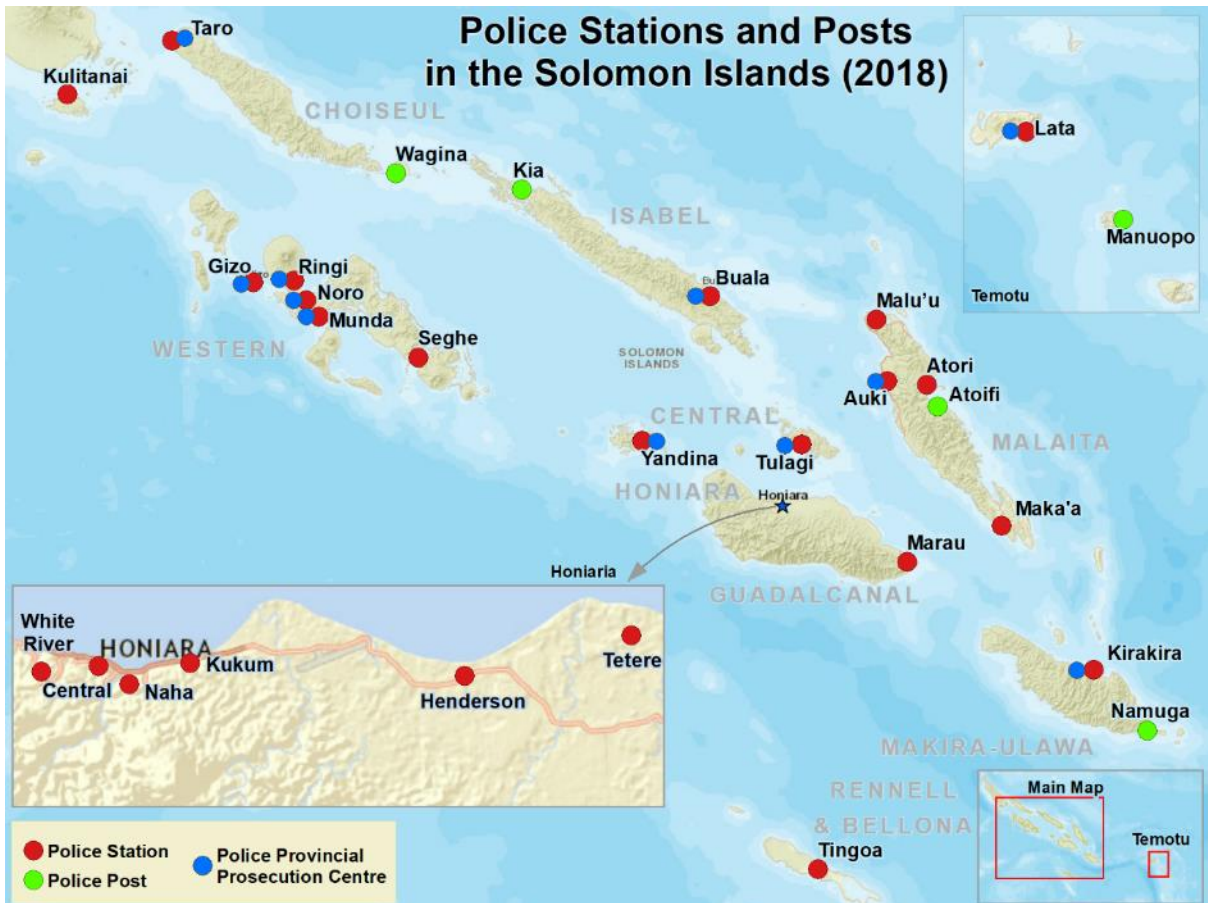
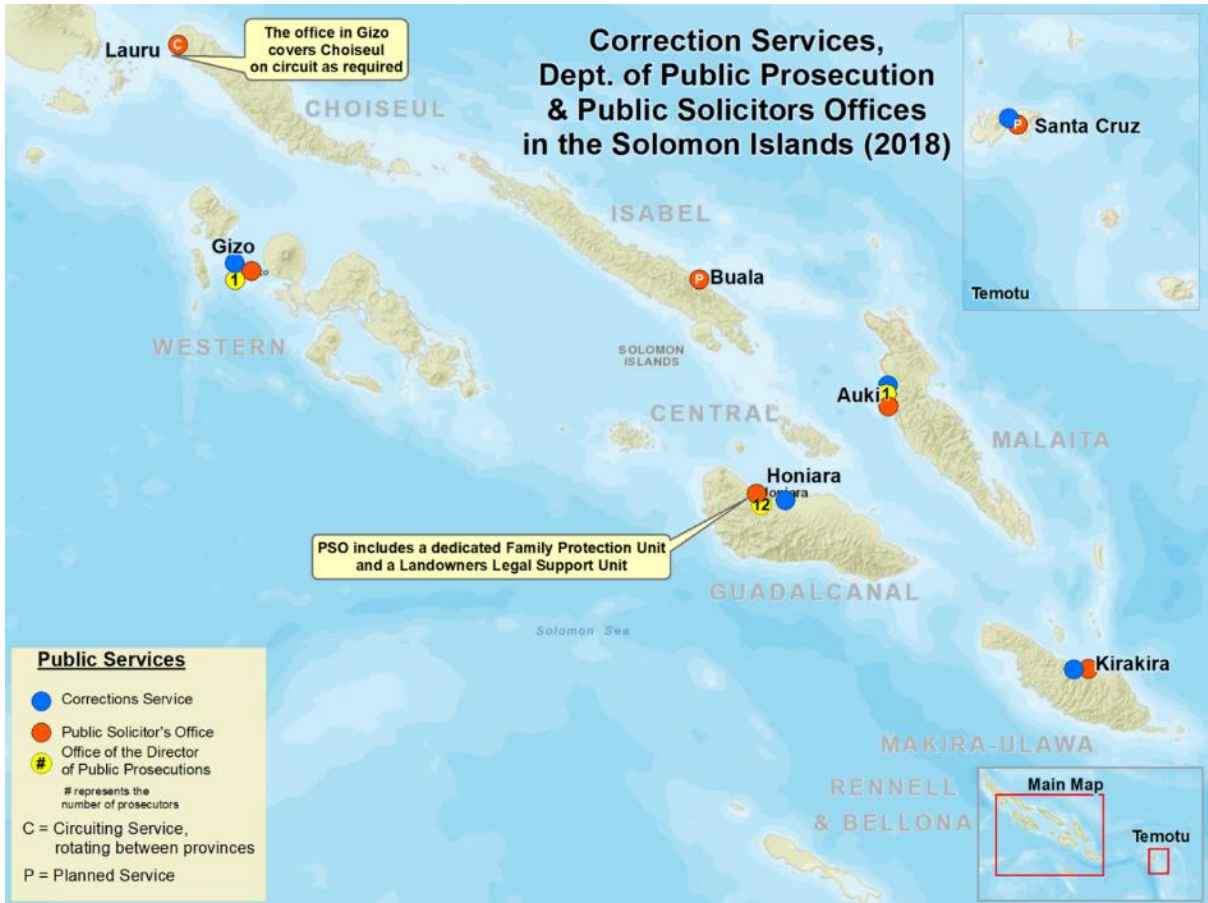




## 6. Maps by type of Service

The three maps below illustrate the availability of different services across the Solomon Islands.







**NOTE:** *Additional information for each of the formal justice institutions is included in the Annex. There is also information on civil society outreach programmes and select Government services related to the justice and protection needs of women.*

## **D. GAPS & NEEDS**

A preliminary review of mapping results for justice service provision would seem to indicate that the gaps in the provision of justice services, particularly for women, are overwhelming; while demands and potential needs are wide-ranging and significant, but largely undefined and unquantified.

