



Government of Papua New Guinea



# JUSTICE *for* CHILDREN

FORMATIVE EVALUATION

Evaluation of the UNICEF Improving Access to Justice for Children and Women (J4C) in Papua New Guinea (PNG) project.

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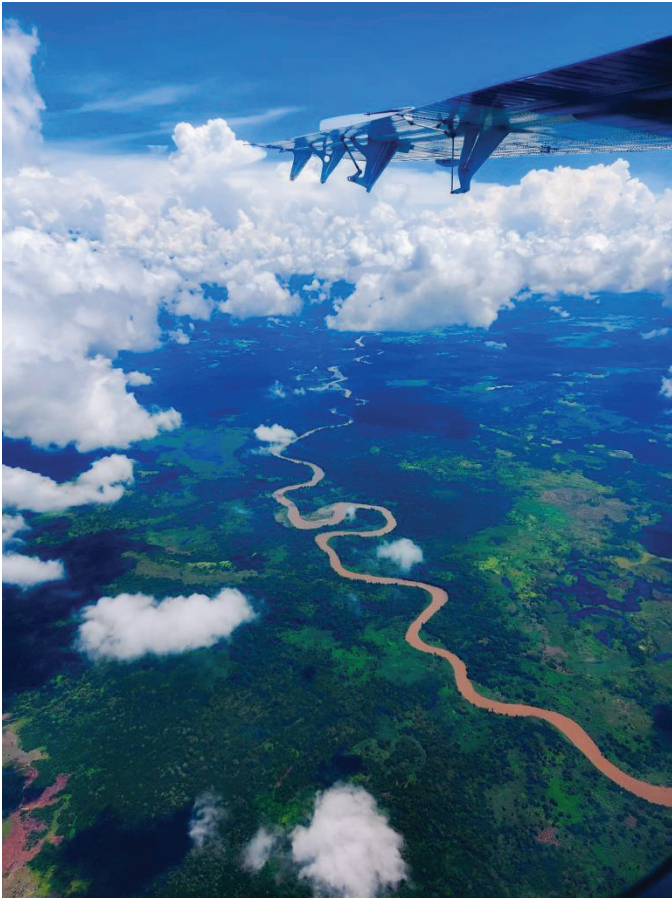
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### RELEVANT REPORT INFORMATION

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## LIST OF ACRONYMS

ABG	<b>Autonomous Bougainville Government</b>	JRRP	<b>Juvenile Rehabilitation and Reintegration Policy</b>
ARoB	<b>Autonomous Region of Bougainville</b>	LPA	<b>Lukautim Pikinini Act 2015</b>
BPS	<b>Bougainville Police Service</b>	MMR	<b>Maternal Mortality Ratio</b>
CDR	<b>Community Development and Youth &amp; Religion (DfCDR)</b>	MSJI	<b>Minimum Standards for Juvenile Institutions</b>
CEDAW	<b>Convention on the Elimination of All Forms of Discrimination Against Women</b>	NCD	<b>National Capital District</b>
		NGOs	<b>Non-Governmental Organisations</b>
		NJJC	<b>National Juvenile Justice Committee</b>
CPOs	<b>Child protection officers</b>	NOCFS	<b>[The National] Office of Child and Family Services</b>
CRC	<b>Convention on the Rights of the Child</b>	OECD/ DAC	<b>Organisation For Economic Co-Operation and Development Assistance Committee</b>
CRPD	<b>Convention on the Rights of Persons with Disabilities</b>		
CSOs	<b>Civil Society Organisations</b>	PE	<b>Process Evaluation</b>
CWD	<b>Children with Disabilities</b>	PJJC	<b>Provincial Juvenile Justice Committee</b>
DE	<b>Developmental Evaluation</b>	PNG	<b>Papua New Guinea</b>
DHS	<b>[National] Demographic and Health Survey</b>	PNGCIR	<b>Papua New Guinea Civil and Identity Registry</b>
DJAG	<b>Department of Justice and Attorney General</b>	PSEA	<b>Prevention Of Sexual Exploitation and Abuse</b>
EAPRO	<b>UNICEF East Asia and the Pacific Regional Office</b>	RAM	<b>Results Assessment Module</b>
ECOSOC	<b>Economic and Social Council</b>	RPNGC	<b>Royal Papua New Guinea Constabulary</b>
FBOs	<b>Faith Based Organisations</b>	SNAP	<b>Sorcery National Action Plan</b>
FSVAC	<b>Family and Sexual Violence Action Committees</b>	ToC	<b>Theory of Change</b>
		ToR	<b>Terms of Reference</b>
GBV	<b>Gender Based Violence</b>	ToT	<b>Training of Trainers</b>
GDP	<b>Gross Domestic Product</b>	TVET	<b>Technical and vocational education and training</b>
GoPNG	<b>Government Of Papua New Guinea</b>	UFE	<b>Utilisation Focused Evaluation</b>
IPV	<b>Intimate Partner Violence</b>	UNEG	<b>United Nations Evaluation Group</b>
IPOs	<b>Interim Protection Orders</b>	VAC	<b>Violence Against Children</b>
KEQs	<b>Key Evaluation Questions</b>	VAW	<b>Violence Against Women</b>
JJA	<b>Juvenile Justice Act 2014</b>	VCPOs	<b>Volunteer Child Protection Officers</b>
JJOs	<b>Juvenile Justice Officers</b>	VJJOs	<b>Volunteer Juvenile Justice Officers</b>
JJS	<b>Juvenile Justice Service</b>		
JPOs	<b>Juvenile Police Officers</b>		

### GLOSSARY OF SOME KEY TERMS<sup>1</sup>

**Child:** Every human being below the age of 18 years, unless under the law applicable to the child the majority is attained earlier. [CRC Article 1]

**Children in Conflict with the Law (CICL):** Any boy/girl who comes in contact with law enforcement authorities, because he/she is alleged as, accused of, or recognised as having infringed the criminal law. [CRC General Comment No.10]

**Child Protection:** Child Protection is the prevention of, and response to, exploitation, abuse, neglect, harmful practices, and violence against children.

**Diversion:** The conditional channeling of children in conflict with the law away from formal judicial proceedings towards a different way of resolving the issue that enables many – possibly most – to be dealt with by non-judicial bodies, thereby avoiding the negative effects of formal judicial proceedings and a criminal record, provided that human rights and legal safeguards are fully respected.

**Juvenile justice system:** Legislation, norms, standards, guidelines, policies, procedures, mechanisms, provisions, institutions, and bodies specifically applicable to CICL who are at or above the minimum age of criminal responsibility.

**Protective detention/custody:** Protective detention/custody of boys and girls is used by police, prosecutors and judges with a view to protecting them from a dangerous person or situation, such as revenge by the victim(s) or victim's family.

**Rehabilitation:** Restoring a child to good health or finding them a place in society, often through therapy and education.

**Reintegration:** Re-establishing of roots and a place in society for CICLs, so that they feel a part of, and accepted by, the community.

**Case-conferencing (also known as restorative juvenile justice approach):** An approach in which the victim(s) and offender(s), or others affected by a crime, participate in the resolution of matters arising from the crime, generally with a facilitator.

**Victim:** This term 'victim(s)' is used because it has a specific legal meaning in the (juvenile) justice context.

**Victim/survivor:** The term 'survivor(s)', which is widely used in relation to gender-based violence, acknowledges and reinforces resilience, can assist in psychological recovery and can reduce re-victimisation by continued labelling with the term 'victim(s)' which many people consider as disempowering and stigmatizing.

**Violence Against Children (VAC):** This term encompasses "all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse" [CRC Article 19].

**Violence Against Women (VAW):** The United Nations defines this as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life" (General Assembly Resolution 48/104 Declaration on the Elimination of Violence against Women, 1993.)

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<sup>1</sup> Sourced from UNICEF. (2017). *Diversion not Detention: A study on diversion and other alternative measures for children in conflict with the law in East Asia and the Pacific*, UNICEF EAPRO, Bangkok. page 10 or "x".



### EXECUTIVE SUMMARY

#### INTRODUCTION

This report presents the evaluation of the *Improving Access to Justice for Children and Women (J4C) in Papua New Guinea (PNG)* project, which is administered by UNICEF and funded by the Department of Foreign Affairs and Trade (DFAT). Papua New Guinea ratified the UN Convention on the Rights of the Child (UNCRC) in 1993, and the legislative framework for the protection of children from violence and child justice are relatively strong, and comprehensive. However, research has established that children are experiencing unacceptably high rates of violence, abuse, neglect, and exploitation. One of the critical bottlenecks is that many of the operational and regulatory frameworks, sectoral protocols, and guidelines for implementation of laws and acts have not yet been finalised. Therefore, there was, and still is, a need to strengthen PNG's child protection and justice system.

It was within this context that the J4C project started in 2018. It has one outcome and two outputs which are:

**OUTCOME: By 2022 girls & boys have increased access to justice and supportive protection services.**

- **Output 1:** Improved coordination mechanisms, knowledge-base and leveraging of resources; and
- **Output 2:** Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors, witnesses, and alleged offenders.

Two additional outputs, intended to represent additional components of the J4C project, were introduced in 2022: **(Output 3)** Enabling Environment; and **(Output 4)** Service Provision. The Theory of Change (ToC) includes a "Minimum package of child protection/justice services" comprised of evolving "models" for child protection, diversion, police, and the courts. **IF** they were implemented jointly in two provinces, **THEN** the children of PNG would have improved access to [and utilisation of] protective care, support, and justice services. [paraphrased]

#### EVALUATION PURPOSE AND OBJECTIVES

This evaluation **purpose** is for accountability and future planning, and the main evaluation audience is UNICEF and DFAT. The evaluation objectives are to:

- Assess the contribution of J4C to child protection system strengthening;
- Assess the contribution of J4C to multisectoral justice and child protection services, in line with international standards;
- Assess the effectiveness, equity, human rights, gender equality, and sustainability of J4C project; and
- Identify good practices, lessons learned, emerging priorities for future project design; provide recommendations.

The evaluation design and approach were guided by three out of the six Organisation for Economic Co-operation and Development's criteria of compliance, effectiveness, sustainability, as well as the criteria of equity, human rights, and gender equality. The agreed upon **scope** was that only six (out of seven) elements of UNICEF's child protection systems strengthening framework would be explored.<sup>2</sup> Five provinces are examined, including:

protection-systems-strengthening. The one element explored was (vii) data.

<sup>2</sup> UNICEF. (2021). Technical Paper: Child Protection System Strengthening. <https://www.unicef.org/documents/child->

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the Autonomous Region of Bougainville, East New Britain, Morobé; National Capital District, and Western Highlands. The evaluation reviewed the activities implemented between January 2018 and December 2022, and the project budget is USD 2,392,565.77.

### METHODOLOGY

The Evaluation spanned from June 2022 through the end of May 2023. From the onset, UNICEF's Evaluation Management Team and the StratMan Evaluation Team had four substantive bilateral discussions to clarify the evaluation scope. Not only did the two teams work to formulate the Key Evaluation Questions, but also they vetted the evaluation questions with DFAT and the Government of PNG stakeholders. An in-person Inception Workshop had the main objective of promoting stakeholder buy-in, but also it supported the development of the ToC. The evaluators also travelled to five sites in October 2022, after which a remote Validation Workshop was conducted which gave project stakeholders the opportunity to begin reflecting on preliminary findings and address missing data.

When the planned number of children to interview was not reached, a second round of data collection was undertaken in January 2023. The end of the evaluation included another stakeholder workshop with UNICEF, DFAT, and government stakeholders which facilitated the development of recommendations, ultimately leading to the formulation of appropriate recommendations. This evaluation had a mixed method design and applied five different evaluation approaches: (1) Theory-Driven, (2) Utilisation-Focused Evaluation, (3) Process Evaluation, (4) Equity-focused and Equitable Evaluation, and (5) Developmental Evaluation. Data sources included Key Informant

Interviews, Focus Group Discussions, and document review.

**Out** of a total of 86 stakeholders interviewed, the total number of females interviewed (n=47) was higher than that for males (n=39), representing approximately 55% and 45% of the sample, respectively. The evaluation was restricted by limited data at national and sub-national levels, and some stakeholder samples (child courts, police, and children) were smaller than expected.

### COMPLIANCE / RELEVANCE

This report reviews the following provisions: (1) Safeguards against Discrimination; (2) Female CICLs; (3) Children with Disabilities; (4) Prevention and Early Intervention Below the minimum age of criminal responsibility (MACR); (5) Diversion; (6) Right to Be Heard and the Right to Participate; (7) Privacy and Confidentiality; (8) Right Against Torture; (9) Detention As a Measure of Last Resort; (10) Separate Facility from Adults; (11) Establishment of Specialised Units; (12) Rehabilitation and Reintegration Programmes; and (13) Awareness Raising. Further, the evaluation reviewed the extent to which the J4C project supported training to child protection professionals to help them to be more sensitive in dealing with children.

The evaluation found that Juvenile Rehabilitation and Reintegration Policy (JRRP) 2021-2031 and the Minimum Standards for Juvenile Institutions helped the Government to meet the UNCRC 37 & 40 standards, but the project made limited contributions toward implementing UNCRC 19 in the context of providing protection to the rights of child victims and witnesses. The project also had limited contribution toward integrating the principles of the Convention on the Rights of Persons with Disabilities (CRPD) or increasing knowledge about

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the need to support children with disabilities who are in contact with the law.

It was also found that the JRRP and MSJI, direct products of the J4C project, are much needed instruments and help to orient service providers in supporting children in contact with the law (CICLs), thereby ensuring that they receive appropriate services. While it was highlighted that juveniles should have the opportunity to voice their opinions and be given the chance to effectively participate in the process, several Duty bearers called attention to the fact that there is still a need for other professionals to receive training in working with CICLs.

Similarly, the data from Duty bearers confirmed that they now know how to treat victims and witnesses with respect. Despite these accomplishments, however, the interview data from protection professionals revealed that while the training made them more sensitised to children’s protection needs, they would still feel more comfortable having training in the area of trauma-informed care. Finally, several professionals were unable to support CWDs in accordance the CRPD principles, and so additional training was requested.

### EFFECTIVENESS

The report also assesses the project’s contributions to strengthening the PNG child protection/juvenile justice system. Briefly, before the project, there was limited policy, inadequate governance structures, and marginal workforce development. The project therefore contributed to policy, multisectoral coordination, skills upgrades, and generated evidence about the child protection system in PNG.

However, in recalling the ToC, UNICEF’s support was intended to lead to improved child protection

through the modelling of coordinating mechanisms (Output 1) and the delivery of specialised, efficient, and multisectoral services (Output 2) in two provinces. After the delivery of these integrated services, it was anticipated that the project services would be scaled up to other provinces. Indeed, from the onset of project implementation, the documents show UNICEF supported the government, investing in foundational work (i.e., assessments). During the implementation process, however, this was redefined to support more than five provinces with limited evidence that learning, or modeling, took place prior to scaling up. **This decision was to the detriment of the efficiency and effectiveness of the project which is reflected in the J4C RESULTS FRAMEWORK.**

The **J4C RESULTS FRAMEWORK** is specific, articulating how expected accomplishments are supposed to unfold, but six (out of nine) indicators did not have baseline figures. Out of nine targets, the project did not meet six, which may be attributed to: (1) the limited availability of administrative data from all systems (DJAG, JJS, NOCFS, RPNGC, and judiciary); and (2) not meeting key ToC assumptions. The assessment of the project’s effectiveness according to the **J4C RESULTS FRAMEWORK**, in turn, **diminished some of the project’s successes.**

#### GOVERNMENT STAKEHOLDERS

**DJAG:** Department of Justice and Attorney General

**JJS:** Juvenile Justice Service

**NOCFS:** National Office of Child and Family Services

**RPNGC:** Royal Papua New Guinea Constabulary

There are two sets of coordinating bodies, the National Juvenile Justice Committee (NJJC) and the Provincial Juvenile Justice Committee (PJJC), and the J4C project supported the NJJC and helped

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to establish 11 PJJCs, which directly contributed to quality of multisectoral justice and child protection services. The PJJCs play an essential role in coordinating protection, response, and support services for CICLs, facilitating diversion processes. It was noted that almost all PJJCs have high-ranking provincial administrators leading the committees, which ultimately supports their sustainability. Data indicates that their functionality varies from effective to non-operational, however, and police presence is uneven.

Additionally, it has been noted that services for child protection and juvenile justice have been separated. These two justice service providers should not be operating in siloes, as the two services should be working together, evolving together, and building up together. While there are relationships between and among the child protection system, which includes juvenile justice, it was observed that there is (1) no agreed-upon referral protocols connecting child protection and juvenile justice to education and health; and (2) no institutionalised training for professionals tasked with child protection and juvenile justice service delivery. The two social services working together is feasible, and the Evaluation Team provided examples of good practices and multisectoral programme design, where such services function under one umbrella.

The evidence also shows that there are numerous bottlenecks impeding the juvenile justice system from extending quality services, and they are linked to: (1) a continued need for police diversion services; (2) a need for judicial services for juveniles; (3) no separation of male juveniles (aged 10 to 17 years) from the adult male population in police stations; and (4); limited rehabilitation and

vocational programmes. It is recognised that the lack of separation of male juveniles from adult cohorts falls outside of the scope of the J4C project, but this is still a critical bottleneck obstructing the provision of juvenile justice services.

#### **EQUITY, HUMAN RIGHTS, AND GENDER EQUALITY**

The report also illustrates that after multiple professionals received training through the J4C project, vulnerable Rights holders in fact received improved services. This report presents two composite cases of two vulnerable survivors/one witness and one case story of a CICL who received diversion services. Their stories, told through the voices of children and women, provide examples of service providers being empathetic by either bringing a child home or taking note of signs of post-traumatic stress disorder before proceeding on with case conferencing rather than overlooking the need for mental health services.

#### **SUSTAINABILITY AND EMERGING GOOD PRACTICES**

There are a litany of factors inhibiting sustainability of quality child-friendly services, and those which have not already been mentioned include: (1) nascent coordination between community/district and provincial levels; (2) lack of reliable means of communication and transportation; (3) limited mechanism for information management and accountability; (4) limited range, quality, and accessibility of formal services for children and families; and (5) weak linkages between the formal and informal systems. However, there are also factors in the operating environment favoring the delivery of sustainable child-friendly justice, including: (1) the Lukautim Pikinini Act (2015) which aligned with the UNCRC, (2) some children beginning to seek help from the justice sector; (3) a

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committed workforce, (4) informal collaboration, and (5) Village Courts.

It is acknowledged that the evaluation produced numerous **mixed findings**. However, as part of good practices, interventions supporting child protection and juvenile diversion processes are still considered robust and promising models.

In support of sustainability, returning to the original plan of investing in two provinces could assist the government with compliance with international standards. Another proposed adjustment would be to focus on the potential of Village Courts which bring enormous potential to improving justice for children. Given that they: (1) are the most accessible entity and service available, and (2) the citizens proactively seek their services, their positioning may inhibit access to formal justice services; However, they have the law supporting their operation, and they have the necessary human resources.

Most importantly, there is a Village Court System Strategy 2020-2030 with seven pillars which call attention to the need to: (1) make communities safer, and (2) support access to justice for juveniles and vulnerable women, especially those accused of sorcery. Hence, they should continue to be a vanguard for improving the functioning of the justice system of PNG in regard to children.

**Therefore, there is an important opportunity for UNICEF to support a highly accessible mechanism and make children's best interests a guiding principle of the Village Court's work.**

Finally, the Evaluation Team asked all stakeholders about their ideal roles, or what *they would like to do* to make justice services specialised, efficient, and coordinated. A specialised service implies one which has intersectoral linkages, and stakeholders' interpretations of specialised services ranged from

very technical to basic skills. On the one hand, it was acknowledged that there was a need for even more specialised training to provide a higher quality justice service. On the other hand, others mentioned training in "basic sensitisation", "enhancing the soft skills" to better address the trauma of children, or just "I don't know how to talk to my client...We might say something that might hurt the child, and then we could cause more harm. We don't know exactly what to say." Currently, such reflections substantiate what the bare minimum package of justice services should entail.

### RECOMMENDATIONS

The Evaluation Team presents a total of eleven recommendations, split into two categories, the first of which comprises of actions to reset the overall strategy of the project. The second category consists of actions designed to improve the implementation of the project reset for juvenile justice and protection services. While the list below is a *summary*, and the Recommendations Table in the report includes a comprehensive discussion.

### STRATEGY: PROJECT RESET

The continuous improvement of the justice system, including juvenile justice and justice for children, is a national priority for the Government of Papua New Guinea. The country's national justice programme aims to provide justice to the entire population across its 22 provinces. The J4C project, an integral part of the national programme's strategic objectives, seeks to improve the justice system.

Once the J4C project demonstrates effectiveness and produce valuable implementation lessons, the project can guide the ongoing national justice programme on going to scale and mainstreaming the experience gained from J4C into an expanded geographical scope.

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1. Revert to the original coverage of the J4C project and focus the new phase of the project in two provinces (maximum).
2. Prioritise support to improve of the Village Courts to effectively deliver services around juvenile justice. A team of stakeholders from UNICEF, NOCFS, JJS, and, the Village Courts & Land Mediation Secretariat, should work together in defining priority actions towards improving the functioning of the Village.

### OPERATIONS: PROJECT IMPROVEMENTS

There are actions identified as critical in ensuring the implementation of the modified project is optimum and that the new phase of the J4C project produces a model that is effective and therefore scalable in the country.

3. Recommendations are linked to:
  - a. Improving the multisectoral response which includes contributions from the: (i)

- Department of Education; (ii) Department of Health; and (iii) Police;
    - b. Developing Standard Operating Procedures to help violence against children and women survivors, facilitating the interface among child protection-law enforcement-juvenile justice;
    - c. Integrating the cooperation of the RPNGC into future capacity building efforts;
    - d. Undertaking a detailed bottleneck analysis to determine where the reset project province ought to be located;
    - e. Conducting a study with JJS to produce an advocacy tool to amend the Village Courts Law supporting coordination between provincial and district levels;
    - f. Developing diversion options for CICLs at the community level; and
4. Include qualitative indicators in the Results Framework.

# INTRODUCTION

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## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### 1. INTRODUCTION

This report presents the evaluation of the *Improving Access to Justice for Children and Women (J4C) in Papua New Guinea (PNG)* project, which is administered by UNICEF and funded by the Department of Foreign Affairs and Trade (DFAT). The report includes the following parts:

- Evaluation Background and Context;
- Evaluation Purpose, Objectives and Scope;
- Evaluation Methodology
- Evaluation Findings;
- Conclusions & Lessons Learned;
- Recommendations; and
- Annexes.

#### Country Summary

Since independence from Australia in 1975, PNG has successfully developed many of its institutions into a modern, diverse, and democratic state. The economy is classified as Lower-Middle Income, and the growth in gross domestic product has averaged 2.95 percent since 1995.

Among a population of over an estimated nine million people, PNG is the most heterogeneous country in the world with more than 800 different languages spoken.<sup>3</sup> *Tok Pisin*, a creole language, is widely used and understood. The dominant religion among PNG's population is Christianity (95.6%).

Though PNG is undergoing an intense economic and social transformation in its 22 provinces, delivering social services to a diverse, dispersed, and mostly rural population spread over 600 islands has been a challenge.<sup>4</sup> Only 45.5% of households have piped water.<sup>5</sup> Approximately two-fifths of health/sub-health centres and rural health posts have no electricity or essential medical equipment;<sup>6</sup> Only 16.6% of the population had access to electricity in 2016<sup>7</sup>. Civil society, including Faith-based organisations (FBOs), provide a wide range of social services. In fact, churches manage a large proportion of social services (education and health).<sup>8</sup>

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<sup>3</sup> Information sourced from Papua New Guinea Population 2021 (Demographics, Maps, Graphs) (worldpopulationreview.com)

<sup>4</sup> In May 2012 two new provinces officially came into existence, the Hela Province, and the Jiwaka Province. (UNICEF footnote: All 600 islands are not inhabited.)

<sup>5</sup> The 2016 Demographic Health Survey (DHS) information on the proportion of population with access to electricity states that 57% (urban); 11.4% (rural); and 16.6% (total) have electricity, pages 16 and 31. The information on the percent distribution of households by source of drinking water is 83.2% (urban); 41.5% (rural); and 45.5% (total).

<sup>6</sup> United Nations Development (UNDP) Human Development Index (HDI). (2020). page 243. This report ranks PNG as 155.

<sup>7</sup> DHS 2016-2018, pg. xxxi. (This citation was added by UNICEF, as it was missing in the final report delivered by the evaluation team. The value was subsequently corrected from 16% to 16.6%, and the reference was changed from "electric grid" to "electricity")

<sup>8</sup> Adorna, C., de los Angeles Bautista, F., & Nichols, T. (2021). Evaluation of the UNICEF Parenting for Child Development (P4CD) Programme in Papua New Guinea [Pasin Bilong Lukautim Pikinini Gut], UNICEF, page 18.



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The Autonomous Region of Bougainville (ARoB) is an important part of the PNG context. “Formerly a province of PNG with a current population of around 250,000 people, Bougainville experienced a protracted civil conflict between 1989 and 1997. The conflict, which resulted in the loss of up to 20,000 lives, led to the effective collapse of government authority and services throughout the main island.”<sup>9</sup> A peace process was initiated in 1997 with international support from the United Nations and neighbouring countries (e.g., Australia, Fiji, New Zealand, and Vanuatu). The 2001 Bougainville Peace Agreement created the **Autonomous Region of Bougainville**, and its constitution established the Autonomous Bougainville Government (ABG) in 2005. In AroB’s foundational documents, there is a strong commitment to reconfiguring institutions of government and administration to better fit Bougainville’s plural forms of authority and leadership, including the Bougainville Police Service (BPS), among other justice service providers.<sup>10</sup> Various powers were transferred from the national government to the ABG. However, approaches to reconciliation, involving chiefs, Village Courts, churches, and women’s groups, still play an important role in delivering justice services at local levels.<sup>11</sup>

## 2. BACKGROUND & COUNTRY CONTEXT

### Background

Papua New Guinea ratified the UN Convention on the Rights of the Child (UNCRC) in 1993, and this among other core human rights treaties, guarantees all children the right to protection from all forms of violence, as well as other related child rights and fundamental principles including non-discrimination, the right to participation, the right to survival and development, and the right to have their best interests taken into account as the primary consideration in all actions concerning them.<sup>12</sup> The legislative framework for the protection of children from violence and child justice are relatively strong, and comprehensive. Indeed, PNG has made significant strides in terms of improving legal and policy frameworks related to the protection of girls, boys, and women. For example, the Government has enacted/formulated:

- Lukautim Pikinini (Child Protection) Act (2015)(LPA);
- Family Protection Act;
- Child Protection Policy (2017-2027);
- Juvenile Justice Act (2014);
- Juvenile Justice National Plan (2018-2022);
- National Strategy to Prevent and Respond to Gender Based Violence 2016-2026;

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<sup>9</sup> Putt, J. & Dinnen, S. (2020). Reporting, Investigating and Prosecuting Family and Sexual Violence Offences in Papua New Guinea, Australian National University, Department of Pacific Affairs, page 12.

<sup>10</sup> Dinnen, S. and G. Peake (2013). More than just policing: police reform in post-conflict Bougainville. *International Peacekeeping* 20(5):570-584.

<sup>11</sup> Braithwaite, J., Charlesworth, H., Reddy, P. & Dunn, L. (2010). *Reconciliation and architectures of commitment: Sequencing peace in Bougainville*. Canberra: Australian National University E Press.

<sup>12</sup> They include International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Rights of Persons with Disabilities. Source: [www.treaties.un.org](http://www.treaties.un.org).

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- Civil Registration Act (2014); and <sup>13, 14</sup>
- National Policy on Disability 2015 – 2025 (2014).

However, in spite of these accomplishments, key research has established that **children are at risk, as they are experiencing unacceptably high rates of violence, abuse, neglect, and exploitation.**<sup>15</sup> One of the critical bottlenecks is that many of the operational and regulatory frameworks, sectoral protocols, and guidelines for implementation of laws and acts have not yet been finalised.

For example, the LPA (2015) and the Operational Manual recognise that the family usually provides the first line of protection for children and appreciate the right of children to grow up in their family, unless this is not in their best interests. While it provides mandatory reporting obligations and referral processes for professionals who work with children, including responsibilities for Child Protection Officers (CPOs), the law in PNG could be strengthened by providing further guidance on multi-agency assessment and cooperation in responding to children in need of care and protection.<sup>16</sup>

In essence, the implementation of laws and policies requires continued political commitment at all levels; greater financial investment; systems and institutional changes; workforce strengthening; enhancing communities' awareness of and capacity to demand services; the establishment of several mechanisms for monitoring and holding duty bearers accountable.<sup>17</sup> Moreover, "integrative work in the prevention sphere (for Violence Against Women/ Violence Against Children-VAW/VAC) is not yet formalised or deliberate. However, prevention programming is a key opportunity for integrative VAW-VAC work in order to address the shared risk factors and break intergenerational cycles of violence".<sup>18</sup> Therefore, there was, and still is, a need for strengthening the whole child protection and justice system to support the implementation of the laws and policies that can effect long-term change.

### The Context of PNG

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<sup>13</sup> UNICEF. (2017). PNG 2018-2022 Programme Strategy Notes – Child Protection, page 4.

<sup>14</sup> Kindly note an important policy has been recently completed, the Juvenile Rehabilitation and Reintegration Policy (JRRP) 2021-2031, but this was an output of the current project.

<sup>15</sup> Save the Children. (2016). The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families, page 6; United Nations Children's Fund (2017). Diversion not detention: A study on diversion and other alternative measures for children in conflict with the law in East Asia and the Pacific, UNICEF EAPRO, Bangkok, page 164; & Putt, J., Phillips, T., Thomas, D., & Kanan, L. (2019). Family Protection Orders - A Key Response to Domestic and Family Violence: A Pilot Study in Lae, Papua New Guinea, page 3.

<sup>16</sup> Anderson, Kirsten, Catherine Burke & Bruce Grant. (2022). The protection of children from all forms of violence and child focused justice in PNG: Mapping and analysis of legal and policy frameworks: Executive Summary, Coram International, page 16.

<sup>17</sup> UNICEF. (2017). PNG 2018-2022 Programme Strategy Notes – Child Protection, page 4; Putt, J., Phillips, T., Thomas, D., & Kanan, L. (2019). Family protection orders - a key response to domestic and family violence: A pilot study in Lae, Papua New Guinea, page 44; & Anderson, Kirsten, Catherine Burke & Bruce Grant. (2022). The protection of children from all forms of violence and child focused justice in PNG: Mapping and analysis of legal and policy frameworks, Coram International, page 115-116.

<sup>18</sup> UNICEF East Asia and the Pacific Regional Office, UNFPA Asia and Pacific Regional Office, and UN Women Asia and Pacific Regional Office. (2020). Ending Violence against Women and Children in Papua New Guinea: Opportunities and Challenges for Collaborative and Integrative Approaches, Bangkok: UNICEF, Gevers, A. and Day, E., page 21.

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### Village Courts

The **Village Courts** are a unique and noteworthy aspect of PNG's justice sector, as it is "the heartbeat of the rule of law in PNG".<sup>19</sup> It is estimated that the Village Courts heard 76–90 percent of all cases of CICLs.<sup>20</sup> Village Courts, comprised of 1,600 courts with 18,480 officers<sup>21</sup>, started operating in 1975. They sit at the lowest level of the court hierarchy, but they have played a "vital role in the justice system."<sup>22</sup> They are the mechanism used to dissolve conflicts for the majority of the population. While most Village Courts are located in the rural areas, they are also in cities. The Village Courts adopt a "Restorative Justice Approach" which is, defined by the government, "a traditional method of resolving disputes that encourages forgiveness on the part of the victim, contrition on the part of the offender, and reconciliation between the parties."<sup>23</sup>

The recently developed Village Court System Strategy 2020-2030 is designed to mobilise the network of Village Court Officials and other community-based partners to proactively "assume responsibilities and oversight over management, planning, and decision-making processes of the system targeted at decreasing the prevalence of lawlessness in PNG communities." Two of the pillars of this strategy, *Improved Community, Policing, Safety, Crime Prevention, and Respect for the Rule of Law* and *Improved Access to Justice* focus on making communities safer and supporting access to justice for juveniles and vulnerable women, especially those accused of sorcery.

At the national level, there is an established Village Courts Secretariat within the Department of Justice and Attorney General (DJAG), which includes officials responsible for supporting the Village Court's functioning. At the community level, the Village Courts have a chairperson, magistrates, and a Peace Officer, all of whom earn monthly allowances. In each province, there is at least one female officer who hears cases brought forth by women, female adolescents, and children.<sup>24</sup>

As the scope of the Village Courts is local,<sup>25</sup> the subject matter jurisdiction is limited to: (1) Minor crimes involving nonviolent, low-level criminal offenses (assault, slander, damage to property, intoxication); and (2) Civil (land disputes, breach of contract, damages/debt repayment, bride price, custody of children). Cases

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<sup>19</sup> GoPNG. DJAG, PNG Village Court & Land Mediation Secretariat. (2019). *Crime Prevention through Revitalised Village Court System Strategy: 2020 – 2030*, page 2.

<sup>20</sup> Village courts exist under the authority of the Village Courts Act of 1989 and constitute the main source of justice in much of the country; and UNICEF. (2017). *Diversion not Detention: A study on diversion and other alternative measures for children in conflict with the law in East Asia and the Pacific*, UNICEF EAPRO, Bangkok, page 30.

<sup>21</sup> GoPNG. DJAG, PNG Village Court & Land Mediation Secretariat. (2019). *Crime Prevention through Revitalised Village Court System Strategy: 2020 – 2030*, page 11.

<sup>22</sup> GoPNG. DJAG, PNG Village Court & Land Mediation Secretariat. (2014). *Learner's Guide Official's Course*, page 6.

<sup>23</sup> GoPNG. DJAG, PNG Village Court & Land Mediation Secretariat. (2019). *Crime Prevention through Revitalised Village Court System Strategy: 2020 – 2030*, page 26.

<sup>24</sup> GoPNG. DJAG, PNG Village Court & Land Mediation Secretariat. (2019). *Crime Prevention through Revitalised Village Court System Strategy: 2020 – 2030*; 0211.FGD.4.VCourts1; & 1410.K11.4.VCourts.

<sup>25</sup> This includes: (1) Dispute arises within an area/community; (2) Subject matter of the dispute is in the area/community; (3) Dispute is between residents of the village; and (4) Dispute is between at least one resident and all other non-residents give consent.

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of rape and sexual assault for females under age 12 are not supposed to be heard by Village Courts officials and should be referred to the National Criminal Courts.<sup>26</sup> When cases of family violence make it to court, they usually end up in Village Courts, which mediate family matters with the goal of reconciliation, not district courts where serious crimes are prosecuted.<sup>27</sup> Decisions by Village Courts are considered *res judicata*, but they can be re-litigated in the District Courts by appeal. Their primary purpose is to mediate. Only when mediation fails can they proceed to a contested hearing. In these contested hearings, they function like a normal court (i.e., they receive evidence, apply the law, and pass judgment) but without all the formalities (i.e., no lawyers allowed, rules of evidence are not strictly followed, language of litigation in local dialect).

While the Village Court Clerk is responsible for accurately documenting cases, Village Court data does not capture children or CICLs. Apart from ARoB, there is fairly limited documentation about referrals for Interim Protection Orders (IPOs).<sup>28</sup>

#### Limited Administrative Data

In general, there is limited administrative data in PNG. In the 2021 UNICEF Annual Report to Department of Foreign Affairs and Trade (DFAT), the Department of Attorney-General and Justice (DJAG) statistics cited show that *only a small percentage of children* coming into conflict with the law received either police or court-based diversion.<sup>29</sup> In 2018, an estimated mere 23 percent of children benefitted from diversion at the police level, while the picture was even more dismal at the court level, with only five percent of children being diverted (DJAG statistical report 2019, on file with UNICEF).<sup>30</sup> Further, the quality of data gathered from the police is uneven and not “disaggregated according to sex, age or other parameters that would enable data comparisons and trend identification.”<sup>31</sup>

It is recognised that there has been significant progress in establishing a range of core responsive protection services, such as Family Support Centers, Family and Sexual Violence Units (FSVUs), and Police Sexual Offence Squads, Child Helpline; emergency shelters and safe houses run by civil society

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<sup>26</sup> Bail Act 1977; and Criminal Code Act 1974.

<sup>27</sup> Human Rights Watch. (2015). *Bashed up family violence in Papua New Guinea*, page 42. Transparency International. (2018). *JSS4D: Mid-term Review 2018*, page 24.

<sup>28</sup> GoPNG. DJAG, PNG Village Court & Land Mediation Secretariat. (2019). *Crime Prevention through Revitalised Village Court System Strategy: 2020 – 2030*, page 26.