In terms of access to justice, particularly for women, the main gaps and needs, or demands, can be categorized as follows:

### **1. Justice Framework**

While the legal framework for justice services, and justice service-provision, may not be perfect, it is workable. Where there are obvious deficiencies, there is a willingness to address them: as evidenced by the JSSF and other sector strategies, such as the NCPS and National Judiciary Structural Reform process, as well as the MJLA's own legislative project agenda. The FPA, for example, is quite progressive.

The challenge both with the black letter law, but also strategic planning, lies in converting the principles and obligations into action on the ground. In the case of the former, implementation is often inhibited by a lack of commitment of resources: human, material, and budgetary. In many cases, however, it is because of a misallocation of limited resources – such as, housing and feeding prisoners on remand - or inefficient use or wastage of those resources, through poor case management and court backlogs.

While ad hoc analysis has been carried out to support advocacy for an adjustment in resource allocation – e.g., with respect to expanding the PSO – cost-benefit analyses have not been conducted systematically.<sup>10</sup> **The principles and priorities set out in the systemic reforms, represented by the JSSF and other sector plans, still need to be transformed into phased, concrete actions and activities.** There is no action plan for the JSSF and the ADR Project has yet to be clearly defined, for example.

**Reform must be evidence-based, comprehensive, and managed.** JIMS data will contribute to the first two requirements, as it is being rolled-out in all the main justice institutions and provincial centres, but only once the extraction of its data is prescribed and it can be effectively analysed. There is also a need for dedicated research and analysis on a number of legal issues, including the state's **obligations and commitments vis-à-vis the administration of justice and provision of justice services**, women's interaction with the formal justice system,<sup>11</sup> or attempting to quantify the actual potential demand for – and nature of - justice services where there is currently little or none, such as in rural or remote communities.

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<sup>10</sup> There are examples, of course, such as the World Bank's "Institutional and Fiscal Analysis of Lower-level Courts in Solomon Islands" (2015).

<sup>11</sup> That is, encompassing both quantitative and qualitative data. With respect to the former, systems for data collection and monitoring of implementation of the FPA – e.g., the number of IPOs and PSNs applied for and granted, number of attempts, and length of time involved – should be established or systematized.

**Without such evidence-based research and analysis, it is impossible to identify gaps and needs in justice service-provision properly and allocate resources to them effectively.**

With respect to management of the reform process, there is the JSCC. However, it meets infrequently and has limited resources, including administrative support, at its disposal. It also has no **system for monitoring – and, therefore, oversight – of justice administration and justice service-provision**. This reduces its ability to develop evidence-based policy and plans. That said, it has commissioned specific studies in the past and this role could – and should – be expanded.

Constraints on the JSCC’s capacity to identify and, therefore, **coordinate sector reform and sector stakeholders** – notwithstanding JSFF Key Priority 3, and as evidenced by the need for the present Mapping – impede its **ability to engage institutions and organizations that are not traditionally associated with the justice sector**. These include INGOs, NGOs, other civil society representatives and even other ministries or government agencies that could provide linked psychological, resettlement, livelihood or education support. They are vital to the creation of sustainable restorative justice mechanisms and maximize limited resources through the cross-fertilization of their respective networks, exchange of experience and scaling-up or rolling-out best practice and successful models.

## **2. Knowledge & Awareness**

The launch of the FPA was accompanied by a concerted law dissemination campaign. The campaign included training of service-providers, as well as more extensive public legal education. However, this seems to have been something of an exception in terms of public legal education regarding the law and legal rights – and was itself comprehensive in neither its scope nor its impact.

Specifically, the training of judges and police seems to have failed to result in the expected rise in issuance of IPOs and PSNs.<sup>12</sup> This shortfall may be due to the nature of the training – e.g., cascade method – or how well its methodology was tailored to its beneficiaries, but it might also be attributed to a failure to address entrenched attitudes within those institutions. That is, **gender-sensitization should be mainstreamed into training**, in addition to any substantive or procedural contents. At the same time, regular debriefs of government service-providers should be conducted, as is the best practice amongst civil society service-providers. Not only does this have a therapeutic value, in terms of their coping with emotionally stressful work, but it can also yield valuable qualitative data on client knowledge and needs.

In terms of service-users, while many interlocutors stated that there now seems to be broader public understanding that domestic violence may result in prosecution, but less change in societal attitudes that it is ‘wrong’. In the case of the FPA, the focus of awareness-raising was on women and girls; whereas little was done to target men, who are either the main potential perpetrators or their peers. If attitudinal change is to be affected, which it must be if the incidence of such crime is to be reduced or prevented, it must be done through community leaders, peer groups, or other trend-setters – not to mention perpetrators or those “at risk” of committing offences - in messages that appeal to and are framed in such a way that they are understood by a variety of different audiences.

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<sup>12</sup> SPC/RRRT “Access to Justice” Concept Note.

This has been done in other areas, such as with young people on issues of drug usage and sexual violence, using a variety of media and formats depending upon the target audience. However, the need for such **smart or innovative messaging** has only begun to be addressed, and mainly without government support.

Awareness-raising activities related to the FPA did not reach all parts of the country, and only reached as much of it as they did because of the cumulative efforts of both government and a variety of civil society actors. Rural and remote communities were largely excluded, unless they fell within one of a handful of specific civil society programmes. Public legal education on other laws or issues is even less systematic. New legislation is not usually accompanied by a communications plan, for example. Public consultation in the law-making process, which can also have an educative effect, was extensive in the case of FPA, but tends to be left to the discretion of the sponsors of the legislation in other cases.

Public service announcements, on radio or other media, have been sponsored by CSOs, as well as formal justice service-providers, such as the PSO, Bar, LRC, and provincial administrations – and, in some cases, this relationship has been formalized with the radio stations. However, the government could make more regular and extensive such of both public and private media. The PSO also has a team dedicated to public legal education, which conducted sessions in a large number of communities up until 2015. In the course of these sessions, participants often posed questions about other legal issues. Similar demand has been encountered by the CGGM Community Officers, as well as other organizations providing legal outreach services.

In fact, there has been some preliminary cooperation between the PSO and CGGM, in terms of the latter providing information on civil and land law to the COs and the wards they cover. Given the limited resources available for legal outreach, it would be useful to **replicate and expand such cooperation between organizations and projects**, public and private: **using their respective networks and referral system to expand the reach of other organizations' information and outreach services.**

Similarly, other organizations or civil society representatives, particularly at the community level – e.g., crime prevention committees, church groups or village chiefs - could be integrated into such information distribution networks. Often, such community leaders are the first point of contact when a legal problem arises. If they could be trained and equipped to provide basic information about legal rights and remedies and refer the affected person to the nearest appropriate justice service-provider – i.e., **provide “first response” justice services** - this could potentially extend basic justice services to almost every community, no matter how remote. Such community leaders, as noted above, could also seek to raise community awareness and change attitudes to deter sexual or other gender-based violence, as well as other crimes or anti-social behaviour. (Of course, ‘first responders’ would **need gender-sensitization and training on rudimentary counselling skills and traumatic-stress coping mechanisms.**)

However, in order to develop effective, targeted information and outreach services for the public – or segments thereof – it is necessary to ascertain the gaps in their knowledge, as well as their main legal concerns, both about substantive rights and responsibilities and about procedures and remedies. While a number of projects have undertaken research in this regard, in order to establish baselines, it tends to be localized and often specifically formulated to focus on certain predetermined issues. Other sources about public legal information needs tend to be

anecdotal: e.g., the PSO legal awareness teams often were questioned about other legal issues – especially, family and land law – when disseminating information about criminal justice issues in rural communities.