<sup>29</sup> The term diversion signifies “the conditional channeling of children in conflict with the law away from formal judicial proceedings towards a different way of resolving the issue that enables many – possibly most – to be dealt with by non-judicial bodies, thereby avoiding the negative effects of formal judicial proceedings and a criminal record, provided that human rights and legal safeguards are fully respected.” [UNICEF Toolkit] Source: United Nations Children’s Fund (2017). *Diversion not Detention: A study on diversion and other alternative measures for children in conflict with the law in East Asia and the Pacific*, UNICEF EAPRO, Bangkok, page x.

<sup>30</sup> UNICEF. (2021). *Improving Access to Justice for Children and Women Annual Report*. Submitted to Department of Foreign Affairs and Trade Government of Australia, Reporting period: 01 January 2020 - 31 December 2020. Grants: SC180643 & SC1503822020, page 9.

<sup>31</sup> GHD Pty Ltd. (2015). *Evaluation of the RPNGC Family and Sexual Violence Units*, Prepared for the PNG Australia Law and Justice Partnership and Department of Foreign Affairs and Trade, Government of Australia, page 7.

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organisations (CSOs) as well as child victim and witness support programmes at police and court levels.<sup>32</sup> However, there is a lack of accurate information to assess how well interventions for prevention (and response) are working.

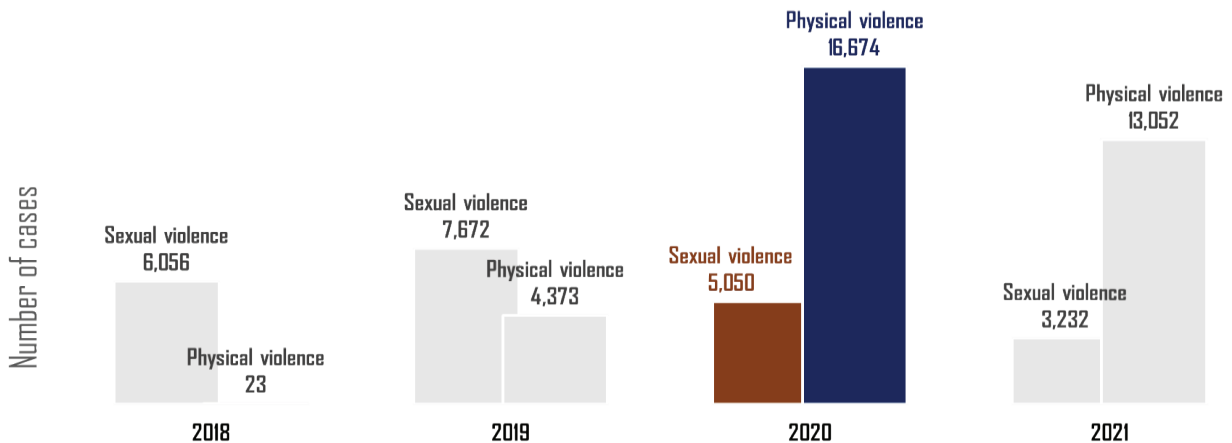
Finally, there is also very little coordination between relevant institutions providing justice services at national, provincial, and district levels, making poor information sharing and networking inevitable. Hence the information that is available is often scattered across different sectors. **Therefore, there are neither monitoring systems for tracking child protection issues nor standardised core national indicators for data collection (or an evidence base).**<sup>33</sup>

### Gender equality in PNG

#### International Context

Gender equality is a serious development challenge in PNG, which in turn, creates fundamental obstacles for women and children’s access to justice services. The prevalence of Intimate Partner Violence (IPV) is significant. For example, the Demographic Health Survey (DHS) showed that 63 percent of ever-married women have experienced spousal physical, sexual, or emotional violence. The most common type of spousal violence is physical violence (54%), followed by emotional violence (51%) and sexual violence (29%).<sup>34</sup> Moreover, according to recent data secured from the National Department of Health, the number of physical violence cases for the entire country spiked in 2020 (**16,674 cases**) compared to sexual violence cases (**5,500 cases**).<sup>35</sup> (See Figure 1)

Figure 1: Escalating cases of physical violence.



Source: National Department of Health - National Health information system.

\* Reporting of sexual violence and physical violence cases started in 2018.

\*\* The 2021 data is up to September 2021, and reporting completeness was 81%.

<sup>32</sup> UNICEF. (2017). PNG 2018-2022 Programme Strategy Notes – Child Protection, page 5.

<sup>33</sup> UNICEF. (2017). PNG 2018-2022 Programme Strategy Notes – Child Protection, page 4.

<sup>34</sup> GoPNG, (2016). Demographic Health Survey, page 289.

<sup>35</sup> Data secured from the : National Department of Health - National Health information system.

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Women also suffer heavily with gender-based violence (GBV), including sexual violence, which continues to be widespread across the country. The magnitude of GBV incidence is considered by some to be of epidemic proportions: 41 percent of men in PNG admit to having raped someone, approximately 59% of women are estimated to have suffered some form of physical or sexual violence in their lifetime, and it is reported that 7.7 percent of men admit to having perpetrated male rape. Only 73 percent of survivors of GBV seek assistance, and the majority of these individuals (88%) seek this assistance through informal support structures, such as familial, kinship or collegiate networks, or the Village Courts and community leaders rather than through official channels. Indeed, sexual violence, and rape specifically, will likely stay under-reported due to stigma.<sup>36</sup>

Finally, the 2022 UNDP Human Development Report ranks Papua New Guinea at 156<sup>th</sup> out of 191 countries<sup>37</sup> on the Human Development Index and 156<sup>th</sup> on the **GENDER INEQUALITY INDEX**.<sup>38</sup> These rankings also substantiate the challenges with women's inequality in PNG.

#### **Social Problems**<sup>39</sup>

The sex ratio (number of males to every 100 females) has remained steady at 108. Women have limited access to education as only 66 percent (aged 15-49) are literate, and only 22.8 percent of women have secondary or higher education. Twenty-seven percent of women (aged 20-24 years) are married or in union before age 18. Most women (aged 15-49), or 66 percent, are married or living in a union; only one percent are divorced, and five percent are not living with their spouses. The Maternal Mortality Ratio (MMR) is 145 per 100,000 live births, as women's access to health is limited with only 56 percent of births having a skilled birth attendant.

Moreover, only 13 percent of children aged 0-5 years have their birth registered and only 7 percent of these have a birth certificate.<sup>40</sup> The registration process is challenged by the lack of awareness within the general population about the importance of civil registration. In the Civil Registration and Vital Statistics Action Plan (2020 - 2021), the Government identified civil registration (i.e., births and deaths registration) as one of its key priorities and established a target of increasing the number of children whose births are registered.<sup>41</sup>

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<sup>36</sup> ODI (2015). Darko, E., Smith, W. and Walker, D. *Gender violence in Papua New Guinea: The cost to business*, page 1; Médecins Sans Frontières/Doctors Without Borders (MSF). (2016). *Return to abuser gaps in services and a failure to protect survivors of family and sexual violence in Papua New Guinea*, page 29; & GoPNG, *Demographic and Health Survey 2016-2018*.

<sup>37</sup> United Nations Development Programme (UNDP). (2022). *Human Development Report 2021-2022*, page 274.

<sup>38</sup> The status in the GENDER INEQUALITY INDEX falls into the category of "Medium human development"; the composite metric of gender inequality uses three dimensions: reproductive health, empowerment, and female labour market participation. UNDP. (2022). *Human Development Report 2021-2022*, page 293.

<sup>39</sup> All data cited in this paragraph comes from the *Demographic Health Survey 2016-2018*.

<sup>40</sup> GoPNG, *Demographic and Health Survey 2016-2018*; and GoPNG. (2019). *Papua New Guinea Civil Registration and Vital Statistics Action Plan (2020 - 2021)*, page 8.

<sup>41</sup> GoPNG. (2020). *Papua New Guinea Civil Registration and Vital Statistics Action Plan (2020 - 2021)*, page 13.

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### Economic Participation

Men and women's participation in the labor force, aged 15 or older, is also very limited at 46% and 49%, respectively.<sup>42</sup> Roughly 38% of the population lives on less than \$1.90 a day at 2011 international prices.<sup>43</sup>

### Political Participation

For the proportion of women engaged in politics globally, PNG ranks very low. In the 2017 national election, 165 women ran for parliament out of a total of 3,000 candidates, and no women were elected, including the three female incumbents. However, in this past national election in 2022 for 118 members of parliament, two women were elected.<sup>44</sup> Even with this gain, however, it is evident that the overall performance of women's participation in PNG politics is still limited.

### Supporting Women and Children's access to justice services

The need for better and more extensive services to address Family and sexual violence (FSV) and support survivors has been highlighted in numerous reports.<sup>45</sup> Many challenges exist for survivors to access justice and protection, including; (i) poorly resourced government social services, (ii) inefficient formal justice processes concentrated in urban settings, and (iii) the high utilisation of Village Courts to resolve disputes and conflict with material/financial compensation, especially in rural areas.

However, it should be noted that, there have been significant changes related to increasing justice and protection services for women and children in the past two decades at a national level. One major accomplishment was the national government's endorsement of a first **NATIONAL STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE** (2016-2025), although limited funding has been allocated for its implementation.

Another positive change has been the establishment of approximately 15 FSVUs since 2008. These FSVUs, created in response to the high VAW throughout PNG, by the Royal PNG Constabulary (RPNGC), are staffed with police officers who work under the Police Station Commander.<sup>46</sup>

In addition, after the Sorcery Act 1971, the Sorcery National Action Plan was developed in 2014, "adopting a comprehensive approach" to reducing violence linked to sorcery. The Plan is multisectoral, involving the

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<sup>42</sup> International Labour Organisation, ILOSTAT data base. Data as of June 2022.

<sup>43</sup> World Bank, Poverty and Inequality Platform. Data are based on primary household survey data obtained from government statistical agencies and World Bank country departments. Accessed on 3 September 2022. <https://data.worldbank.org/country/papua-new-guinea>

<sup>44</sup> PNG Election: Female Candidate Kessy Sawang wins Raikos Open Seat, *Papua New Guinea Today*. Tuesday, August 09, 2022. Accessed on 6 September 2022. <https://news.pngfacts.com/2022/08/png-election-female-candidate-kessy.html>

<sup>45</sup> Putt, J. (2021). Helping Family and Sexual Violence Survivors in Papua New Guinea. Evaluation of Famili PNG, Lae Operations, 2014-2020, Australian National University, Department of Pacific Affairs, page 4; UNICEF East Asia and the Pacific Regional Office, UNFPA Asia and Pacific Regional Office, and UN Women Asia and Pacific Regional Office, (2020). Ending Violence against Women and Children in Papua New Guinea: Opportunities and Challenges for Collaborative and Integrative Approaches, Bangkok: UNICEF, Gevers, A. and Day, E., page 6; and Kanan, L. and Putt, J. (2021). Domestic Violence and Family Law in Papua New Guinea, Australian National University, Department of Pacific Affairs, Coral Bell School of Asia Pacific Affairs, Australian National University College of Asia and the Pacific.

<sup>46</sup> GHD Pty Ltd. (2015). Evaluation of the RPNGC Family and Sexual Violence Units [FSVU]: Evaluation Report. Australian Aid, December, page 1.

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following government ministries and their departments at the time: (1) Department of Health, (2) the Department of Education, (3) RPNGC, (4) Ministry for Community Development and Youth & Religion (DfCDR), and (5) DJAG.<sup>47</sup>

A final innovation, the Family Support Centres, are places where women and children may seek and obtain medical services, among other services as victims/survivors of VAW/VAC. These centres are attached to public hospitals and are now the responsibility of hospital administrations and Provincial Health Authorities. In 2015, however, an evaluation concluded that out of 10 Family Support Centres visited, six were fully functional, and the remaining, except for one centre, were only partially functional.<sup>48</sup>

These strategies and services, combined, have resulted in an expansion in specialised service delivery for women and children in need, and these instruments have, through a multisectoral framework, begun to produce a harmonised response to VAW/VAC.

#### Sustainable Development Goals (SDGs)

The J4C project falls under two SDGs, namely #16, Peace, justice, and strong institutions; and #5, Gender equality and women's empowerment. The SDG #16 is to "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels".<sup>49</sup> While this goal has ten outcome targets, only three are relevant for this evaluation. Moreover, the SDG #5 is to "Achieve gender equality and empower all women and girls", and this goal has nine targets, although only three are germane to this evaluation.

The SDG #5 is linked to boys and girls achieving the same rights, resources, opportunities and protections. The SDG #16 is related to the concern that millions have uneven access to their rights or are completely deprived of their security, rights, and justice opportunities. It has been noted that the notion of 'Leaving no one behind' "can be an entry point for reviewing progress on SDG 16, covering cross-cutting issues, and reaching the furthest behind first, including those threatened by violence, injustice, and exclusion." This would include women, children, and youth who "should not be treated as a homogeneous group, and decision-making on youth-related policies and programmes should involve their direct participation."<sup>50</sup>

The table below presents the progress that PNG has made, to the extent possible, in advancing the SDG targets **that are most closely related to UNICEF's priorities**. All data is accessed through the UNICEF database for PNG<sup>51</sup> or through the PNG DHS.

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<sup>47</sup> GoPNG. (2014). Sorcery National Action Plan (SNAP); and GoPNG. (2014). Sorcery Accusation Related Violence National Action Plan (SARV NAP).

<sup>48</sup> GoPNG. Department of Health. (No Date). DRAFT Health Sector Plan of Action: A plan to prevent and respond to Gender-Based Violence in Papua New Guinea (2016-2020); and Butcher, K., Kaybryn, J., Lepani, K., Vagikapi, M., & Walizopa, L. (2016). Independent Formative Evaluation of Family Support Centres in Papua New Guinea, IDD PARC Australasia, Annex II.

<sup>49</sup> <https://www.un.org/sustainabledevelopment/peace-justice/>.

<sup>50</sup> United Nations Department of Economic and Social Affairs. (2019). Outcome Statement: key messages and recommendations: Conference in preparation for HLPF 2019 for SDG 16, page 2.

<sup>51</sup> <https://data.unicef.org/sdqs/country/png/>



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Table 1: Progress on SDGs

Relevant SDG Target	Progress Made	
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children	16.2.1: Percentage of children (aged 1-14 years) who experienced any physical punishment and/or psychological aggression by caregivers.	<b>No data available</b>
	16.2.3 Proportion of young women and men aged 18-29 years who experienced sexual violence by age 18.	<b>7% (2018)</b>
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all	<b>No data available.</b>	
16.9 By 2030, provide legal identity for all, including birth registration	16.9.1: Percentage of children under age 5 whose births are registered.	<b>13%</b>
5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation	5.2.1: Percentage of ever-partnered women and girls (aged 15 years and older) subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months.	<b>56%</b>
	5.2.2 Women and girls aged 15 and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months.	<b>5% (2018)</b>
5.C Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	<b>No data available.</b>	

In essence, the project contributes to two SDGs, as the activities focus on human resource development, including training for government officials, in support of facilitating equal access to justice services.

### Supporting the major justice actors<sup>52</sup>

In PNG, four departments embody the key justice and child protection actors, and in alphabetical order, they are: (1) DJAG, (2) National Office of Child and Family Services (NOCFS), which functions under the Ministry for CDR, (3) the National Judiciary System<sup>53</sup>, and (4) RPNGC. While the PNG Civil and Identity Registry (PNGCIR) is not a justice sector actor, *per se*, UNICEF supported this agency through the J4C project. Under DJAG, the J4C project specifically supported the Juvenile Justice Service (JJS) and the Village Courts & Land Mediation Secretariat (referred to as Village Courts). Under the RPNGC, there are the Family FSVUs. (See Figure 2.) The names of the justice actors in the ARoB are slightly different. For example, the NOCFS operates under the Bougainville Government Ministry for Community Development, the police as noted

<sup>52</sup> Information about AoRB is derived from the Constitution of the Autonomous Region of Bougainville.

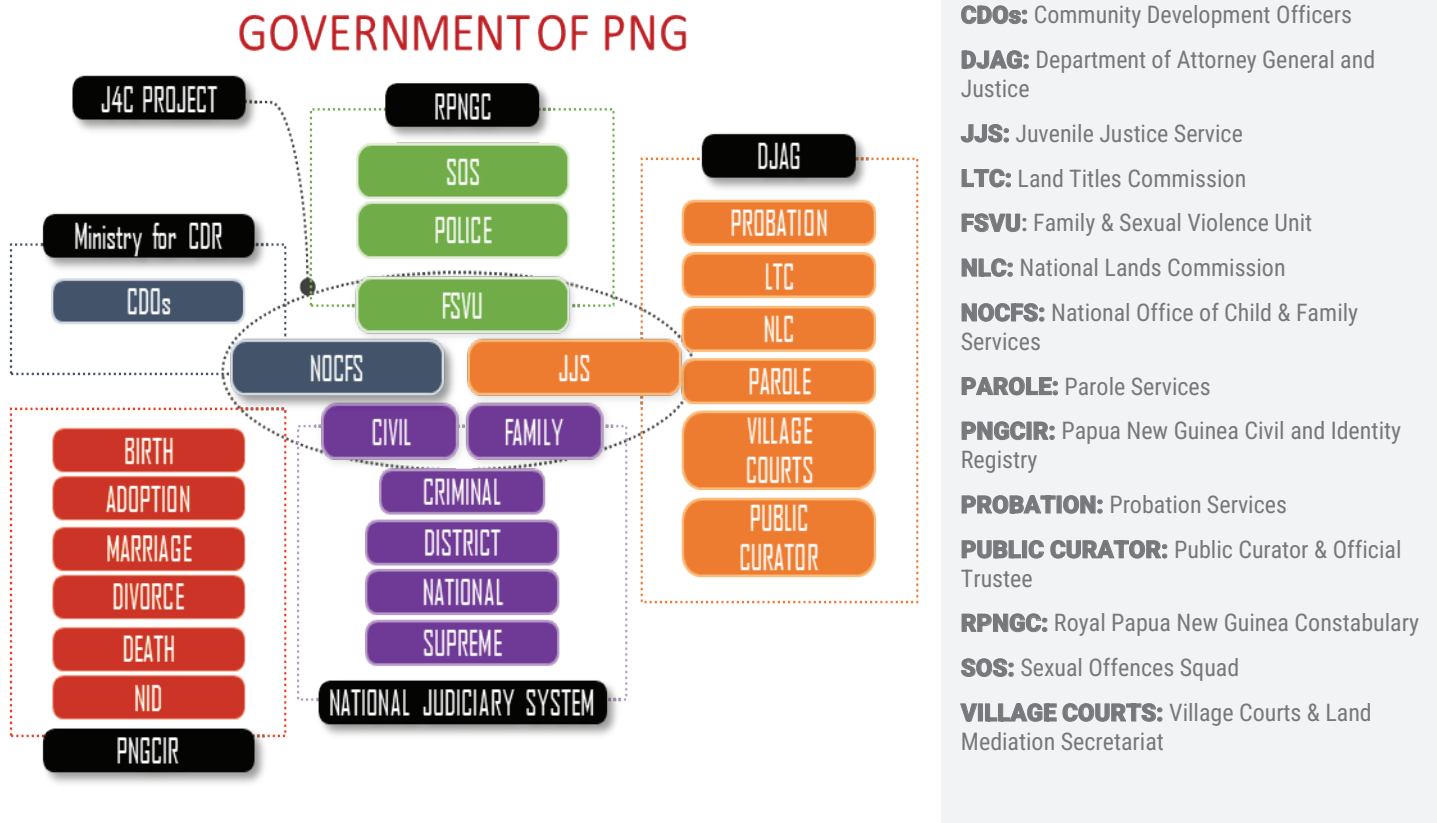
<sup>53</sup> This includes the supreme, civil, criminal, and family courts.

# PROGRAMME EVALUATION

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earlier is the Bougainville Police Service (BPS), and National Judiciary System includes a juvenile criminal court. (See Figure 3.) It should be noted that these diagrammes only reflect the five provinces that the Evaluation Team visited, and it is acknowledged that there may be other provinces with slightly different structures. For example, the GoPNG has ongoing efforts in Enga and New Ireland provinces to strengthen child protection services.

Figure 2: Justice service actors in PNG.



Source: Produced by the StratMan Evaluation Team.

### ABBREVIATIONS

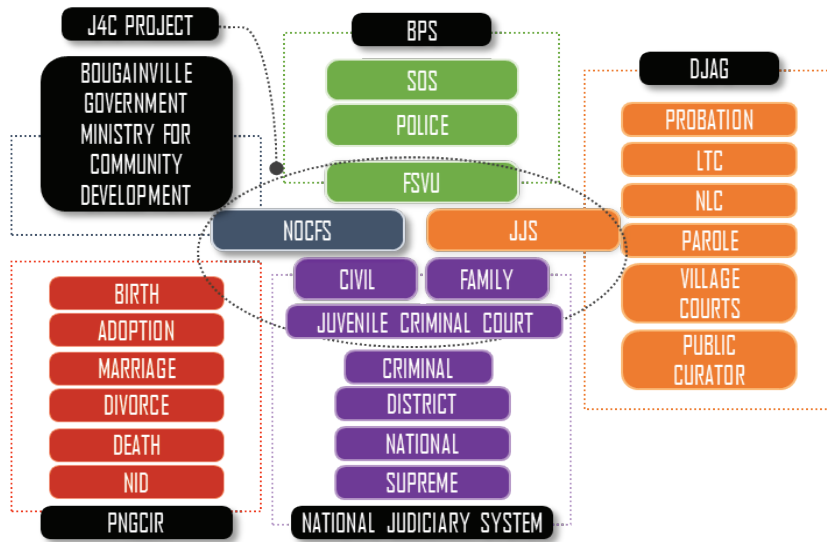
- CDOs:** Community Development Officers
- DJAG:** Department of Attorney General and Justice
- JJS:** Juvenile Justice Service
- LTC:** Land Titles Commission
- FSVU:** Family & Sexual Violence Unit
- NLC:** National Lands Commission
- NOCFS:** National Office of Child & Family Services
- PAROLE:** Parole Services
- PNGCIR:** Papua New Guinea Civil and Identity Registry
- PROBATION:** Probation Services
- PUBLIC CURATOR:** Public Curator & Official Trustee
- RPNGC:** Royal Papua New Guinea Constabulary
- SOS:** Sexual Offences Squad
- VILLAGE COURTS:** Village Courts & Land Mediation Secretariat

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Figure 3: Justice service actors in ARoB.

## AUTONOMOUS BOUGAINVILLE GOVERNMENT



ABBREVIATIONS
<b>ABG:</b> Autonomous Bougainville Government
<b>BPS:</b> Bougainville Police Service

Source: Produced by the StratMan Evaluation Team.

# J4C PROJECT

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### 3. JUSTICE FOR CHILDREN (J4C)

The DFAT's financial assistance in Justice for Children extends back to 2015, but the J4C project started in 2018 and was comprised of two grants.<sup>54</sup> See Terms of Reference in Annex 1. This section provides an overview of the project's major components.

#### J4C's System Strengthening Model

Initially, the project has one outcome and two outputs which are:

**Outcome:** By 2022 girls & boys have increased access to justice and supportive protection services.<sup>55</sup>

- **Output 1:** Improved coordination mechanisms, knowledge-base and leveraging of resources;<sup>56</sup> and
- **Output 2:** Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors<sup>57</sup>, witnesses, and alleged offenders.<sup>58</sup>

Essentially, the project Outcome describes changes for the protection of girls, boys, and women, namely increased access to responsive protection/justice services which are: (i) coordinated and informed from multisectoral collaboration; and (ii) child-friendly and specialised. Under Output 1, the project activities included: (1) Modelling child friendly court services and (2) Strengthening the child protection workforce, and Output 2 included: (3) Strengthening services for diversion and alternatives to detention, and (4) Modelling child friendly police services.

Project information<sup>59</sup> indicates that the following two additional outputs were introduced in 2022: (Output 3) **Enabling Environment**; and (Output 4) **Service Provision**. While these two outputs do not have "output statements", they were intended to represent additional components of the J4C project. Therefore, Output 3, Enabling Environment, focused on evidence generation and incorporated activities designed to support the development of administrative data systems, such as reviews, studies, and this evaluation. Output 4, Service Provision, included activities designed to strengthen PNGCIR, including: (1) the demand for birth registration of under-five year old children; and (2) delivery of birth registration services through birth

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<sup>54</sup> The grants are: SC150382 and SC180643.

<sup>55</sup> It should be noted that the outcome statement in the proposal submitted by UNICEF Papua New Guinea (PNG) Country Office to DFAT (dated) 5 March 2019 states that "By 2020 girls and boys in six districts in two provinces have increased access to justice and supportive protection services." [Emphasis added].

<sup>56</sup> The proposal submitted by UNICEF Papua New Guinea (PNG) Country Office to DFAT (dated) 5 March 2019 states that "Output 1: Improved coordination mechanisms, knowledge-base and leveraging of resources in six districts in two provinces by 2020." [Emphasis added].

<sup>57</sup> It is recognised that the Terms of Reference for the evaluation refers to the term "victims", but the term "survivor" will be used in this document.

<sup>58</sup> The proposal submitted by UNICEF Papua New Guinea (PNG) Country Office to DFAT (dated) 5 March 2019 states that "Increased delivery of specialised and efficient child friendly justice and multisectoral services for child victims, witnesses and alleged in six districts in two focus provinces by December 2020." [Emphasis added].

<sup>59</sup> UNICEF. (2022). Concept Note Australian Department of Foreign Affairs and Trade (DFAT) January until December 2021 Improving Access to Justice for Children and Women." and UNICEF. (2022).; and "Proposal for the Australian Department of Foreign Affairs and Trade (DFAT) January 2022 until June 2023 Improving Access to Justice for Children and Women."

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## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

registration offices. Therefore, the diagramme below illustrates the J4C project’s one outcome, four outputs, and related models/activities falling under each output.

Figure 4: J4C project outcome and outputs

Outcome	By 2022 girls and boys have increased access to justice and supportive protection services.			
Outputs	Output 1: Improved coordination mechanisms, knowledge-base and leveraging of resources.	Output 2: Increased delivery of specialised and efficient child friendly justice and multi-sectoral services for child victims, witnesses and alleged offenders.	Output 3: Enabling Environment	Output 4: Service Provision
Activities	Modelling Child Friendly Court Services	Strengthening services for diversion and alternatives to detention	Evidence generation to support administrative data systems	Strengthen the demand for birth registration of under-five year old children
	Strengthening Child Protection Workforce & intersectoral linkages to facilitate delivery of justice for children	Modelling Child friendly Policing Service		

### Theory of Change

The Evaluation Team recognised that the project had an original Theory of Change (ToC)<sup>60</sup>, but it was not fully vetted with national stakeholders. Therefore, the ToC was revised ex-post with the rationale that UNICEF’s technical and financial support to government partners in child protection case management, juvenile justice services, the police, birth registration, and the judiciary system, would result in a range of response activities (activity level) to support and enhance the provision of child-friendly services (output level) for children/juveniles at risk. These outputs, in turn, were expected to result in the delivery of a range of services for children/juveniles at risk and their families (outcome level), which in the medium- to long-term would translate into improved child protection and well-being of children in PNG (impact level). The Evaluation Team presented the new ToC during the evaluation inception workshop and gained consensus among project stakeholders. See the table below for the J4C’s ToC.

<sup>60</sup> UNICEF. (2018). UNICEF PNG 2018-2022 Programme Strategy Notes: Child Protection, page 8.

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IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Table 2: ToC for J4C.

PROGRAMMATIC AREAS		IF the minimum packages of child protection services are developed; modelled in <u>two</u> selected provinces, scaled up and institutionalised; and
1	Support for the implementation of laws & acts	IF interagency guidelines, protocols & plans for implementation of LPA & Juvenile Justice Acts are in place and functional <i>through technical assistance and monitoring</i> ; and
2	Support for Coordination	IF multisectoral coordination mechanism in the form of Child and Family Service Council ( <i>or and Provincial/District Coordination Structure</i> ) is established and functional; and
3	Capacity Development for Partners	IF partners at <i>national, provincial, &amp; district</i> levels, including non-state actors & civil registry stakeholders, have increased capacity through training; and
4	Justice/Child Protection Services Provision	IF innovative early detection, reporting, and referral mechanism are established;
<p>..... THEN the children of PNG will benefit from reduced exposure to violence, abuse and exploitation, and improved access to [and utilisation of] protective care, support, and justice services.</p>		

It is important to note that the ToC mentioned that the minimum package would only be applied in two selected provinces. The ToC also identified a range of underlying assumptions and related risks. The assumptions represented the implicit beliefs or understandings, explaining the expectation of change that underlies the links between levels of results (e.g., outputs to the one outcome). The five major ToC assumptions are:

1. National government gains capacity to effectively plan, budget, coordinate and monitor implementation of key family and child protection laws and policies.
2. Mandated government departments (at provincial & district levels) and CSOs in up to five selected provinces gain capacity to plan, budget and deliver essential packages of responsive protection services across health, welfare, education, and the justice sectors.

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### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

3. Caregivers, family members, and communities develop knowledge and skills to demand and seek (physically) justice services. This implies that distance and other bottlenecks will not prevent these stakeholders from demanding justice services.
4. Young people understand their rights, gender-equitable practices, respectful relationships, and are empowered with skills and may physically seek justice services (i.e., diversion) for violence and crimes. This implies that distance and other bottlenecks will not prevent young people from demanding services.
5. Girls, boys, and women are empowered to demand and use these child protection services.

In essence, the IF-THEN statements for each project component illustrate that the “Minimum package of child protection/justice services” would comprise of evolving “models” for child protection, diversion, police, and the courts. While there were no models Output 3, enabling environment (or evidence generation) or Output 4, Service Provision (support for birth registrations), the technical support offered through the project strategies contribute to child protection system strengthening. Ultimately, the models would support the (1) implementation of laws and acts [through the development of inter-agency guidelines, protocols & plans], (2) multisectoral coordination; (3) capacity development for partners (including those in civil society and the civil registry); and (4) Services Provision (including the generation of evidence). It is therefore hypothesised that these “models” would, in turn, produce a package of services for children who would **benefit from reduced exposure to violence, abuse, and exploitation, and improved access to [and utilisation of] protective care, support and justice services.**<sup>61</sup>

#### J4C Evaluation stakeholders

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<sup>61</sup> UNICEF. “Improving Access to Justice for Children and Women” Project Proposal, 5 March 2019.



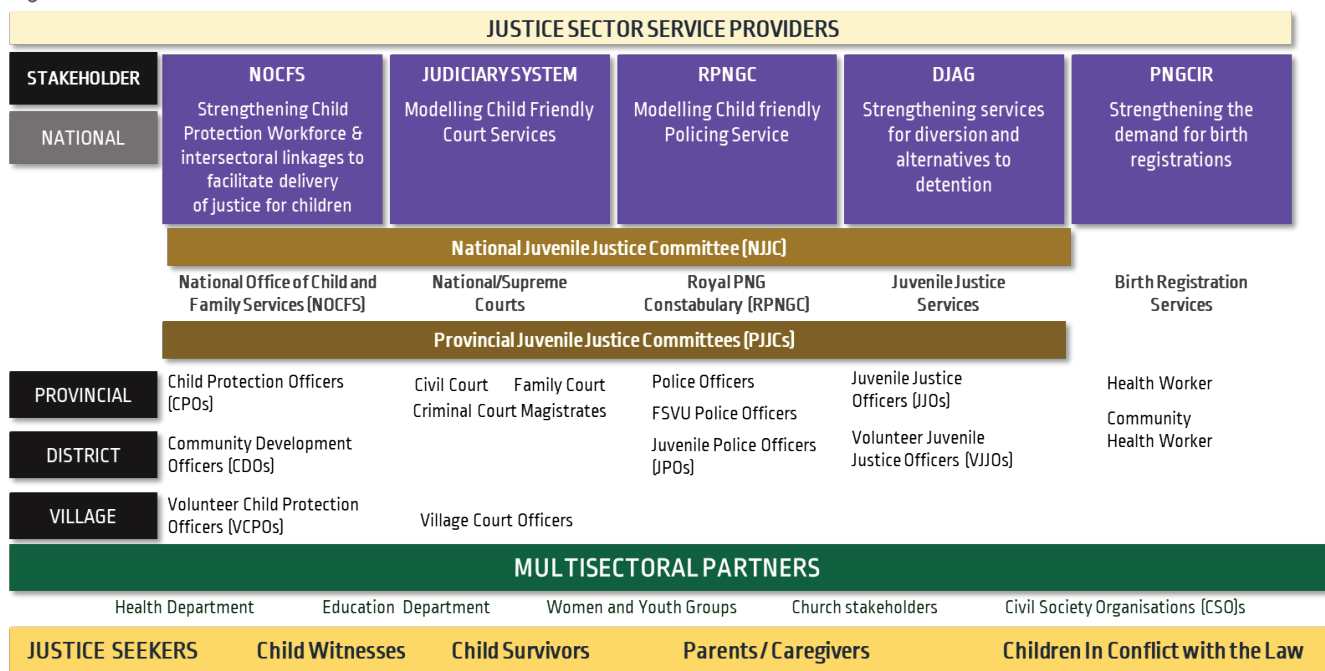
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## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

The five major project components and related stakeholders included: (1) Strengthening the child protection workforce (NOCFS), (2) Modelling child friendly courts (Judiciary System), (3) Modelling child friendly policing services (RPNGC), (4) Strengthening services for diversion and alternatives to detention (DJAG/JJS), and (5) Strengthening the demand for birth registrations (PNGCIR). The stakeholders for Output 3 included various research organisations, and since they were not located in PNG, they were not reflected in the diagramme (see above).

As the project aim is to enhance the child protection system, there is a wide range of relevant duty bearers. The **primary group of duty bearers**, presented in alphabetical order, are: (1) DJAG which also includes JJS and the Village Courts, (2) the Judiciary System, (3) NOCFS as well as the Bougainville Government Ministry for Community Development, (4) PNGCIR, and (5) RPNGC and BPC which also includes their respective FSVUs. The **secondary group of duty bearers** are: the Department of Education and health, women and youth’s groups, and representatives from churches and CSOs. Finally, there are three specific categories of **rightsholders**, or children (and their families/caregivers) who are intended to benefit from the minimum package of services: (1) Child survivors; (2) Child witnesses; and (3) CICLs. In support of multisectoral coordination, there are governing bodies at the national and provincial levels, namely the National Juvenile Justice Committee (NJJC) and the Provincial Juvenile Justice Committees (PJJCs) respectively.

Figure 5: Main service models & stakeholders at various levels.



Source: Produced by the StratMan Evaluation Team.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

The J4C project budget comprised of two grants from DFAT, summing to USD **2,392,565.77**.<sup>62</sup> See Figure 6.

The figure presents budget funds according to the seven elements of the UNICEF’s child protection systems strengthening approach.<sup>63</sup> Monitoring visits and Covid Emergency programming were also included in the budget figure.

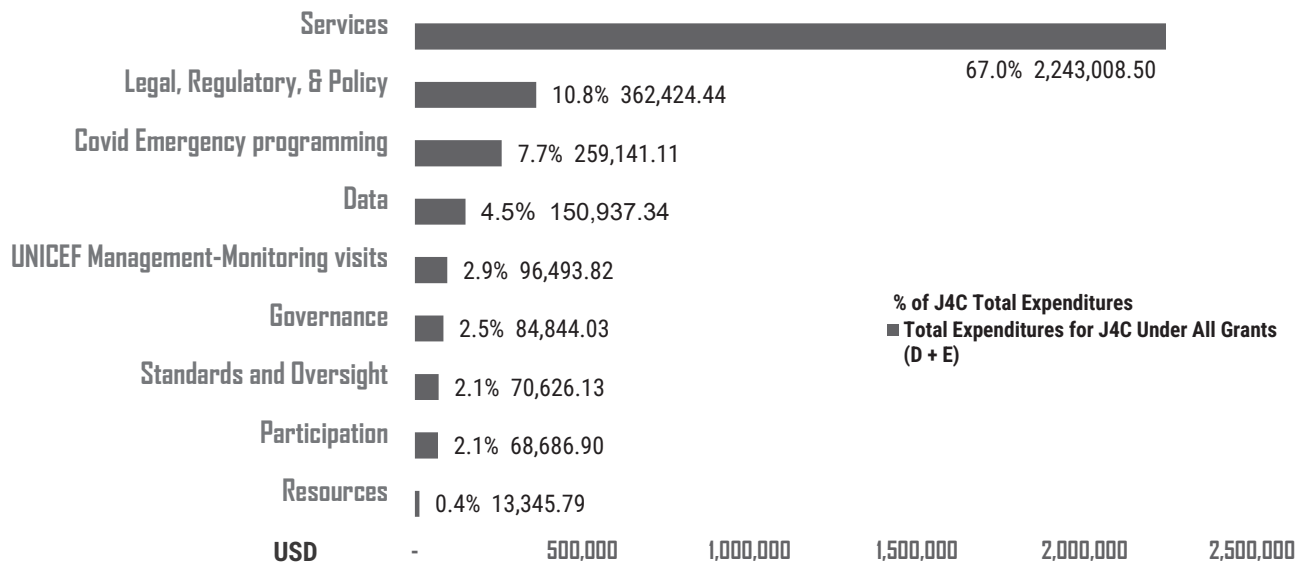
### 4. PURPOSE, OBJECTIVES, & SCOPE

#### Evaluation Purpose & Objectives

The evaluation has two purposes: accountability and learning. The evaluation objectives are:

- Assess contribution of J4C to child protection system strengthening;
- Assess contribution of J4C to multisectoral justice and child protection services, in line with international standards;
- Assess effectiveness, equity, human rights, gender equality, and sustainability of J4C project; and

**Figure 6: Various project expenditures expressed as % of total in US dollars.**



**Source:** Produced by StratMan Evaluation Team from 2020 and 2021 Annual Reports submitted to DFAT.

<sup>62</sup> The grants were SC150382 and SC180643.