As such, more systematic, ongoing research – including use of public surveys and other public consultation tools – is required to determine public legal knowledge and information needs, as well as the effectiveness of public information and legal education campaigns.

### **3. Physical Access or Interaction**

The majority of provinces have no direct access to justice services, apart from the police, although combined, the smaller provinces represent a minority of the overall population. However, even in those provinces where there are services, there is a significant variation between the services provided in each one - and not all services extend to all communities in a particular province. For example, the magistrates' court was previously the only body authorized to issue IPOs. As there are only five of such courts in the country, the majority of victims of domestic violence did not have access to formal court services. The FPA has changed the situation, by creating the office of Authorized Justice – as well as providing additional interim measures through the PSN - which should expand the protection afforded to victims of domestic violence.

Almost all of the justice services identified in the Mapping – both by formal justice agencies and civil society-driven - could and should be expanded to more provinces or even just additional regions or communities within the provinces they currently service. Moreover, there are no **specialized facilities for victims or witnesses of sexual or other gender-based violence** anywhere in the country – and the only facilities for women or juvenile offenders are located in Honiara, as separate blocks within the main prison.

There is also a need to expand the subject matter or scope of the services provided: e.g., the demand for legal information and legal aid with respect to land, family law or resource extraction-related issues, which may impact upon many more women's access to justice in rural or remote communities, goes largely unmet. In many cases, particularly those coming from civil society, justice service-provision initiatives are locally demand-driven, and therefore ad hoc or narrowly-focused, or are pilots – the scaling-up of which is contingent not only upon success, but also additional funding.

Even where services are provided, there are often still obstacles. In Honiara, where many more – if not most - services are available, they are still under-resourced. And, as with the expansion of the system of PSNs and IPOs introduced by the FPA, there may still be a lack of personnel and, in particular, qualified (“sensitized”) personnel and, therefore, a need (and cost) for capacity-building. In part, staff are often reluctant to serve in outlying or remote areas, even some provincial centres, but more often than not, it is their inability to earn a living in these places that discourages them from going (or returning, in the case of local students who go to Honiara or abroad to study law).

There are also significant inherent logistical impediments built into the service-provision system. Outreach services – public awareness-raising campaigns, circuit courts, police patrols and community policing, provision of social welfare or health, and even the assembly of victims, witnesses, accused, and related justice officials for trials – are often limited or even

cancelled due to the lack of transport, or fuel for transport, or availability of staff. Travel costs from outlying islands or remote areas are high or insurmountable.

Case backlogs also present a major obstacle to access to justice: not only the long delays faced in “obtaining justice”, but the difficulty in keeping to a regular court/circuit schedule or the repeated adjournment of hearings make it difficult for victims or witnesses in rural or remote communities to attend – and, in turn, exacerbates the cycle of adjournments due to the unavailability of parties. As such, there is an urgent need to **identify and remove bottlenecks in the system, so that more systemic obstacles might then be tackled.**

A related – and key - challenge is the sustainability of such outreach services. That is, even if and when resources are available, it is not feasible to maintain a fixed or focused provision of services, given the relatively limited number of (certain types of) cases and a widely dispersed population. Or, at the very least, a detailed cost-benefit analysis to justify – and rationalize - such a provision of services is yet to be done. As such, the **bottom-up, community-based approach – including the building of referral networks to maximize the use of limited services** – adopted by civil society and certain projects or programmes in the sector is probably the most viable one in the short to medium term.

There is a need to **build up a system of paralegal services reaching into rural and remote areas throughout the country, which could also link into existing or planned networks**, such as the PSO is currently doing with the CGGM. In the interim, improving coordination between existing initiatives and referral-networks, would facilitate the strengthening and scale-up or roll-out successful initiatives, best practice or legal information, to improve access to justice. Also, providing legal information and training – i.e., “first response” legal information and, more importantly, local referral systems, as well as very basic counselling skills - for community leaders or representatives, through existing social networks (CSOs, projects, churches, etc.) could potentially extend the reach of rudimentary justice service-provision to even the most remote communities on a low-cost basis.

Similarly, other initiatives or innovations could be developed or piloted to improve and expand justice service-provision and access to justice, particularly information-flow between rural or remote communities and justice service-providers. This might include enhanced use of radio or mobile networks – or even use of ‘JIMS containers’, which are envisaged to be used to connect and manage broader government service-delivery in local communities with the JIMS network, to file and track PSNs or IPOs or other pressing legal matters.

#### **4. Confidence or Perception**

Public confidence in, or perception of, the justice system – and, in particular, justice service-provision and justice service providers – will vary according to a number of factors.

A major one is whether the individuals, or possibly groups, in question have any direct experience of the system. In most countries, this will be a small sub-set of the population but, in the case of Solomon Islands, it is probably an even smaller fraction, given the dearth of service provision outside of Honiara and provincial centres. Even the police, who are the most pervasive service-providers in the country, rarely, if ever, are present in many rural or remote communities. This reality, in itself, probably shapes people’s perception of the system: either

reinforcing a feeling of impunity on the part of (potential) perpetrators or, on the part of (potential) victims, that no one can help protect them or their rights.

Even in the larger centres, including Honiara, there is alienation due to a lack of (positive) experience with the justice system. As noted in the previous section, this is being partially offset by outreach programmes such as community policing, work with community crime prevention committees, and even various consultation processes with respect to legislative development or implementation. Nevertheless, amongst those with little experience of the system – as is the case amongst those with more direct experience of it – it is perceived that justice service-provision is influenced by *wantok*, political connections or outright corruption.

For those who are in more regular contact with justice service-providers, or who have had direct contact with the system, the picture may be more mixed, but not universally positive. **Delays in police response times, as well as court proceedings, impinge the rights both of victims and of the accused, as well as inconvenience witnesses and even other justice service-providers.** SPC has cited anecdotal evidence that the repeated adjournment of domestic violence cases by magistrates, lengthening significantly court cases, has resulted in many complainants abandoning cases under the FPA – and probably discouraged others from even filing complaints.<sup>13</sup>

This highlights another, key factor in the perception of, or confidence in, justice services and service-providers: i.e., the status of the person, particularly victims or witnesses, involved. This might be affected by ethnicity, or by a disability, but is very pronounced in the case of women and children. The vast majority of those working in the formal justice system are men. And, while some training has been done, for example, for judges and police officers, interlocutors have stated that these officials are still not particularly sensitized to the situation of women and minors, especially in cases of sexual or other gender-based violence, and there are few purpose-trained officials. Moreover, courts do not have separate or specialized facilities for the most vulnerable victims or witnesses, such children.

Notwithstanding the fact that some work to ascertain public confidence or perception of justice service-provision has been done,<sup>14</sup> as with legal awareness and knowledge, **more systematic, updated research and data is needed to assess, in detail, public perception of, and confidence in the system: not least to formulate more effective responses to improve it.**

## **E. RECOMMENDATIONS**

The Mapping - especially the assessment of gaps and needs – indicates that, while justice services are being provided, and have even upgraded in recent years, with a number of useful initiatives being launched, scaled-up or rolled-out in various provinces, it is not enough. Relatively few provinces are covered and, even of those, efforts are largely restricted to provincial centres and a handful of wards or communities.

Legal information and consultation services, and especially court representation, are insufficient to meet current demand - with significant case backlogs in all of the formal justice

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<sup>13</sup> SPC: Statistics obtained from the Magistrates' Court in Honiara show that there have only been 34 cases filed under the FPA since it came into force in April 2016.

<sup>14</sup> For example: CGGM baseline surveys.

institutions - particularly from the victims of sexual or other gender-based violence. Demand for justice services, even basic information, with respect to non-criminal matters – e.g., civil and real property disputes - is even less well-met, particularly outside of the centres. And the known cases likely represent a fraction of the potential demand, if only people were better aware of their rights or potential remedies - or had more faith in a system that would deliver restorative justice.

Nevertheless, there is a risk in creating demand, by raising public awareness and expectations, if there is then no supply to satisfy it. While mobilizing the public can put pressure on the government to increase or reallocate resources, it may also foster greater social instability – although this is less likely to happen if rural or remote communities are the focus, as opposed to urban centres: specifically Honiara.

Moreover, the logistical and financial difficulties – to say nothing of capacity issues – of delivering justice services to a relatively small, geographically-scattered population would be, and indeed are, a significant challenge for other countries in the region and even for wealthier, more developed states elsewhere in the world.

Therefore, a realistic – i.e., gradual and economical – approach might be more effective.

Recognizing these constraints imposed by the country context, this report recommends the following in order to address some of the gaps and needs in the provision of justice services on the ground, and specifically women’s access to justice, in Solomon Islands:

### **Research to inform reforms and interventions**

1. Dedicated research to identify specific requirements – e.g., **constitutional, international obligations and standards, JSSF Key Priority 2 – for the provision and quality of justice services and administration of justice.**
2. Dedicated research – analysing JIMS and other data - to **identify bottlenecks or inefficiencies in the provision of justice services and administration of justice, in order to identify and prioritize regulatory and procedural changes to improve the efficiency and quality** of the system, as well as the use of existing resources.
3. Dedicated research, building upon UN Women/UNDP methodologies and regional research, to identify and **review data on cases in the court system brought by or on behalf of women** – including under the FPA - and the barriers (physical, economic, cultural, social, etc.) to women’s access to justice.
4. Public survey(s) to **identify public awareness of legal rights and responsibilities, as well as specific needs for justice services**, including existing referral networks and local, provincial, and national justice service-providers.
5. **Cost-benefit analysis and advocacy for the allocation of more resources** – and resource mobilization - to improve and expand justice service-provision, particularly in rural or remote communities, to meet public needs.

### **Strategic planning, coordination and monitoring**

1. Development of a **detailed, phased, and costed Action Plan to implement JSSF key priorities**, including sustainable restorative justice mechanisms (psychological,

resettlement, livelihood, and education support) to empower sexual and gender-based violence ‘victims’ and facilitate their transition to ‘survivors’.

2. Development of a **monitoring system, and related tools, for the provision of justice services and administration of justice**; including, systematic analysis of disaggregated JIMS data and establishment of a dashboard or other public monitoring tools and oversight mechanisms.
3. **Strengthening and systematization of stakeholder** – judicial, government, and civil society - **coordination in the justice sector, including under the JSCC** pursuant to JSSF Key Priority 3.

### **Initiation of outreach services**

4. **Strengthening and expansion of referral networks, in order to link and scale-up or roll-out successful initiatives, best practice or legal information**, to improve access to justice in rural or remote communities.
5. Development of a **strategy for the establishment, training and roll-out, and regulation of a sustainable system of paralegal services** in rural or remote areas.
6. Development and roll-out of **strategic, targeted or innovative public information and awareness-raising or attitude-changing campaigns and use of media**; including to responsible officials and community leaders.
7. Development of, and training of, community representatives in rural and remote communities on, **“first response” legal information and local referral systems, as well as rudimentary counselling skills and coping mechanisms**, utilizing stakeholder (civil society) networks.
8. Identification of, and support for, additional **initiatives and innovations to improve and expand justice service-provision and access to justice, particularly information-flow** between rural or remote communities and justice service-providers: e.g., piloting of ‘JIMS containers’ to electronically file and track PSNs or IPOs.



## ANNEXES

### Annex 1: Police Stations and Posts

Province	Police Station or Post	Location
Honiara	<ul style="list-style-type: none"> <li>• Naha Police Station</li> <li>• Kukum Police Station</li> <li>• Central Police Station</li> <li>• White River Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Naha, East Honiara</li> <li>• Kukum, East Honiara</li> <li>• Mendana Avenue, central Honiara</li> <li>• White river, West Honiara</li> </ul>
Guadalcanal	<ul style="list-style-type: none"> <li>• Henderson Police Station</li> <li>• Tetere Police Station</li> <li>• Marau Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Henderson, North Guadalcanal</li> <li>• Tetere North East Guadalcanal</li> <li>• Marau, East Guadalcanal</li> </ul>
Central	<ul style="list-style-type: none"> <li>• Tulagi Police Station</li> <li>• Yandina Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Tulagi, Ngella</li> <li>• Russell Island</li> </ul>
Isabel	<ul style="list-style-type: none"> <li>• Buala Police Station</li> <li>• Kia Police Post</li> </ul>	<ul style="list-style-type: none"> <li>• Buala, Ysabel</li> <li>• Kia, Ysabel</li> </ul>
Western	<ul style="list-style-type: none"> <li>• Seghe Police Station</li> <li>• Munda Police Station</li> <li>• Noro Police Station</li> <li>• Ringi Police Station</li> <li>• Gizo Police Station</li> <li>• Kulitanai Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Seghe, Marovo</li> <li>• Munda, New Georgia</li> <li>• Noro, New Georgia</li> <li>• Ringi, Kolombangara</li> <li>• Gizo, Western Province</li> <li>• Kulitanai, Shortland Islands</li> </ul>
Malaita Province	<ul style="list-style-type: none"> <li>• Auki Police Station</li> <li>• Malu'u Police Station</li> <li>• Atori Police Station</li> <li>• Atoifi Police Post</li> <li>• Maka'a Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Auki, Malaita Province</li> <li>• Malu'u North Malaita</li> <li>• Atori, East Malaita</li> <li>• Atoifi, East Malaita</li> <li>• Maka'a, South Malaita</li> </ul>
Rennell	<ul style="list-style-type: none"> <li>• Tingoa Police Station</li> </ul>	<ul style="list-style-type: none"> <li>• Tingoa, Rennel Island</li> </ul>
Makira-Ulawa	<ul style="list-style-type: none"> <li>• Kirakira Police Station</li> <li>• Namuga Police Post</li> </ul>	<ul style="list-style-type: none"> <li>• Kirakira, Makira</li> <li>• Star Harbour, East Makira</li> </ul>
Choiseul	<ul style="list-style-type: none"> <li>• Taro Police Station</li> <li>• Wagina Police Post</li> </ul>	<ul style="list-style-type: none"> <li>• Taro, Choiseul</li> <li>• Wagina, Choiseul</li> </ul>
Temotu	<ul style="list-style-type: none"> <li>• Lata Police Station</li> <li>• Manuopo Police Post</li> </ul>	<ul style="list-style-type: none"> <li>• Lata, Santa Cruz</li> <li>• Manuopo, Reef Islands</li> </ul>