<sup>63</sup> These elements are: (i) legal, regulatory and policy, (ii) governance, (iii) services, (iv) standards and oversight, (v) resources, (vi) participation, and (vii) data.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

- Identify good practices, lessons learned, emerging priorities for future project design; provide recommendations.

### Evaluation Utility & Use

Rigorous evidence is required to inform the design of a new project linked to the design of the new Country Programme of Cooperation in PNG, which is aimed at strengthening children's access to, and experiences of, child-focused justice that is compliant with international standards. This evaluation provides this evidence and demonstrates whether, how, and to what extent, UNICEF's 'Improving Access to Justice for Children and Women' project has had an impact on children and their experiences of the justice system in PNG.

The Evaluation Team was supervised by the Multi-country Evaluation Specialist based in the UNICEF Pacific Office and with close collaboration with the Child Protection Specialist in charge of J4C. In addition, an Evaluation Reference Committee, composed of the Child Protection Specialist, two representatives of key stakeholders at national level (JJS/DJAG and NOCFS), and a representative of DFAT Australia was established to serve in an advisory capacity for the evaluation. The committee contributed to the preparation and design of the evaluation and provided comments on all of the products submitted.

### Evaluation Scope

#### Thematic scope

While only six (out of seven) elements of UNICEF's child protection systems strengthening approach/framework were agreed upon for exploration, the evaluation includes a broader analysis of the J4C's project activities which have supported the accumulation of Child Protection sector evidence.<sup>64</sup>

#### Geographic scope

This evaluation covers five provinces, including: Autonomous Region of Bougainville (ARoB), East New Britain, Morobé; National Capital District, and Western Highlands.

#### Budget & Chronological Scope

As already noted, the budget is USD 2,392,565.77, and the evaluation reviewed the activities implemented between January 2018 and December 2022.

#### Intended Users of the Evaluation

This evaluation is for accountability and future planning. Women, children, and adolescents of PNG will gain from this evaluation. As project services are focused on connecting the policy reforms in protection and child/juvenile justice to enhanced operations, the result would be less violence and abuse for beneficiaries. Other relevant stakeholders include UNICEF (Child Protection Chief, Specialists and Officers, Health, Education, UNICEF Leadership), and DFAT (project funder), and others interested in promising practices or Pacific contexts in providing justice services to women and children.

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<sup>64</sup> The one element that was not explored was (vii) data.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### Elements not covered in the Evaluation

A review of the project expenditures from Annual Reports showed that the majority of investments concentrated on enhancing service delivery (67%), including the provision of training and technical assistance to stakeholders, mentoring, and project monitoring (see Figure 6).

In fact, very few financial and capacity building resources were invested in data (4.5%). For example, it is mentioned in the J4C Results Framework that the CPMIS+ ought to be institutionalised, but it was only launched in May 2021 and therefore unlikely to be fully in use within 15 months. The CPMIS+ was also not mentioned in any Donor Reports or other information shared with the StratMan Evaluation Team. During the Inception Phase, this issue was raised in the consultations between UNICEF and the StratMan Evaluation Team, and “data” was therefore removed from the evaluation scope. However, two outputs, Enabling Environment and Evidence Generation, were incorporated into this evaluation.

Moreover, during the inception phase, the StratMan Evaluation Team proposed to explore the extent to which emergency programming to address Covid-19, as it represented 7.7% of project expenditures. It was envisioned that these funds were likely instrumental in updating service delivery within the justice/protection sector, and one of the Key Evaluation Questions (KEQs) was, in turn, modified to expand the evaluation scope and include Covid-19. During the field phase, however, it was not possible to confirm with stakeholder interviews the extent to which Covid-related activities were integrated into the four “models”. Therefore, only part of the KEQ could be addressed given this limitation. This issue will be further discussed under the limitations section.

## 5. EVALUATION CRITERIA AND QUESTIONS

### Evaluation Criteria

To fulfil the purpose and objectives of the evaluation, the evaluation design and approach were guided by three out of the six Organisation for Economic Co-operation and Development’s (OECD) criteria, namely relevance/compliance, effectiveness, and sustainability & emerging good practices. The evaluation was also guided by the one criterion of equity, human rights, and gender equality.<sup>65</sup>

### Key Evaluation Questions

There are **nine** KEQs, jointly developed between UNICEF and the StratMan Evaluation Team. They were also vetted with key stakeholders during the Inception Workshop. Kindly note that the bold/italicised text within questions represents modifications in KEQs during the inception phase. The evaluation criteria and KEQs are presented in Table 3.

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<sup>65</sup> Organisation for Economic Co-operation and Development (OECD). (2021). *Applying Evaluation Criteria Thoughtfully*, OECD Publishing, Paris, <https://doi.org/10.1787/543e84ed-en>; and UNICEF Evaluation Office. (2017). *UNICEF-Adapted UNEG Evaluation Reports Standards*, page 9, [source](#).

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Table 3: List of 9 KEQs

### EVALUATION CRITERIA KEY EVALUATION QUESTIONS (KEQs)

#### RELEVANCE/ COMPLIANCE

**KEQ #1:** To what extent are the multisectoral justice and child protection services supported by the J4C project in line with international standards and principles?

#### EFFECTIVENESS

**KEQ #2:** To what extent is the project contributing to strengthening the PNG child protection system in line with the UNICEF child protection systems approach?

i. legal, regulatory and policy; ii. governance, iii. services, iv. standards and oversight, v. resources, and vi. participation.

**KEQ #3:** To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups. (OECD DAC high-level question). This refers to:

- **Outcome:** By 2022 girls & boys have increased access to justice and supportive protection services.
- **Output 1:** Improved coordination mechanisms, knowledge-base and leveraging of resources.
- **Output 2:** Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors, witnesses and alleged offenders.

**KEQ #4:** To what extent has the project contributed to quality of multisectoral justice and child protection services in PNG to be in line with international standards?

**KEQ #5:** What are causing the bottlenecks that impede the juvenile justice system to perform at the level of international standards (where relevant)?

**KEQ #6:** To what extent did interventions through J4C, *including the emergency programming for Covid-19*, help improve services for vulnerable girls and boys resulting in increased access to justice and supportive protection services (survivors, witnesses, CICL)?

#### EQUITY, HR, & GENDER EQUALITY

**KEQ #7:** To what extent are the objectives of J4C appropriate and realistic given the context, resources, and timeframe? If not, what adjustments could be made to the objectives to better define achievable outcomes for this programme or future programmes?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### SUSTAINABILITY & EMERGING GOOD PRACTICES

**KEQ #8:** What factors in the operating environment favor and inhibit sustainability (of quality child friendly justice within the child protection systems approach)?

**KEQ #9:** What are the actual roles of different stakeholders (justice and child protection services), as well as their ideal roles, that would further the future project objectives, including, but not limited to:

- i. Modelling Child friendly court services
- ii. Modelling Child friendly police services.
- iii. Coordination structure and development to strengthen services for all children.
- iv. Strengthening Child Protection Workforce and intersectoral linkages to facilitate delivery of justice for children; and
- v. Provision of a minimum package of child friendly justice services through a case management system.

During the Inception Phase, discussed in the next section, there were several modifications made to the KEQs. As it is important to list how the original questions were modified to accommodate the PNG reality, the adapted questions are presented in Table 7 (Annex 2).<sup>66</sup> Moreover, the Evaluation Matrix, located in Annex 3, includes the modified KEQs, data sources, stakeholders, indicators of expected results, and targets derived from the **J4C Project RESULTS FRAMEWORK**. In addition to the Evaluation Matrix, the Evaluation Team produced a rubric, rating the quality of project outcomes, to support the field phase, using a four-point scale.<sup>67</sup> It should be noted that six out of nine indicators from the **Project RESULTS FRAMEWORK** are rated as either “uncertain” or “not adequate” (the table is located in the Inception Report). In recognising this information gap, the remedial measure was to collect and analyse missing data during the field phase. This issue is further discussed further in the Limitations Section.

<sup>66</sup> More information about the evaluation phases is located in the next section.

<sup>67</sup> The four-point scale used was: 1-Likelihood of high quality; 2-Adequate; 3-Likelihood of low quality; or 4-Uncertain.

# METHODOLOGY

### 6. METHODOLOGY

The Evaluation spanned from June 2022 through the end of May 2023. There were three evaluation phases, namely (1) Inception Phase, (2) Field Phase, (3) Analysis and Reporting Phase. The Inception Phase included four substantive bilateral discussions between the UNICEF Evaluation Management Team and the StratMan Evaluation Team to clarify the evaluation scope. As noted earlier, the Evaluation Team not only worked with UNICEF to formulate the KEQs, but also jointly vetted the evaluation questions with DFAT and GoPNG stakeholders. The Inception Workshop had the main objective of promoting stakeholder buy-in, which included: (a) orienting stakeholders about the evaluation scope; (b) building relationships; (c) supporting the development of the ToC; and (d) confirming the substantive areas that would be useful to the GoPNG.

Shortly after the Inception Phase, the Evaluation Team undertook the Field Phase in October 2022, travelling to all five sites. Upon completion, the Evaluation Team conducted a Validation Workshop remotely. This workshop provided project stakeholders with the opportunity to begin reflecting on preliminary findings and provide the Evaluation Team with missing data.

As the planned number of children to interview was not reached, the Evaluation Team's National Evaluator undertook a second round of data collection in January 2023. The additional data collected enabled the Evaluation Team to secure information from a key stakeholder who was not available in October 2022. The final Analysis and Reporting Phase included a process of facilitating the development of recommendations with UNICEF, DFAT, and government stakeholders remotely. This was a Recommendations Co-Creation Workshop held on 27 April 2023, wherein key stakeholders (i.e., Department of Education, DFAT, JJS/DJAG, NOCFS, UNICEF, Village Courts & Land Mediation Secretariat, among others working in the justice system) participated in a half-day meeting dedicated to: (i) understanding the evaluation findings; (ii) contributing to reflection questions (previously specified); and (iii) formulating immediate steps for UNICEF to carry out to systematically implement the recommendations. This Recommendations Co-Creation Workshop ultimately led to the formulation of appropriate recommendations presented in the Recommendations Section of this report.

#### Five Evaluation Approaches

This evaluation used the following five approaches: (1) Theory-Driven, (2) Utilisation-Focused Evaluation (UFE), (3) Process Evaluation (PE), (4) Equity-focused and Equitable Evaluation, and (5) Developmental Evaluation (DE), and each is described in this section (see Figure 7 below).



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IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Figure 7: Evaluation approaches used.

## THEORY DRIVEN

- Used to understand if and how project outputs led to the accomplishment of desired outcome(s)
- Assesses contribution of the project

## UTILISATION-FOCUSED EVALUATION (UFE)

- Stakeholders drove the evaluation process



## DEVELOPMENTAL EVALUATION (DE)

- Evaluators work collaboratively with stakeholders to co-create new designs and test new approaches

## EQUITY-FOCUSED AND EQUITABLE EVALUATION

- Puts affected groups at the center of the evaluation process
- Appreciates the participation of children in evaluation

## PROCESS EVALUATION (PE)

- Use to understand how the project's resources were used
- Helps to identify promising practices & lessons learned

First, a Theory-Driven evaluation is the use of a programme/intervention theory (i.e., diversion programmes, child protection systems strengthening framework<sup>68</sup>) of how the project **is supposed to lead to the intended outcomes** and is at least partly guided by this model. Hence, the ToC was used to better understand if and how project outputs **actually led** to the accomplishment of the one outcome, which is that girls & boys have increased access to justice and supportive protection services.<sup>69</sup> This approach, typically used to assess the contribution of a project (thereby addressing the first evaluation objective), was fitting, as it highlighted how, theoretically, the stakeholders experienced the project, as they built and tested the three child friendly models.<sup>70</sup> In particular, the focus was on how stakeholders:

1. Appreciated, and used, the resources developed through the project (i.e., Juvenile Rehabilitation and Reintegration Policy-JRRP for CICL and the JJS Minimum Standards for Juvenile Institutions and Juveniles in Detention, which supports the diversion of CICLs);

<sup>68</sup> UNICEF. (2021). Technical Paper: Child Protection System Strengthening.

<sup>69</sup> Rogers, P. (2000). Programme theory evaluation: Not whether programmes work but how they work. In D. Stufflebeam, G. Madaus, & T. Kellaghan (Eds.), *Evaluation models: Viewpoints on educational and human services evaluation* (pp. 209-232). Boston, MA: Kluwer; and Leeuw, F. and Donaldson, S. (2015). *Evaluation*, Vol. 21(4) 467-480.

<sup>70</sup> These models are: (1) Modelling the Child Friendly Courts; (2) Strengthening the Child Protection Workforce, (3) Modelling Child Friendly Policing Service, and (4) Strengthening services for diversion.

## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

2. Integrated the project's technical assistance into their work. This included training on the operationalisation of the Lukautim Pikinini (Child Protection) Act (LPA) and the JJA, Child Protection Case Management, child friendly policing, Victim Support Training Manual; and
3. Engaged the process of delivering multisectoral services for children in need (i.e., coordination) through the NJJC and PJJCs.

Second, a UFE approach was guided by the needs of the evaluation's primary users (UNICEF and DFAT).<sup>71</sup> In the case of this evaluation, the **stakeholders drove the evaluation process**, as they were actively engaged in the (1) formulation of the inception report, contributing directly to the stakeholder analysis; (2) facilitating access to field-level stakeholders; (3) making meaning of the data collected; (4) vetting findings and conclusions, ensuring that they were accurate; and (5) co-creating recommendations, making sure that they were relevant, practical, and actionable.<sup>72</sup> In essence, the stakeholders were part of the design and took a lead role in coordinating data collation, analysis, and reporting, and this approach directly addressed the evaluation objective of formulating recommendations which would ultimately strengthen the J4C project.

Third, the evaluation used a PE approach to better understand *how* the resources from the project's five different implementation strategies<sup>73</sup>, **were used to support the delivery of coordinated, child-friendly, specialised, and efficient protection/justice services**. Given that one of the evaluation's objectives was to identify promising and good practices, lessons learned, and emerging priorities for future project design, the focus of the PE approach was to understand whether activities were undertaken as planned, what practical problems were encountered during implementation, and the ways that challenges were resolved. Ultimately, the PE approach helped to uncover the degree to which: (1) project activities were, and continue to be, implemented, (2) whether intended beneficiaries were being serviced, and (3) if expected results had been achieved since 2018 (also overlaps with theory-driven approach).

Fourth, as one of the intentions of the evaluation was to document experiences of children survivors, witnesses, and CICLs, the Evaluation Team applied an Equity-focused and Equitable Evaluation approach.<sup>74</sup> According to the Equitable Evaluation Framework<sup>TM</sup>, the Equity-focused and Equitable Evaluation approach puts affected groups at the center of the evaluation process, since they are among the worst-off groups. Indeed, the CRC provides clear initial guidance for the participation of children in evaluation, when it states that the views of children must be considered and taken into account in all matters that affect them.<sup>75</sup> However, children and juveniles could not be used as merely data providers or subjects. They, and their

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<sup>71</sup> Patton, M. (2008). *Essentials of Utilization-Focused Evaluation* (4th Ed.). Los Angeles, CA: SAGE Publications.

<sup>72</sup> Patton, M. (2011). *Essentials of Utilization-Focused Evaluation*. Thousand Oaks, CA.: SAGE Publications.

<sup>73</sup> To recall, the project implementation strategies are (i) technical support, (ii) capacity building, (iii) services delivery, (iv) experiences sharing, and (v) partnerships.

<sup>74</sup> Matrix developed by founding and leading evaluation theoreticians and practitioners in the field: <https://slp4i.com/the-eval-matrix/>

<sup>75</sup> UNCRC Article 12 requires that children's views be heard and considered.

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families, were also viewed as the means through which to strengthen the project.<sup>76</sup> In specific, the interview tool enabled Rights holders to not only talk about their lived experiences, but their opinions and solutions were sought on how to improve child friendly court, policing, child protection, and juvenile justice services.

Finally, DE is a powerful approach to monitoring and supporting social innovations by working in partnership with decision makers.<sup>77</sup> It typically has the primary characteristics of: (1) taking place in complex dynamic environments; (2) tracking the implications of programmatic decisions; (3) ensuring that evaluation feedback is immediate; and (4) enabling the evaluators to work **collaboratively with stakeholders** to suggest new designs and test new approaches as an on-going process of adaptation for development.<sup>78</sup> In this evaluation, the StratMan Evaluation Team was, indeed, a trusted partner, facilitating innovations and adaptation processes. In spite of the advantages of the DE approach, some scholars note that working closely with decision makers can be more prone to “bias, such as assessing one’s work in a more positive light or only seeing evidence that confirms what people already know or believe in.”<sup>79</sup> However, this evaluation has strong focus on internal learning, and so the Evaluation Team dedicated time and effort to strengthening evaluation capacity and to making space available for an effective co-creation process. For example, the Recommendations Co-Creation Workshop helped to formulate appropriate recommendations, taking into consideration the contributions of other relevant stakeholders (to avoid duplicating efforts). The evaluation purpose of accountability tends to dominate over learning,

### DOCUMENTS, DATABASES, & SECONDARY DATA

While annex 3 includes the Bibliography, an abbreviated list of resources includes:

1. Human Rights and Child Rights international instruments (i.e., UNCRC). National report submitted in accordance related to the Human Rights Universal Periodic Review.
2. Coram PNG Legal Mapping Report.
3. National Development Strategic Plan 2010-2030 and the 2016-2018 DHS and other national statistics.
4. Legislation, policies and strategic plans, strategies, regulations (i.e., Juvenile Justice Act, LPA, Village Court Acts, Disability, Gender Based Violence, Health, Crime Prevention through Revitalised Village Court System), and provincial policies.
5. Research, relevant evaluations, and assessments (i.e., Evaluation of the RPNGC FSVU and the Child Protection System in Papua New Guinea: An Assessment of Prevention and Response Services for Children and Families).
6. UNICEF analytical documents (i.e., PNG Programme Strategy Note on Child Protection) and
7. UNICEF Internal monitoring information (i.e., 2018, 2019, 2020, & 2021 RAM).

<sup>76</sup> Stern, A., Guckenburg, S., Persson, H., & Petrosino, A. (2019). Reflections on applying principles of equitable evaluation. San Francisco, CA: WestEd. Available from <http://iprc.wested.org>; Bamberger, M., & Segone, M. (2011). How to design and manage equity-focused evaluations. New York, NY: UNICEF. Available [link](#); and American Evaluation Association. (2011). American Evaluation Association public statement on cultural competence in evaluation. Fairhaven, MA. Available [link](#).

<sup>77</sup> Patton, M. Q. (2011). Developmental evaluation: Applying complexity concepts to enhance innovation and use. Guilford Press.

<sup>78</sup> Guijt, I., Kusters, C.S.L., Lont, H., & Visser, I. (2021). Developmental Evaluation: Applying complexity concepts to enhance innovation and use Report from an Expert Seminar with Dr. Michael Quinn Patton, Centre for Development Innovation, Wageningen University & Research Centre, page 3.

<sup>79</sup> Pasanen, T., Raetz, S., Young, J. & Dart, J. (2018). Partner-led evaluation for policy research programmes: A thought piece on the KNOWFOR programme evaluation, Overseas Development Institute (ODI), page 21.

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and so by applying the DE approach, the Evaluation Team ensured that such learning would be one of the many outcomes of the evaluation.

Finally, as already mentioned, the Evaluation Process was also managed by an Evaluation Reference Group, which was comprised of DFAT, JJS/DJAG, NOCFS, UNICEF-PNG, UNICEF 's Regional Office with the Multi-country Evaluation Specialist, serving as the Chairperson. The Evaluation Reference Group produced three rounds of comments and feedback for clarification, and this mechanism also contributed to the co-creation process and learning. The tool, a Comments Matrix, was used to track and identify specific issues related to findings, conclusions, and recommendations.

### Evaluation Design & Data Sources

The evaluation had a mixed methods design, and the rationale for selecting qualitative methods *primarily*, including a snowball sampling procedure for all stakeholders, was that the Evaluation Team discovered at the Inception Phase that there was limited administrative data available. For example, there was no information related to case management and limited recent figures for the number of juveniles diverted. Moreover, apart from two Annual Reports submitted to DFAT, there was limited information about project operations (i.e., project work plans). **An exploratory method was therefore warranted.** Quantitative data came from documents, UNICEF monitoring data<sup>80</sup> and secondary data (i.e., DHS and any other statistics from the GoPNG).

#### Data sources

The evaluation drew from two major sources: (i) a rich foundation of legislation and policies and secondary data; and (ii) semi-structured interviews with Duty bearers and Rights holders.

#### Documents & secondary data

The textbox presents a brief list of documents, databases, and secondary data that the Evaluation Team reviewed during the Inception Phase and used to prepare this report. See Annex 4 for the Bibliography.

#### Qualitative interviews with duty bearers and Rights holders

##### Sampling strategies

**A snowball sampling method** guided the selection process for GoPNG and non-State service providers (duty bearers) and Rights holders (children and their families) who sought or/and accessed justice/protection services from 2018 to 2022.

For the justice service providers, one person would be a 'seed', where the snowball sampling would start. The Evaluation Team would then leverage the reference from the one provider and request the next service provider to recommend another service provider. For the children/caregivers, the snowball reference was not appropriate, given the need to protect their confidentiality. The Inception Report presented specific

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<sup>80</sup> This is called Results Assessment Module (RAM).

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criteria for the three different stakeholder groups (i.e., victims/survivors, witnesses, and juveniles). This criteria included: those (1) who received justice/protection-related service(s) or support from 2018 through 2022; (2) whose families (children and parents/caregivers) had a member with special needs;<sup>81</sup> (3) who had positive experiences with justice services, (4) who had negative experiences, and (5) who had a case that never moved.<sup>82</sup> These criteria were intentional, as the objective was to gain access to vulnerable individuals (e.g., disability, age, and rural location). Given that the Evaluation Team consulted multiple service providers (from representatives from CSOs and JJOs), only the Evaluation Team knew the identity of interviewed subjects.

**Overall, the total number of stakeholders interviewed was 86.** The tables below illustrate the overall sample. The tables with disaggregated data (by gender, location, and further details about the stakeholder groups) are in Annex 5.

**Table 4: Summary of stakeholders interviewed.**

UNICEF	PNGCIR	NOCFS	DJAG	RPNGC	JUVENILE COURTS	VILLAGE COURTS	SERVICE PROVIDERS
5	2	7	17	8	1	11	9
CHILD SURVIVORS	FEMALE SURVIVORS	WITNESSES	CICL				
5	9	1	5				

The total number of females interviewed (n=47) was higher than that for males (n=39), representing approximately 55% and 45% of the entire sample, respectively. The female-majority sample could be explained by the fact that most of the JJOs interviewed were female, half of CPOs were female, and all but one Police Officer (including a JPO) were female. There were no female juveniles to interview, nine married women in need, and the majority of the children (5 out of 6) were female. The total number also includes four UNICEF staff members. See Annex 5 for the List of Stakeholders.

### Data collection

Qualitative discussion guides were linked to the Evaluation Matrix with strict adherence to interview protocols. All questions are open-ended. (See Annex 6 for Data Collection Tools). The tools for duty bearers

<sup>81</sup> The intent was to have up to 15 % of sample of families (children and parents/caregivers) having a member with special needs. While this requirement was not met, the strategy to create an inclusive sample was implemented.

<sup>82</sup> This criteria would shed light on follow up activities undertaken (if any).

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were designed to gather information about the scope of the training received, their experiences in delivering specialised, efficient, and multisectoral services for Child Friendly Court & Policing services, child protection services, juvenile justice services, and to some extent, the child registration process. The Inception meeting helped the Evaluation Team to have a better understanding of the topics and timing of training provided to all stakeholders.<sup>83</sup> Many stakeholders were happy to talk about how they handled cases [processes]. Other questions included challenges and other activities in which they would like to be involved. Understanding that the family/juvenile interview was exploratory, and the tools for Rights holders used open-ended questions intended to generate data on the Juvenile/child & parent's: (1) capacities; (2) lived experiences; (3) opinions; and (4) solutions (if any).

Additional information about the protocols used for data collection are in the Ethical Considerations section below. While most of the stakeholder consultations were Key Informant Interviews (KIIs), there were a total of 13 Focus Group Discussions (FDGs). (See table below)

**Table 5: Sample disaggregated by province, FDGs, KIIs, & Rights holder groups.**

Location	FDGs	KIIs adults	KIIs Children			KIIs
			S <sup>84</sup>	W	CICLs <sup>85</sup>	Women
Morobé	3	4	5	1		
NCD	6	13			2	4
East New Britain	1	3			1	3
ARoB	3	3				2
Western Highlands	0	5			2	
<b>Totals</b>	<b>13 FDGs</b>	<b>28 KIIs</b>	<b>11 KIIs</b>			<b>9 KIIs</b>

Interviews with children took roughly 15 minutes, and KIIs with adults and juveniles ranged from 45 to 60 minutes. The FDGs ranged between 75 to 90 minutes. All interviews were conducted in English unless the respondent did not feel comfortable speaking in English. When this situation occurred, the National Evaluator on the StratMan Evaluation Team spoke in Tok Pisin.

#### Data analysis, report writing & quality assurance

Qualitative data was coded to identify key themes, patterns, and relationships relevant to the evaluation questions, and qualitative analysis focused on role of J4C in contributing to the child protection/juvenile justice system in PNG. In using QDA Minor, data and excerpts were first assigned to codes where possible, the analysis consists of comparisons between provinces where funding was targeted, understanding how

<sup>83</sup> The Evaluation Team explored the following resources: (1) 2019 Child Protection Case Management, Handbook and Standards; (2) Child Protection Case Management Module for NOCFS; (3) Minimum Standards for Child Friendly Court and Child Friendly Police; (4) Resources provided to the Police; (5) Resources provided to the Public Attorney's Office; and (6) Resources provided to the Juvenile Justice Service..

<sup>84</sup> Note that "S" stands for Survivor and "W" stands for Witness.

<sup>85</sup> Note that "CICLs" stands for children in conflict with the law.

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the UNICEF project contributed to supporting workforce skills development, system strengthening, and the quality of coordination between child protection/justice stakeholders and service delivery actors (i.e., CBOs, FBOs, and Village Courts). Data collection ceased after “saturation” was reached.<sup>86</sup>

### Ethical considerations and evaluation principles

Before any data collection began, the evaluation protocols, instruments, and tools underwent an ethical review with HML Institutional Review Board, which is an autonomous committee, authorised by the United States Office for Human Research Protections within the United States Department of Health and Human Services (IRB 00001211). This entity issued ethics approval [**HML IRB Review #627PNGU22**] to collect data from children under age 18 who contributed to the evaluation. See Annex 7 for a copy of the Letter for Ethical Approval from HML Institutional Review Board.

The evaluation adhered to UNICEF’s **PROCEDURE FOR ETHICAL STANDARDS IN RESEARCH, EVALUATION, DATA COLLECTION AND ANALYSIS** and the **UNICEF PROCEDURES FOR ETHICAL RESEARCH INVOLVING CHILDREN**.<sup>87</sup> All engagement with participants younger than 18 years of age was based on the principles outlined in the **INTERNATIONAL CHARTER FOR ETHICAL RESEARCH INVOLVING CHILDREN**.<sup>88</sup> For example, several principles were reviewed prior to integrating children’s perspectives into the evaluation design, including:

1. Beneficence, which incorporates **reciprocity**, or the idea that as well as making a contribution to the evaluation, children need to also gain something from their participation in research.<sup>89</sup> The juveniles received “care packages” as incentives, which included soap, rice, sugar, biscuits, etc.;
2. **Encountering children, who are at risk of harm, child abuse, or neglect**, was a strong likelihood during the data collection period. Therefore, the evaluation included a formal protocol which

## INFORMED CONSENT FOR ADULTS

The Evaluation team sought informed consent from adult stakeholders. The protocol showed respondents respect by explaining:

1. why they **were invited** to participate;
2. the **purpose** of the evaluation;
3. that data would be used for findings, conclusions, and recommendations;
4. that there was **no “right” or “wrong” answer**;
5. that all information provided would be **confidential** and would not be shared with anyone outside of the Evaluation Team. This protocol also ensured the avoidance of harm; and
6. that all documentation would be stored and transferred in a password-protected file.

<sup>86</sup> Hennink, M., & Kaiser, B. (2022). Sample sizes for saturation in qualitative research: A systematic review of empirical tests. *Social science & medicine* (1982), 292.

<sup>87</sup> UNICEF (2015). *UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis*.

<sup>88</sup> Powell, M.; Taylor, N.; Fitzgerald, R. and Graham, A.; Anderson, D. (2013). *Ethical Research Involving Children*, Innocenti Publications, UNICEF Office of Research-Innocenti, Florence; UNEG. (2016). *Norms*; and UNEG. (2020). *Ethical Guidelines for Evaluation*.

<sup>89</sup> Powell, M. et al., page 33.

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mandated immediate, deliberate, and sensitive responses from the evaluators, including follow-up support such a referral to appropriate services (if needed). While the Evaluation Team members did not need to implement this protocol, the procedure was in place if the situation arose.

3. **Potentially harming children while discussing sensitive issues around violence.** The Evaluation Team used various strategies to minimise any potential distress from participating in the evaluation. For example, the Evaluation Team members were very cognizant that the instrument had questions that could trigger disturbed emotions within the children or juveniles. Given this likelihood, the evaluation therefore used a child-centred methodological approach, which included:
  - Informed consent (see text box)
  - disclosing the evaluation's purpose,
  - seeking informed parental permission (if needed),
  - requesting child assent, and
  - providing every opportunity to decline to answer questions or stop the interview process (especially if the CICL went to correctional services).
4. **Protecting privacy and confidentiality** was critical, and so the Evaluation Team held interviews in a comfortable location away from other children (or in a separate office for juveniles).

Table 6 (see below) outlines the multiple forms used, especially for children, juveniles aged 18 older, and for adults. Note that in an effort to reduce the amount of paper used, the Evaluation Team used electronic forms for the Parent Consent" and "Child Assent".<sup>90</sup> Moreover, the oversight of the Team Leader, who is experienced and skilled protection protocols to safeguard all respondents, including children, provided the assurance that team members would not carry out any activities that could potentially create angst among the children/juveniles selected for interviews. Note that there was no need to apply the principles of self-determination, fair representation, and compliance codes for vulnerable groups, as these elements were not relevant to this evaluation.

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<sup>90</sup> Even though the forms were electronic, the Evaluation Team's contact information was still made available.



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Table 6: Informed consent protocols.

	STAKEHOLDERS	INFORMED CONSENT
<b>CHILD</b>	Adolescent age 17 and younger participating in KIs	An electronic “Parental Consent” form was used for those who were younger than 18. An electronic “Child Assent” form was used for those who were younger than 18.
	<b>JUVENILE 18+</b>	Adolescent age 18 and over participating in KIs
<b>ADULTS</b>	Service Providers (adults)	Verbal agreement sought.
	GoPNG (adults)	Verbal agreement sought.
	UNICEF staff (adults)	Verbal agreement sought.

### Evaluator Obligations

The data collection approaches used by the Evaluation Team adhered to the norms of utility, credibility, independence, impartiality, and transparency. Each is further elaborated below.

#### Utility

As noted earlier, the Evaluation Team used the UFE approach, focusing on ensuring that the evaluation processes and product were useful for all stakeholders, end especially those from national agencies (e.g.,

DJAG–JJS, NOCFS, and the NJJC). For example, the in-person Inception Meeting lasted two days with strong presence from DJAG, NOCFS, the NJJC, JJS, and DFAT. Not only did the StratMan Evaluation Team facilitate an understanding about the evaluation process, but the evaluators asked stakeholders to: (1) describe the activities on which they were working; (2) reflect on how the project has been working; (3) outline a list of key stakeholders working in the five evaluation sites; and (4) vet the existing ToC, and suggest modifications (if any). After the field phase, a remote meeting was held, where the Evaluation Team provided an update on data collection (and ensuing gaps) to national stakeholders and development partners. The third evaluation meeting was hybrid with the evaluation team presenting preliminary findings to a room which included a range of stakeholders. The last two remaining meetings enabled the national partners to provide substantive inputs on realistic, action-oriented recommendations for the way forward.

#### Credibility

The Evaluators have substantial experience in conducting evaluation projects on various topics related to child protection, early child development, social inclusion topics, and gender. The Evaluation Team possesses the education, abilities, skills, and experiences required to complete the evaluation competently, and the team communicates all limitations in retrieving needed data. These limitations included: (1) receiving the names of stakeholders at the last minute; (2) delays in payments from UNICEF for field activities which put undue pressure on the Evaluation Team to cover their own costs until the payment was received.

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### Independence & Impartiality

The StatMan Evaluation Team satisfied their ethical obligations, in that they were independent with no conflict of interest, as they were not involved in J4Cs design, implementation, or periodic review. The team also had no vested interest in generating positive or negative evaluation findings.

### Transparency/Ethical Safeguards

As noted earlier, the Evaluation Team jointly worked with the Child Protection section to develop an Evaluation Response Plan. This plan guided the data collection team to: (1) effectively recognise and refer any case requiring immediate specialised support; (2) access timely, safe, effective, and confidential counseling and debriefing opportunities if they felt distressed and/or emotionally overwhelmed during the field work phase of the evaluation, and (3) understand and uphold the Prevention of Sexual Exploitation and Abuse (PSEA) and Child Safeguarding principles and procedures. This was a requirement from UNICEF as part of its own reporting obligations and mechanisms in the event of any case of PSEA and for child safeguarding. In addition, the evaluation products will be made available publicly.

### Limitations and Constraints of the Evaluation

The evaluation had the following limitations. Where possible, the Evaluation Team took deliberate steps to mitigate the effects of limitations.

### Results Matrix and Data Availability

1. It was recognised that there were significant gaps in information referenced in the Project Results Framework, and the corrective measure was to purposefully look for, collect, and analyse this missing data during the field phase. However, the Evaluation Team was unable to secure such information despite deliberate efforts to gather such data. For example, the Evaluation Team interviewed project managers from the early stages of project implementation, and in some cases, there were no baseline or target data available due to the limited availability of administrative data. One target, a very high number for the number of children supported through the project, unrealistic, but it could not be explained how such a figure was calculated from the onset. Those who were interviewed concurred with the Evaluation Team that the indicator was not realistic, considering the context of PNG.
2. Generally, administrative data for child protection and juvenile justice services is very limited in PNG. The following data sources stipulated in the Results Framework could not be identified: "(a) Provincial District government financial reports; (b) Provincial and District plans, (c) Provincial and district council reports, and (d) administrative reports of Provincial RPNGC Commission and District Courts. The Evaluation Team's efforts to secure other data sources that could otherwise address the indicators outlined in the J4C Project Results Framework were unsuccessful.

### Reduction in Child-Friendly Courts Stakeholder Sample

3. During the Inception Meeting, the Evaluation Team was notified that one of the project components: child friendly courts, was not established although it was expected that there would have been **at least** two child-focused courts initiated. The implication was that a total of 12 stakeholders would be

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subtracted from the overall total number of persons interviewed. To minimise the effect of this circumstance, the Evaluation Team attempted to interview staff from the Juvenile Justice Courts. There was only one such stakeholder, and he was interviewed.

4. Some stakeholders had double roles, therefore minimising the overall number of stakeholders in the sample. For instance, the JJO in Morobé also provided the Secretariat to the PJJC, and so that person was simply interviewed about the two different roles/topics (supporting the PJJC and about functioning as a JJO). The Evaluation Team inquired about other members who formed part of the PJJC in each site, but those individuals were difficult to track down.<sup>91</sup>

#### **Lack of primary data secured from district level**

5. During the Field Phase, the Evaluation Team discovered that in some provinces, there were no Volunteer Child Protection Officers (VCPOs) or Volunteer Juvenile Justice Officer (VJJOs). This gap translated into an absence of primary data reflecting the district level stakeholders. To counter the effects of this situation, the Evaluation Team attempted to interview Community Development Officers at the district level in East New Britain and AroB, and the Deputy Provincial Administrator in East New Britain. These attempts were unsuccessful, as none of them were available. To mitigate the potential gap in information regarding district-level perspectives, the Evaluation Team modified the tools for CPOs/JPOs to garner data about their perspectives regarding peoples' access to services in the rural and district areas. While this was secondhand information, it was still trustworthy.

#### **Challenges with interviewing the police stakeholders**

6. Although the stakeholders from child protection and JJS were effective in supporting the Evaluation Team to gain access to officials at the provincial level (i.e., with official letters granting the respective official's permission to speak to the Evaluation Field Team), it was challenging to gain access to the RPNGC (police) stakeholders. Specifically, these stakeholders did not attend the Inception Workshop, which created challenges in gaining access to the RPNGC stakeholders at the national level. While provincial level police officers were willing to speak to the Evaluation Team, they could not do so without a formal letter, granting them permission. Ultimately, the Evaluation Team was able to consult the Provincial Police (Family and Sexual Violence Units-FSVU and Juvenile Police Officers-JPOs), as DJAG facilitated access.

#### **Challenges with interviewing children**

7. While child protection and JJS stakeholders referred the Evaluation Team to visit safe houses, women's shelters, and boys' rehabilitation facilities without any challenges, the actual number of children/juveniles available for interviews was smaller than expected. The Evaluation Team attempted

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<sup>91</sup> It is acknowledged that for any resolutions passed by the PJJC, it is the responsibility of the JJO to implement them or share the resolutions with other PJJC stakeholders to implement. Although the JJO may actively attend the PJJC meetings, he or she should only provide a secretariat role and is not to be considered as a member of the PJJC.

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to mitigate this challenge by undertaking a second data collection process in January 2023. While the second round of data collection had positive results with the national level RPNGC stakeholders, the attempted interviews with children were unsuccessful. As a means to supplement the sample with vulnerable persons, the Evaluation Team conducted interviews with Rights holders. This data provided substantive details regarding women's and mothers' access to justice services.

# FINDINGS

### 7. FINDINGS

#### Relevance/Compliance

##### RELEVANCE/ COMPLIANCE

**KEQ #1:** To what extent are the multisectoral justice and child protection services supported by the J4C project in line with international standards and principles? Did the project adhere to the CRC/CEDAW/CRPD?

**FINDING 1:** While the Juvenile Rehabilitation and Reintegration Policy 2021-2031 and the Minimum Standards for Juvenile Institutions helped the GoPNG to meet the UNCRC 37 & 40 standards, the project made limited contributions toward implementing UNCRC 19 in the context of providing protection to the rights of child victims and witnesses and limited contribution toward integrating the principles of the CRPD, namely increasing knowledge about the need to support children with disabilities (CWDs) who are in contact with the law.

#### The Juvenile Rehabilitation and Reintegration Policy and the Minimum Standards for Juvenile Institutions

The project's support in enacting the JRRP and the Minimum Standards for Juvenile Institutions (MSJI) enabled the GoPNG to comply with the requirement of the UNCRC to undertake "all appropriate legislative, administrative, and other measures for the implementation of the rights recognised in the Convention."<sup>92</sup> In addition, the support laid down the guidelines, policies and plans in meeting the minimum standards in treating CICLs as stated in Articles 37 and 40 and other articles of the UNCRC.

This section provides evidence to support this finding and reviews the following provisions: (1) Safeguards against Discrimination; (2) Female CICLs; (3) Children with Disabilities; (4) Prevention and Early Intervention Below the minimum age of criminal responsibility (MACR); (5) Diversion; (6) Right to Be Heard and the Right to Participate; (7) Privacy and Confidentiality; (8) Right Against Torture; (9) Detention As a Measure of Last Resort; (10) Separate Facility from Adults; (11) Establishment of Specialised Units; (12) Rehabilitation and Reintegration Programmes; and (13) Awareness Raising.

#### Safeguards against Discrimination

Pursuant to the UNCRC, safeguards against discrimination should be in place from the earliest contact with the criminal justice system and throughout the trial.<sup>93</sup> Girls, as well as children who experience discrimination based on sexual orientation or gender identity, should be given special gender-sensitive attention. Accommodations should also be provided for children with disabilities. The JRRP, pursuant to the JJA, requires a gender-based approach to address the needs of female juveniles at all stages of the justice process.<sup>94</sup> By taking a more inclusive approach to juvenile justice, the JRRP provides for a clear guide

<sup>92</sup> Convention on the Rights of the Child, 20 November 1989, 1577 UNTS 3 a 4 [*hereinafter* UNCRC]; Committee on the Rights of the Child, General comment no. 24 on children's rights in the child justice system, CRC/C/GC/24 (18 September 2019).

<sup>93</sup> UNCRC, a 2; General Comment No. 24, para 40.

<sup>94</sup> Juvenile Justice Act of 2014 [JJA 2014], No. 11 of 2014, s 6(p) (2014); GoPNG, Juvenile Rehabilitation and Reintegration Policy 2021-2031, 6.

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on how practitioners should treat female CICLs and CICLs with disabilities. These are necessary steps especially in addressing some issues affecting female CICLs and CICL with disabilities.

#### Female CICLs

Data from interviews shows that there are limited specific protocols in place to address the needs of girl CICLs and CICLs with disabilities.<sup>95</sup> In specific, the evaluation data shows that there are no juvenile lockup facilities for girl CICLs *in the areas that the Evaluation Team visited*.<sup>96</sup> **It must be noted that the validity of the Evaluation Team's data was questioned on this specific point.**<sup>97</sup> Nonetheless, this situation or gap likely reflects a lack of adherence to international standards. For example, according to a JJO, "If a female juvenile is charged, they expedite the process for her release. They usually would seek the family of the child to immediately post bail." However, it was noted that the "families were not always ready to take in the juvenile." In another example, a JJO had to refer the girl CICL's case to a CPO to find a safehouse, because the mother of the juvenile was also in jail, and the grandmother was too fragile to take care of the juvenile. Data also shows that female juveniles who were married and had children were treated as adults by police officers, prosecutors, and the courts.<sup>98</sup>

#### Children With Disabilities (CWD)

According to the UNCRC and CRPD "Children with disabilities in conflict with the law should not be placed in a regular juvenile detention centre by way of pre-trial detention nor by way of a punishment."<sup>99</sup> The data indicates that there were no separate accommodations for CICLs with disabilities.<sup>100</sup> For instance, a case was mentioned of a child with a physical disability (he had no hands and disabled leg) who was charged with rape, and he was detained with others in the usual lockup without any special accommodation. In cases of deaf CICLs, Duty-bearers explained that they had to depend on relatives to interpret for them, because there were no service providers trained in sign language. Similarly, duty-bearers sought the services of non-governmental organisations (NGOs) (where they were present) to address the needs of children with disabilities, otherwise, they would handle them as they would handle normal cases.<sup>101</sup>

With the JRRP in place, some of the recommendations of some stakeholders noted:

*"We need shelters specifically for special needs children's shelters. There are none now. These CWD are mixed up with the able-bodied children, and there needs to be a safe house for this vulnerable group. Family relatives are also abusing them. They should have something for them. There is no place in the society for them, they are all mixed up with big people and able-bodied children."*

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<sup>95</sup> 1710.KII.2.CPD; 2010.KII.5.RPNGC; & 2710.KII.3.VCourt.

<sup>96</sup> The Evaluation Team visited the Provinces of ARoB, East New Britain, and Morobé.

<sup>97</sup> Stakeholders from JJS wish to clarify that: (a) there are female juvenile lockup facilities at the Police Station in Lae (Morobé); and (b) the Boroko Police Juvenile Reception Centre (NCD) has a separate lockup for the female detainees.

<sup>98</sup> 2010.KII.5.DJAG; 2610.KII.3.SERVICE; 1710.KII.2.DJAG; 2410.KII.1.DJAG; & 2610.FGD.3.DJAG.

<sup>99</sup> UNCRC General Comment No. 9, Special protection measures, A. Juvenile justice system, para 72.

<sup>100</sup> 2710.KII.3.VCourt; & 2610.FGD.3.DJAG.

<sup>101</sup> 1810.KII.2.RPNGC; 2010.KII.5.DJAG; & 2710.KII.3.VCourt.

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*“Run trainings. Training to communicate with children with disabilities. So that we can help them when they seek for help. Sign language. Because they might come in. We have never given this service to them. Since I cannot understand I just do the report.”<sup>102</sup>*

#### Prevention Early Intervention Below MACR

Upon review of the JRRP, Strategy No. 11 adequately deals with children below the MACR. Not only does this strategy conform with the UNCRC’s recommendation on preventing juvenile delinquency by providing child-friendly and multidisciplinary responses to the first signs of risky behaviour, but the strategy also conforms with the Riyadh Guidelines.<sup>103</sup> Implementing this policy and strategy would greatly help the JJOs and the CPOs in the provinces in delineating their tasks in so far as providing interventions for children below the MACR.

The GoPNG, however, may consider raising the MACR which was set by JJA 2014<sup>104</sup> at 10 years old on the Rights of the Child in its General Comment No. 24 encourages State Parties to increase their minimum age to at least 14 years of age, noting the recent scientific findings in the fields of child development and neurosciences.<sup>105</sup>

#### Diversion

The JRRP is replete with provisions on the use of diversion which makes it perfectly aligned with the UNCRC and GC 24. One of the objectives for the issuance of the JRRP is “to ensure the use of diversion and non-custodial measures consistent with the provisions of the JJA 2014 are implemented.” To achieve the objectives and to emphasize the importance of diverting children from the formal justice system, the JRRP promotes Diversion as a general legal principle to achieve the goals and objectives of JJA 2014. JRRP’s strategy No. 8, which would prioritize diversion and non-custodial measures to reduce juveniles deprived of their liberty, conforms with the CRC’s mandate to promote measures for dealing with CICLs without resorting to judicial proceedings.<sup>106</sup> The JRRP’s strategy of improving the case management of the CICLs by properly assessing the needs of the individual child at the earliest contact with the law to guide the JJOs and the police officer to select the appropriate diversion option is aligned with the UNCRC and GC 24’s mandate to make opportunities for diversion available from as early as possible after contact with the system. Likewise, the JRRP’s strategy to strengthen collaboration between Village Courts and the Juvenile Courts especially the plan to appoint Village Court Magistrates as authorized facilitators to conduct Community Based Conferencing and to determine the appropriate diversion options puts the UNCRC and

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<sup>102</sup> 2010.KII.5.RPNGC & 1710.FDG.2.SERVICES.

<sup>103</sup> A/RES/45/112 (14 December 1990). UNGA, United Nations Guidelines for the Prevention of Juvenile Delinquency.

<sup>104</sup> Juvenile Justice Act of 2014 [JJA 2014], No. 11 of 2014, s 3(2); s 39(1) (2014).

<sup>105</sup> Committee on the Rights of the Child, General comment no. 24 on children’s rights in the child justice system, CRC/C/GC/24 (18 September 2019), para 22.

<sup>106</sup> Convention on the Rights of the Child, 20 November 1989, 1577 UNTS 3 a 40(3)(b) [hereinafter UNCRC]; UNGA, United Nations Standard Minimum Rules for the Administration of Juvenile Justice, A/RES/40/33 (29 November 1985), para 11; GC No. 24, paras 13-18, 72.



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GC 24's directive to make diversion accessible at the earliest possible opportunity and at various stages throughout the process.

However, interview data indicates that while diversion was being implemented at the provincial level, it was not usually conducted at the district level or in remote areas, although provincial level Duty bearers offer advice to professionals working at the district level. For example, one JJO explained that (s)he would not usually go to the districts to assist in the diversion of cases, because these juveniles are just too far. Another Duty bearer stated that,

*"In the rural areas, they do not have diversion. They usually arrest the juveniles. If the rural police stations call the provincial station, we can advise them on how to conduct diversion."<sup>107</sup>*

A proper implementation of the JRRP means that "authorised facilitators will be trained and will be provided with reference handbooks".<sup>108</sup> If the JRRP Output were implemented comprehensively, this would directly address the lack of authorised facilitators, apart from the JJOs and JPOs who conduct community-based conferencing.<sup>109</sup> More importantly, the fully implemented JRRP would ensure that the duty-bearers will be capacitated to implement the different diversion options provided under Sec. 29 of the JJA 2014. Data shows that the following diversion options were implemented: warning to and caution of the juvenile, oral and/or written apology of the juvenile, restitution, payment of compensation, community service and community-based conferencing. In one area, compulsory attendance to school was given as a diversion option but was not complied with, because the parents were unable to send the child to school.<sup>110</sup> Counseling and community supervision were usually done by the JJOs. In some areas, counseling and community supervision were done by NGOs and FBOs, where they are available.<sup>111</sup> In one area, the community supervision was conducted by the ward and the volunteers, because the family did not have the resources to visit the JJO on a weekly basis. It was the JJO who conducted the visits to the family. For education, psychosocial, rehabilitation and reintegration programmes, the data was mixed. In one area, the JJO said that there was no education programme, while in another, there was a literacy programme provided by the Catholic Church. While one stakeholder noted that there were no available psychosocial programmes for the children under diversion, another stated that they referred children to an FBO for mental health rehabilitation. The JRRP's plan to train authorised facilitators would directly address the JJOs' requests for further training in providing counseling and appropriate rehabilitation programmes to children.

#### **Right to Be Heard and the Right to Participate**

The UNCRC mandates that children who are capable of forming their own views have the right to express those views freely in all matters affecting them, and parties to the convention should consider these views

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<sup>107</sup> 1810.KII.2.RPNGC & 2010.KII.5.DJAG.

<sup>108</sup> CoPNG, Juvenile Rehabilitation and Reintegration Policy 2021-2031, Outputs 7.5 and 8.1.

<sup>109</sup> 2010.KII.5.DJAG; 1710.KII.2.DJAG; & 2410.KII.1.DJAG.

<sup>110</sup> 2410.KII.1.DJAG.

<sup>111</sup> 2010.KII.5.DJAG; 1710.KII.2.DJAG; & 2410.KII.4.SJJO.

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and take them seriously.<sup>112</sup> The JRRP promotes this standard by emphasising that the effective participation of children in all matters affecting them is a fundamental principle<sup>113</sup> in implementing the policy in order to achieve the goals and objectives of JJA 2014.

The CICLs from different areas confirmed that their opinions were solicited and were considered during the community-based conference facilitated by JJOs.<sup>114</sup>

Following the JRRP's mandate to secure the active participation of the children, different duty-bearers can produce and distribute collaterals explaining their rights, the services available, the processes that the child will go through and information how to access the services available, written and designed in a language understandable to children. JJOs and VJJOs should also be trained on how to assist children during the whole process of being in contact with the law, maybe provide them with modules similar to those provided to Court Appointed Special Advocate / Guardian ad Litem (CASA/GAL).<sup>115</sup>

The UNCRC further recommends that for children ought to effectively participate, and the CICL "needs to be supported by all practitioners to comprehend the charges and possible consequences and options."<sup>116</sup> While interview data confirms that JJOs assist the CICLs in comprehending the process, including coaching the CICLs on what to say before the courts, the data from juveniles shows that their understanding of court processes, is still limited. For example, an interviewed juvenile noted that he did not understand much of what was happening until he had gone to Juvenile Court and was told afterwards by his mother when he went back home what he was charged with; He said that he was "just following the processes." He wasn't aware or told of court processes or what to expect when brought before the juvenile courts. Only after the case was referred to the National Court and JJS intervened and coached him through the court process did he finally understand the court processes. Another interviewed juvenile conveyed a similar sense of confusion about court processes.<sup>117</sup>

#### Privacy and Confidentiality

The UNCRC mandates that the privacy of the child shall be respected at all stages of the proceedings.<sup>118</sup> To ensure that children's rights are protected, the JRRP recognises that the principle of privacy and confidentiality of a case is a basic principle that should apply not only at all stages of police and criminal procedures but also during community-based conferences.<sup>119</sup> Alternatively, the MSJI highlights that the privacy of juveniles in detention should always be considered and that the records of the juveniles should only be accessible to authorised personnel.<sup>120</sup> The interview data is mixed regarding children's right to

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<sup>112</sup> UNCRC, a 12; a 40(2)(b)(iv); GC No. 24, para 45.

<sup>113</sup> JRRP, Principle 2.

<sup>114</sup> 2510.KII.4.Juvenile01; 2110.KII.5.JUVENILE1; & 2110.KII.5.JUVENILE2.

<sup>115</sup> <https://nationalcasagal.org>

<sup>116</sup> General Comment No. 24, para 46.

<sup>117</sup> 2410.KII.4.SJJ0; 1710.KII.2.DJAG; 2110.KII.5.JUVENILE2; & 2510.KII.4.Juvenile01.

<sup>118</sup> UNCRC, aa 16 and 40(2)(b)(vii); General Comment No. 24, paras 66-71.

<sup>119</sup> JRRP, Principle 8.

<sup>120</sup> MSJI, s 3.3.1, 1.1.1, 2.1.1 and 3.1.1.

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privacy and confidentiality, and reinforcing this JRRP principle is warranted. Interview data indicates that there were substantial efforts to respect the privacy of the children, especially in courts where the public was excluded during the hearing of children's cases. For example, only the juvenile, prosecutor, magistrates, parents, JJOs, and complainants were allowed to be present. In addition, data show that the police conducted interviews in a separate room with the JJOs and parents present to prevent children from being threatened.<sup>121</sup> However, because of the lack of separate facilities and holding places for children (discussed below), many informants stated that the privacy of the children was compromised. This was especially true for girl CICLs.<sup>122</sup> A Duty bearer police officer highlighted the challenge of a lack of a separate building for holding juveniles.

*"A juvenile reception centre should stand alone with a juvenile cell where they are kept away from others. Now they do not have privacy. All kind of people see them. No privacy and confidentiality for them..... There are also instances when adults are coaching the juveniles when they are being interviewed by the JJO or the JPO. The juveniles cannot fully express themselves."*

Similarly, Duty bearer JJOs pointed out that the lack of interview rooms was one of the challenges that they faced in protecting the privacy and confidentiality of children.

*"We don't have [an] interview room. Children are being interviewed in the CID office where some adults are also being interviewed. Sometimes they have to lower their voice for the other persons in the room not to hear their conversation."*

*"No privacy in police holding cells. There are at least 10-20 prisoners (including juveniles) in each cell."<sup>123</sup>*

### Rights Against Torture

The JRRPs Strategy No. 10 on protecting the rights of the juveniles includes a policy and plan to establish a complaint mechanism to monitor complaints for violations of the rights of the child,<sup>124</sup> as well as the MSJI's express prohibitions,<sup>125</sup> and this promotes the child's rights against torture and other cruel, inhuman, and degrading punishment.<sup>126</sup> This also conforms to the Mandela Rules that each person deprived of liberty shall have the opportunity to make complaints.<sup>127</sup> This is especially relevant and timely as data show that some children suffered torture and cruel treatment from the hands of some law enforcement agents from across the country.

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<sup>121</sup> 2710.FGD.3.RPNGC; 2410.KII.1.DJAG; 2010.KII.5.DJAG; 2410.KII.1.DJAG; 2410.KII.1.DJAG; 81710.KII.2.DJAG.

<sup>122</sup> 2610.KII.3.SERVICE.

<sup>123</sup> 1810.KII.2.RPNGC; 2410.KII.1.DJAG & 2010.KII.5.DJAG.

<sup>124</sup> JRRP, Output 3.6.

<sup>125</sup> MSJI, ss 1.11.5, 1.15.4, 2.11.5, 2.15.3, 3.5.3, and 3.9.3.

<sup>126</sup> CRC, a 37(a); Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, a 15[ *hereinafter* CAT].

<sup>127</sup> UNGA, United Nations Standard Minimum Rules for the Treatment of Prisoners, A/RES/70/175 (8 January 2016), rr 54-57; GC No. 24, para 95(i).

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*Some juveniles complain about beatings. In these cases, the police can be charged and reported to internal investigation unit.*

*Some security guards and police beat children. If the JJO learns that a police officer beat a juvenile, the JJO files a complaint before internal investigation unit.*

*Almost all children suffer maltreatment as they are detained in adult cells. Adult detainees smuggle drugs. Adult detainees smoke. They also say all the bad things and not good things while the children are with them. They are teaching children to smoke: take one puff, etc...*

*Beating is already part of the police culture. I don't know when they will stop. That is why human rights case should be filed with JJO.<sup>128</sup>*

Note that those interviewed who disclosed this information did not provide any supplemental information about steps for Rights holders to gain: (1) access to support or services; or (2) reporting channels for accountability purposes. Hence, this evaluation does not have any evidence of protocols in place, or if in place, whether they are being used.

### Detention As a Measure of Last Resort

The UNCRC also has a mandate that the child has the right not to be deprived of liberty unlawfully or arbitrarily.<sup>129</sup> The same article directs State Parties that the “arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.” To implement this, the Committee recommends that the provision should be applied to decisions to place children in residential care for children below the MACR,<sup>130</sup> and when ordering custodial measures to dispose a case of juvenile.<sup>131</sup> The JRRP’s emphasis on the principle of detention as a measure of last resort and for a minimum period of time necessary<sup>132</sup> as well as its policies and plans to impose non-custodial sentences<sup>133</sup> and the policy to regularly review custodial sentences<sup>134</sup> are compliant with the mandates of the UNCRC. Reiterating this principle in the JRRP is necessary as interview data showed that there were instances when children were detained for an unnecessary long period of time. For example,

*“Some police officers are breaching the JJA as some children are detained for more than 24 hours especially that parents do not have capacity to pay the amount.”*

*“When juveniles are referred to the police in the districts, the district would call the Provincial Station and the JPO would give them instructions. Juveniles are detained for around a month in the districts before being brought to the provincial stations.”*

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<sup>128</sup> 2010.KII.5.DJAG; 2410.KII.1.DJAG; 1710.KII.2.DJAG; & 1810.KII.2.RPNGC.

<sup>129</sup> CRC, a 37(b).

<sup>130</sup> General Comment No. 24, para 11.

<sup>131</sup> General Comment No. 24, para 73.

<sup>132</sup> JJA 2014, s 6(n); JRRP, Principle 6.

<sup>133</sup> JRRP, Output 8.4.

<sup>134</sup> JRRP, Output 8.5.

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*"In cases where the age of the child is not determined, the Police don't like physical appearance assessment of age. They insist on getting hard evidence. JJA 2014's provision on the presumption of minority is not followed. Sometimes, the juvenile had to stay 2 weeks or even 3 weeks in police lockups while the evidence is acquired."<sup>135</sup>*

During the COVID pandemic, juveniles were kept in police lockup for months, because their cases could not be processed without complying with the testing requirements. In cases of children who were being tried for indictable offenses, juveniles who could not post bail could stay around 2–4 years in remand centers or in Correctional Services.<sup>136</sup>

### Separate Facility from Adults

The UNCRC mandates that children deprived of liberty should be separated from adults.<sup>137</sup> This means child-friendly facilities should be established for CICLs deprived of liberty.<sup>138</sup> The JRRP, specifically Outputs 3.9<sup>139</sup> and 3.10,<sup>140</sup> provides guidance and outlines the plan for the establishment of these facilities. The MSJI also reinforces this UNCRC mandate by enunciating that juvenile sections should be located separate from adult compounds.<sup>141</sup> Indeed, these policies are much needed because while there were police stations with separate holding cells for children, interview data indicated that children were not usually separated from adults in police lockups due to lack of resources to build a separate facility for children.<sup>142</sup>

While it was noted that one Correctional Service facility had a separate juvenile wing,<sup>143</sup> other facilities mixed the at-risk children with adults from the general population (convicted police and government officials) because of lack of space. Some courts also did not have a separate holding cell for children, and so they too were also mixed with adults while waiting for their cases to be mentioned.<sup>144</sup>

### Establishment of Specialised Units

The JRRP outlines the policy that the police, prosecution, Magisterial Services, JJOs and VJJOs, correctional staff, and those working with CICL shall be trained. The JRRP also prescribes that specialised juvenile court judge and magistrates should preside over juvenile matters/cases.<sup>145</sup> For juvenile institutions, the MSJI highlights that personnel and staff should be trained to address the needs of the juveniles.<sup>146</sup> These

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<sup>135</sup> 1710.KII.2.DJAG; 2410.KII.1.DJAG; & 1810.KII.2.RPNGC.

<sup>136</sup> 2010.KII.5.DJAG; 1810.KII.2.RPNGC; & 1710.KII.2.DJAG.

<sup>137</sup> CRC, a 37(c).

<sup>138</sup> General Comment No. 24, para 92.

<sup>139</sup> Establish juvenile rehabilitation in every region.

<sup>140</sup> Establish juvenile reception center/lockup cells in every police station in provincial and district centres.

<sup>141</sup> MSJI, s 1.3.3, 2.3.2 and 3.3.2.

<sup>142</sup> 2010.KII.5.DJAG; 2710.FGD.3.RPNGC; 2710.FGD.3.SERVICE; 1710.KII.2.DJAG; & 2610.FGD.3.DJAG.

<sup>143</sup> 1710.KII.2.DJAG. Out of the 21 Correction Service Institutions, there are a total of 10 juvenile wings currently exist that separate the adults from the juveniles.

<sup>144</sup> 2410.KII.1.DJAG; 1710.KII.2.DJAG; & 2010.KII.5.DJAG.

<sup>145</sup> JRRP, Output 1.4. & JRRP, Output 10.7.

<sup>146</sup> MSJI, ss 1.15, 2.15 and 3.9

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plans and policies not only follow the Committee's exhortations on establishing specialised units within the agencies that provide services and assistance to CICLs<sup>147</sup> and child justice courts<sup>148</sup> but are also compatible with the UNCRC's recommendations to provide appropriate multidisciplinary training on the content and meaning of the Convention.<sup>149</sup>

The JRRP's plans are timely, as the data shows that there are still areas which do not have "gazetted" juvenile magistrates or courts without any magistrate assigned for juvenile cases.<sup>150</sup> Interview data confirms the absence of trained JPOs who can properly handle juvenile cases.<sup>151</sup> A few Duty bearer JJOs described the challenge of working with untrained Duty bearers:

*"A female juvenile who had been previously married and had two children was treated like an adult by an untrained police officer. The prosecutor who was not a juvenile prosecutor agreed with the police and asked for a birth certificate. The JJO had to argue with the prosecutor that the girl was just a child. It was fortunate that the court who was sensitised accepted the girl's health record and did not insist on seeing the birth certificate, which the girl did not have."*<sup>152</sup>

#### Rehabilitation and Reintegration Programmes

The JRRP's Strategy 3 (improving access to services in custodial setting) and 4 (supporting the desistance process) as well as MSJI's standards on rehabilitation and on discharge and return to the community<sup>153</sup> adheres to the guidance laid down by the Committee on providing interventions in the context of judicial proceedings to ensure that CICLs are provided with ample social and educational measures.<sup>154</sup> When properly implemented, this would directly address the issue of the limited rehabilitation programmes available for children.

*"While locked up in the police station, he did not do anything, but in the CS, his daily schedule was ok and the food was ok. He did crafts with strings, belts, and other odds and ends as part of his schedule."*

*"Rehabilitation Programs usually means community work. They do not formally assess the needs of the children that is why they only provide them with community work as a rehabilitation programme. JJO does not conduct case studies for children diverted in the police."*<sup>155</sup>

Evidence also indicates that there were limited reintegration programmes provided to CICLs after they were released to the community.

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<sup>147</sup> General Comment No. 24, para 106.

<sup>148</sup> General Comment No. 24, para 107.

<sup>149</sup> General Comment No. 24, para 112.

<sup>150</sup> 1710.KII.2.DJAG; 2410.KII.1.DJAG; & 2010.KII.5.DJAG. From the Merriam Webster, the term "gazetted" means "to make an appointment official."

<sup>151</sup> 2010.KII.5.DJAG; 2410.KII.1.DJAG; 2610.FGD.3.DJAG.

<sup>152</sup> 2010.KII.5.DJAG.

<sup>153</sup> MSJI ss 1.5 – 1.9 and 2.5 – 2.9 and MSJI ss 1.14 and 2.14.

<sup>154</sup> General Comment No. 24, para 19.

<sup>155</sup> 1110.FDG.4.DJAG; 2010.KII.5.DJAG; 2410.KII.1.JUVENILEI; & 1710.KII.2.DJAG.

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*"There are no proper reintegration programmes in Lae. Once discharged they usually go out to their families and there are no programs to assist them back."*

*"Upon discharge, there is no turning back. No follow up, no reintegration, no aftercare."<sup>156</sup>*

### Awareness Raising

The UNCRC Committee emphasised that continuous and systematic training of professionals in the child justice system is necessary in the fulfillment of the rights of the CICL.<sup>157</sup> The JRRP rightly assessed the need of practitioners for continuous training on different disciplines relating child development and juvenile justice.<sup>158</sup>

RELEVANCE/  
COMPLIANCE

### Child victims and witnesses

The UNCRC also mandates that children shall be protected from violence, abuse and neglect and appropriate protective measures which includes effective procedures for the establishment of social programmes to support the child, prevention, identification, reporting, referral, investigation, treatment and follow up of child maltreatment should be established.<sup>159</sup> In order to assist professionals with dealing with child victims and witnesses, the Economic and Social Council (ECOSOC) issued the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.<sup>160</sup> In compliance with the mandate, the J4C project supported training to CPOs and other child protection professionals.

Interview data from various Duty bearers indicates that the training helped them to be more sensitive in dealing with children, as one person stated "We have to talk nicely to them [the children]".<sup>161</sup> Child informants also confirmed that they were treated with respect and dignity by Duty bearers.<sup>162</sup> However, several Duty bearers still requested additional in depth training (on trauma-informed care and on reporting to court) to help them treat child victims and witnesses with dignity and compassion.<sup>163</sup> Similar to juveniles with disabilities, Duty bearers also called attention to the lack of protocols and the insufficiency of training in dealing with child victims and witnesses with disabilities.<sup>164</sup>

<sup>156</sup> 2610.FGD.3.DJAG; 1710.KII.2.DJAG; & 2010.KII.5.DJAG.

<sup>157</sup> General Comment No. 24, para 39.

<sup>158</sup> JRRP, p 10.

<sup>159</sup> CRC, a 19; General Comment No. 13.

<sup>160</sup> ECOSOC Resolution 2005/20.

<sup>161</sup> 1710.KII.2.CPO; 1810.KII.2.RPNGC; 2310.KII.1.DCFS2; & 1910.KII.5.CPO.

<sup>162</sup> 1810.KII.2.CHILD1; 1810.KII.2.CHILD4; 1810.KII.2.CHILD5; & 1810.KII.2.CHILD6.

<sup>163</sup> 1710.KII.2.CPO; 1410.KII.4.RPNGC; 2410.KII.1.RPNGC; & 1710.FDG.2.SERVICES.

<sup>164</sup> 1710.KII.2.CPO; 1910.KII.5.CPO; 1810.KII.2.RPNGC.

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A CPO said that the training helped and even inspired some to be volunteer community child protection officers.<sup>165</sup> Data show that Family and Sexual Violence Action Committees (FSVAC), composed of trained child protection professionals from different government agencies and from NGOs and FBOs, helped provide effective assistance to child victims and survivors of abuse and protected them from the hardship during the justice process.<sup>166</sup>

A CPO also noted that the training on LPA helped the participants to understand the rule on confidentiality. Before she said it was a challenge. After the training, the CPOs and the stakeholders took some steps in ensuring that the case they were handling are confidential.<sup>167</sup>

While FSVAC helped protect the right to safety of child victims by facilitating the referral of the children to safehouses, data also shows that children are released back to their homes where there are no safehouses available.<sup>168</sup>

In sum, the JRRP and MSJI, direct products of the J4C project, and this section has comprehensively examined the extent to which these instruments comply with international standards and principles. After addressing each article within the UNCRC,<sup>169</sup> it became clear that the JRRP and MSJI are indeed much needed instruments and help to orient service providers in supporting CICLs, thereby ensuring that CICLs receive appropriate services. For example, for diversion and community-based conferences, it was highlighted that juveniles should have the opportunity to voice their opinions and be given the chance to effectively participate in the process. Yet, several Duty bearers called attention to the fact that some justice professionals still lack training in how to work with CICLs.

Similarly, the data from Duty bearers confirmed that they know now how to treat victims and witnesses with respect. Despite these accomplishments, however, the interview data from protection professionals revealed that while the training made them more sensitised to children's protection needs, they would still feel more comfortable having training in the area of trauma-informed care.

Several professionals were unable to support CWDs in accordance the CRPD principles, and additional training was requested by Duty bearers. Therefore, while the project has contributed to implementing the JRRP and MSJI, there is still more work to be done on creating a specialised child/juvenile court and gazetting justice stakeholders (i.e., CPOs, JJOs, magistrates, Village Court Officials), thereby enabling them to properly handle child protection and CICL cases.

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<sup>165</sup> 1710.KII.2.CPD.

<sup>166</sup> 1710.KII.2.CPD; 1810.KII.2.RPNGC; 2310.KII.1.DCFS2; 2410.KII.1.RPNGC.

<sup>167</sup> 1710.KII.2.CPD.

<sup>168</sup> 1810.KII.2.RPNGC; 2010.KII.5.RPNGC; & 2710.FGD.3.RPNGC

<sup>169</sup> This includes: (1) Safeguards against Discrimination; (2) Female CICLs; (3) Children with Disabilities; (4) Prevention Early Intervention Below The MACR; (5) Diversion; (6) Right to Be Heard and the Right to Participate; (7) Privacy and Confidentiality; (8) Right Against Torture; (9) Detention As a Measure of Last Resort; (10) Separate Facility from Adults; (11) Establishment of Specialised Units; (12) Rehabilitation and Reintegration Programmes; and (13) Awareness Raising.



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### Effectiveness

#### EFFECTIVENESS

**KEQ #2:** To what extent is the project contributing to strengthening the PNG child protection system in line with the UNICEF child protection systems approach?

**FINDING 2:** Before the J4C project, there was limited policy, inadequate governance structures, and marginal workforce development. The project therefore contributed to policy, multisectoral coordination, skills upgrades, and generated evidence about the child protection system in PNG.

This section provides evidence on the progress of the seven elements of UNICEF’s focus in child protection systems strengthening, namely: (i) legal, regulatory and policy, (ii) governance, (iii) services, (iv) standards and oversight, (v) resources, (vi) participation, and (vii) data, as well as the results achieved for CICLs.<sup>170</sup> This section is further subdivided by project outcome and outputs.

**Outcome: By 2022 girls & boys have increased access to justice and supportive protection services**

Recall that prior to 2018, NOCFS did not exist, as the Office of Lukautim Pikinini under the Department of Community Development Youth and Religion was responsible for child protection issues.<sup>171</sup> At project inception, “there was a lack of collaboration between the agencies responsible for child protection issues,” and therefore, there was no holistic vision about how to protect children and juveniles.<sup>172</sup> Therefore, one of the major contributions of the J4C project was the initiation of discussions about how to holistically protect children and juveniles in a non-siloed manner, which in turn, resulted in a partnership between DJAG and the NOCFS where none existed before.

#### Legal, Regulatory, & Policy

The JJS already play a proactive role in the implementation of juvenile justice provisions (including the JJA). It is important to note that in addition to the JJA, there was already a “Juvenile Justice National Plan 2018-2022 provid[ing] a detailed action plan to implement the JJA 2014 and to strengthen the criminal response to juvenile crime. The project supported the formulation of the Juvenile Reintegration and Rehabilitation Policy, which is groundbreaking, because it enabled a structured response to juvenile delinquency in PNG. However, the JRRP details strategies and priorities to develop *even further* the separate juvenile justice system and reinforce the rehabilitation and reintegration options for juveniles.” The development of the policy involved consultations with a wide range of the stakeholders at national and subnational levels. Essentially, the policy emphasises the provision of a multisectoral, multi-disciplinary, rights-based institutional response for children and juveniles. In particular, the policy aims to ensure that children are

<sup>170</sup> UNICEF. (2021). Technical Paper: Child Protection System Strengthening. <https://www.unicef.org/documents/child-protection-systems-strengthening>.

<sup>171</sup> Prior to the LPA 2009, there existed an Office of Director of Child Welfare. Then, under the LPA 2009, was called the Office of Lukautim Pikinini. After the LPA 2009 was reviewed, and became the LPA 2015, NOCFS was then established.

<sup>172</sup> Quality and Technical Assurance Group (QTAG) (2018). Mid-term review: Justice Services and Stability for Development Programme (JSS4D), pages 18-20; & 2112\_K11.4.UNICEF4.

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not only diverted but also have access to adequate support to services to break the cycle of crime and violence and thereby avoid reoffending.