## Annex 2: Formal Justice Institutions

### Formal Justice Institutions

Institution	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
CSSI			•	•		•	•		•	•	Although not usually considered a justice service provider, the Corrections Service does run a reconciliation process, both to bring together perpetrators and victims but also reduce recidivism (approx. 2%). There is a specific women’s block in the RCCC – in Jan. 2018, there were 7 female prisoners out of a nationwide total of 449 - but no stand-alone facility. In terms of access to justice, approx. 50% of the overall prison population is on remand (on average for 3 years) mainly because of delays in the system, including the unavailability of defence counsel (PSO), frequent adjournment of hearings, and other administrative bottlenecks. There is currently no process for alternative sentencing and parole has been suspended, pending a review of the <i>Corrections Act</i> .
DPP				•••			•			•	Prosecutors are located in Honiara (3), Auki, and Gizo from where they travel to cover prosecutions in other provinces as needed. The Office of the DPP has a Family Sexual Violence Unit (FASO). FASO monitors, collates data, and review court proceedings with respect to sexual offences committed within families.
JIMS	•	•	•	•	•	•	•	•	•	•	Although not a service-provider but, rather, a service, the data system was first initiated in 2014 and has since been rolled out to incorporate and link justice administration data from the High and Magistrates’ courts, DPP, PSO, RSIPF/PPD, and CSSI. There are plans to extend the full system across the Provinces, and as of May 2018 the RSIPF had JIMS in all provincial centres and the Police Prosecutions Directorate is connected in all provinces except Rennel & Bellona and Temotu. PSO and the Magistrates courts are also connected in Malaita, Makira and Western Province. Training on JIMS has been rolled out to most centres, but has not yet covered all. The system aims at improving the ability of authorities to manage and monitor cases, as well as exchange information, including identification of backlogs and bottlenecks in case-processing. (This is part of a broader project under the Ministry of Finance to track and link data from a variety of government service-providers.)  The potential use of JIMS for e-filing or e-litigation (before the HC) is under study.

Institution	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
											It is also planned to pilot the deployment of ‘containers’ of the system equipment to 2-3 villages to link into the national data collection and management network.
LRC				•							The LRC conducts strategic research, consultation, and public awareness-raising activities – including in the provinces and smaller communities, not least through regular radio broadcasts on SIBC – on key legal issues; particularly in the area of penal law, criminal procedure. LRC acts on instructions of the Minister and conducts reviews on Property Offences, Sorcery offences, Homicide offences, Personal Harm Offences, Public order offences. The LRC research report fed into the <i>Penal Code (Amendment) (Sexual Offences) Act 2016</i> , including but not limited to <i>Anti-Corruption offences, Land Below High Water Mark, Mental Impairment, Criminal Responsibility and Fitness to Plead, Administration of Justice</i> and including the review of Forestry Legislation, Youth and Justice Bill and <i>other MJLA reviews</i> . LRC also participated in other activities such as the cyber-crime area under the ICT policy and the United Nations Convention on the Recognition and Enforcement of International Arbitral Awards also known as the <i>(New York Convention)</i> . The LRC is also part of the ADR Project Steering Committee and systemic reform of justice-provision mechanisms – LRC also participated in the Pacific Islands Law Officers Network (PILON) and has been involved in the <i>priority areas promoted by PILON such as sexual and gender-based violence (SGBV), Corruption and Environmental crimes</i> .
PSO		C1		•	P1	•	•		P2	•	<p>The PSO provides legal aid, advice, and assistance to any national charged with a criminal offence that could result in loss of civil liberties and other persons whose income does not exceed a specified amount (SBD 35,000/year). Heads of the criminal and civil divisions are not specifically designated in law – and most files handled relate to criminal cases.</p> <p>In Honiara, there is a dedicated Family Protection Unit (FPU) that handles cases related to family law and the FPA, as well as a Landowners Legal Support Unit (LLSU) that responds to land issues; including, environmental, logging, and mining issues.</p> <p>The PSO has 17 lawyers on staff with an additional two on study leave. It has offices in Honiara, Gizo, Auki, and Kirakira, with at least one lawyer in each provincial office and support staff in Gizo and Auki. The office in Gizo covers all of Western Province, as well as Choiseul (C1: on circuit) as required. Auki office covers Malaita, as well as other centres on an ad hoc basis. Kirakira covers Makira and “the Inner Eastern Circuit”. An office is expected to be opened in Isabel (P1) and a lawyer may be temporarily assigned to Lata, subject to identification of office space (P2). Lata has been without a lawyer since 2014.</p> <p>In January 2018, according to JIMS data, the Gizo office had 174 active files for serious criminal offences and 103 for minor ones – and, as such, it has no capacity to take on civil cases. Auki had 74</p>

Institution	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
											<p>files for serious crime, 46 for minor crime, 31 family, and 91 other, as well as circuit cases. Kirakira had a total of 91 cases, criminal and civil, and 200 relating to the circuit courts; including land disputes related to logging operations. Honiara had 70 files. 80% of the PSO caseload is criminal files and, as such, they do not have resources to take on many civil cases.</p> <p>Although relatively few PSO clients are women, some civil cases are initiated by female clients and legal information and support is provided to women generally, and female victims in particular, often through police and various civil society referral networks.</p> <p>PSO conducted extensive community awareness campaigns from 2013-15, particularly on land rights by the LLSU, until funding ran out. PSO was in the process of developing a new communications strategy for 2018 at the time of research.</p>
<b>RSIPF</b>	•	•	••	•• ••	•	•	•	•	•	•	<p>•• •</p> <p>RSIPF is the only formal justice service-provider with a presence in all provinces: see Annex 1. In addition to maintaining law and order, and investigating crime – including sexual and other GBV - and other offences, the RSIPF provides outreach services to rural and remote communities through its community policing programme, as well as liaising with community security committees.</p> <p>Specifically, as regards women’s access to justice, and domestic violence, the police have the authority under the FPA to issue a Police Safety Notice (PSN) if domestic violence has been committed, or is likely to be committed, in the absence of a protection order. A PSN enjoins the respondent from committing an act of domestic violence and may also place restrictions on him (or, much less likely, her) approaching or trying to contact the affected person.</p> <p>During the first year the FPA was in force, 1,352 DV cases were reported, but only 458 (33%) PSNs were issued. Moreover, the police in Honiara, Guadalcanal, Central, Isabel, and Rennell provinces did not complete and file a single Affidavit of Service for a PSN with the court, as required under the FPA.</p> <p>The FPA also requires police to assist affected persons to access a place of safety, health, legal and other support services, and apply for a protection order. The police are also responsible for the service of interim and final protection orders.</p> <p>UN Women supported the development of a training manual for police on FPA implementation.</p>
<b>SIBA</b>				•						•	<p>There 200-300 private lawyers in the country, mostly located in Honiara – although 1-2 members of the Bar are known to be based in Gizo - and more than 20 private firms. Membership is currently voluntary, although it will become mandatory and disciplinary procedures will be strengthened, if/when the <i>Legal</i></p>

Institution	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
											<p><i>Professionals Bill (2017)</i> is adopted. The Bar only has 60 active (that is, fee-paying) members – out of appropriate 140 admitted to the Bar - and, as such, has few resources.</p> <p>Approximately 200 graduate law students (from USP) undertook the practical diploma in 2017. They must then complete articles for two years before being provisionally admitted – and five years for direct admission - to the Bar.</p> <p>There is no requirement for members to provide pro bono legal services, nor is this envisaged in the <i>Legal Professionals Bill</i>. The Bar does not support any outreach services or law clinics and does regulate paralegal services. The Bill, however, will introduce a requirement for continuing legal education.</p>
<b>COURTS:</b>											
<b>Court of Appeal</b>				•							<p>The Court has jurisdiction to hear certain classes of appeals on criminal and civil cases, including decisions of the HC under the <i>Divorce Act</i>. It sits twice a year, for two weeks. The Court received 50 new cases in 2017, of which 10 were criminal. It decided 36 and had 44 cases unresolved at year's end.</p>
<b>High Court</b>				•		C2	C2		C2	C2	<p>The HC has both first instance and appellate jurisdiction from the magistrates' courts, in certain cases, for both criminal and civil matters.</p> <p>In 2017, 16 HC circuits were scheduled, only but 11 sessions were held. 4 were cancelled due to the non-availability of a judicial officer, lack of funds or because no cases were ready for trial. Gizo, Auki, Kirakira, and Lata are the HC circuit court centres (C2).</p> <p>625 cases were filed in 2017, of which 103 were criminal. The HC had an outstanding caseload of over 1300 cases at the end of the year: 10% of which were criminal.</p>
<b>Customary Land Appeal Court</b>				•		•	•		•	•	<p>The CLAC decides appeals from the local courts on customary land rights.</p> <p>The five districts with Magistrate's Courts also administer Customary Lands Appeal Court (CLAC).</p>
<b>Magistrates Court</b>				•		• C3	• C3		• C3	• C3	<p>The magistrates court is the court of first instance for certain civil and criminal cases, including sexual and other GBV offences: e.g., Sexual Offences under the recent Amendment to the Penal Code.</p> <p>The court has jurisdiction to issue, vary or revoke IPOs and final protection orders. It also hears cases of domestic violence, violations of protection orders or other offences related to the FPA. In so doing, the court must consider any aggravating circumstances and take into account the pain, suffering, and losses of the victim and shall make orders for compensation accordingly.</p>