**Output 1:** Improved coordination mechanisms, knowledge-base and leveraging of resources.

### Governance

Another accomplishment of the project was the establishment of 11 PJJCs, which were designed to facilitate exchange of information about child and juvenile cases.<sup>173</sup> The PJJCs are responsible for coordination of all activities concerning the implementation of the LPA and the JJ Act. Depending on the location, the Evaluation Team observed that there could be various relevant monitoring mechanisms in place, such as the FSV Action Committee; the GBV Committee, Provincial Child & Family Service Council, the Law and Justice Committee, and the Joint Child Protection Working Group.

While it is noted in the J4C RESULTS FRAMEWORK that this project was also supposed to facilitate the creation of district-level committees, comprised of related Community Development Officers (CDOs), Village Court Officers, and representatives from CBOs, such committees were not formed. Additional information about this challenge is provided in the next section. As a mechanism to promote the sustainability of these monitoring mechanisms, UNICEF supported:

“The **development of costed child protection implementation plans at provincial and district levels**, which should cover both child protection and juvenile justice interventions and [would] work with provincial and district coordination structures to advocate with the provincial and district authorities during their planning and budgetary planning processes to integrate the child protection action plans into the Provincial and District Service Improvement Plans.”<sup>174</sup>

Another funded activity, introduced in 2022, included the audit of 88 Village Court Areas and 762 Village Court Officials in Morobé and ARoB. These comprehensive assessments of the Village Courts outlined the areas of improvement highlighted within the seven key pillars of the Village Courts Revitalisation Strategy 2020-2030. This assessment of the Village Courts' operations and composition in two provinces have provided a baseline for the Strategy's targets to improve community justice services.<sup>175</sup>

### Standards and Oversight

As noted in the previous section, the MSJI, which are a set of standards, were relevant and much needed, as they enabled the GoPNG to comply with the UNCRC. The project also supported the continued operation of the NJJC, which is an oversight body originally created in 2003 tasked with guiding the implementation of the Juvenile Justice Reform system in PNG. “The NJJC is represented by the Magisterial Services, RPNGC, PNG Correctional Services, Department of Education, National Judiciary Staff Services,

<sup>173</sup> UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report 2021. Reporting period: 01 January 2021 - 31 December 2021. Grant: SC180643 Submitted by: UNICEF Papua New Guinea January 2022, page 5.

<sup>174</sup> UNICEF. (2019). Improving access to justice for children, Proposal submitted by UNICEF Papua New Guinea Country Office, 5 March; 2019, page 8.

<sup>175</sup> 2710.KII.3.VCourt; 1410.KII.4.VCourts; 2001.KII.4.UNICEF5; & UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report 2021, Reporting period: 01 January 2021 - 31 December 2021 Grant: SC180643 Submitted by: UNICEF Papua New Guinea January 2022, page 6.

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Ombudsman Commission, UNICEF, Department for Community Development, Lukautim Pikinini Council and the Department of Justice and Attorney General chairs the NJJC and is the lead agency in co-coordinating the Juvenile Justice Reform programme across the country.<sup>176</sup>

### Resources

As noted earlier, PNG suffers from several challenges obstructing the provision of quality services to women, child survivors/witnesses of violence and sexual abuse, and CICLs. These constraints include financial and human resource constraints, including capacity limitations. Apart from CBOs, interview data from service providers indicates that there is a limited budget on which to rely.<sup>177</sup>

### Participation

According to the UNCRC Article 12, “The right of the child to express his/her views freely in all matters affecting the child should be fully respected and implemented throughout every stage of the process of juvenile justice. The UN Committee on the Rights of the Child notes that the voices of children involved in the juvenile justice system are increasingly becoming a powerful force for improvements and reform, and for the fulfilment of their rights.”<sup>178</sup> While poor child participation in all aspects of PNG’s justice sector was a recognised gap in the J4C project proposal, there were no confirmed initiatives which explicitly supported children’s participation.

**Output 2:** Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors<sup>179</sup>, witnesses, and alleged offenders.

### Services

There were noteworthy ongoing training and capacity building initiatives financed through the project, targeting child and judicial sector professionals on the provisions of the LPA and JJA, respectively in the five provinces observed. This development and pretesting of manuals and training modules were UNICEF’s key intervention points in the referral pathway (especially at the level of police and basic services for reintegration of CICL) and systematic modelling of child-friendly court procedures. More specifically, UNICEF provided technical assistance to develop with and provide regular training to key child protection officers (CPOs) and juvenile justice professionals. UNICEF supported a police expert to develop a child-friendly police training model, but it was never rolled out. There were no interventions for modeling child-friendly courts despite significant efforts. UNICEF also financed limited training for the PNGCIR. Overall, the table below outlines the training developed or and implemented for various stakeholders.

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<sup>176</sup> DJAG, Juvenile Justice page: <https://www.justice.gov.pg/index.php/2015-04-26-07-32-15/juvenile-justice> [Accessed January 2023].

<sup>177</sup> 2510.FGD.3.CPO; 1710.KII.2.CPO; 2310.KII.1.OCFST; 2310.KII.1.OCFST2; 2410.KII.1.DJAG; 2410.KII.4.SJJO; & 2610.FGD.3.DJAG.

<sup>178</sup> A/63/41 Report of the Committee on the Rights of the Child General Assembly Official Records, Sixty-third Session, Supp. No. 41, A. Right to be Heard (art. 12), para 43, page 64.

<sup>179</sup> It is recognised that the Terms of Reference for the evaluation refers to the term “victims”, but the term “survivor” will be used in this document.

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Table 7: Training implemented through the J4C project.

AGENCY	TRAINING PROVIDED THROUGH THE PROJECT
JJS	Training of Trainers (ToT) training for JJOs/VJJOs on the JJA;
NOCFS	ToT and regular training on the LPA;
	ToT for Case Management Training;
POLICE	2 training courses developed for child friendly policing. There was also training from police recruits developed;
JUDICIARY	None; and
PNGCIR	Training in data entry system for Civil Registry.

Interview data and project reports indicate that through Cascade Training, additional service providers, including members of the police, CSOs, and one magistrate, were also trained. That is, once the CPOs and JJOs were trained, those individuals trained Police, Service Providers, and VJJOs. In the case of ARoB, the Service Providers who received training, in turn, trained village structures. The data from Volunteer and Juvenile Justice Officers (VJJOs and JJOs), CPOs, Police, one Magistrate, and various service providers indicate that there was training regarding the implementation of the LPA (overview of the pathway), case management, implementation of the JJ Act (roles, responsibilities, and processes), and reporting to and communicating with the courts.<sup>180</sup> According to stakeholder data, the training took place using multiple formats, such as a memo, workshops, mentoring, and training of trainers (ToT).

Interview data from the JJOs indicate that the training raised **awareness about “JJA, roles, responsibilities, and processes”, and especially “ help[ing] them to be familiar with the referral pathway: Police – courts – community.”** The training also **“improved and strengthened collaboration with our other partners, especially [with] the RPNGC”** and empowered JJOs to “...read it, study it on their own..” we interpret it on our own...”<sup>181</sup> Hence, the project’s contribution to upgrading services is evident.

All CPOs interviewed indicated that the training provided was helpful, as many were unfamiliar with concepts and tasks before the training, or in one case misinterpreting the law. For example, some CPOs indicated that the training: (1) helped to “refresh” their skills; (2) **“refocused officers on ways of handling cases”**, including “provisions of the act and how to carry out the work of the Act – forms to be filled; (3) **“helped the participants to understand the rule on confidentiality....Before...it was a challenge.”**; (4) **“innovate”** by making parents aware of the consequences of “failure to provide appropriate care and [then] warn them what will happen to them in case they do not follow the law.” A promising practice noted was that when the training included multiple stakeholders, “dialogue was established”, all entities understood their roles “creating pathways and networks for information sharing”, **“making referrals easier”**, and “services are accessed more easily.”<sup>182</sup>

<sup>180</sup> 2510.FGD.3.CPO; 1710.KII.2.CPO; 2310.KII.1.DCFS1; 2310.KII.1.DCFS2; 2410.KII.1.DJAG; 2410.KII.4.SJJQ; and 2610.FGD.3.DJAG.

<sup>181</sup> 2410.KII.1.DJAG; 2410.KII.4.SJJQ; and 2610.FGD.3.DJAG.

<sup>182</sup> 2510.FGD.3.CPO; 1710.KII.2.CPO; 2310.KII.1.DCFS1; & 2310.KII.1.DCFS2.

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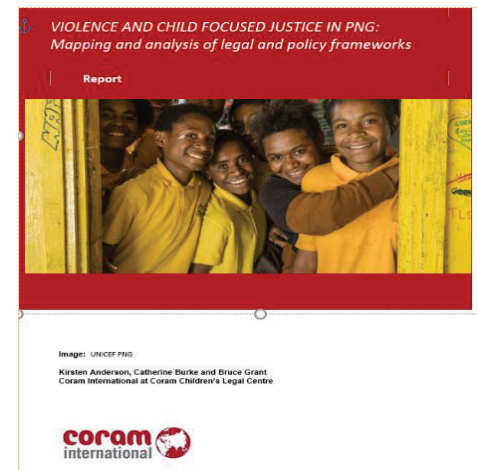
### Output 3

It should be noted that under the project's Output 3, **Enabling Environment**, there was an investment that yielded specific results which merit discussion.<sup>183</sup> A comprehensive mapping and analysis of laws, policies and institutional frameworks was completed in 2021. The overall aim of the mapping and analysis was to take stock of all existing legal and policy documentation, primarily based on a desk review, to ascertain the barriers, gaps and weaknesses, as well as strengths, and to provide the Government of PNG and UNICEF PNG with evidence-based recommendations for legal development and reform. The Coram Children's Legal Centre was engaged to carry out this important research, and some of the key findings and recommendations for further action include:

#### For children

- While acts of physical VAC are clearly prohibited, exceptions continue, which allow for the corporal punishment of children in the home, schools, and alternative care settings.
- The minimum age of criminal responsibility is set at 10 years of age in PNG law, contrary to General Comment 24 of the UN Committee on the Rights of the Child, which concluded that States should be encouraged to increase their minimum age to at least 14 years of age in accordance with Article 41 of the UNCRC in 2019. Such a low age of criminal responsibility risks unnecessarily criminalising children, often for minor offences and matters more appropriately viewed as part of social welfare or child protection.
- The best interests of the child principle and other relevant child rights are not mainstreamed into the provisions of the Criminal Code 1974, Evidence Act or other applicable legislation. One of the consequences is that there is a lack of clear provisions on expediting cases involving child victims and witnesses, children who give evidence (even via video link where possible) are still required to identify themselves and have to be available for examination and cross-examination, potentially in the presence of the alleged perpetrator, and restrictions do not exist in regard to publishing a child witness' identity explicitly in court.

Figure 8: Mapping & analysis of legal & policy frameworks in PNG.



<sup>183</sup> Note that there was no "Output statement" for this output.

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### For CICLs

- There is no provision in the Juvenile Justice Act 2014 that considers the needs of children with disabilities, and so further focus should be given in the law and policy concerning CICLs who have impaired capacities.
- The right to legal representation for children in PNG remains limited. While Section 52(3)d(i) of the JJA 2014 provides that a child in custody following arrest is entitled to speak in private with a legal representative, this entitlement is limited to offences carrying a sentence of over two years imprisonment.<sup>184</sup>

### Output 4

Under Output 4, **Service Provision**, UNICEF’s support to PNGCIR helped to implement one of the major pillars within the National Action Plan on Civil Registration, which calls for the (i) allocation of adequate resources to birth registration; (ii) clarification of roles and responsibilities between national and sub-national levels institutions involved in civil registration; and (iii) the establishment of birth registration service points in sub-national level health facilities and early childhood development centres.<sup>185</sup> The data from PNGCIR stakeholders indicates that UNICEF’s funding “helped to advance the corporate goal and contributed to the national health plan”.<sup>186</sup>

In sum, this section thoroughly reviewed the J4C’s contributions to strengthening the PNG child protection/juvenile justice system, using the six (out of seven) elements of UNICEF’s child protection systems strengthening framework.<sup>187</sup> In addition, this section has not only highlighted the nature of the training provided, but also stakeholder perspectives about how this assistance has helped them to do their jobs better. The next section examines the extent to which the project met its objectives.

### EFFECTIVENESS

**KEQ#3:** To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups?

**FINDING 3:** In recalling the ToC, UNICEF’s support was intended to lead to improved child protection through the modelling of coordinating mechanisms (Output 1) and the delivery of specialised, efficient, and multisectoral services (Output 2) in two provinces. After the delivery of these integrated services, it was anticipated that the project services would be scaled up to other

<sup>184</sup> UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report 2021, Reporting period: 01 January 2021 - 31 December 2021 Grant: SC180643 Submitted by: UNICEF Papua New Guinea January 2022, page 16.

<sup>185</sup> UNICEF. (2022). Proposal Australian Department of Foreign Affairs and Trade (DFAT) January 2022 until June 2023: Improving Access to Justice for Children and Women, page 5.

<sup>186</sup> Q109.FDG.4.PNGCIR.

<sup>187</sup> This includes: (i) legal, regulatory and policy, (ii) governance, (iii) services, (iv) standards and over-sight, (v) resources, and (vi) participation.

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provinces. However, there is limited evidence indicating that a learning process for modeling, or testing, occurred prior to scaling up processes.

It is important to note that the ToC mentions that the minimum package of services would be initially “modelled” in two selected provinces. From the onset of project implementation, the documents show UNICEF supported NOCFS and JJS, investing in foundational work (i.e., assessments) in two provinces after which the implementation of child protection and juvenile justice services would take place. During the implementation process, however, the number of modelled provinces increased beyond two provinces. For example, in 2021, UNICEF embedded a technical assistant within the newly established NOCFS to strengthen organisational capacity. UNICEF also supported NOCFS to establish provincial-level Child and Family Services Councils in two provinces (i.e., Enga and Morobé), sitting under the umbrella of the National Child and Family Service Council, a structure outlined in the Child Protection Policy.<sup>188</sup> Similarly, UNICEF supported JJS in 2019 to conduct an assessment on police and court-based diversion options and services available for CICLs in 22 provinces. Reports also indicate that the JJS developed, through a consultative process, a Handbook on Case Management for JJOs and an accompanying Trainer’s Manual. The initiation of the JRRP was another critical step towards strengthening diversion and service provision for CICLs.<sup>189</sup> Indeed, two PJJsCs, in Manus and West New Britain provinces, were established in 2021. Ultimately, however, the documents show that UNICEF supported the establishment of 11 PJJsCs (discussed in KEQ #4). Justice and child protection professionals also received training beyond the outlined two provinces.<sup>190</sup>

In sum, the original coverage of the project conditioned by the assets and barriers in the protection and justice systems should have been in two provinces only. During the implementation process, however, the project activities covered more than five provinces with limited evidence that learning, or modeling, took place prior to scaling up. **This decision was to the detriment of the efficiency and effectiveness of the project (which is reflected in the J4C RESULTS FRAMEWORK illustrated in the next section).** When a project is designed, it represents the one foundation that needs to be adhered to unless a thorough review presents an evidence-based challenge to that ToC.

**FINDING 4:** While the format of the indicators within the J4C RESULTS FRAMEWORK is specific, there were missing baseline figures. The project did not meet six out of nine targets, as (1) there is limited available administrative data from all systems (NOCFS, DJAG, RPNGC, and judiciary); and (2) key ToC assumptions were unmet.

Strong indicators rely on the availability of accurate and reliable data, detailing the baseline, or initial situation before the project commences. However, the J4C RESULTS FRAMEWORK, developed in 2018,

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<sup>188</sup> RAM 2019; UNICEF. (2020). Improving Access to Justice for Children and Women Annual Report 2021, Reporting period: 01 January 2021 - 31 December 2021 Grant: SC180643 Submitted by: UNICEF Papua New Guinea January 2022, page 26. Note that Hela and West New Britain were also mentioned in reports, albeit inconsistently.

<sup>189</sup> RAM 2019, RAM 2020; & UNICEF. (2021). Updates on the UNICEF Access to Justice for Children project (21 October 2021).

<sup>190</sup> 2019, 2020, and 2021 Workplans; & UNICEF. (2020). Improving Access to Justice for Children and Women Annual Report 2021, Reporting period: 01 January 2021 - 31 December 2021 Grant: SC180643 Submitted by: UNICEF Papua New Guinea January 2022, page 9.

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includes nine indicators for the one outcome and two outputs (Output 1 and Output 2),<sup>191</sup> and six out of nine indicators do not have baseline figures.<sup>192</sup> Moreover, the targets appear to be very high in relation to what can be reasonably achieved in PNG. For example, the indicator 6 under Output 2, the number of child survivors of violence accessing multisectoral response services has a target of 2,000, but there is no evidence available in PNG to confirm that there is such high demand for services by child survivors. In another example, also under Output 2, indicator 8, increase in percent of children diverted away from the formal justice system (RPNGC and Court) from the baseline. While the baseline figure is “0”, the target is 20 percent. There is limited available administrative data from RPNGC and from the judiciary system to calculate the number of children diverted. Hence, the format of the indicators is very detailed, articulating how expected accomplishments are supposed to unfold, but some of these indicators do not adequately capture project achievements due to limitations in available administrative data.

It should be highlighted that three out of nine indicators **met** are concentrated within the two outputs. For example, under Output 1, the Indicator 4<sup>193</sup> target was **exceeded** at provincial level; and the Indicator 5<sup>194</sup> target was achieved at the provincial level. Similarly, under Output 2, the Indicator 9<sup>195</sup> targets were achieved. Clearly, the lack of administrative data (explained earlier) has, in turn, unfairly minimised the J4C project’s successes.<sup>196</sup> More appropriately formulated indicators, “which present information that reveals whether child protection / juvenile justice standards are being met,” would have better served the J4C project. The *Manual for the measurement of juvenile justice* although dated, includes qualitative indicators that are appropriate for PNG’s context, enabling one to measure progress, particularly at the policy level.<sup>197</sup> The summary of the J4c RESULTS FRAMEWORK is in Annex 8.

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<sup>191</sup> Note that when Output 3, Enabling environment, and Output 4, Service provision, were introduced in 2022, there were no “output statements” or associated indicators or targets added the J4C Results Framework.

<sup>192</sup> For example, for the Project Outcome, For indicator 1, the number of provincial and district level child protection implementation plans with at least 60% of the budget allocated, the baseline is “NA”; for indicator 2, the number of child friendly justice proceedings (child friendly courts & child friendly police units) introduced, the baseline is “NA”; for indicator 3, percent of children receiving diversion by police out of the total number of children arrested in selected provinces, the baseline is “to be developed. Under Output 1, the indicator 4, number of child protection coordination structures at the provincial and district level that operate in a unified manner, the baseline is “NA”; for indicator 5, number of provincial district level coordination structures with evidence-based costed child protection implementation plans that are ready for approval, the baseline is “NA”; and for indicator 6, under Output 2, number of child survivors of violence accessing multisectoral response services, the baseline is “to be developed”. The remaining three have baseline figures of “0”.

<sup>193</sup> This is “The number of child protection coordination structures at the provincial and district level that operate in a unified manner.”

<sup>194</sup> This is “The number of provincial level & district level coordination structures with evidence-based costed child protection implementation plans that are ready for approval.”

<sup>195</sup> This is “Percent of justice professionals in the target provinces trained and certified to deliver child friendly justice services.”

<sup>196</sup> Data for child protection, police, and courts cases, is extremely limited. GoPNG. Department of Justice and Attorney General. (DJAG). (2021). Annual Management Report 2021. Waigani, NCD: DJAG; GHD Pty Ltd. (2015). Evaluation of the RPNGC Family and Sexual Violence Units (FSVU): Evaluation Report. Australian Aid.; and Save the Children. (2016). The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families.

<sup>197</sup> Office of Drugs and Crime (ODC). (2006). *Manual for the measurement of juvenile justice indicators*, page 2.



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Another major reason why the project did not meet most of its targets was because key assumptions within the ToC were not met. In recalling the ToC, the Duty bearer<sup>198</sup> capacity gains and Rights holders<sup>199</sup> being sufficiently empowered to seek and access justice services were **not met**. The evidence of limited Duty bearer improvements is presented under Finding 9, the *Weak bureaucratic processes* and *Limited Human Resources* sections. The Rights holder's restricted demand for justice services is also located under Finding 8, the *Social norms* and *Village Courts* sections.

The next sections present data about Duty bearers in the juvenile justice, child protection, and police workforce, their lack of awareness about diversion and limited financial and material resources. In addition, data indicates that the factors obstructing Rights holders from demanding justice services include: (i) lack of transportation; (ii) limited financial resources, (iii) available opportunities to seek justice services through the Village Courts; and (iv) limited knowledge of where to seek justice services in the first place.

#### EFFECTIVENESS

**KEQ #4:** To what extent has the project contributed to the quality of multisectoral justice and child protection services in PNG to be in line with international standards?

**FINDING 5:** The NJJC and PJJCs, and other coordination mechanisms under OCFS, directly contributed to quality of multisectoral justice and child protection services in PNG, but there was uneven functioning.

The first part of this finding will focus on the multisectoral justice services for CICLs and then discuss multisectoral child protection services for children.

#### Multisectoral juvenile justice services

The J4C project helped continue the operations of the NJJC and established 11 PJJCs, but evidence shows that the sustained coordination of the PJJCs was variable.

As noted earlier, the NJJC has been in operation since 2003 and serves as the leading coordinating body for JJS and monitors the implementation of the JJA.<sup>200</sup> The Evaluation Team observed that the NJJC is functional and includes representatives from Correctional Services, JJS, National Narcotics Bureau,

<sup>198</sup> Two key ToC assumptions for duty bearers are: (1) National government gains capacity to effectively plan, budget, coordinate and monitor implementation of key family and child protection laws and policies; and (2) Mandated government departments (at provincial & district levels) and CSOs in up to five selected provinces gain capacity to plan, budget and deliver essential packages of responsive protection services across health, welfare, education and justice sector.

<sup>199</sup> Two key ToC assumptions for rightsholders are: (3) Caregivers, family members, and communities develop knowledge and skills to demand and seek (physically) justice services. This implies that distance and other bottlenecks will not prevent these stakeholders from demanding justice services; and (4) Young people understand their rights, gender-equitable practices, respectful relationships, and are empowered with skills and may physically seek justice services (i.e., diversion) for violence and crimes. The implication is that distance and other bottlenecks will not prevent young people from demanding services.

<sup>200</sup> GoPNG, JJA of 2014, Part 2-JJS, Section 23.

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Probation Service, the Scout Association of PNG, and the National Judiciary Staff Services, among others connected to the justice system.<sup>201</sup>

According to the 2021 Annual Report, the J4C helped to establish 11 PJJCs, including Central Province, East Sepik, Eastern Highlands, East New Britain, Madang, Manus, Milne Bay, New Ireland, Western Highlands, West New Britain, and West Sepik. The PJJCs play an essential role in coordinating protection, response, and support services for CICLs, facilitating diversion processes as outlined in the JJA. “Their mandate under the JJA and its Regulations includes the: (i) planning and coordination to implement the JJA in the province; (ii) planning and coordination of the local delivery of diversion and rehabilitation to CICLs by relevant government and community services; (iii) sourcing funding to support the provincial implementation of the JJA; (iv) improving conditions of detention and the welfare of children; and (v) gathering provincial data on children and CICLs, including diversion rates”.<sup>202</sup>

To recall, the Evaluation Team focused on the NJJC in Port Moresby and only examined the PJJCs in ARoB, East New Britain, Morobé, and Western Highlands.<sup>203</sup> Generally, the Evaluation Team observed that only one out of four PJJCs was meeting quarterly, which was in ARoB. The Bougainville Juvenile Justice Committee (BJJC) included multiple justice sector actors (i.e., correctional services and the courts) in addition to representatives from the Village Courts and the ABG Departments of Education and Health. Not only did stakeholders describe the meetings as “very helpful”, but the information shared could be disseminated to Village Courts Officers working at the district levels. It was noted that it was more efficient to train Village Court officials to serve as VJJOs, rather than volunteers, because volunteers request compensation for their efforts, and the Village Courts already receive remuneration for fulfilling the official roles. This is a promising practice and appears to be working effectively, as “parolees were reporting regularly” and “other provinces were taking this initiative on board by rolling out training for other village court officials”.<sup>204</sup> This is also important, because Village Courts are located at the community level, enabling all community members to access justice services.

Of the remaining three PJJCs, the Evaluation Team observed that two **used to be** operational but are not meeting regularly (Western Highlands and Morobé). First, stakeholder interview data indicates that the PJJC in Western Highlands was somewhat multisectoral, as health professionals from the Family Support Centre attended, but there were no representatives from the Department of Education or the police. It appears that the committee discontinued in 2017, and although the Senior Provincial Magistrate, the chairperson, called the meeting twice per year, only junior officers joined the meeting.

Second, for the PJJC in Morobé, it is uncertain which justice actors served, but data indicates that the committee used to provide opportunities for sharing information about how a CICL’s case ought to be

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<sup>201</sup> List of attendees from the Inception Workshop for J4C Evaluation, dated 13 – 14 October 2022.

<sup>202</sup> UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report 2021, Reporting period: 01 January 2021 - 31 December 2021 Grant: SC180643 Submitted by: UNICEF Papua New Guinea January 2022, page 10.

<sup>203</sup> After submitting the draft report, the Evaluation Team learned that there was a PJJC for NDC established in 2018, but it was not supported by the J4C project.

<sup>204</sup> 2710.KII.3.VCourt; 2010.KII.5.DJAG; & 2610.FDG.3.DJAG.

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handled. One professional explained, “We (had) conferencing. Why is this case delayed?...This one [child] is going to be arrested, but sorry but you never told me.... If there is a serious case, all the partners come together and discuss the case. We see where the delay is...if it is the court, we find out where the paper is in the process and identify the bottleneck.”<sup>205</sup> While there were no representatives from the Department of Education, there was police presence.

The PJJC in East New Britain has the Deputy Provincial Administrator and the Senior Provincial Magistrate as Chairperson and Deputy Chairperson, respectively. It is also multisectoral, in that there are representatives from the Department of Education, Community Development, Correctional Services, the Provincial Health Administration, the courts, and a CPO participating on the committee. As the first meeting was held in September 2022 when the Evaluation Team was undertaking data collection in October, it is not certain of the extent to which it is functioning effectively. Interview data indicates, however, that prior to the establishment of the PJJC, there was already an effective informal network that enabled all justice actors to work together.<sup>206</sup>

In order for the PJJCs/NJJC to be compliant with International Standards, these committees should have the meaningful purposes of sharing information on cases, identifying bottlenecks within the system, facilitating discussions about interpreting the JJA and LPA, and providing opportunities to CICLs to express themselves. The J4C project has helped to establish PJJCs and sustain the NJJCs, but, as seen, the functionality of the PJJCs varies from effective to non-operational. It was noted that while almost all PJJCs have high ranking provincial administrators serving on the committees, two out of four did not have the presence of the police.<sup>207</sup> As first responders for children and CICLs, the participation of the police is critical. These committees ought to continue functioning, and interview data indicates that the one which is not operating regularly could become functional if funds were available to support the meetings.

#### Multisectoral child protection services

The UNICEF definition of a child protection system is: “Certain formal and informal structures, functions and capacities that have been assembled to prevent and respond to violence, abuse, neglect, and exploitation of children. A child protection system is generally agreed to be comprised of: (1) human resources; (2) finance; (3) laws and policies; (4) governance; (5) monitoring and data collection; (6) protection and response services; and (7) care management.

It also includes different actors—children, families, communities, those working at sub-national or national level, and those working internationally. Most importantly, however, **there are relationships** and interactions between and among these components/within the system. “It is the outcomes of these interactions that comprise the system.”<sup>208</sup> This definition is significant and especially relevant in regard to

<sup>205</sup> 2010.KII.5.DJAG.& 1710.FDG.2.SERVICES.

<sup>206</sup> 2410.KII.1.DJAG; 2310.KII.1.OCF51; & 2310.KII.1.OCF52.

<sup>207</sup> It is recognised that other PJJCs which are not part of the evaluation have police presence (i.e., Eastern Highlands)

<sup>208</sup> UNICEF, United Nations High Commissioner for Refugees, Save the Children, & World Vision, (2013). *A better way to protect all children: The theory and practice of child protection systems, conference report*, page 3.

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the full integration of juvenile justice system reforms within the child protection policies, system and programmes of PNG. The responsibilities for ensuring that the rights of children, who engaged with or are involved in ensuring that witnesses, children, or CICLs gain justice, are spread across government agencies at various levels. Service delivery takes place at local levels, including through NGOs and community-based groups. Therefore, this requires multisectoral and inter-agency coordination at all levels to ensure that a functional referral pathway in the juvenile justice system is consistent with such a system for child protection.

As already mentioned, the CPOs interviewed explained that the training provided helped them to better interpret the LPA, and the case management training specifically enabled them to more systematically process cases.<sup>209</sup> Child protection professionals have the duty of: (1) determining whether the needs of the child are fully met from services delivered; (2) reviewing whether the process is as efficient as possible, and (3) conducting the final follow up (or effectively closing the case). The interview data also highlighted that even with skills upgrade, the lack of relevant service providers for referrals to meet women/children's needs were major bottlenecks in the provision of quality child protection services. That is, a woman experiencing IPV in East New Britain and Western Highlands could not stay in a "safe house" or women's shelter, because such services do not exist. That woman would be forced to stay at home.

Finally, as mentioned earlier, it has been noted that services for child protection and juvenile justice have been separated. These two justice service providers should not be operating in siloes. Indeed, these two services should be working together, evolving together, and building up together. This situation is feasible, and the Evaluation Team has provided examples of good practices and multisectoral programme design from United Nations guidance, where all services function under one umbrella.<sup>210</sup>

In sum, this section presented the extent to which the J4C has contributed to the provision of multisectoral justice services in five provinces as well as how close such services are in line with international standards. The BJJC benefits from a balanced multisector committee, while the one PJJC in East New Britain has only started operating. The remaining two in Morobé and Western Highlands used to be operational. While most of the PJJCs could likely have strong sustainability, given the high-ranking provincial administrators who serve as chairpersons and deputy chairpersons, police presence is uneven which is of concern.

Moreover, while there are relationships between and among the child protection system, which includes juvenile justice, there is (1) no agreed-upon referral protocols connecting child protection and juvenile justice to education and health; and (2) no institutionalised training for professionals tasked with child

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<sup>209</sup> 2510.FGD.3.CPO; 1710.KII.2.CPO; 2310.KII.1.OCF1;& 2310.KII.1.OCF2.

<sup>210</sup> Office of Drugs and Crime (UNODC). (2006). *Criteria for the Design and Evaluation of Juvenile Justice Reform Programmes*, pages 26-30; Office of Drugs and Crime (ODC). (2006). *Manual for the measurement of juvenile justice indicators*; ODC. (2004). *Protecting the rights of children in conflict with the law*. Programme and advocacy experiences from member organisations of the inter-agency coordination panel on juvenile justice, including Office of the UN High Commissioner for Human Rights, United Nations Children's Fund, United Nations Development Programme, United Nations Office on Drugs and Crime, Casa Alianza, Defense for Children International, Penal Reform International, Save the Children UK, Terre des hommes, & World Organisation Against Torture.

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protection, including juvenile justice delivery. Without these two elements, the delivery of quality, multisectoral services is not feasible.

#### EFFECTIVENESS

**KEQ #5** What are causing the bottlenecks that impede the juvenile justice system to perform at the level of international standards (where relevant)?

**FINDING 6:** There are numerous bottlenecks impeding the juvenile justice system from extending quality services, and they are: (1) lack of awareness for diversion in the justice and police workforce; and (2) limited structures in place, among other resources.

While it is recognised that the JRRP and MSJI have greatly contributed to reforming juvenile justice and managing juveniles, strong challenges still persist. According to documents and stakeholder interview data, the challenges are linked to: (i) a continued need for police diversion services; (ii) a need for magisterial services for juveniles as well as appropriate facilities; (iii) no separation of male juveniles (aged 10 to 17 years) from the adult male population in police stations; and (iv); limited rehabilitation and vocational programmes.<sup>211</sup>

It was noted that a few interviewees had not yet had the opportunity to review the JRRP thoroughly. This was partially explained by the fact that departments at the national level generally had a holistic perspective about overarching policy and implementation, but this vision was often not sufficiently communicated to and internalised by professionals working at the provincial and village levels, where justice services were actually being implemented.

Similarly, stakeholders within the justice sector admitted that further capacity strengthening opportunities were needed for diversion, and the Evaluation Team only observed one Juvenile Court, and it was located in ARoB. CICLs, in turn, deserve quality services, drawing from multisectoral systems approach, where stakeholders within the justice sector have a clear understanding of their roles as JJOs and police as well as the roles of others (i.e., VJJOs and courts).<sup>212</sup> Indeed, there is an important opportunity for UNICEF to continue offering support in using the JJA as a guide to delivery diversion services.

As noted earlier, many CICLs are victims of discrimination, including when they try to get access to education or to the labour market. UNCRC Article 40 notes that it is necessary that measures are taken to prevent such discrimination, as by providing former child offenders with appropriate support and assistance in their efforts to reintegrate in society, and to conduct public campaigns emphasising their

<sup>211</sup> Quality and Technical Assurance Group (QTAG) (2018). Mid-term review: Justice Services and Stability for Development Program (JSS4D), pages 18-20; 2510.FGD.3.CPD; 1710.KII.2.CPD; 2310.KII.1.OCFST; 2310.KII.1.OCFST2; 2410.KII.1.DJAG; 2410.KII.4.SJJO; 2610.FGD.3.DJAG; 2110.KII.5.JUVENILE2; & 2110.KII.5.JUVENILE1.

<sup>212</sup> 1810.KII.2.RPNGC; 2410.KII.1.DJAG; 1710.KII.2.DJAG; 2410.KII.4.SJJO; 2610.FGD.3.DJAG; 1110.FDG.4.DJAG; & 1910.KII.5.CPD.

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right to assume a constructive role in society.<sup>213</sup> While alternatives to the institutionalisation of diversion are clear under the JJA, there is still a need to promote non-institutional rehabilitative options further. Some data indicated that the magistrates gave decisions in favour of probation and community-based service/rehabilitation. However, there should be an attempt to effectively leverage existing community resources, thereby creating an option where CICLs may receive care and be actively supervised while on bail and probation. **It is important to note that in East New Britain and ARoB, the VJJOs and Village Courts offered such supervision, which may be considered a sustainable, promising practice. There is an important opportunity for UNICEF to consider supporting this practice, thereby helping to reinforce systemic services that assist juveniles to re-establish themselves in society.**

The overwhelming majority of those interviewed from the police, JJS, and the sample of juveniles confirmed that there is no separation of male juveniles from adult cohorts, and there are delays in getting their cases processed. While this falls outside of the scope of the J4C project, it is indeed still a critical bottleneck impeding the provision of juvenile justice services.

Finally, while training was provided through the J4C project for referrals for vocational training or education for juveniles, the evidence was mixed about the extent to which juveniles actually accessed education and vocational training. Ideally, it is common for juveniles to be placed in parental custody with probation and community service, and this offers the juvenile some “flexibility, like still being able to attend school.” However, one JJO noted, for example that, “At the moment, I have a huge problem negotiating my juveniles getting into class”, whereas a VJJO described one of his juvenile cases as “a grade 12 student, and he went back to school.....The Deputy Principal (of the school) could not stop talking about him and how he was an exemplary student and how he was doing so well...Now, he wants to go to university to become a marine biologist..” A juvenile interviewed, who now is in Year 7 at a public school, described that while he was still on probation, the JJO “helped him go back to school” which was what he wanted.<sup>214</sup> As per UNCRC Articles 37 & 40, fulfilling educational goals of for all children, including juveniles, necessitates agreement, synergy, and cooperation between government institutions (i.e., courts) and local communities (i.e., schools) to ensure success that no one is left behind. For CICL who had been sentenced to a rehabilitation centre, the centre that the Evaluation Team visited had general a secondary school and vocational schooling available where juveniles could complete their education.<sup>215</sup> **Nonetheless, CICLs have the right to an effective referral system which enables them to seek and access basic education as well as technical and vocational education and training (TVET) opportunities. Educational establishments and facilities that support the reintegration of CICLs are also important entry points for UNICEF to consider.**

In sum, this section detailed the most critical bottlenecks standing in the way of delivering quality juvenile justice services. It should be noted that citizens proactively pursue Village Courts services, given their

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<sup>213</sup> A/63/41 Report of the Committee on the Rights of the Child General Assembly Official Records, Sixty-third Session, Supp. No. 41, A. Non-discrimination (art. 2), para 7, page 54.

<sup>214</sup> 2410.KII.1.DJAG; 2410.KII.4.SJJO; 2310.FGD.1.SERVICE; & 2510.KII.4.Juvenile02.

<sup>215</sup> Erap Boys Town / Rehabilitation Centre located in Morabé province.

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location and the low costs to gain mediation. The issues linked to the Village Courts are further discussed in the section entitled **Sustainability & Emerging Good Practices**.

### Equity, Human Rights, and Gender Equality

EQUITY, HR, &  
GENDER  
EQUALITY

**KEQ #6:** To what extent did interventions through J4C, including the emergency programming for Covid-19, help improve services for vulnerable girls and boys resulting in increased access to justice and supportive protection services (survivors, witnesses, CICL)?

**FINDING 7:** There are numerous cases where project services facilitated access to services for vulnerable girls and boys (survivors, witnesses, and CICLs); however, major external factors counter gains.

The Evaluation Team could only partially respond to KEQ #6 due to insufficient data regarding programmatic support provided to counter the effects of Covid 19. However, data regarding the extent to which the project enriched services extended to survivors (women and children) and juveniles was available. This section, therefore, presents two composite cases of two vulnerable survivors/one witness and one case story of a CICL who received diversion services, among other services. It should be noted that the CICL did not have a positive experience ultimately, simply because he was in fact vulnerable and in need of more assistance than what the justice system may offer. His case is not, however, representative of all the CICLs interviewed. Nonetheless, the composite case examples not only represent the voices of the children and women who experience the justice system, but they also illustrate the nature of the quality of Rights holders' access to justice and supportive protection services.<sup>216</sup>

#### Cases of two survivors

##### The Case #1: Child Survivor

This is a compilation of several children's stories, which includes a child aged 10 who was living with her "auntie and uncle", and she recounted that "I was mistreated, and they used to belt me up with an iron rod." As she experienced physical abuse (a black eye), she recounted how she ran away and entered the office of a CSO that provided services to children. Another Rights holder, a witness, age 9, told the story that his dad beat up his mom, and his mom was living at a safe house and he and younger sister were in the facility. Survivor children noted that a service provider, either a policewoman, CSO care worker, or CPO, took them to get immediate services (i.e., medical assistance) and then ensured that they were taken to a safe place, which could have been a children's home or the professional's home. Only one out of six children stated that they were "scared of the police". Another child explained the highpoint of entering the facility as, "Auntie [Mary]<sup>217</sup> received me at this place [the facility], read the rules of this place [to us] and welcomed me and

<sup>216</sup> The qualitative data does not represent how all children and women experience the justice system, and so it important to interpret the data with caution.

<sup>217</sup> The names of all children and service providers have been changed to preserve anonymity.

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my sister in.” It should be understood that given the young age of the respondents, it was difficult for them to explain to the Evaluation Team exactly what service(s) that they were receiving; the children’s home and medical service professionals accompanying these children could not provide details about their case(s) without breaching confidentiality. However, five out of six children interviewed were considered vulnerable and were coming from an unsafe home environment.<sup>218</sup>

#### The Case #2: IPV Survivors

This case is a compilation of the data from various women’s stories. The data indicates that there were typically strenuous or crisis-oriented circumstances which forced the women to act and seek refuge away from their homes. For example, one woman in East New Britain who experienced Intimate Partner Violence (IPV) described her husband as “He is not right in the head. He is controlling.” She explains that “I (was) first repatriated to my original province, and then I discovered that I was pregnant and so I returned.” Another woman in ARoB notes that “There was fighting, torturing; indecent language spoken in my village..” A third woman from NCD voiced that “My partner tried to stab me on my face and beat me up”. Some of the women explained that when they see the FSVU police officer, they try to mediate initially with trying to “solve the relationship problems”. Another example of mediation included “calling up the Helpline and talking to a FSVU counsellor”. Most of those interviewed talked about feeling safe and comfortable with the FSVU officer, but one woman cited that she “was hesitant to go see FSVU being that she was not aware of how to go about it.”

Through the CPO, all of those interviewed explained that they lodged a complaint and requested an Interim Protection Order (IPO). One woman even sought support from OCFS to “get a ticket to [her home province] and support for the children from the husband [through the IPO]. There were different times presented for how long it took to receive an IPO, ranging from three days to one week.” According to a CPO, “a referral is done through FSVU first, and then an IPO...is a 24-hour document.” One woman in NCD noted that her “partner had burnt the order and threatened her not to report this to the police.” Regrettably, many survivors highlighted that their stay in the safe house was only temporary, particularly after the IPO was secured. Once the IPO was issued, however, many needed another place to stay.<sup>219</sup>

#### Case #3: CICL

This case was a juvenile (no age reported) charged with two counts of armed robbery, who was remanded to the correctional services. The JJO assisted in the juvenile’s application for bail to be released to the custody of the parents. During the process, JJO understood that the CICL “used to be a good boy”, but later started exhibiting symptoms of post-traumatic stress disorder (PTSD) from being shot in the leg which later became infected. He had bail on recognizance – which means that there was no bail fee, and the parents were the guarantor.

<sup>218</sup> All children’s data is from Morabé province. 1810.KII.2.CHILD1; 1810.KII.2.CHILD2; 1810.KII.2.CHILD3; 1810.KII.2.CHILD4; 1810.KII.2.CHILD5; & 1810.KII.2.CHILD6.

<sup>219</sup> 2410.KII.1.Woman1; 2610.KII.3.Woman2; 020223.KII.1.Women04; 2410.KII.1.Woman3; 020223.KII.1.Women01; 2310.KII.1.OCSF2; & 020223.KII.1.Women03.



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While he sought legal aid from a public solicitor, the JJIO asked that the CICL receive mental health services; the court received a recommendation from the Nonga General Hospital (in East New Britain) to admit the CICL to the Laloki (mental health institution in Port Moresby). With the support of the JJS, the CICL was able to travel to Port Moresby and was observed for three months.

The doctor reported the CICL was getting better, and the support from the JJS enabled the CICL to return. He was diverted, using a facilitated community-based conferencing process, which included the two [affected] parties, the community, the church, and some service providers. The final agreement, which took into consideration the CICL's disability, was that he would participate in community service under the supervision of the ward member.[Low administrative level] Moreover, the agreement included compensation for the amount stolen. The court closed his case in 2021.

It should be noted that while there were deliberate steps to support a disabled CICL with supervision of drug consumption for mental health, diversion, direct participation in case conferencing, and community support, the CICL's rehabilitation experience was not ultimately positive. Indeed, the parents "were really poor" and could not come to the JJO office weekly; The JJO undertook follow-up visits when possible, but even though the CICL was instructed to re-enrolled back in school, he could not comply "because the parents could not afford to send him".

Without (i) encouragement from a parent or influencer; (ii) psycho-social services to juveniles with disabilities; (iii) an education programme; and (iv) gainful employment, young men like this case fall victim to the **negative lifestyles that brought them into contact with the law in the first place**. According to a report from the ACJA (the volunteer JJOs who follow his case at the community level), "the [CICL] has also been struggling with an abusive home environment and has been taking marijuana supplied by peers. Following his return from Laloki Mental Hospital, he was promised assistance previously to secure a prosthetic leg but this has yet to transpire. He is stealing from people around him and is getting belted up by his brothers as a result. His brother was shot in the leg after Jonah<sup>220</sup> and is now in the Kokopo Police Cell."<sup>221</sup>

In sum, all of these examples illustrate how the interventions from J4C increased awareness about juvenile justice proceedings and strengthened the capacity of child protection services.

This section has provided clear evidence, through the voices of children and women, that the J4C project funds have indeed helped to improve services for vulnerable girls and boys. In specific, the training to the CPOs, JJOs, Police Officers, and medical professionals enabled them to provide quality care services to child and women survivors and CICLs. This training support sensitised the various justice sector professionals to empathetically attend to the cases of vulnerable populations described above. Examples of empathy include: (i) the service provider bringing a child home or a policewoman not being intimidating and treating the child with respect; (ii) the CPO explaining thoroughly the purpose of and need for the IPO to

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<sup>220</sup> This is not the real name of the Rights holder.

<sup>221</sup> Adventist Children's Justice Advocates (ACJA) Activity report, visitation and awareness in support of the juvenile justice services in ENB from 11-20 October 2022, pages 4-5; & 2410.KII.I.DJAG.

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the woman affected by IPV; and (iii) the JJO taking note of signs of post-traumatic stress disorder and then seeking resources for the CICL to receive mental health services in Port Moresby before proceeding on with case conferencing. In spite of these advances derived from the J4C project, however, there are still external factors that inhibit access to justice and supportive protection services to Rights holders in PNG. These factors are discussed under Finding 9.

EQUITY, HR, &  
GENDER  
EQUALITY

**KEQ #7** To what extent are the objectives of J4C appropriate and realistic given the context, resources, and timeframe?

If not, what adjustments could be made to the objectives to better define achievable outcomes for this programme or future programmes?

**FINDING 8:** With a modest budget for the expected results in wide geographical areas, the objectives of J4C were not realistic. Six out of nine of the J4C project's indicators have not been achieved, as presented in the **J4C RESULTS FRAMEWORK**. However, returning to the original plan of investing in two provinces could assist with compliance with international standards.

To recall, the J4C project budget was USD 2,392,565.77. However, the project originally planned to “model” child-friendly services in two provinces **and then** scale up. As noted earlier, this modification in the project implementation resulted in less than expected results achieved as illustrated in the **J4C RESULTS FRAMEWORK**.

After initially investing in two provinces, the modest resources were extended to six provinces.<sup>222</sup> Given that PNG suffers from an acute shortage of experienced and well-trained professionals, there was a high need for technical assistance; the funding available ultimately became limited. This over extension of limited resources coupled with restricted capacity within the child protection and justice sector workforce had detrimental effects on the project implementation. It is a refrain that needs emphasising: There are multiple systemic barriers and bottlenecks to establishing a functioning, bureaucratic child-friendly system and these systemic barriers cannot be addressed thinly across many spread out multiple provincial locations simultaneously given the limited State resources.

Moreover, from 2018 through 2022, J4C has had three Child Protection Section Chiefs (P4 level); only one Child Justice Specialist (P3 level) and one Child Protection Officer (NOB level) for the Birth registration

<sup>222</sup> UNICEF. (2019). Improving access to justice for children. Proposal submitted by UNICEF Papua New Guinea Country Office, 5 March; 2019, page 2. UNICEF. (2020). Improving Access to Justice for Children and Women Annual Report 2020, Reporting period: 01 January 2020 - 31 December 2020 Grants: SC180643 & SC150382

Submitted by: UNICEF Papua New Guinea January 2021, page 2; and UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report 2021, Reporting period: 01 January 2021 - 31 December 2021 Grant: SC180643 Submitted by: UNICEF Papua New Guinea, January 2022, page 2.

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component in this period, supported the project’s management<sup>223</sup>. This staff turnover and the effects of Covid, limited work in-country, as many UNICEF staff members worked remotely from their country of origin.

The one main adjustment that could advance the project’s intent would be to return to the original plan and only operate in two provinces in a comprehensive and substantive manner. It is suggested that UNICEF could invest resources in the next phase in ARoB and another province, perhaps where progress delivering justice services is evident. For the next phase, those interventions should be evaluated for their effectiveness, bringing in this evaluation’s lessons, and from there, scale up.

Another adjustment would be to focus on the potential of Village Courts. It has already been well explained that the Village Courts bring enormous potential to improving justice for children. They are the most accessible entity and service available; they have the law supporting their operation; they have the necessary human resources; and the citizens proactively seek the services of the Village Courts. Most importantly, the Village Courts receive top priority from the government in the present time through the Crime Prevention through Revitalised Village Court System Strategy: 2020 – 2030, and therefore should continue to be a vanguard for improving the functioning of the justice system of PNG in regard to children. In the next phase, the J4C project can strategically review what key support the Village Courts need to improve their services around child protection and juvenile justice.

### Sustainability & Emerging Good Practices



**KEQ #8** What factors in the operating environment favor and inhibit sustainability (of quality child friendly justice within the child protection systems approach)?

**FINDING 9:** While there are a litany of factors inhibiting sustainability of quality child-friendly services, including social norms, lack of human resources, there are also a few factors favoring the sustainability of quality services.

### OBSTACLES PREVENTING SUSTAINABLE CHILD FRIENDLY SERVICE DELIVERY

According to the Child Protection System Mapping, “There are multiple systemic barriers and bottlenecks to establishing a functioning, bureaucratic child-friendly system as envisioned by the LPA 2015 and the National Lukautim Pikinini Policy, many of which are linked specifically to services. They include: (1) weak bureaucratic processes; (2) very limited financial and human resources; (3) nascent coordination between

<sup>223</sup> This statement was corrected by UNICEF from the original, which had erroneously indicated a P5 level Child Protection Section Chief, and had neglected to recognize the Child Protection Officer (NOB).

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community/district and provincial levels; (4) lack of reliable means of communication and transportation; (5) limited mechanism for information management and accountability; (6) limited range, quality, and accessibility of formal services for children and families; and (7) weak linkages between the formal and informal systems.<sup>224</sup> A few of these obstacles are discussed in depth in this section.

**Weak bureaucratic processes:** A key factor, inhibiting the delivery of child-friendly services, is linked to the internal transition within the NOCFS, transferring the child protection mandate from CDOs to CPOs.<sup>225</sup> As CPOs are only located at the provincial level, this has compounded the demand for welfare services, although this new role includes some overlap with existing positions at the district level.

As a result, there was strong thematic evidence that some stakeholders within the justice sector did not clearly understand the role of CPOs or JJOs, as well as the roles of others (i.e., VJJOs and judiciary). For example, some stakeholders noted that “Sometimes the referral system was not followed because the police officers (other than FSVU and the JPO) are not trained... and that there was a need for “Capacity building for all stakeholders involved in the process and ensure to have reviews of existing procedures to suit the change in crimes.”<sup>226</sup>

As part of the weak system, there is also a lack of equipment, transportation, and office space. For example, one CPO noted that “We have the knowledge, we have the network, we have the processes....we don’t have the equipment; the laptops..I have been working for x years, and I am still looking for a computer and a place to print... No power either” and “We do not have a computer and do not have stationary to complete proper documentation....”<sup>227</sup> Indeed, the Child Protection System Mapping notes that “CPOs have been given broad responsibilities for managing both prevention and response services, including community outreach, training and managing large teams of child protection volunteers, networking and partnerships building with local service providers, and managing a relatively complex, bureaucratic child protection response process.”<sup>228</sup>

**Limited of human resources:** The police, child protection, and the judiciary are under-resourced. The lack of child courts in PNG, specifically, creates bottlenecks and delays within the system, obstructing children’s direct access to justice. For example, one JJO highlighted that “for the National Court, there is only one judge who is assigned to juvenile issues....and there is only one district level judge as well, but there is no assigned magistrate for juveniles. They reshuffle a great deal...” As strengthening *Child friendly* courts was part of the original J4C project, there still ought to be further efforts designed to support these specialised units. In addition to restricted access to courts, justice seekers have limited access to lawyers, and other

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<sup>224</sup> Anderson, Kirsten, Catherine Burke & Bruce Grant. (2022). The protection of children from all forms of violence and child focused justice in PNG: Mapping and analysis of legal and policy frameworks, Coram International, page 82.

<sup>225</sup> As already mentioned, this transition took place in 2018.

<sup>226</sup> 1810.K11.2.RPNGC; 2410.K11.1.DJAG; 1710.K11.2.DJAG; & 2410.K11.4.SJJO.

<sup>227</sup> 1710.FDG.2.SERVICES, 2510.FGD.3.CPO, & 1910.K11.5.CPO.

<sup>228</sup> Save the Children. (2016). The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families, page 45.

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legal services, as they are out of reach for the majority of the population.<sup>229</sup> In addition, there are limited education services available, and while medical services are available, they are at a cost, which is a deterrent, especially for abused young women.

In two out of four provinces visited, the Evaluation Team found that there were no children's homes available. Under such circumstances, the children were sent back to an unsafe environment, or they went home with the child protection/juvenile justice professional. Children are most at risk of sexual abuse in their homes and by someone they know and trust, including fathers, brothers, cousin brothers, adoptive fathers, uncles, or older close family friends.<sup>230</sup>

**Social norms:** Regarding child participation, a key element within UNICEF's child protection systems approach, the social situation and cultural norms in PNG play a critical role in child protection. PNG citizens continue to face significant challenges in accessing justice. As noted earlier, children are exposed to violence from an early age. Women and children endure shocking high levels of physical and sexual violence, with rates of abuse estimated to be some of the highest in the world outside a conflict zone (HRW, 2015).<sup>231</sup> Most groups noted that these matters should be reported to the police but rarely are; and even when cases do go to the police, they are often told to go back and settle the matter according to custom.<sup>232</sup> Even the Child Protection System Mapping concluded "that much more needs to be done to empower children to speak out and seek help, and to ensure that adults around them (parents, relatives, teachers, pastors, community leaders etc.) respond sensitively and appropriately."<sup>233</sup>

### FACTORS ENABLING SUSTAINABLE CHILD FRIENDLY SERVICE DELIVERY

Conversely, there are several factors in the operating environment favoring the delivery of sustainable child friendly justice, and they include: (1) the LPA; (2) some evidence that children are beginning to speak out and seek help from the justice sector; (3) a committed workforce; (4) informal collaboration; and (5) the Village Courts. Each is briefly discussed in this section.

**LPA aligned with UNCRC:** At the level of legal, regulatory, and policy, there is one strong factor enabling quality child protection services, and that is the explicit recognition in the LPA that exposure to family violence is a form of child abuse in itself, even if the child is not directly victimised. This can impact significantly on a child's emotional well-being and development.

While coordination and governance are not part of the UNCRC, they are integral to its implementation. The LPA (2015) and the Operational Manual, provide a straightforward referral process for professionals who

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<sup>229</sup> Save the Children. (2016). *The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families*, page 22; 2410.K11.1.DJAG, & 0211.FGD.4.VCourts1.

<sup>230</sup> 1910.K11.5.CPO; & 1810.K11.2.RPNGC; 2310.K11.1.DCFSS2; 0211.FGD.4.VCourts1; & 1810.K11.2.SERVICES.

<sup>231</sup> Save the Children. (2016). *The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families*, page 22.

<sup>232</sup> *Ibid.*, page 65; & 1410.K11.4.VCourts.

<sup>233</sup> Save the Children. (2016). *The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families*, page 63.

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work with children, although there could be further guidance on how to implement a multisectoral response to child protection and reduce the legislative or technical silos.<sup>234</sup> Regarding governance, the J4C project helped continue the operations of the NJJC as well as 11 PJJCs. This support helped to sustain coordination, albeit, in some sites.<sup>235</sup>

**Evidence showing Rights holders' active engagement with legal systems:** In terms of factors facilitating the sustainable delivery of quality service, the Evaluation Team has mixed data about the extent to which children are empowered to demand and use child protection services. On the one hand, interviewed service providers noted that distance and other bottlenecks prevented young people from demanding justice services with "the clients/patients who want to access their services also have challenges with transport" and "people do not demand official legal processes because it is too expensive (it can cost up to 500 kina and upward to 10,000) to go that route".<sup>236</sup> On the other hand, however, there were several examples in the data where Rights holders proactively sought justice services despite transportation and other costs.

For example, a CPO described a case where a 12-year-old Rights holder girl came to see her/him to seek official services when her mother took a bush knife and cut all her clothes and schoolbooks. Another example comes from a service provider who explained, a small eight-year-old child who had been sexually abused by the stepfather. "We processed the case that week....the hospital and police, and then the police were supposed to get the man to go the police....their community-based committee members<sup>237</sup> apprehended [the stepfather]. She [Social services stakeholder] gave money for the boat and the committee members escorted him to the police station. She noted, "Communities see this, and it sends a message that the people have the power...no mucking around."<sup>238</sup>

In two examples from children, their stories indicated that they were aware of their rights to seek help from the justice sector.

One girl explained to the Evaluation Team that she knew the police's role. "I was staying with my auntie and uncle, and some things went missing. They thought I had stolen them. They beat me, and I had swollen eyes (black eye). My auntie took me to the police station. They took me to the police station, and the police gave my auntie swollen eyes (black eyes). The police brought me here (to the safe house). It was a policewoman, and she took me to the hospital to get [medical] help, and then she took me to the safe house."

Another girl noted, "I was with an auntie and uncle, and I was mistreated, and they used to belt me up...They beat me up with an iron rod. They also gave me a black eye, and so I ran away....I walked up to town and went

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<sup>234</sup> Ibid., page 31.

<sup>235</sup> It is acknowledged that other provinces do not have a functioning PJJC.

<sup>236</sup> 1710.FDG.2.SERVICES, 0211.FDG.4.VCourtsI, &

<sup>237</sup> This committee, called a "Law and order committee", was comprised of veterans/ex-combatants, clan chiefs, church workers, and youth leaders.

<sup>238</sup> 2610.K11.3.SERVICE; 1910.K11.5.CPO; & 2710.FDG.3.SERVICE.

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into the Famili PNG office ...X [service provider]<sup>239</sup> met up with me, took me to her home, and asked me what happened.”<sup>240</sup>

Finally, a service provider noted that abused women were taking action by leaving their homes in spite of cultural pressure to stay in the village. The stakeholder noted, “They [women] come to us at the safe house, if someone is raped, I make sure they are comfortable, give them food, reassure them that they are safe.... I tell them, do not be ashamed about what was done to you. Speak freely.”<sup>241</sup>

**Committed workforce:** There are examples in the data where the CPOs provide counselling and advice to children and parents, exemplifying their intent to protect children and raise awareness among parents. In a case story, mediation took place, where both the mother and daughter disclosed their grievances. For example, the mother stated, “I thought I had the right to do this”, because the daughter was disrespectful. However, the child said that the mother had brought another person into the house (having sex with this other person). The CPO issued a warning to the mother, explaining to her that this was a form of child abuse. Another different CPO explained that she “was able to innovate to ensure that the parents take care of the children referred to them....she would send notices to parents for failure to provide appropriate care,” warning them about what will happen to them in case they do not follow the law.<sup>242</sup>

**Informally implementing the referral pathway if available:** Inter-agency coordination and the relationship between CPOs and other service providers varies from province to province. However, in Morobé and ARoB, the Evaluation Team met with stakeholders who enjoyed relatively good collaboration and referrals between government and non-government service providers (provincial FSVAC, FSVU, the Family Support Centre or hospital, CSOs, and safe houses). The Child Protection System Mapping had similar observations and attributed this accomplishment to efforts to strengthen the FSV referral pathway. The authors of this research also concluded that on-going collaboration was variable.<sup>243</sup>

**Village Court services:** There is strong community demand to seek justice through Village Courts which directly inhibits access to formal justice services; However, given their location in the most remote parts of the country, they ought to be considered an asset. Indeed, the Village Courts are the most readily accessible form of intervention available.<sup>244</sup> As presented earlier, there is a Village Court System Strategy 2020-2030 with seven pillars which call attention to the need to (i) make communities safer and (ii) support access to

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<sup>239</sup> Name omitted to preserve confidentiality.

<sup>240</sup> 1810.K11.2.CHILD4 & 1810.K11.2.CHILD5.

<sup>241</sup> 2610.K11.3.SERVICE.

<sup>242</sup> 2310.K11.1.DCFS2; 1710.K11.2.CPO; & 1910.K11.5.CPO.

<sup>243</sup> Save the Children. (2016). The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families, page 53; Buka, and Wewak. In Wewak, participants said that coordination is not working well, and capacity is often low. Service providers in all provinces expressed concerns about the capacity and functioning of CPOs and highlighted a number of challenges they face in collaborating with them, including: lack of leadership and networking from the Community Development Division; difficulty in contacting CPOs; delays in their response and intervention, even in urgent cases; referred cases not being progressed; CPOs’ lack of human and financial resources to do their job effectively; and ongoing lack of legal certainty about CPOs’ authority due to delays in enacting the Lukautim Pikinini Act 2015.

<sup>244</sup> Save the Children. (2016). The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families, page 65; 0211.K11.4.VCourts2; & 1410.K11.4.VCourts.

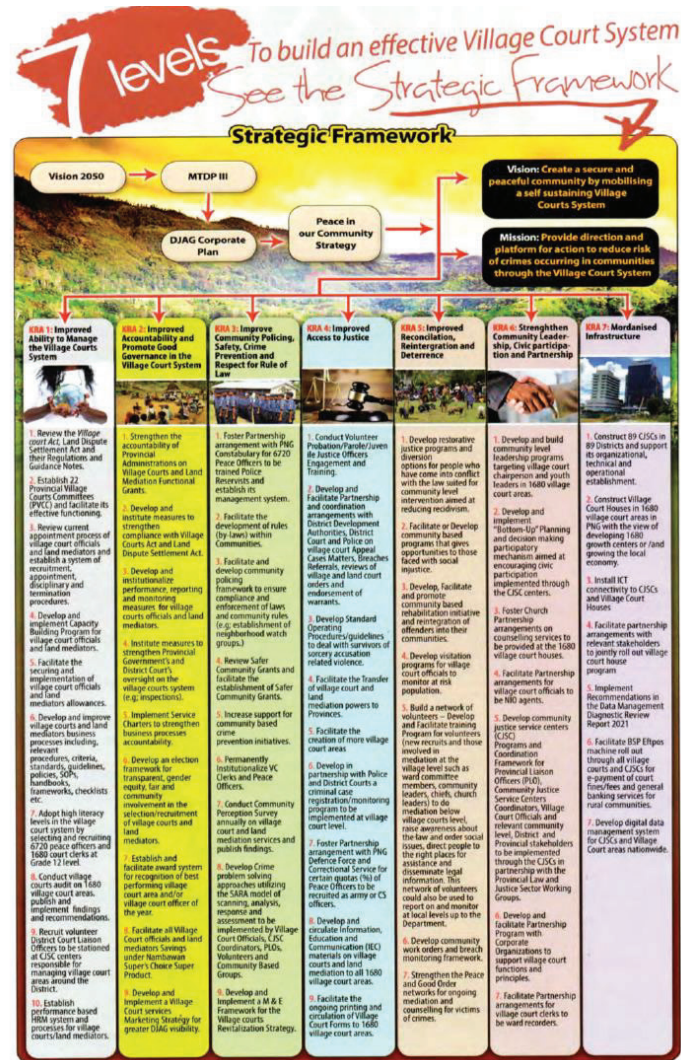
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justice for juveniles and vulnerable women, especially those accused of sorcery. (See Figure 9.) **There is, therefore, an important opportunity for UNICEF to support a highly accessible mechanism and make children’s best interests a guiding principle of the Village Court’s work.**

This section has presented the different factors influencing the sustainability of the J4C project. Based on the data available, it is evident that there are mixed findings linked to bureaucracy that Duty bearers experience and Rights holders seeking justice. On the one hand, there are very limited human resources and weak bureaucratic processes, yet, on the other hand, the LPA and the Operational Manual provide a straightforward referral process for professionals. In addition, while more efforts are needed to empower children to speak out and seek help, there were examples in the interview data where Rights holders sought justice services in spite of monetary obstacles. There is strong demand for justice services at the Village Courts level, although social norms may dictate an outcome of mediation (with compensation) without addressing a child’s protection or other needs (i.e., mental health). Such a variability in results is a recognised feature of juvenile justice programme evaluations. In fact, a meta-analysis, “providing a succinct evaluation of the current state of evidence for juvenile diversion programmes”, claimed high levels of “heterogeneity which could not be explained by data provided in the articles”.<sup>245</sup> Moreover, J4C is a multisectoral project that involves multiple stakeholders from various institutions functioning at national and sub-national levels.

Figure 9: Seven levels in Village Court Strategy.



**SUSTAINABILITY & EMERGING GOOD PRACTICES**

**KEQ #9** What are the actual roles of different stakeholders (justice and child protection services), as well as their ideal roles, that would further the future project objectives?

<sup>245</sup> Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. (2012). A meta-analysis of experimental studies of diversion programs for juvenile offenders. *Clinical Psychology Review*, 32(1), page 32.



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**FINDING 10:** Previous sections show that service providers [CPOs, JJOs, and the Police] appear to fulfill their roles, as outlined in the LPA and JJA, albeit with major challenges. However, when many stakeholders reflected on other areas where to dedicate further efforts, working at the most basic, community levels were considered to be the means through which to extend specialised, efficient, and coordinated justice services to children/juveniles.

After the Evaluation Team asked all stakeholders what were the ideal roles that *they would like to do or like to play* to make justice services specialised, efficient, and coordinated, almost all respondents highlighted the need to work at the most basic level, or at the community level.<sup>246</sup> For example, part of modeling child friendly police services would include, “Conducting an awareness campaign.... A mini-show. ....that FSVU and JJ can set up and invite children in to teach them that they should not be scared of the police because the police is here to help...”. Another police stakeholder brought attention to the importance of sports. He explained that through sports, “we [can] also convey hard work; loyalty; commitment; We [can] teach them about the game and how to carry themselves in their lives...These are some of the programmes that we need to be doing (perhaps with the scouts).”

Similarly, to model diversion services, one Duty bearer JJO shared that she saw providing rehabilitation programmes to juveniles would be the ideal role of her position. She explained that, “Melanesial tradition of correcting juveniles...the main focus be[ing] community rehabilitation. To prevent them [juveniles] from reoffending. Engag[ing] the family and the community in [supporting the rehabilitation process]..”

In reference to the ideal functioning of a coordination structure, most highlighted that professionals should have “awareness” of what all of the other actors are doing in their network, which was a key theme mentioned earlier in this report. For example, a Duty bearer notes that, “I want more awareness of our stakeholders. In dealing with JJS, it is not a one-office service. ..if the police do not know their role or my role, they will need more training.”<sup>247</sup>

While a specialised service implies one which has intersectoral linkages, stakeholders’ interpretations of specialised services ranged from very technical to basic skills. On the one hand, one Duty bearer acknowledged the need for even more specialised training to provide a higher quality justice service, and she felt that she needed gender sensitivity training to deal with transgender persons. On the other hand, others mentioned training in “basic sensitisation”, “enhancing the soft skills” to better address the trauma of children, or just “I don’t know how to talk to my client...We might say something that might hurt the child, and then we could cause more harm. We don’t know exactly what to say.” Currently, such reflections substantiate what the bare minimum package of justice services should entail.

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<sup>246</sup> 1810.K11.2.RPNGC; 0130.K11.4.RPNGC; 2410.K11.1.DJAG; 1710.K11.2.DJAG; 2410.K11.4.SJJO; 2610.FGD.3.DJAG; 1110.FDG.4.DJAG; 2510.FGD.3.CPO; 1710.K11.2.CPO; 2310.K11.1.DCFS1; 2310.K11.1.DCFS2; 2410.K11.1.DJAG; 2410.K11.4.SJJO; 2610.FGD.3.DJAG; 2110.K11.5.JUVENILE2; 1910.K11.5.CPO; 1710.K11.2.DJAG; 2310.FGD.1.SERVICE; & 2010.K11.5.RPNGC.

<sup>247</sup> 1710.K11.2.DJAG; & 2410.K11.1.DJAG.

# CONCLUSIONS & LESSONS

## 8. CONCLUSIONS & LESSONS LEARNED

### Conclusions

This report has presented the findings from the evaluation of the UNICEF *'Improving Access to Justice for Children and Women in PNG'* Project. The evaluation assessed the contributions of one outcome and four outputs to the justice sector in PNG, and the extent to which the justice services for women and children have improved over 2018 to 2022, considering the context of PNG. While it is recognised that at the policy level, the JRRP has been a great contribution to reforming juvenile justice and managing juveniles. Strong challenges *still* persist, however. Most notable are the needs of children/juveniles with disabilities which are not fully met, although justice professionals show intent to protect children and raise awareness among parents.

The evaluation report showed that there is limited evidence indicating that a learning phase occurred, which considered the most favorable components within the project's service models. Rather, it appears that a decision was made to rapidly scale up the project coverage from two provinces to over five provinces, which was a departure from the ToC. The evaluation of J4C RESULTS FRAMEWORK, in turn, diminishes some of the project's successes, where indicators of achievement are met and exceeded.<sup>248</sup> The report notes a resource to consider for producing qualitative indicators that are appropriate for PNG's context.

One of the project's key outputs was support for the NJJC and the establishment of 11 PJJCs, and this contribution directly supported the delivery of quality of multisectoral justice and child protection services. However, the Evaluation Team also observed uneven functioning, thereby creating different levels of responsiveness to Right holders in need. Given that high-ranking provincial administrators serve as chairpersons on PJJCs and has likely reinforced their future sustainability, two out of four PJJCs lacked the presence of the police.

The report also illustrates that the J4C project helped to improve services for vulnerable girls and boys, as multiple professionals (CPOs, JJOs, Police Officers, and medical professionals) engaged in cascade training, and were in turn provided with skills to deliver quality care services to child and women survivors and CICLs. Three composite examples of survivors and one CICL are included in this report which is intended to provide a small glimpse of experiences within the justice system, using the voices of the children and women. A notable finding from service providers, however, was that there is still high demand for training for the LPA, JJA, and JJ Minimum Standards.

The Evaluation Team has noted that services for child protection and juvenile justice are seen through separate lenses, when these two services should be working together, evolving together, and building up together. The report provided resources that UNICEF may wish to consider for projects delivering justice services with multisectoral components.

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<sup>248</sup> Indicators 4 and 5, which were "The number of child protection coordination structures at the provincial and district level that operate in a unified manner." and "Percent of justice professionals in the target provinces trained and certified to deliver child friendly justice services."

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There are a litany of factors inhibiting sustainability of quality child-friendly services, including (1) a lack of awareness for diversion in the justice and police workforce; (2) limited structures in place; (3) a continued need for police diversion services as well as appropriate lockup facilities in police stations; (4) a need for judiciary services for juveniles; and (5); limited rehabilitation and vocational programmes, as connections with education, TVET, or job placement for juveniles are a major missing link. However, there are also a few factors favoring the sustainability of quality services. At the level of legal, regulatory, and policy, the LPA explicitly recognises that exposure to family violence is a form of child abuse. There is strong community demand to seek justice through Village Courts which directly inhibits access to formal justice services; However, given their location in the most remote parts of the country, they ought to be considered an asset. The Village Court System Strategy 2020-2030 with seven pillars calls attention to the need to (i) make communities safer and (ii) support access to justice for juveniles and vulnerable women, especially those accused of sorcery. There is, therefore, an important opportunity for UNICEF to support a highly accessible mechanism and make children's best interests a guiding principle of their work.

It is recognised that the available qualitative and secondary data produced numerous **mixed findings**. To name a few, they were regarding: (1) Duty bearers respecting children's right to privacy and confidentiality; (2) the extent to which juveniles actually accessed education and vocational training; (3) the bureaucracy that Duty bearers experience; and (4) the ability of Rights holders to seek justice services. Nonetheless, such a variability in results is typical of juvenile justice programme/project evaluations, given that multisectoral interventions tend to involve multiple stakeholders from various institutions, functioning at national and sub-national levels.

Finally, when many stakeholders had the opportunity to reflect on other areas where to dedicate further efforts, the major themes that emerged included working at the most basic, community levels.

### Lessons Learned

The key lessons that can be drawn from the formative evaluation are listed below.

#### 1. DIVERSION IS STILL AN EFFECTIVE MODEL IN SPITE OF MIXED RESULTS

This evaluation reflects mixed and or limited results regarding the effectiveness of the J4C project due to the absence of administrative data. However, juvenile diversion programmes which target youth at different points in the **juvenile justice process are still considered robust and promising models to child protection and can improve outcomes for delinquent juveniles**. For example, youth can be diverted from formal processing through the system or from incarceration after formal processing. Several recent meta-analyses have examined the impact of programmes that divert juveniles from formal court processing. Generally, these studies have found that the juveniles in these diversion programmes (or even those exposed to juvenile court systems) recidivate at lower rates compared to those formally processed in the court system. There is a sizable amount of research and literature on juvenile justice diversion programmes, which generally finds support for their effectiveness, albeit

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## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

there is some heterogeneity in the data. Studies that focus on diversion from formal processing and those that focus on diversion from institutional placement consistently find a reduction in recidivism.<sup>249</sup>

### 2. STAKEHOLDER TRAINING TO SUPPORT FAMILY-CENTERED PROGRAMMES IS A PROMISING PRACTICE

The methods used by trained stakeholders included some promising practices. First, family-centered care programmes have four categories of parental participation: (a) informing parents, (b) parents meeting their child, (c) parents meeting staff, and (d) parents taking part in the treatment programme. Additionally, the family-centered care programme includes the option to start family therapy during detention of the youths, to be continued after discharge from the juvenile justice institutions. Training and coaching of staff are core components of the family-centered care programme. The combination of training and the identification of attainable ways for staff to promote parental involvement makes the family-centered care programme valuable for practice. The evaluation report details multiple examples of ways that CPOs and JJOs worked with parents/families to support CICLs.<sup>250</sup>

Moreover, the use of cascade training enabled multiple professionals (CPOs, JJOs, Police Officers, and medical professionals) to gain access to skills development for quality care services.