Institution	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
											<p>Magistrates' courts are also the court of appeal for the local courts in their respective areas.</p> <p>There are Magistrates' Courts in Honiara, Auki, Kirakira, Gizo and Lata.</p> <p>Circuit court centres (C3) are Gizo, Auki, Kirakira, and Lata. The magistrates' court registries also serve as district HC registries.</p> <p>The 2018 circuit court locations are included as a table in the Annex.</p> <p>In this context, it should be noted that the question of court fees related to actions under the FPA, and the obstacle they present to access to justice in this area – even, or especially when legal aid is provided - is being examined.</p>
<b>Local Court</b>	3		1	1	1	2	1	1	5	4	<p>Local courts primarily deal with customary land disputes, although they do have jurisdiction for some civil and criminal matters. (The Malaita local court handles some civil cases, for example.) There is a significant backlog of cases, some dating from the 1990s, as proceedings are often delayed. Most decisions are appealed, or settled by village chiefs, rather than by local courts.</p> <p>The <i>Tribal Lands Dispute Resolution Panels Bill</i>, if adopted as currently formulated, would transfer jurisdiction for land cases to village chiefs and return first instance jurisdiction for minor criminal and civil cases to the local courts</p> <p>Local justices have the power to make, vary or revoke IPOs, but must then file them with magistrates' court. 50 justices received a 1-day training on FPA.</p> <p>Up until the end of 2017, no IPOs have been issued by any local court justice, although a Handbook for local court justices has been completed. Forms for an 'Application for a Protection Order', 'Notice to Attend', and the 'Protection Order' itself, have been prepared for use by local court justices and several (short) trainings has been conducted.</p> <p>There are nineteen local courts, of which fourteen are active. Court administration is centralized in five main (district) centres – where the six local court clerks are located - so most local courts have no services. There should be 300-500 justices, but only 300 are said to be active. Their work is seldom reviewed and recruitment appears ad hoc. Justices are part-time and only attend when summoned, as they often have to travel significant distances to the court. Facilities are dilapidated and few resources.</p>

Institution	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
											Local courts relied upon magistrates' courts' facilities in the past, but have been restricted from doing by a directive from the Chief Magistrate in November 2017.
<b>Customary Court/ House of Chiefs</b>	•	•	•	•	•	•	•	•	•	•	Although they have no formal role in enforcement of the criminal law or FPA, village chiefs in rural or remote areas are the first point of contact for dispute resolution – and often the last. As such, they can determine whether community members' rights are protected and provided basic justice service, they can influence whether or not violations of state law are referred to the appropriate justice service-provider, and they can influence community opinion and attitudes with respect to state laws and justice services.

### Annex 3: Civil Society Justice Service Providers

A number of organizations and projects augment the formal system of justice service-provision. Many also offer important, related services: particularly for victims, or potential victims, and witnesses of sexual or GBV. The nature and location of the main non-governmental justice (and related) service-providers and services offered in Solomon Islands are as follows:

Org / Project	Province										Services
	C T	C H	G C	HN	IS	M U	ML	R B	TM	WS	
<b>ACOM<sup>15</sup></b>			• S1 S1	• S1 S1	• S1	• S1	• S1	•	•	• S1	<p>The Anglican community encompasses about a third of the population of Solomon Islands. ACOM has nine dioceses, including several in neighbouring countries, divided into regions and parishes (60+).</p> <p>There are also eight convents or religious ‘houses’ (S1) in Solomon Islands, including the CCC. There is a “Mother’s Union” in most parishes.</p> <p>The Church, and church-network, already provides some advice, support, and referral for those affected by sexual or other GBV, as well as other violent crime. These networks, especially the Mother’s Unions could play an enhanced role in “first response” legal information, counselling, and referral, but they lack basic information and training.</p> <p>Clergy, as community leaders, already exercise moral influence in preventing or addressing DV and sexual or other GBV, but could play an even stronger role in attitudinal change if engaged and provided appropriate training.</p>
<b>Catholic Church</b>				• SH			•			•	<p>The Church has approximately 20% of the population as its members. There are 3 dioceses: in Honiara (arch-diocese), Auki, and Gizo, divided into 13 parishes (2013). The Church in SI has 50 priests, as well as lay priests, and various religious orders - including the (14) Committees of Catholic Sisters, who provide shelter on an ad hoc basis for women in need – and schools.</p> <p>The Marist Order has recently established a safe-house (SH) at Visale – and Catholic nuns work in the CCC.</p> <p>The Church is supported by a number of Catholic women’s groups (e.g., NGOs, such as Caritas) and women’s fellowship groups, such as the United Catholic Women’s League.</p>

<sup>15</sup> The Mapping Mission was only able to contact ACOM and the Roman Catholic Church, but potentially other churches, representing almost half of the population, could – and should – be engaged in broader justice and justice-related service-provision.



										<p>As with ACOM, the Catholic clergy, as community leaders, already exercise moral influence in preventing or addressing DV and sexual or other GBV, but could play an even stronger role in attitudinal change if engaged and provided appropriate training.</p> <p>Similarly, the lay priests, religious orders and schools, and various women’s groups could play an even stronger role in awareness-raising, given their media networks, as well as “first response” legal information, counselling, and referral, if they had sufficient training and support.</p>
<b>Christian Care Centre (CCC)</b>				•						<p>Part of SAFENET: CCC provides shelter – for up to two weeks – for victims of sexual and other GBV and referrals to/from other SAFENET members – especially the police. They also provide some livelihood training. Because of limited time/space/ resources and lack of an alternative (e.g., reintegration, economic empowerment, reparations/ compensation) the sisters report that many clients “give up” and return home.</p> <p>CCC receives approximately 15 ‘clients’ (sometimes with children) per week, an intake limited by the fact that they have only a 15-room capacity. Juvenile ‘clients’ are segregated in a separate building.</p> <p>CCC is staffed by 10 sisters, 2 fulltime staff, security and a driver. It is a cooperative effort between ACOM and the Catholic Church. The Government provides some funding.</p> <p>There are plans to set up additional centres, associated with convents in other provinces.</p>
<b>Community Governance &amp; Grievance Management Project (CGGM) (World Bank)</b>					•	•	•			<p>Under CGGM, Community Officers (COs) –recommendations from the Justice Delivered Locally Study, were that participating Provinces recruit community-based officers. Therefore, there are: Community officers in Rennell (10), Village peace wardens in Makira (20), and Community Liaison Officers in Malaita (15). They work to help resolve conflicts in the community that impede service-delivery and development, reduce crime – liaising with police in more serious cases - and work with other institutions to promote peace and stability. Community-based Offices also function to strengthen the linkage between communities and Province, Police, National Ministries etc.</p> <p>The PSO/LLSU provides basic legal training to the COs, although this does not obviate the need for dedicated legal information and advice.</p> <p>WB also has two paralegals, funded by DFAT, who provide legal advice for CGGM activities in RB and MU.</p> <p>The CGGM is complemented by the World Bank’s “Rural Development Project” (RDP). The RDP supports community development through planning and grants, based upon needs identified (and managed) by the ward. The project has three Community Helpers/province – supported by three technician/engineers – who liaise with the COs and assist the wards to identify initiatives for support.</p>