### 3. PROGRAMMES TO SUPPORT JUVENILES NEED TO BE WELL FUNDED

It is particularly important in low-resource contexts to ensure that the allocation of existing resources for child protection and juvenile support services is carefully planned. Programme design and delivery must be informed by the factors that cause, support, or contribute to offending behavior. Indeed, this was a departure from the ToC and rapid scale up ran counter to maintaining evidence-based interventions with explicitly articulated programme objectives and outputs. It is important to link objectives and outputs (with Output Statements) to activities and desired child outcomes (to the extent possible).<sup>251</sup>

### 4. LIMITED LEARNING OBSTRUCTS A PURPOSEFUL SCALE UP

While certain interventions showed initial signs of success (for example, 11 PJJCs established and training delivered to JJOs/VJJOs), the general lack of a learning phase about what components within the model services were working well made it challenging to identify more proven approaches to bring to scale. The process of measuring and testing a well-developed ToC is very important. Indeed, programme planners and researchers are advised to test programmatic assumptions before expanding.

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<sup>249</sup> Kretschmar, J. M., Butcher, F., Flannery, D. J., & Singer, M. I. (2016). Diverting juvenile justice-involved youth with behavioral health issues from detention. *Criminal Justice Policy Review*, 27(3), page 304; Javdani, S. (2019). Innovations in Prevention, Intervention, and Policy, *Journal of Prevention and Intervention in the Community*; 47(2); and Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. (2012). A meta-analysis of experimental studies of diversion programs for juvenile offenders. *Clinical Psychology Review*, 32(1), 26–33.

<sup>250</sup> Simons, I., Mulder, E., Breuk, R., Mos, K., Rigter, H., van Domburgh, L., & Vermeiren, R. (2017). A programme of family-centered care for adolescents in short-term stay groups of juvenile justice institutions. *Child & Adolescent Psychiatry & Mental Health*, 11, 1–8.

<sup>251</sup> Van der Merwe, A., & Dawes, A. (2009). Toward good practice for diversion: the development of minimum standards in the south African child justice system. *Journal of Offender Rehabilitation*, 48(7), page 582.

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In addition, data gathering and evidence generation is best done on a limited scale and with iterative rounds of evaluation and consensus-building with all stakeholders.

#### **5. LACK OF RESOURCES ALSO PREVENTS AN EFFECTIVE SCALE UP**

A common theme in the evaluation data is the lack of financial and human resources to execute and implement the project goals and deliver outputs. UNICEF and partners should have given utmost importance to the ToC and the bottleneck analysis developed during the early stages of project implementation. Changing the project design without a healthy critique of the completed ToC and bottleneck analysis is risky, and reflecting upon the ToC assumptions was not given sufficient attention.

# RECOMMENDATIONS

### 9. RECOMMENDATIONS

To ensure children receive specialised, efficient, and coordinated assistance, all justice professionals working with child victims and witnesses ought to acquire the requisite knowledge and skills to understand the basics of child development and tailor their methods of practice to the benefit of child offenders, victims and witnesses.

The Evaluation Team presents a total of eleven (11) recommendations split into two categories: (A) Strategy and (B) Operations. The first category of recommendations comprises of actions to reset the overall strategy of the project, and the second set consists of recommendations that can improve the implementation of the project, once modified, in efforts to amplify potential impact for both juvenile justice and protection services to vulnerable populations.

The table below outlines: (1) the corresponding findings linked to the recommendations; (2) the recommendations produced by the StratMan Evaluation Team; (3) the suggested steps for carrying out recommendations emanating from the Recommendation Co-Creation Workshop held on 27 April 2023; and (4) the suggested party within UNICEF to implement the recommendations.



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Table 8: Recommendations Table

Relevant findings linked to the corresponding recommendation(s)	Recommendations	Suggested steps from the Co-Creation of Recommendations Workshop	Relevant party within UNICEF responsible for recommendations
<b>A. STRATEGY: RESET THE PROJECT</b>			
<p>The continuous improvement of the justice system, including juvenile justice and justice for children, is a national priority for the Government of Papua New Guinea. The country's national justice programme aims to provide justice to the entire population across its 22 provinces. The J4C project, an integral part of the national programme's strategic objectives, seeks to improve the justice system. Like any nascent programme, the J4C project needs to demonstrate the effectiveness of its strategy.</p> <p>The J4C project requires the concurrent development, modification, and enhancement of numerous sub-systems at all levels, along with adequately trained human resources and well-coordinated stakeholders across the entire spectrum of justice service demand and supply. By focusing on a limited number of provinces, the emerging project is more likely to succeed in delivering the expected quantity and quality of services to the populations in need. It will allow for a more efficient and effective allocation of limited project resources. Allocating project resources for J4C from various sources, including public and development partners, in a manageable geographical area, will maximize the value of the investment. In the next phase once the J4C project demonstrates effectiveness and produce valuable implementation lessons, the project can guide the national justice programme on going to scale and mainstreaming the experience gained from J4C into an expanded geographical scope.</p>			
<p>Finding 8: lack of achievement on 6/9 indicators), and Finding 3: insufficient learning from project implementation.</p>	<p>1. In line with the strategy of maximizing project resources through focused efforts, <b>it is recommended to revert to the original coverage of the J4C project and concentrate the new phase on one or, at most, two provinces.</b> This resetting should be undertaken during the new Country Programme Period of UNICEF and the government. The selection of a maximum of two provinces should be carried out in 2023 with the involvement of all concerned parties, including UNICEF, the Government, DFAT, and the provincial</p>		<p>Child Protection Section:</p> <ul style="list-style-type: none"> <li>• Chief</li> <li>• Project Manager</li> </ul>

## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Relevant findings linked to the corresponding recommendation(s)	Recommendations	Suggested steps from the Co-Creation of Recommendations Workshop	Relevant party within UNICEF responsible for recommendations
	authorities of the selected province(s). One of the two provinces should be the Autonomous Region of Bougainville, to maintain its progress. <sup>252</sup>		
Finding 10 which indicates a need to work at most basic, community levels.	2. Prioritise support to improvements of the Village Courts that can impact the delivery of services around juvenile justice. While in the current implementation and design stages of the J4C project, there was less attention given to the Village Courts, and it is now clear from the evaluation that there is high potential that the Village Courts can effectively contribute to the objectives of the J4C project. <b>If possible, the realignment of the project to include support to village courts can be included in the current year 2023.</b>	Stakeholders presented for consideration that it is important to note that there are risks and challenges in working with Village Courts, as limited evidence suggests that the support to survivors may be inconsistent with child protection standards.	Child Protection Section: Project Manager
Finding 10 which indicates a need to work at most basic, community levels.	3. It is recommended that a team of stakeholders from UNICEF, NOCFS, JJS, and most importantly, Village Courts & Land Mediation Secretariat, work together in defining what priority actions towards improving the functioning of the Village Courts that would redound to making juvenile and child protection services more available and		Child Protection Section: Project Manager

<sup>252</sup> In follow-up clarification sought by UNICEF, the evaluation team noted that the recommendation “does not preclude the possibility that the J4C project will have necessary financial, human, and system building resources to adequately cover five provinces. Indeed, if sufficient resources and support are assured for the following at the national, provincial and district levels: (1) continued workforce development, (2) assistance for juvenile justice systems collaboration, and (3) generating relevant administrative data [for monitoring purposes], there's no reason why five or more provinces cannot be targeted” (Communication on 1 July 2023)

## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Relevant findings linked to the corresponding recommendation(s)	Recommendations	Suggested steps from the Co-Creation of Recommendations Workshop	Relevant party within UNICEF responsible for recommendations
	compliant with the international and national standards. <b>This recommendation can be implemented in the new country programme of UNICEF and the government.</b> <sup>253</sup>		
<b>B. OPERATIONS: IMPROVING THE IMPLEMENTATION OF THE RESET J4C PROJECT</b>			
<p>Even if the J4C project were to be reset to its original design, focusing on one or maximum two provinces, there are actions that are identified as critical in ensuring the implementation of the modified project is optimum and that the new phase of the J4C project, starting in 2024, produces a model that is effective and therefore scalable in the country with all its resource realities and with a certain degree of sustainability. There are three priority recommendations in this category.</p>			
<p>Finding 5 which presents the analysis of uneven functioning within the coordination mechanism under OCFS and JJS.</p>	<p>4. Improve service delivery for child survivors and witnesses requires a multisectoral response which includes contributions from the: (1) Department of Education; (2) Department of Health; and (3) Police. Support the establishment of intersectoral coordination mechanisms at the implementation level. As work takes place in silos due to the lack of mandate with the lead agency, UNICEF should help JJS/NOCFS to be the authorities to unify the other agencies. This would also include supporting the interagency coordination from the national to the provincial and district levels in the selected provinces. <b>This recommendation can be included in the current year 2023.</b></p>		<p>Child Protection Section: Project Manager</p>

<sup>253</sup> In follow-up clarification sought by UNICEF, the evaluation team noted that “when Recommendation 2 is implemented, Recommendation 3 outlines the necessary actions required to enable Village Courts to fulfill the justice for children objectives.” (Communication on 1 July 2023)

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### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Relevant findings linked to the corresponding recommendation(s)	Recommendations	Suggested steps from the Co-Creation of Recommendations Workshop	Relevant party within UNICEF responsible for recommendations
<p>Finding 6 which is related to limited knowledge of “where to seek justice services in the first place”.</p>	<p>5. Develop Standard Operating Procedures to help VAC/VAW survivors.</p> <ul style="list-style-type: none"> <li>a. There should be an agreed-upon referral protocol between child protection-law enforcement-juvenile justice;</li> <li>b. There should be an agreed-upon referral protocol child protection-social welfare and other sectors: education, health; and</li> <li>c. There should be an agreed-upon formal and nationally/sub-nationally adopted training and supervision system for case workers in agencies tasked with child protection and juvenile justice.</li> </ul> <p><b>This recommendation can be included in the current year 2023.</b></p>	<p>It is important to recognise that some institutional structures may already be in place to support referral processes that include child protection-law enforcement-juvenile justice. For example, stakeholders noted that the Family Support Centres and Family Sexual Violence Units already have guidelines in place.</p>	<p>Child Protection Section: Project Manager</p>
<p>Finding 6, which highlights a lack of awareness of diversion amongst justice and police professionals.</p>	<p>6. Renegotiate the cooperation with the RPNGC with respect to strengthening capacity building of the members of the police through a child protection module across the spectrum.</p> <ul style="list-style-type: none"> <li>a. UNICEF should support the Head of the Police Training Bureau to develop the child friendly police module;</li> <li>b. UNICEF should support the provision of training to police professionals about child protection and diversion.</li> </ul>	<p>It is important to ensure that an institutional structure is already in place to support the provision of training.</p>	<p>Child Protection Section: Project Manager</p>

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### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Relevant findings linked to the corresponding recommendation(s)	Recommendations	Suggested steps from the Co-Creation of Recommendations Workshop	Relevant party within UNICEF responsible for recommendations
	This recommendation can be included in the current year 2023.		
Finding 6: outlines six bottlenecks, and additional factors and barriers related to sustainability are also identified in Finding 9.	7. Undertake a more specific bottleneck analysis in the province where the project reset will be implemented. The ensuing information will support the design, implementation, and budgets. This recommendation can be included in the current year 2023.		Child Protection Section: Project Manager
	8. Conduct a study with JJS with the aim of producing an advocacy tool to support efforts to amend the Village Courts Law. This recommendation can be included in the current year 2023.		Child Protection Section: Project Manager
Finding 4 highlights how limited administrative data did not enable the use of the Results Framework tool.	9. Include in the J4C project Results Framework, baseline indicators that are qualitative in nature. If using quantitative baseline figures, establish realistic targets, such as an honest number of: (1) children in need who are likely to see justice in the identified two provinces; (2) children with disabilities; and (3) professionals who will be trained and who can then effectively implement diversion services. The Manual for the measurement of juvenile justice can be a guide. This recommendation can be included in the current year 2023.		Child Protection Section: Project Manager
Finding 7: This was a case study of CICL who received diversion service.	10. Develop diversion options for CICLs at the community level. One promising practice presented was that it was more efficient to train Village Court officials to serve as VJJOs, rather than volunteers, since Village Court officials receive compensation for their work		Child Protection Section: Project Manager

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Relevant findings linked to the corresponding recommendation(s)	Recommendations	Suggested steps from the Co-Creation of Recommendations Workshop	Relevant party within UNICEF responsible for recommendations
	<p>already. UNICEF could reinforce the Village Court Strategy by supporting this input.</p>		
<p><i>Child friendly and family courts were original project components of J4C.</i> Finding 1; and Finding 9.</p>	<p>11. UNICEF should consider supporting a Child and/or Family Courts dedicated to cases involving children. It is recommended that this be considered a priority in selected areas of the country. These courts would be specialised that operate in a child-friendly and gender responsive manner in compliance with international standards.”</p>		<p>Child Protection Section: Project Manager</p>

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IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## 10. ANNEXES

### Annex 1: Evaluation Terms of Reference

#### UNICEF PAPUA NEW GUINEA (PNG)

#### REQUEST FOR A CONTRACT FOR SERVICES (INSTITUTIONS/INDIVIDUAL)

SHORT TITLE OF ASSIGNMENT			
Evaluation of the UNICEF 'Improving Access to Justice for Children and Women' Project			
DUTY STATION	Port Moresby, Papua New Guinea		
SUPERVISOR	Evaluation Specialist / Child Protection Specialist		
OTHER CONTACTS IN OFFICE	Chief of Child Protection Child Protection Officer (Justice for Children) Monitoring and Evaluation Specialist Front Office/Operations		
PROPOSED DURATION	Days/Weeks/Months: 8 months/34 weeks	PREQ NUMBER	
CONTRACT PERIOD	8 months/34 weeks	LTA REFERENCE	
NATIONAL / INTERNATIONAL	Open to all	NOTES / COMMENTS	
SOLICITATION	RFP		
ESTIMATED COST OF SERVICES	USD 80,000		
WBS	6490/A0/05/004/001/021		
GRANT	Grant number SC180643, expiry June 2023		

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<p>DAYS OF REMOTE WORK/ DAYS IN PORT MORESBY</p>	<p>This evaluation should be conducted both in-country in Papua New Guinea and remotely. The main data collection mission must be conducted in-country as well as the validation of preliminary findings and recommendations. Other deliverables including write-up of the draft report and analysis of the data collection can be conducted remotely. It is envisaged that the successful contractor for this evaluation will need to spend a minimum of cumulatively 3 months in-country for the above purpose, in addition to ensuring that the evaluation team composes of both international and national consultants.</p> <p>It is expected that this evaluation will take eight (8) months/34 weeks to complete from start to finish.</p>	
<p>LOCATIONS TO BE VISITED</p>	<p>The evaluation should cover a Minimum of five (5) provinces/autonomous regions targeted by the programme (East New Britain, Western Highlands, Morobé, Autonomous Region of Bougainville and National Capital District) as well as the national level as the geographical coverage. It should be noted that because the project supports Government entities who discharge their functions provincially, for instance the Department of Justice and Attorney General's Juvenile Justice Service and Village Courts and Land Mediation Secretariat, the project should address all interventions and</p>	



# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	<p>results achieved no matter where in the country.</p> <p>Particular attention is to be paid to obtaining children’s lived experiences in coming into contact with the law as well as their views, solutions, and perceptions of legal empowerment or otherwise in these areas.</p>		
Need for procurement of institutional services/Individual Consultant services is reflected in the AWP/ Supply plan or is in response to a specific request		YES	
The tasks cannot be completed by UNICEF staff or counterparts		YES	
TOR is clearly defined with tangible, measurable deliverables or an end- product and with payments (contract fee) clearly linked to these		YES	
TOR includes a description of the specific activities and timeframes for completion of the		YES	
The TOR includes performance indicators for evaluation of results (e.g. timeliness or quantitative measures)		YES	
<b>SIGNED FOR AGREEMENT</b>			
Prepared By ... Child Protection Specialist Date	Reviewed/Endorsed by ... Chief of Child Protection Date	Recommended by Chief of Operations Date	Approved by Representative Date

### UNICEF PAPUA NEW GUINEA (PNG)

#### TERMS OF REFERENCE FOR SERVICES (INSTITUTIONS/INDIVIDUAL)

##### SHORT TITLE OF ASSIGNMENT

Evaluation of the UNICEF 'Improving Access to Justice for Children and Women' Project

## 1. BACKGROUND

### Context

The Convention on the Rights of the Child (CRC) – which was ratified by the Government of Papua New Guinea (PNG) on 02 March 1993 – was once described by Nelson Mandela as 'that luminous living document that enshrines the rights of every child without exception to a life of dignity and self-fulfillment'.<sup>254</sup> When coupled with the country's ratification of other core human rights treaties,<sup>1</sup> all children within the jurisdiction of PNG are guaranteed the right to protection from all forms of violence, as well as other related child rights and fundamental principles including nondiscrimination, the right to participation, the right to survival and development, and the right to have their best interests taken into account as the primary consideration in all actions concerning them. Closely linked to children's right to protection, the CRC and its accompanying international standards, convey a vision of how the justice system in PNG should interact with children – one which asserts children's rights to full respect for their dignity and integrity, and at the same time, is aimed at ensuring the quality of children's interactions with the judicial system, including due respect for child rights and due process guarantees, the best interests of the child principle, and access to child focused justice. The term 'child focused or child-friendly justice' has been defined as referring to 'justice systems which guarantee the respect and the effective implementation of all children's rights at the highest attainable level'.<sup>2</sup>

In PNG, children face elevated levels of violence with devastating consequences for their health, wellbeing, and development. Although the country lacks systematic data, the rates of violence against women and children are estimated as among the highest in the world. For instance, according to the recent *Demographic and Health Survey 2016-2018*, 56 percent of women aged 15-19 years have experienced physical violence since age 15, and 28 percent in the same age group have experienced sexual violence. There is a growing awareness of the links between childhood experiences of violence and violent and other criminal behaviors displayed by children. In PNG, a 2015 UNICEF study estimates that children who come into contact with the law – as victims, witnesses or offenders – rarely enjoy the benefits of child focused justice, including diversion and alternatives to detention. Moreover, little is known regarding the extent to which children with mental and/or physical disabilities have equitable access to justice in PNG. In addition, humanitarian disasters have the potential to disrupt development gains and render women and children further at risk of violence due to scarce resources. Moreover, the COVID-19 pandemic has represented a threat to not only the physical health of children in PNG, but also to their protection. According to the UN Secretary-General's Policy Brief, *The Impact of Covid-19 on Children* (April 2020), the risks posed to children's protection and wellbeing by COVID-19 response measures worldwide are considerable.

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<sup>254</sup> | Including, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Rights of Persons with Disabilities.

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## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

In recognition of the devastating impact of violence against children, for the first time, the Sustainable Development Goals (SDGs) 5, 8, and 16 set out specific goals and targets to prevent and respond to all forms of violence against children. The Government of PNG has made progress in establishing and implementing legal and policy frameworks, which addresses the right to protection and the interaction of children with the justice system, including the Lukautim Pikinini Act 2015 (LPA 2015) and its Child Protection Policy (2017-2027) as well as the Juvenile Justice Act 2014 (JJA 2014) and its Juvenile Justice National Plan (2018-2022), some challenges remain.

### **The UNICEF 'Improving Access to Justice for Children and Women Project'**

Against this background, within the framework of the 2018-2022 (extended June 2023) Government of PNG-UNICEF Country Programme of Cooperation and the United Nations Development Assistance Framework (UNDAF), the Australia Department of Foreign Affairs and Trade (DFAT) is generously supporting the 'Improving Access to Justice for Children and Women' project. Under two outputs covering the enabling environment and service provision for children, this project aims to support the Government of PNG to implement pivotal legal and policy frameworks on child protection and child justice – the JJA 2014 and the LPA 2015 – thereby not only strengthening the child protection system as a whole but also legally empowering children coming into contact with the law and ensuring that no child is left behind. UNICEF's Justice for Children project is aligned to the Government of PNG's national and emerging priorities.

Since the start of this Project in 2018, UNICEF has supported the achievement of results for children coming into contact with the law, both in terms of strengthening the legal and policy framework for child protection and child justice as well as ensuring that children benefit from an increase in diversion at both the police and court levels. It should be noted that this evaluation will focus on the duration of the current Country Programme of Cooperation (2018-June 2023), signed between the Government of PNG and UNICEF PNG, as linked to the United Nations Assistance Development Framework (2018-June 2023), despite that DFAT's financial assistance in the area of Justice for Children extends back to 2015 under the UN-DFAT multi-fund donor trust agreement and UNICEF's project code SC180643.

The DFAT-approved Results Framework, is annexed to this Terms of Reference. This Project has been implemented in partnership with the main Law and Justice Sector Government Departments, including the Department of Attorney-General and Justice (DJAG), the Royal PNG Constabulary, and the Magisterial Services. The Project is being implemented both nationally and within UNICEF focus provinces.

## **2. PURPOSE AND OBJECTIVE**

### **Objective**

It is proposed that an independent evaluation is undertaken to assess the effectiveness, equity, sustainability, gender equality and human rights-based approach of this project. This evaluation will be undertaken under the auspices of the new UNICEF Strategic Plan 2022-2025,<sup>3</sup> and its focus on accelerating action under the child-focused SDGs as well as UNICEF's unreserved commitment to promoting the rights of all children, everywhere, as stated in the Convention on the Rights of the Child.

This evaluation will provide evidence on progress of the seven (7) elements of UNICEF's focus in child protection systems strengthening, namely: (i) legal, regulatory and policy, (ii) governance, (iii) services, (iv) standards and oversight, (v) resources, (vi) participation and (vii) data,<sup>4</sup> as well as the results achieved for children coming into contact with the law, with a view to future programme design and strategic focus.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Importantly, the evaluation will obtain and reflect the views of children on their access to justice and legal empowering in PNG. Children's lived experiences, capacities, opinions and solutions will ensure the evaluation's analysis and recommendations fully take into account the principle of child participation. A key criterion of the evaluation will be a focus on the extent to which children are legally empowered or otherwise in their interactions with all parts of the justice system in PNG. Children's views will be obtained in a child-safeguarded way, compliant with all applicable protocols and guidelines on research with children.<sup>5</sup>

Rigorous evidence is required to inform the design of a new project linked to the design of the new Country Programme of Cooperation in PNG, which is aimed at strengthening children's access to, and experiences of, child-focused justice that is compliant with international standards. This evaluation provides this evidence and aims to demonstrate whether, how, and to what extent, UNICEF's 'Improving Access to Justice for Children and Women' project has had an impact on children and their experiences of the justice system in PNG.

The primary users of the evaluation are UNICEF PNG, and in particular, the Child Protection Section, as well as UNICEF's main donor in justice for children, the Australian Department of Foreign Affairs and Trade (DFAT). The secondary users of the evaluation are UNICEF's partners such as the Government of PNG and the United Nations Country Team (UNCT).

The purpose of this evaluation is to assess the extent to which the Improving Access to Justice for Children and Women project in PNG during the period 2018-2022 contributed to children obtaining a just, equitable and timely outcome when interacting with the justice system. In PNG, children interact with the justice system for many reasons – as victims or survivors, as witnesses, when accused of an offence, as an interested party, or because an intervention is needed for their care, protection, health or well-being. Children's access to justice covers all judicial and administrative proceedings affecting children, including customary and justice mechanisms, alternative dispute resolution. Access to justice requires the legal empowerment of every child and must consider their age, maturity and evolving capacity.

This evaluation is expected to provide sound and credible data and information on the results of the programme to date and to provide recommendations for improvement, which will inform and support future project design. A key component of the evaluation will be to ensure the full and safeguarded participation of children and youth. In this way, future programme design will be fully informed by, and accountable to, the affected population of children.

### **Purpose of the Evaluation**

The main purposes of the evaluation are:

1. Assess the contribution the Justice for Children project has made towards strengthening
2. the seven elements under UNICEF's child protection systems strengthening approach as related to child justice, namely (i) legal, regulatory and policy, (ii) governance, (iii) services, (iv) standards and oversight, (v) resources, (vi) participation and (vii) data, to ensure alignment to both national priorities as well as international human rights and safeguards;
3. Assess the Justice for Children project contribution to the multisectoral justice and child protection services in PNG in line with international standards, including documented experiences of children survivors, witnesses, or alleged perpetrators of crimes;
4. Assess the effectiveness, equity, human rights, gender equality, and sustainability of the Justice for Children project;

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

5. Identify emerging good practices, lessons learned and emerging priorities for future project design; and provide recommendations for strengthening the Justice for Children project in view of its operation from gender, disability, equity and inclusion lens. The evaluation questions for this evaluation will be developed jointly between UNICEF PNG and DFAT Australia, based on a draft proposal of questions by the technical research firm who successfully bids to undertake this evaluation.

### 3. SCOPE OF WORK<sup>255</sup>

By applying the OECD/DAC evaluation criteria of effectiveness and sustainability as well as equity, human rights and gender equality considerations, this evaluation will ascertain whether the Justice for Children project's interventions, activities, results have contributed to improving access to justice for children in PNG, as well as to collect evidence on children's lived experiences of the judicial system. It is expected that the evaluation will cover the project's duration linked to the current Country Programme of Cooperation and UNDAF, beginning in 2018 until the present time. Thematically, all seven elements of UNICEF's child protection systems strengthening approach targeted by the project interventions - (i) legal, regulatory and policy, (ii) governance, (iii) services, (iv) standards and oversight, (v) resources, (vi) participation and (vii) data - are within the scope of the evaluation.

The evaluation should cover a minimum of five (5) provinces/autonomous regions targeted by the programme (East New Britain, Western Highlands, Morobe, Autonomous Region of Bougainville and National Capital District) as well as the national level as the geographical coverage. It should be noted that because the project supports Government entities who discharge their functions provincially, for instance the Department of Justice and Attorney General's Juvenile Justice Service and Village Courts and Land Mediation Secretariat, the project should address all interventions and results achieved no matter where in the country. Particular attention is to be paid to obtaining children's lived experiences in coming into contact with the law as well as their views, solutions, and perceptions of legal empowerment or otherwise in these areas.

UNICEF is committed to ensuring that all research and data collection processes undertaken by UNICEF and its Partners, including in support of Government priorities, are ethical. In order to fulfil this requirement, policies and procedures have been created internationally and by UNICEF to embed ethical principles and practices in all our evidence generation programmes, including [UNICEF Procedure for Ethical Standards in Research, Evaluation and Data Collection and Analysis](#), [UNEG Ethical Guidelines for Evaluation](#), [UNICEF Technical Note on Children Participating in Research, Monitoring and Evaluation](#), and the [Ethical Research Involving Children](#) principles. UNICEF recognises the critical importance of children's voice in evidence generation and has specific policies to ensure child safeguarding and ethical evidence generation involving children.<sup>6</sup>

### 4. Proposed Evaluation Methodology

Based on the objectives of the evaluation, this section indicates a possible approach, methods, and phases for the evaluation. Methodological rigour will be given significant consideration in the assessment of proposals. Hence bidders are invited to interrogate the approach and methodology preferred in the Terms of Reference and improve

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<sup>255</sup> UNICEF Strategic Plan 2022-2025, available online at <https://www.unicef.org/reports/unicef-strategic-plan-2022-2025>.

<sup>4</sup> UNICEF Child Protection Strategy 2021-2030, available online at <https://www.unicef.org/documents/child-protection-strategy>.

<sup>5</sup> Ethical Research Involving Children (ERIC, 2013), UNICEF's Procedure on Ethical Standards in Research, Evaluation, data collection and analysis (2015), and UNEG's Ethical Guidelines for Evaluation (2020).

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### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

on it or propose an approach they deem more appropriate. Bidders are encouraged to also demonstrate methodological expertise in evaluating child protection, as well as addressing the specific differences in various types of interventions. It will also be important for bidders to identify appropriate ways to engage children and adolescents in the evaluation.

The evaluation should use methodological triangulation that involves multiple data sources, methods, and quantitative and qualitative analytical approaches. The evaluation questions must be used to develop the approach and methodology, which will in turn determine the data collection strategies, instruments, sampling strategy, and the analysis plan. The methodology must include a significant component of child participation/engagement of children in contact with the law in PNG to capture their views and lived experiences. Amongst other methodologies, this can also be done in the form of case studies of children's experiences in the justice system of PNG, that respect children's confidentiality and safeguard children.

This will be a participatory, utilization focused, formative evaluation, and hence much of the evaluation effort will focus on tracing the learning accrued and shape it to inform the new Country Programme of Cooperation and UNDAF. In order to better incorporate a participatory approach involving all stakeholders, including girls and boys, a stakeholder mapping exercise will be conducted as part of the inception phase. In addition, the evaluation will rely on a mix of quantitative data collection and qualitative approaches (mixed methods), such as Desk Review, Focus Group Discussions (FGD), Key Informant Interviews (KII), Case Studies (in-depth interviews), Comparison Studies, Quantitative Surveys, Collation of Existing Statistical Data, and File Review. KIIs, FGDs and case studies are expected to be accurately recorded to allow quotes from participants to be used in the evaluation report together with high-quality photos to illustrate the findings.

Methods for consulting effectively with children and young people will need to be developed in consultation with UNICEF and in compliance with the Ethical Research Involving Children (ERIC) principles, and ensuring the safety and security of families and their kids is not<sup>6</sup> UNICEF, Ethical Research for Children, available online at <https://www.unicef-irc.org/research/ethical-research-for-children/>.<sup>256</sup>

compromised by any actions on the part of the evaluators. Methods will also need to be human rights based, equity focused and gender sensitive. All data generated will be disaggregated, including sex, age, and disability whenever this data is available.

In order to ensure quality of the evaluation products, the evaluation team is required to adhere to the UNEG revised Norms and Standards<sup>7</sup>, as well as UNICEF's revised Evaluation Policy, and UNICEF's Evaluation Reporting Standards.

#### Evaluation Management and Conduct

The evaluation will be conducted by an external evaluation team/institutional research firm to be recruited by UNICEF PNG. This successful research firm will be expected to engage local and qualified researchers within PNG to ensure the research timeline will be fully adapted to COVID-19 and other risks.

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<sup>256</sup> <sup>7</sup> <http://www.unevaluation.org/document/detail/1914>

<sup>8</sup> <https://www.unicef.org/evaluation/>

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

The evaluation team will operate under the supervision of the Evaluation Manager in the PNG country office (the Evaluation Specialist based in the UNICEF Pacific Office and the M&E Specialist in UNICEF PNG Office) and in close collaboration with the Chief of Child Protection, and the Child Protection Specialist.

An evaluation Steering Committee, composed of the Chief of Child Protection, the Child Protection Specialist and a representative of key stakeholders at national level (i.e. DJAG) and a representative of DFAT Australia as well as UNICEF EAPRO Regional Advisors (Child Protection, Evaluation) and others, will be set up and will serve in an advisory capacity for the evaluation. Specifically, the Steering Committee will:

contribute to the preparation and design of the evaluation, including providing feed-back and comments on the inception report and on the technical quality of the work of the consultants;

- review and inputs on the evaluation tools;
- provide comments and substantive feedback to ensure the quality – from a technical point of view – of the draft and final evaluation reports; assist in identifying internal and external stakeholders to be consulted during the evaluation process;
- participate in review meetings organised by the evaluation manager and with the evaluation team as required; and
- play a key role in learning and knowledge sharing from the evaluation results, contributing to disseminating the findings of the evaluation and follow-up on the implementation of the management response.

### UNICEF Responsibilities

- Arrangement for In-Country Travel within PNG will be done by UNICEF PNG when travel is expected as part of the assignment. This includes air, land transportation and security in the field. Accommodation in country is the responsibility of the Contractor engaged.
- Provide office room space and furniture for temporary meetings. However, access to printer and other equipment's including internet in the office will not be provided but managed through UNICEF PNG Office.
- The Contractor/Consultant will be supervised by the UNICEF Evaluation Specialist based in the Pacific Office in Suva. The Contractor will work closely with the Chief of Child Protection, the C4D specialist and the Child Protection Officer in charge for the prevention output.
- UNICEF PNG Child Protection section will manage the Contractor and any changes will require their prior approval.

### Contractor Responsibilities

- Whenever possible, bidder(s) are requested to provide an all-inclusive cost in the financial proposal. This should include Daily Subsistence Allowances (DSA), professional fees for services, International travel to and from Port Moresby. Visa fee and other international travel administration cost must be included into the financial proposal. Payments will be done upon submission of evidence expenses made.
- Costs for accommodation, meals and incidentals shall not exceed applicable daily subsistence allowance (DSA) rates, as promulgated by the International Civil Service Commission (ICSC).

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- Contractor/Consultant will be required to sign the Health statement for Contractor/Consultant prior to taking up the assignment, and to document that they have appropriate health insurance, including Medical Evacuation.
- It is the responsibility of the Contractor/Consultant to provide invoices upon satisfactory completion of deliverables.

### Quality Assurance

Throughout the evaluation process, the Evaluation Team will be responsible for ensuring the quality of the data collected as well as ensuring that all data collection activities are in compliance with ethical and safety standards. The Evaluation Team will be responsible for all logistical arrangements, including travel, accommodation, equipment to be used throughout the evaluation (subject to discussion, where travel permissions and authorizations will need to be secured by UNICEF). The Team Leader will be responsible for the operational management and smooth and efficient conduct of work by all members of the team. They will have primary responsibility for ensuring quality and timeliness of all deliverables.

The UNICEF Evaluation Manager will provide quality assurance, checking that the evaluation findings and conclusions are relevant, and recommendations are implementable. UNICEF EAPRO Advisors (Regional Child Protection Adviser and Regional Evaluation Adviser) will provide additional quality assurance. UNICEF PNG Country Representative will approve the final report.

### Ethical Considerations

The evaluation covers information that is sensitive and confidential, and the evaluation team may also have direct contact with children as informants. The Ethical Guidelines for Evaluation in the UN System will be provided to the Evaluation Team. Full compliance with all its provisions will be required. In addition, the evaluation team may have access to data on specific child protection cases in which case the confidentiality of the individuals concerned, and the case details must be respected and maintained. Within the briefings and reports, individuals involved in child protection cases should not be identifiable directly or indirectly. Care should be taken when reporting statements or interviews. When in doubt, it is recommended to feedback to the informant and ask them to confirm their statements.

All informants will be offered the option of confidentiality, for all methods used. Dissemination or exposure of results and of any interim products must follow the rules agreed upon in the contract. In general, unauthorised disclosure is prohibited. Any sensitive issues or concerns should be raised, as soon as they are identified, with the Evaluation Manager.

### 5. TASKS/ KEY MILESTONES - EXPECTED OUTPUT (DELIVERABLES)

This evaluation will have distinct phases and the deliverables associated with each phase are outlined as follows:

**Phase 1: Desk review and drafting of inception report with evaluation strategy and design: prior to the main data collection phase, the contractor will:**

1. Conduct a desk review of the available documentation relevant to the evaluation;
2. assess the availability of evaluative evidence; conduct a stakeholder mapping exercise; finalise and validate the evaluation questions; draft an inception report (maximum 20 pages and 8,000 words, excluding Annexes). the



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Inception Report should conform to the [UNEG checklist for Evaluation Inception Reports](#) (2010). The inception report will:

3. Specify the methodological tools that will be used for data collection on the evaluation questions.
4. Detail the framework for synthesizing and analyzing data collected.
5. Confirm the selection for field visits, key informant interviews, case studies, focus group discussions, and other data collection methods.
6. Present a detailed workplan, specifying the key milestones, time schedule, deliverables, sequencing of evaluation activities, and roles and responsibilities.
7. Identify key risks to implementation of the evaluation, including COVID-19 and PNG's National Elections, and explain how these will be mitigated.
8. Address and overview the specific details of how children and women will be engaged in the process of the evaluation in a safeguarded and participatory manner to ensure their views are reflected in the final results and recommendations.
9. The Inception Report will be submitted to the Evaluation Steering Committee for feedback. Approval of the Steering Committee will be required before data collection. The inception report will also include tools for engaging children in the evaluation, which will undergo appropriate ethical review, according to UNICEF Procedure for Ethical Standards and Research, Evaluation and Data Collection and Analysis (2015). Clearance from an approved ethics review board will be required before commencing any data collection.

### **Phase 2 – Data collection and analysis:**

- Main data collection mission: In-country consultations with UNICEF PNG staff, DFAT

Australia, Government Partners, UN-sister agencies and other development partners including JSS4D, and other key stakeholders. This will involve a mix of face-to-face consultations, key informant interviews, focus group discussions, online/telephone surveys, and field visits to target communities. Equity, gender, disability and social inclusion criteria should be considered when identifying informants in these activities. This staff should promote child participation, including age-appropriate opportunities for children to be involved in this process. The minimum number of children in contact with the law who participate in this evaluation process and outcomes must be 200 children.

Data analysis: The contractor will conduct a data analysis based on all information collected and prepare a draft evaluation report.