<b>Essential Service Package for Women and Girls Subject to Violence (ESP)</b>											<p>The Essential Services Package for Women and Girls Subject to Violence (ESP) was launched in September 2017, and supports implementation of the “Eliminating Violence Against Women and Girls Policy 2016 – 2020”. Designed by UN Women, it is a collaborative effort with UNDP and UNFPA to provide a comprehensive response to DV: a tool to ensure the provision and coordination of quality services for health, social welfare, and security/protection - and to strengthen the related justice sector services. ESP seeks to ensure that these essential services to address violence are available, accessible, adaptable, and appropriate.</p> <p>The ESP established guidelines for service providers to prioritize safety and ensure informed consent and confidentiality. It also fosters effective communication with, and participation by, victims/survivors of DV.</p> <p>The ESP complements SAFENET.</p>
<b>Family Support Centre (FSC)</b>	•	•	• FS	•	•			•	••	<p>FS is piloting – until 2019 - the use of (3) case management officers to liaise between victims of sexual or other GBV and police, PSO, MHMS, Social Welfare, and the Honiara Clinical Hospital. The case management officers follow-up on PSNs and accompany clients on referrals, through to case closure.</p> <p>This is done in response to the finding that, although PSNs are not difficult to obtain, implementation is slow and require repeated follow-up. Sometimes the police must be by-passed, with the complainant directly petitioning the court. Police often do not serve PSNs, for various reasons (frequently due to lack of transport).</p> <p>The FSC legal officer helps file affidavits in court and FSC volunteers provide training on sexual and other GBV/FPA. FSC also engages in awareness-raising about FPA, through (fortnightly) radio dramas, in schools/community centres, and in response to requests.</p> <p>In 2018, FSC extended its activities to TM (Lata) and IS. It now has five provincial committees: volunteers who conduct counselling and awareness-raising, as well as support for other basic needs. FSC branches are in Gizo and Naro, Tulagi, Kirakira, and Buala, in addition to its HQ in Honiara – and it may reopen its Honiara branch.</p> <p>One legal officer serves all branches: the legal officer recently hired under the pilot project. There is also a circuit lawyer. FSC has a centre (FS) in Gizo.</p> <p>FSC needs support for funds to pay court fees (especially for trafficking and migration cases, referred by IOM).</p> <p>FSC is a member of SAFENET.</p>	

<b>Oxfam</b>							●			●	<p>The “Safe Families” Project is being implemented in two Provinces. It seeks to prevent or reduce GBV by promoting change in attitudes and norms, through training and dialogue at the community level: inter alia, enlisting village chiefs, priests or pastors, and other community leaders in the process.</p> <p>‘Safe Family Committees’ are established to provide support to GBV survivors, including referrals, and are linked into a ‘Provincial Alliance’ of sector stakeholders (e.g., in ML, to Seif Haus, FSC, religious houses, and police). The Alliance works with the provincial government to develop policy, provides a referral network, and support: e.g., counselling, accommodation, food, security.</p> <p>A tool-kit has been developed and ‘Safe Families Fund’ established.</p> <p>The project has a provincial coordinator and 6 community engagement facilitators per province, operating in a total of 12 communities.</p> <p>Oxfam has also supported other initiatives in the sector: e.g., “Side-by-Side”, which uses innovative media, such as music to appeal to youth, to advance the End Violence Against Women Strategy.</p>
<b>SAFENET</b>											<p>SAFENET is a formal referral network of organizations that provide different justice-related services – medical and psychological, legal, secure accommodation, general security, and other support - to survivors/victims of GBV through its “Response and Referral Pathway.</p> <p>Recently, SAFENET added “Case Management Services”, with 3 management officers (in FSC) providing support to victims and follow-up on their cases, through to case closure.</p> <p>The SAFENET partners are the RSIPF, MHMS, MJLA, CCC, and FSC. SAFENET is overseen by MWYCFA.</p>
<b>Save the Children (STC)</b>		● C P	C P	● CP	C P	CP	● CP			● CP	<p>Under its “Children &amp; Youth in Conflict with the Law” Project that ended in 2013, STC facilitated the establishment of Community Crime Prevention Committees (CCPCs). Support to CCPCs included establishment of referral systems, and bringing in service-providers – e.g., the police, under a MoU – prevention (e.g., through training of those “at risk” of becoming perpetrators) and planning, and reintegration/sensitization of perpetrators (at Rove, and working with the home community).</p> <p>The project operated in a number of communities (CP) in seven provinces: CH (5), GC (6), HN (10), IS (8), MU (6), ML (8), and WS (10). Following the conclusion of the project, the police took over the liaison with the CCPCs, as part of its community policing programme.</p> <p>STC’s recent “Youth Justice Project” has supported research and related public consultations on juvenile justice issues for MJLA in four provinces.</p>

										<p>STC also has a two-year project to counter the sexual exploitation of minors – especially related to resource extraction industries, such as logging – in CT, CH, and WS, working with police, Social Welfare, and MWYCFA. Inter alia, it has promoted the development and adoption of appropriate – in according with national law and international standards - community by-laws.</p> <p>STC also works on education/early childhood development, trafficking, CFWA, diversion, and substance abuse.</p> <p>STC currently has three provincial offices, in addition to its HQ in Honiara.</p>
<b>Seif Pleis</b>			•			[•]				<p>The Seif Pleis Gender-Based Violence Crisis and Referral Centre provides first response services for victim/survivors of sexual and other GBV.</p> <p>The Centre offers temporary accommodation, basic counselling services – including basic information and advice about legal options - and has a medical clinic, staffed by doctors and nurses who medically examine and treat victims, using relevant protocols to document abuse/collect evidence, and report to the police – and to Social Welfare, if the victim is underage.</p> <p>As the Centre is located near the RSIPF HQ in Rove, it maintains strong links with the police, including referrals, as well as benefitting from security provided by its proximity.</p> <p>Its referral system also includes PSO, for legal support, FSC for psychological support, and CCC for longer-term housing and other support.</p> <p>The Centre receives approx. 30 walk-in clients per month.</p> <p>The Centre has two fulltime staff. The Centre has a toll-free telephone hotline, staffed by student volunteers, to provide information and advice.</p> <p>Although Centre staff and volunteers regularly debrief, they would benefit from enhanced training on counselling skills, as well as coping with trauma. The lack of long-term solutions – alternative housing, education opportunities or livelihoods training – for clients was also noted.</p> <p>The Centre is linked to the Women’s Resource Centres in Auki and Gizo, as well as the Anglican Church in Buala.</p> <p>There is a ‘Seif Pleis’ shelter in Malaita, but it is not affiliated with the one in Honiara.</p>
<b>RRRT/SP C</b>			•			•				<p>Under its SPC-funded ‘Access to Justice’ project, RRRT has trained 32 AJs for GC and 15 for ML.</p>

										<p>They have been provided the forms required under the FPA and can now issue IPOs to any survivor of GBV within their communities.</p> <p>The project will train community facilitators for both GC and ML. Their role is to provide assistance and support for the AJs in their communities, as well as refer survivors to available services nearby.</p> <p>The project will do two follow-up trainings both for AJs and for community facilitators during its three-year term, as well as monitor their progress.</p> <p>More community awareness-raising of the work of the AJs and community facilitators needs to be undertaken by all stakeholders, including civil society.</p> <p>In 2017, SPC developed a training manual and trained magistrates on FPA.</p>
<b>Vois Blo Mere (VBM)</b>										<p>VBM aims to increase women’s participation in government. In pursuit of this, it supports information dissemination and the development of networks. With respect to FPA, VBM has interviewed survivors of GBV, as well as the lawyers who work with them, to produce (with UN Women) a video to document these survivors’ stories and provide advice about legal processes and evidence collection.</p> <p>It is engaged in a Gender Project, linked to Oxfam’s “Safe Families” project, in two Provinces, which supports economic empowerment and trains community-based teachers and nurses.</p> <p>VBM has provincial media focal points.</p>
<b>World Vision (WV)</b>	•		•			•	•		•	<p>WV’s “Community Channels of Hope” Programme (CCoH) includes a total of 45 communities in 5 provinces. Working through local “action teams” (community-based NGOs) CCoH seeks to raise awareness about – and change attitudes to – FPA and CFWA, as well as reduce GBV, using trainers provided by UN Women, and building upon local tradition and faith-based principles. It works with communities, police, and local health care providers to develop community by-laws to promote peace and harmony through conflict prevention and resolution.</p> <p>In addition, CCoH facilitates the access of survivors of GBV to remedies, including referrals to service-providers, such as the police.</p> <p>WV projects also support economic empowerment for women, including local Savings Groups and “Markets for Change” (in Malaita). WV maintains staffed area offices in the five provinces.</p>

## Annex 4: Miscellaneous Justice related Services

Other governmental or quasi-governmental justice-related service-providers and specific services, or potential services, include:

Institution	Province										Services
	C T	C H	GC	HN	IS	M U	ML	R B	TM	WS	
<b>Ministry of Health and Medical Services (MHMS)</b>	N T1	N	N T1 SW SW	N T1 SW SW SW SW	N T1 SW	N SW SW	N T1 SW	N	N	N	<p>MHMS is part of SAFENET and health-care workers provide important primary and secondary care to victims of violent crime, in particular sexual or other GBV.</p> <p>There are 13,000 registered nurses (N) deployed to almost every community in the country, if only at a first-aid post.</p> <p>MHMS has developed a “Minimum Standard of Care for Survivors of SGBV” Handbook and provided training (T1) to 150 practitioners in several provinces. The Handbook outlines techniques to identify affected persons, document the medical evidence, and how to link the affected person to the justice system. Roll-out of the system is being piloted – and monitored - in a number of centres, with the target that these services will eventually be available within 30 minutes’ walk of most communities.</p> <p>The MHMS Social Welfare Division (Social Welfare) is also responsible for the deployment of social welfare workers. Social welfare workers report to the Director of Health in the province, not the MHMS/Social Welfare Division. Inter alia, they counsel affected persons and refer them to other services (medical, legal, etc.) provide support and home visits to vulnerable persons, conduct awareness-raising and outreach activities, and provide “impact statements” in domestic violence (and juvenile) trials, and regularly visit (women and juveniles in) prisons, pursuant to a MOU with CSSI.</p> <p>However, social welfare workers only have limited training on counselling skills, lack equipment and resources – including, to visit rural or remote communities – and office space suitable to receive affected or vulnerable persons.</p> <p>Moreover, there are not social welfare workers in all provinces – currently six in Honiara and five in the provinces - though there is a plan to increase the number deployed.</p>

<b>MWYCF A</b>				•						•	<p>Under the FPA, the Ministry is responsible for training and certifying (54) domestic violence counsellors to be deployed throughout the country - and has established a national counselling framework.</p> <p>The MWYCFA also invested heavily in consultations preceding the adoption of the FPA, as well as the training and awareness-raising that accompanied its roll-out.</p> <p>The Ministry works on prevention and treatment of child abuse cases - including mapping referral systems (with UNICEF) - and liaises with Social Welfare.</p> <p>It has Desk Officer's in all provincial administrations. It also provides grants to the National Council of Women, CCC, and FSC.</p> <p>The Ministry, in May 2017, released a "Gender Equality and Development Policy". The policy, inter alia, seeks to eliminate violence against women.</p> <p>The MWYCFA, while strong on strategic and development planning, needs additional in-house legal expertise, including on relevant international standards.</p>
<b>Provincial Women's Desk Officer</b>	•	•	•	•	•	•	•	•	•	•	<p>Every provincial administration has a Women's Desk Officer. In alia, they support the development of provincial policy/plans, ordinances and by-laws, and related budgetary allocations. This is to support activities that raise awareness about the FPA and related issues, establish safe-houses (e.g., for Gizo and Naro) for victims of domestic violence, fund resource centres, and promote economic empowerment.</p>
<b>Provincial Women's Council</b>							• WR C			• WR C	<p>Councils provide economic support to, and promote economic empowerment for, women, through grants and logistical support (from funding obtained through advocacy with local authorities and community leaders) as well as supporting public awareness-raising activities.</p> <p>The Women's Council operates a Women's Resource Centre (WRC) in Gizo. There Is also a WRC in Malaita.</p>
<b>Schools</b>	60	80	184	76	95	146	318	15	68	193	<p>The extensive network of schools throughout the country, although many of them may not be in best state of repair or fully staffed, could be used for legal awareness-raising activities and promoting attitudinal change.</p>

## Annex 5: Circuit Court Locations

District	Province	Central/Main Court	Name
Central	Guadalcanal	Central Magistrate Court	Marau
Central	Central	Central Magistrate Court	Tulagi (Russel Islands)
Central	Central	Central Magistrate Court	Yandina (Russel Islands)
Central	Isabel	Central Magistrate Court	Buala
Central	Isabel	Central Magistrate Court	Kia
Central	Rennell and Bellona	Central Magistrate Court	Tingoa (Rennel)
Central	Rennell and Bellona	Central Magistrate Court	Bellona centre
Western	Western	Gizo	Seghe
Western	Western	Gizo	Munda
Western	Western	Gizo	Ringi
Western	Western	Gizo	Noro
Western	Western	Gizo	Nila (Shortland Islands)
Western	Choiseul	Gizo	Taro
Malaita	Malaita	Auki	Atori (East Malaita)
Malaita	Malaita	Auki	Malu'u (North Malaita)
Malaita	Malaita	Auki	Afio (South Malaita).
Eastern Inner District Court	Makira	Kirakira (Makira Province)	Ulawa
Eastern Inner District Court	Makira	Kirakira	Santa
Eastern Inner District Court	Makira	Kirakira	Ana
Eastern Inner District Court	Makira	Kirakira	Namuga
Eastern Inner District Court	Makira	Kirakira	Tawaraha
Eastern Inner District Court	Makira	Kirakira	Marou Bay
Eastern Inner District Court	Makira	Kirakira	Asimanioha



Eastern Inner District Court	Makira	Kirakira	Taheramo
Eastern Inner District Court	Makira	Kirakira	Arona
Eastern Inner District Court	Makira	Kirakira	Parego
Eastern Inner District Court	Makira	Kirakira	Gupuna
Eastern Inner District Court	Makira	Kirakira	Naharahau
Eastern Outer		Lata, Temoto	Manuaopo
Eastern Outer		Lata, Temoto	Vanikoro
Eastern Outer		Lata, Temoto	Utupua
Eastern Outer			Reef Islands

*Source: Central Magistrates Court, Solomon Islands, July 2018*