Facilitated, participatory workshops (in-country or remote) will be conducted by the Evaluation Team with UNICEF staff, DFAT staff and potentially key partners to validate preliminary findings, conclusions and discuss uptake of recommendations. This is subject to further discussion with UNICEF and can be detailed in the inception phase.

### **Phase 3 – Finalization and dissemination of the evaluation report:**

Review of the draft report: the draft evaluation report will be submitted to the evaluation management group and to the UNICEF country office and regional office for quality assurance, feedback.

The consultant will finalise the evaluation report in line with the UNICEF-adapted UNEG Evaluation Report Standards and the UNICEF Style Book taking on comments/questions raised regarding the draft report. A draft and final

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evaluation report will not exceed 40 pages, or 16,000 words including the executive summary and excluding annexes.

Dissemination of the evaluation findings and recommendations: the consultant will develop a 2-page brief and Power Point Presentation summarising the findings of the evaluation for GoPNG Officials, DFAT, and Development Partners, both of which must be concise and visually engaging.

The deliverables outlined above can be summarised in the following table:

Deliverables
1. Inception Report and evaluation tools
2. PowerPoint presentation at validation workshop of data collection results
3. First draft report and comments matrix addressing comments from reference group
4. Final report and comments matrix with all issues cleared by reference group; 2 page brief; PowerPoint

### Proposed Evaluation Timeline

ACTIVITIES	DELIVERABLES	TIME ESTIMATE (from start of contract) 8 months/34 weeks in total	PAYMENT SCHEDULE
<b>INCEPTION</b>			
1. Desk review of relevant program documents, reports, and secondary data; Stakeholder	Summary of desk review findings; List of sources;	Week 3	25% (1 <sup>st</sup> tranche)
2. Prepare inception report (incl. desk review, methodology, work-plan, data collection tools), in accordance with UNEG quality guidelines;	Draft inception report	Week 5	
3. Review and comments on draft inception report by SC	Inception Report Comments Matrix	Week 6	
4. Finalise inception report;	Final inception report <sup>9</sup>	Week 8	
5. Secure ethics approval for the evaluation;	Ethical approval letter from an accredited ethics review board;	Week 9	
<b>DATA COLLECTION AND VALIDATION</b>			
7. Data collection, field work;		Week 10-20	25% (2 <sup>nd</sup> tranche)

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8. Workshop to validate data collection results;	PowerPoint presentation, meeting minutes	Week 21	
<b>REPORTING AND DISSEMINATION OF RESULTS</b>			
9. Processing and analysis of the collected data, and drafting of the interim report;	1 <sup>st</sup> draft report;	Week 22-24	
10. Review and comments on draft report by SC;	Evaluation Comments matrix	Week 25-26	25% (3 <sup>rd</sup> tranche)
11. Prepare and submit second draft of evaluation report addressing issues in comments matrix;	2 <sup>nd</sup> draft report;	Weeks 26-28	
12. Review and comments by SC;	2 <sup>nd</sup> Evaluation Comments matrix	Week 30	25% (4 <sup>th</sup> tranche)
13. Submit and present final report;	Final report <sup>10</sup>	Week 34	

### Reporting Requirements

The supervisor of this contract (contract manager) is the Child Protection Specialist (Justice for Children) in UNICEF PNG and the Evaluation Specialist and the successful contractor will report directly to the Child Protection Specialist/Evaluation Specialist. Overall supervision will be given by the Chief of Child Protection of UNICEF PNG, with further guidance as necessary from the Front Office and Operations Section.

The evaluation team will operate under the supervision of the Evaluation Manager in the PNG country office (the Evaluation Specialist based in the UNICEF Pacific Office and the M&E Specialist in UNICEF PNG Office) and in close collaboration with the Chief of Child Protection, and the Child Protection Specialist.

<sup>9</sup> Max 20 page/8,000 words, excluding annex;

<sup>10</sup> Maximum 40 pages/16,000 words, excluding annexes and executive summary (maximum 5 pages)

In addition, an evaluation Steering Committee, composed of the Chief of Child Protection, the Child Protection Specialist, a representative of key stakeholders at national level (i.e. DJAG), a representative of DFAT Australia as well as UNICEF EAPRO Regional Advisors (Child Protection/Justice for Children, Evaluation) and others will be established. .

### 6. QUALIFICATIONS, SPECIALISED EXPERIENCE AND ADDITIONAL COMPETENCIES REQUIRED

The ideal institution must have a good track record and extensive experience in planning and conducting evaluations, particularly in the field of child protection, justice for children and related field. The composition of the proposed team must be gender balanced to ensure accessibility of both male and female informants during the data collection process. It is expected that it should include at minimum one international consultant and one national consultant, however the bidders should use their own expertise in proposing a suitable evaluation team. The

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national consultants should play an active role in the evaluation and their capacity as evaluators should be strengthened as part of the evaluation process.

The international consultant(s) should meet the following specific requirements:

- Excellent value for money, including competitive consultancy rates, a detailed work-plan and budget, a clear methodology to ensure products will be delivered in line with the agreed costs, a mitigation strategy for financial risk
- Extensive evaluation experience (at least 10 years) with an excellent understanding of evaluation principles and methodologies, including capacity in an array of qualitative and quantitative evaluation methods, notably process evaluation, evidence of research or implementation expertise in child protection programmes, an awareness of human rights (incl. child rights), gender equality and equity in evaluation and UNEG norms and standards
- Specific evaluation experience in the child protection area (preferably on issues related to justice for children) is strongly desired
- strong mixed-method evaluation background
- Experience of working in a Pacific context is desirable, together with understanding of Papua New Guinean context and cultural dynamics.
- Expertise in communications, dissemination and advocacy around evaluation findings, including a good understanding of the use of evidence-based approaches to influence stakeholders.
- Adaptability and flexibility, client orientation, proven ethical practice, initiative, concern for accuracy and quality.
- Excellent English communication and report writing skills.

The national consultant(s) should meet the following specific requirements:

- PNG national with strong, working level English.
- Demonstrated experience in quantitative and qualitative research skills.
- Strong statistical and analytical skills.
- Firm understanding of child rights, human rights-based approaches to programming, including gender and equity considerations.
- Fluency in one or more local languages.

Knowledge of UNICEF's mandate, procedures and working methodologies, and an in-depth understanding of the organisation approach to child protection would be an asset for all members of the evaluation team. Back-office support assisting the team with logistics and other administrative matters is also expected.

### 7. PAYMENT SCHEDULE

- No contract may commence unless the contract is signed by both UNICEF and the consultant or Contractor.
- For international consultants outside the duty station, signed contracts must be sent by fax or email.

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- The successful bidder is responsible for submitting their own travel budget including international and domestic flights and associated costs as part of their financial proposal.

### Evaluation Deliverables

Deliverable	Payment
1. Inception Report and evaluation tools	25%
2. Powerpoint presentation at validation workshop of data collection results	25%
3. First draft report and comments matrix addressing comments from reference group	25%
4. Final report and comments matrix with all issues cleared by reference group; 2 page brief; PowerPoint presentation	25%

## 8. PROPOSAL SUBMISSION

The written **technical proposal** must be in PDF format and include the following elements as a minimum requirement:

Request for proposals for services form (provided above).

Presentation of the bidding institution or institutions if a consortium (maximum two institutions will be accepted as part of the consortium), including:

- Name of the institution;
- Date and country of registration/incorporation;
- Summary of corporate structure and business areas;
- Corporate directions and experience;
- Location of offices or agents relevant to this proposal;
- Number and type of employees;

In case of a consortium of institutions, the above listed elements shall be provided for each consortium members in addition to the signed consortium agreement;

In case of a consortium, one only must be identified as the organisation lead in dealing with UNICEF.

Narrative description of the bidding institution's experience and capacity in the following areas:

Evaluation of child protection interventions;

Previous assignments in developing countries in general, and related to child protection programmes, preferably in the Pacific region;

Previous and current assignments using UNEG norms and standards for evaluation.

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Relevant references of the proposer (past and on-going assignments) in the past five years. UNICEF may contact references persons for feedback on services provided by the proposers.

Samples or links to samples of previous relevant work listed as reference of the proposer (at least three), on which the proposed key personnel directly and actively contributed or authored.

Methodology. It should minimise repeating what is stated in the ToR. There is no minimum or maximum length. If in doubt, ensure sufficient detail.

Work-plan, which will include as a minimum requirement the following:

General work-plan based on the one proposed in the ToR, with comments and proposed adjustments, if any;

Detailed timetable by activity (it must be consistent with the general work-plan and the financial proposal).

#### Evaluation team:

Summary presentation of proposed experts;

Description of support staff (number and profile of research and administrative assistants etc.);

Level of effort of proposed experts by activity (it must be consistent with the financial proposal); and

Detailed CV of each expert proposed to carry out the evaluation.

The financial proposal must be fully separated from the technical proposal. The financial proposal will be submitted in hard copy. Costs will be formulated in USD\$ and free of all taxes. It will include the following elements as a minimum requirement:

Overall price proposal; and

Budget by phase and by cost category (incl. personnel costs, international flights, internal transportation, DSA, translation services, report editing, and overheads).

9. EVALUATION CRITERIA of TECHNICAL PROPOSAL FOR INSTITUTIONS AND INDIVIDUAL CONSULTANTS		
CATEGORY	MAX. POINTS	MIN. POINTS
MANDATORY REQUIREMENTS (PASS OR FAIL)	Pass/Fail	N/A
OVERALL RESPONSE		
- Understanding of, and responsiveness to, UNICEF PNG Office requirements (2)	(5)	(3)
- Understanding of scope, objectives and completeness of response (2)		

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METHODOLOGY		
- Quality of the proposed approach and methodology (15)		
- Quality of proposed implementation plan, i.e. how the bidder will undertake each task, and time-schedules (15)	(40)	(28)
-Risk assessment - recognition of the peripheral problems and methods to prevent and manage peripheral problems / quality controls (10)		

PROPOSED TEAM and ORGANISATIONAL CAPACITY For institutions/Contractor:	(25)	(18)
*Team leader: Relevant experience, qualifications, and position with firm (5)		
* Team members - Relevant experience, skills & competencies (5)		
* Organisation of the team and roles & responsibilities (5)		
* Professional expertise, knowledge and experience with similar projects, contracts, clients and consulting assignments (10)		
For individual consultants, the points will be assessment as follows:		
* Relevant experience, skills & competencies (10)		
* Professional expertise, knowledge and experience with similar projects, contracts, clients and consulting assignments (15)		
<b>TOTAL MARKS FOR TECHNICAL COMPONENT</b>	<b>70</b>	<b>(49)</b>
FINANCIAL PROPOSAL - PRICE		
30 marks are allocated to the lowest priced proposal. The financial scores of the other proposals will be in inverse proportion to the lowest price.	30	N/A
<b>TOTAL MARKS</b>	<b>100</b>	
Minimum technical required score: 49 points (Technical Proposals scoring less than 49 points will be considered non-responsive, therefore will be rejected)		
<b>EVALUATION CRITERIA of FINANCIAL PROPOSAL FOR INSTITUTIONS AND INDIVIDUAL CONSULTANTS</b>		
After bidders completion of the technical evaluation, financial proposals will be opened only for those whose proposals had been considered technically responsive. not be given further consideration. The financial evaluation will be of the proposals will be given a score following the following formula: (max score x lowest price proposal (\$)) = score for price proposal	(x)	The remaining proposals done as per formula:
<b>FINAL COMPUTING OF PROPOSAL SCORE</b>		

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Total proposal scores will be consolidated as follows:

Evaluation of proposals	Maximum points
Technical evaluation of proposals (same assessment for all categories)	70
Cost proposal	30
<b>Total</b>	<b>100</b>

Final

Would selection and contracts awards shall be made on the basis of the best overall scoring, which represent best value to UNICEF in terms of technical responsiveness, merit and price.

UNICEF's policy is to pay for the performance of contractual services rendered or to effect payment upon the achievement of specific milestones described in the contract. UNICEF's policy is not to grant advance payments except in unusual situations where the potential contractor, whether a private firm, NGO or a government or other entity, specifies in the bid that there are special circumstances warranting an advance payment. UNICEF will normally require a bank guarantee or other suitable security arrangement.

Any request for an advance payment is to be justified and documented, and must be submitted with the financial bid. The justification shall explain the need for the advance payment, itemise the amount requested and provide a time schedule for utilization of said amount. Information about your financial status must be submitted, such as audited financial statements at 31 December of the previous year and include this documentation with your financial bid. Further information may be requested by UNICEF at the time of finalizing contract negotiations with the awarded bidder.



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## Annex 2: List of Modifications to KEQs

Table 9: List of modifications to the 9 KEQs.

EVALUATION CRITERIA	MODIFIED KEY EVALUATION QUESTIONS (KEQs)
RELEVANCE/ COMPLIANCE	<p><b>KEQ #1</b> <sup>257</sup> examines compliance with articles and laws from the UN Convention on the Rights of the child (UNCRC), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the (Convention on the Rights of Persons with Disabilities) CRPD. The project evaluation would explore the questions related to compliance with specific international standards and principles only if there was a relevant case funded through the project. Otherwise, except for the CRC article 19, many of these questions may not be relevant.</p>
EFFECTIVENESS	<p><b>KEQ #2</b> assesses the project’s contribution to strengthening the PNG child protection system within the following elements: (i) legal, regulatory and policy; ii. governance, iii. services, iv. standards and oversight, v. resources, vi. participation; and (vii) data. However, given the rationale provided above, “(vii) data” has been omitted.</p>
EQUITY, HR, & GENDER EQUALITY	<p><b>KEQ #3</b> includes progress made on the two supplemental outputs, namely (1) Enabling Environment; and (2) Service Provision.</p>
SUSTAINABILITY & EMERGING GOOD PRACTICES	<p><b>KEQ #6</b> <sup>258</sup> requires an analysis of the extent to which interventions improved services for vulnerable girls and boys, and especially those children who are disabled (or who need more care). UNICEF and the StratMan Evaluation Team expanded the scope to include the emergency period of Covid-19; However, this part of the KEQ could not be adequately addressed due to limited data.</p>
	<p><b>KEQ #9</b> examines the roles of service providers linked to “iii. Regular monitoring of services” which is connected to KEQ #2 “(vii) data.” This section has also been omitted.</p>

<sup>257</sup> The original KEQ#1 was: “To what extent are the multisectoral justice and child protection services in PNG in line with international standards and principles?”

<sup>258</sup> The original KEQ#6 was: “To what extent did interventions through J4C have improve services for vulnerable girls and boys resulting in increased access to justice and supportive protection services (victims, witnesses, children in conflict with the law (CICL))?”

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### Annex 3: Evaluation Matrix & Project Rubric

#### COMPLIANCE

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
<b>RELEVANCE/ COMPLIANCE</b>	<b>KEQ #1:</b> To what extent are the multisectoral justice and child protection services supported by the J4C project in line with international standards and principles?	<b>Data Source:</b> Documents		Generally, the first document is a comprehensive mapping and analysis of laws, policies and institutional frameworks aimed at addressing violence against children (VAC), child protection and child justice in PNG. It highlights existing gaps and weaknesses.  The second document is an assessment of how the PNG child protection system is currently functioning, drawing from the perspectives of service providers, children, families. The central scope is to analyze the relevance, effectiveness, efficiency, and sustainability of the child protection system. It offers recommendations on how to strengthen the child protection system, including specific system-level components and processes and interactions at different levels. Other recommendations concentrate on resolving existing bottlenecks related to workforce capacity and related to intensifying demand for justice services.
<b>COMPLIANCE</b>				
	i. United Nations Convention on the Rights of the Child (UN CRC)	<b>Data Source:</b>  United Nations Convention on the Rights of the Child (UN CRC)	There are four cross-cutting principles of the UN CRC in relation to child and juvenile justice: (1) best interests <sup>259</sup> , (2) protection (article 34),	For the best interest of the child/juvenile:  <b>For project funded procedures involving children</b> , involving children, to what extent have judicial proceedings, whether involving professionals, officials, or civilians, clearly articulated? Where these proceedings in the best interest of the child?

<sup>259</sup> According to the Convention on the Rights of the Child, "the best interests principle applies to children in conflict (i.e., alleged, accused or recognised as having infringed) or in contact (as survivors or witnesses) with the law, as well as children affected by the situation of their parents in conflict with the law." Section IV, part (b) "courts of law".

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Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders	SUB-Questions to Ask
		(3) right to be heard (article 12), and (4) non-discrimination (article 19). See below.	
	i. Article 7 – Birth Registration	<b>Data Source :</b> Article 7 – Birth Registration	<b>For project funded activities,</b> to what extent are children being registered?
	ii. Convention on the Right of Persons with disabilities (CRPD)	<b>Data Source:</b> Convention on the Right of Persons with disabilities (CRPD)	<b>For project funded activities,</b> were there reasonable accommodations made for all children with disabilities (CWDs), including for children in conflict with the Law (CICLs) with a disability? For example, what was made available for the disabled? (i.e., signed languages, assistive devices, braille, handicap ramps, support for intellectually disabled)
	iii. Convention on the Elimination of All Forms of Discrimination Against Women-CEDAW	<b>Data Source:</b> Convention on the Elimination of All Forms of Discrimination Against Women-CEDAW.	<b>If relevant to project funded activities,</b> how are girl children in conflict with the Law (CICLs) treated? Sub-questions (see below) seek to understand if girls and women are treated with care.
	iv. other CRC articles specific to juvenile justice: art. 37 and 40	<b>Data Source:</b> CRC articles: specific to juvenile justice: article 37 and 40	<b>If relevant to project funded activities,</b> how do juvenile female prisoners access education and vocational training?
	v. other CRC articles: addressing VAC e.g., A: 19	<b>Data Source:</b> CRC articles: addressing VAC e.g., article 19	<b>For relevant project funded activities,</b> <sup>260</sup> the following two main questions would be explored: 1. To what extent do procedural criminal codes apply the “defense of provocation” differently to girls and female adolescents? <sup>261</sup>

<sup>260</sup> Refers to protecting the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

<sup>261</sup> This is when a defendant claims something provoked or incited them to kill or engage in an unlawful act.

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Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders	SUB-Questions to Ask
			2. To what extent is the psychological impact of child abuse in all its forms considered in the legal defense of girls and teens who are both survivors and alleged offenders?
	vi. other CRC articles: addressing VAC e.g., A: 19	<b>Data Source:</b> CRC articles: addressing VAC e.g., article 19	<b>If relevant to project funded activities</b> , to what extent is there appropriate legislative, administrative, social and educational measures available to protect the child from all forms of violence?
	vii. other CRC articles: sexual exploitation A: 34	<b>Data Source :</b> CRC articles : sexual exploitation article 34	<b>If relevant to project funded activities</b> , what are the interventions available to address girl CICLs who have survived physical, sexual and emotional abuse? Can these interventions for girl CICLs be considered holistic?
	viii. other CRC articles: right to be heard A: 12	<b>Data Source:</b> CRC articles: right to be heard article 12	<b>If relevant to project funded activities</b> , to what extent are the voices of children heard and respectfully considered?

## EFFECTIVENESS

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders	SUB-Questions to Ask
<b>EFFECTIVENESS</b>	<b>KEQ #2:</b> To what extent is the project contributing to strengthening the PNG child protection system in line with the UNICEF child protection systems approach?	<b>Data Sources-Documents:</b> Laws, policies; and regulations National case management curriculum implemented in the Pacific Institute for Leadership and Governance*	
<b>EFFECTIVENESS</b>	i. legal, regulatory, and policy	<b>Data Sources:</b> KIIs with Duty Bearers	<b>Stakeholders:</b> <b>Duty Bearers at National level in<sup>263</sup>:</b> NOCFS; <sup>264</sup>
			Process Evaluation approach applied. Describe your role. What do you do? In what way have the policy frameworks developed under this project supported PNG justice sector? (i.e., strengthened the

<sup>263</sup> The Duty bearers would be consulted at the national level as much as possible.

<sup>264</sup> Stands for National Office of Child and Family Services.

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Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
		<b>Documents:</b> Annual Reports of NOCFS & and Office of JJS <sup>262</sup>	DJAG; <sup>265</sup> RPNGC <sup>266</sup> PNG Civil and Identity Registry (PNGCIR)	operationalization LPA and the diversion of CICL). <b>This would cover any interventions which support policy reforms.</b>  <b>How has the training provided changed the quality of work in terms of supporting girls?</b> Challenges? Improvements?
	(a) <b>SUBSECTION:</b> Coordination within the legal, regulatory, and policy			NJJJ <sup>267</sup>
	ii. governance	<b>Data Sources:</b> KIIs with Duty Bearers  <b>Documents:</b> Provincial plans District plans [None]	<b>Stakeholders:</b> <b>Duty Bearers at Provincial levels in five sites<sup>268</sup>:</b> Child Protection Officers (CPOs); Magistrates. Juvenile Court Officers (JCOs); Juvenile Justice Officers. Juvenile Police Officers (JPOs); Health system; and Education system.	Describe your role. What do you do? In what way have the project interventions <sup>269</sup> that this person benefited from help <b>to manage the delivery of services?</b> [Probe: issues related to quality of service pertaining to: diversion of CICL; treatment of female juveniles; special considerations given to girls who face barriers to gaining access to justice, legal proceedings suitable to safeguard rights of children in general]  <b>How has the training provided changed the quality of work in terms of supporting girls?</b> Challenges? Improvements? What system (if any) is used for routine monitoring? Is this system helpful? What are the challenges?

<sup>262</sup> Stands for Juvenile Justice Services

<sup>265</sup> Stands for Department of Attorney General and Justice.

<sup>266</sup> Stands for Royal Papua New Guinean Constabulary.

<sup>267</sup> Stands for National Juvenile Justice Committees.

<sup>268</sup> They are (1) East New Britain, (2) Western Highlands, (3) Morobé, (4) Autonomous Region of Bougainville (ARoB), and (5) National Capital District (NCD).

<sup>269</sup> To recall, the project implementation strategies are (i) technical support, (ii) capacity building, (iii) services delivery, (iv) experiences sharing, and (v) partnerships.

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## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN


Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
<b>EFFECTIVENESS</b>	a) <b>SUBSECTION:</b> Horizontal Coordination within governance	<b>Data Sources:</b> KIIs with Duty Bearers	<b>PJJs<sup>270</sup></b>	<p>What could be improved?</p> <p>Where are the child protection structures at the provincial and district level?</p> <p>In what way have the coordination mechanisms established under this project influenced the delivery of specialised and efficient services to children? (i.e., strengthened the operationalisation LPA, the diversion of CICL. <b>This refers to any intervention which supported the governance of services, including those which require coordination with other sectors.</b> Understand the pathway.</p> <p>How did the project facilitate information sharing?</p> <p>To what extent did the cases coming their way come with resources (i.e., child protection, health services)?</p> <p>To what extent is child case management part of their agenda? [cross cutting issues] How are the needs of girl children and CWD being addressed at this level?</p>
	b) <b>SUBSECTION:</b> Vertical Coordination within the governance of the four major stakeholder groups.	<b>Courts</b>	<b>DJAG/Court Officer</b>	To what extent are you coordinating with the people at the local level? [Probe: the stakeholders involved]
		<b>Juvenile Justice</b>	<b>Judge/Juvenile Justice Officer</b>	
		<b>Police</b>	<b>Police Commissioner/Chief</b>	
	<b>Child Protection</b>	<b>Child Protection Officer</b>		
iii. services	<b>Data Sources:</b> KIIs with Duty Bearers <b>Documents</b> Handbook <sup>271</sup> Training resources	<b>Stakeholders:</b> <b>Duty Bearers/Service providers at Provincial &amp; District levels in five sites:</b> RPNGC (including the FSVU); Volunteer CPOs/ JPOs. Directors of CSOs;	<p>Describe your role. <b>Overarching question:</b> In what way have the project interventions helped to deliver services for girls and boys? [Probe: issues related to specialised, efficiency, and multisectoral services].</p> <p><b>SUB-QUESTIONS FOR SPECIALISED SERVICES</b></p> <ol style="list-style-type: none"> <li>How did the assistance that you received help you to:             <ul style="list-style-type: none"> <li>Work with child survivors?</li> </ul> </li> </ol>	

<sup>270</sup> Stands for Provincial Juvenile Justice Committees.

<sup>271</sup> Handbook on Case Management [the 'Handbook'] & Trainers Manual (2019) which were distributed to 22 Provinces in 2021.

# PROGRAMME EVALUATION



## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
		<b>No Local documents were available..</b>	Teachers & Health professionals. Village Court magistrates.	<ul style="list-style-type: none"> <li>Work with child witnesses? [Probe: addressing their specific needs for each]</li> </ul> [Overarching Analytical question to keep in mind] To what extent are administrative and legal proceedings adequate to safeguard their rights?
 <b>SPECIALISED SERVICES</b>				
Questions for specific partners (unless otherwise noted)				
<b>PARTNER: CHILD PROTECTION SERVICES</b>				
2. [CP] Describe the process of case management? [Probe: the reception of children; safety assessment process, use of pathway from Training manual, temporary “out of home care” (if relevant), documentation process (i.e., Form 16)], Use the Figure 1 below or the flow chart to guide the discussion.				
<b>PARTNER: CHILD FRIENDLY POLICING SERVICES</b>				
3. [RPNGC/JJS] Are there specific reception facilities within the RPNGC?				
4. [ALL <sup>272</sup> ] To what extent are there existing special procedures to protect the privacy and confidentiality of children in need of protection? [Probe: special rooms at the police station]				
5. [RPNGC] What happens to a child in RPNGC custody who cannot be with their adult caregivers?				
6. [ALL] If applicable, are there staff in the institutions specially trained and selected to deal with girls? [Probe: the subjects from training from the ‘Handbook’ and Trainers Manual (2019)]				
7. [RPNGC] Are CICL held separately from boys, and from adults, including female prisoners, when deprived of their liberty in any way?				
<b>PARTNER: FSVU</b>				
8. [FSVU] Who is the stakeholder attending to this issue? What are the special measures when receiving that individual? [Probe: in the case of sexual assault and rape]				
9. [FSVU] What happens to that individual after a report has been made?				
10. [FSVU] What are the mechanisms / questioning processes in place to prevent retraumatizing the child? [Probe: Use of dolls]				
11. [FSVU] Are there records of rapes or other gender-based violence against girls in RPNGC? [Probe: Did training cover this topic? Was this training expected to trickle down the local level?] If so, ask to see the records of investigations. If no, what are the disciplinary measures being taken against staff in such cases (if relevant)?				
<b>PARTNER: CHILD FRIENDLY JJS</b>				
12. [JPOs] What procedures are already in place and being followed?				
13. [JPOs] What are the diversion interventions? [Probe: who is designing these programmes? And what are the main activities (i.e., religious routines)]				
14. [ALL] Are special measures being taken to protect girls from all forms of violence whilst in the juvenile justice system?				
15. [JPOs] To what extent are there interventions in place to prevent maltreatment from Police/ Prosecuting lawyers? [Probe: Police conduct]				
16. [JPOs] Are there specific policies/services in place for offender’s protection? To what extent are these implemented?				

<sup>272</sup> All stakeholders will be asked this question for triangulation purposes.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders	SUB-Questions to Ask
	<p>17. [JPOs] Has there been specific training in that has taken place? [Probe: training in diversion issues that deal with holding the child accountable without having them go through the whole court process; they should not reoffend; Are the CWDs going through this diversion process differently?]</p> <p>18. [JPOs] Are there specific policies/services at the corrections center for juveniles going back into society? [Probe: Reintegration into society to react in a positive way to shame]</p>		
	<p><b>PARTNER: CHILD FRIENDLY COURT SERVICES</b></p> <p>19. [Legal Practitioners/ JPOs] What is the court environment like? (i.e., separate waiting rooms for victims/witnesses/accused, use of technology for testimonies, private hearings, presence of guardians and other support persons besides the lawyer, privacy (child is not named) and confidentiality of proceedings)</p> <p>20. [Legal Practitioners/ JPOs] How does the judge work with children? Are there procedures to allow the judge to control trial flow and procedures with best interest of child (i.e., more frequent breaks, shorter proceedings).</p> <p>21. [Legal Practitioners/ JPOs] To what extent is assistance provided to CICL, child victims, and/or child witnesses? Responsibilities of each stakeholder will be gathered.</p> <p>22. [Legal Practitioners/ JPOs] What is the typical workload? (i.e., how many cases handled)?</p> <p>23. [Legal Practitioners/ JPOs] For justice seekers, what are the costs of litigation? Who must pay for the services? What are options available? What are the drawbacks of this free service, if any? (i.e., timing, competence of lawyer, quality of service overall?)</p> <p>24. [Legal Practitioners/ JPOs] What are the national guidelines on bail? For example, are they followed? Would you know, in a case where the judge was left to decide, how often is bail granted? How often is bail rejected?</p> <p>25. [Legal Practitioners/ JPOs] What are the national guidelines on sentencing? The intent is to understand the likely hood of juvenile detention versus an alternative (i.e., community service, probation, or other diversion programmes) and what is the most common result.</p>		
	<p> <b>EFFICIENT SERVICES</b></p> <p>26. [ALL] How much time does it take to administratively process legal proceedings?</p> <p>27. [ALL] What are some of the barriers to delivering timely services?</p>		
	<p> <b>MULTISECTORAL SERVICES</b></p>		
<b>EFFECTIVENESS</b>	<p>28. [Health &amp; Education sectors] How are stakeholders from these sectors involved in the project?</p> <p>29. [Health &amp; Education sectors] When needed, are girls provided with psycho-socio-legal support regarding their education, health, sexual and reproductive rights?</p> <p>30. [FSVU &amp; Health] Are girls who have been survivors of violence provided with re-integration services, including mental health care services?</p>		



# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
<b>EFFECTIVENESS</b>	iv. standards and oversight	<p><b>Data Sources:</b></p> <p>KIIs with Duty Bearers</p> <p><b>Documents:</b></p> <p>Handbook on Case Management [the 'Handbook']&amp; Trainers Manual (2019) distributed to 22 Provinces in 2021</p>	<p><b>Stakeholders:</b></p> <p><b>Duty Bearers at National level in:</b></p> <p>NOCFS; DJAG; RPNGC</p>	<p><b>TECHNICAL ASSISTANCE FROM PROJECT</b></p> <ol style="list-style-type: none"> <li>1. What is the scope of the training topics in the 'Handbook'</li> <li>2. What are the capacity building interventions designed to support standards-setting? [Probe: Child Protection Case Management, Handbook and Standards in 2019, Child Protection Case Management Module for NOCFS, Minimum Standards for Child Friendly Court and Child Friendly Police]</li> <li>3. Are there any other handbooks created by other institutions [Probes; Police; Public Attorney's Office, Juvenile Justice]</li> <li>4. Inquire about translations of these technical issues</li> <li>5. Where are the minimum standards and checklists for establishment and operation Child-Friendly Courts and Child Friendly RPNGC stations? Is there a written policy available for child survivors?</li> <li>6. In what way has the training provided in support of developing these standards helped the operationalization of the LPA?</li> <li>7. Where are the child case management guidelines or standards for CICL? Understand the diversion pathway <i>if one exists</i>.</li> <li>8. To what extent are these standards institutionalised? How useful/helpful are these standards? How often are they consulted? Is there a common understanding (or unified application) of these standards? Challenges? Improvements?</li> </ol>
<b>EFFECTIVENESS</b>	v. resources	<p><b>Data Sources:</b></p> <p>KIIs with Duty Bearers</p>	<p><b>Duty Bearers:</b></p> <p>Person(s) responsible for the Provincial District government financial reports. DJAG [None].</p>	<p><b>For project funded activities,</b> describe what resources are available?</p> <p>For relevant stakeholders, describe what resources are made available for services.</p>

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
	vi. participation	<b>Data Sources:</b> KIIs with Duty Bearers & Rights holders <b>Documents:</b> Project Budgets [None]	<b>Duty Bearers:</b> NOCFS [to confirm data only], <sup>273</sup> DJAG [to confirm data only]. RPNGC [to confirm data only]. Police Officers. Volunteer CPOs./JPOs. Directors of CSOs. Village Court magistrates	To what extent are the voices of children heard and respectfully considered within the juvenile justice system? <b>If relevant</b> , is the CIJL provided with adequate information about the charges, possible consequences, and penalties in a language that he/she can fully comprehend (including the absence of legal jargon) and in a manner and context wherein he/she can be comfortable?
		<b>Rights holders:</b> Child survivors, Witnesses. Alleged offenders [with disability]. Family with CWD		What has been your experience with the justice sector overall/? Tell us the story of your experience. <ol style="list-style-type: none"> <li>How have you been treated by the family court?</li> <li>How have you been treated by the RPNGC?</li> <li>How have you been treated in detention?</li> </ol>
	<b>vii. data</b>			<b>- This has been omitted from the evaluation scope.</b>

<sup>273</sup> The StratMan Evaluation Team inquired about Provincial plans with national level stakeholders **just as a means of data confirmation only.**

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### Effectiveness - logical framework: outcome

Criteria	Key Evaluation questions	This refers specifically to the project's logical framework			Stakeholder, DATA SOURCES, & Questions to Ask
		RESULTS	INDICATORS	DOCUMENTS	
<b>EFFECTIVENESS</b>	<p><b>KEQ #3:</b> To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups. (OECD DAC high-level question). This refers to expected results, indicators, baseline, and targets:</p> <ul style="list-style-type: none"> <li>▪ <b>OUTCOME:</b> By 2022 girls &amp; boys have increased access to justice and supportive protection services.</li> <li>▪ <b>Output 1:</b> Improved coordination mechanisms, knowledge-base and leveraging of resources.</li> <li>▪ <b>Output 2:</b> Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors, witnesses and alleged offenders.</li> </ul>	<p><b>Outcome:</b></p> <p>By 2022 girls &amp; boys have increased access to justice and supportive protection services.</p>	<p>1. # provincial and district level child protection implementation plans with at least 60% of the budget allocated (B<sup>275</sup>: NA: T:25 P-level; T: 6 D-level)</p> <p>2. # child friendly justice proceedings<sup>276</sup> (child friendly courts &amp; child friendly police units) introduced (B: NA; T: 10)</p> <p>3. % children receiving diversion by police out of the total number of children arrested in selected provinces</p>	<p>1. Provincial government financial report</p> <p>2. Juvenile justice annual report</p> <p>3. Administrative reports of the District Court and Provincial RPNGC Commission</p> <p>4. UNICEF Annual Report</p>	<p><b>Data Sources:</b></p> <p>KIIs with Duty Bearers</p> <p><b>Stakeholders:</b></p> <p>PJJC members</p> <p>Other Provincial level stakeholders.</p> <p><b>Further questions:</b></p> <ol style="list-style-type: none"> <li>1. Where are the child protection implementation plans?<sup>274</sup></li> <li>2. To what extent are the plans costed?</li> <li>3. Of those costed, are there at least 60% of the budget allocated from project funding?</li> </ol>

<sup>274</sup> Available data shows that 2 provinces already have Child Protection costed plans for PJJC in (1) Manus and (2) West New Britain.

<sup>275</sup> "B" stands for "Baseline" and "T" stands for "Target"; "P-Level" = Provincial Level & "D-Level" = District Level.

<sup>276</sup> This needs to be specifically defined according to PNG stakeholders.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions				Stakeholder, DATA SOURCES, & Questions to Ask
		This refers specifically to the project's logical framework			
			(B: <b>TBD</b> ; T: 50%)	5. UNICEF Field Trip Reports to verify targets*	

\* = indicates that the documents are not yet available to the StratMan Evaluation Team.

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## Effectiveness – logical framework: output 1

Criteria	Key Evaluation questions				Stakeholder, DATA SOURCES, & Questions to Ask
		This refers specifically to the project's logical framework			
EFFECTIVENESS	KEQ#3: Continued	RESULTS	INDICATORS	DOCUMENTS	
				<p><b>Output 1:</b></p> <p>Improved coordination mechanisms, knowledge-base and leveraging of resources</p>	<p>1. # child protection coordination structures at the provincial and district level that operate in a unified manner. (B: NA; T: 2 P-Level; T: 6 D-Level)</p> <p>2. # P-Level &amp; D-Level coordination structures with evidence-based costed child protection implementation plans that are ready for approval (B: NA; T: 2 P-Level; T: 6 D-Level)</p> <p>3. # provinces and districts that have a functional Child Protection Information Management System with up-to-date routine administrative data - This has been omitted from the evaluation scope.</p>

## Effectiveness – logical framework: output 2

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions				Stakeholder, DATA SOURCES, & Questions to Ask
		This refers specifically to the project's logical framework			
<b>EFFECTIVENESS</b>	KEQ#3: Continued	<b>RESULTS</b>	<b>INDICATORS</b>	<b>DOCUMENTS</b>	None.
		<p><b>Output 2:</b></p> <p>Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors, witnesses and alleged offenders.</p>	<p>1. # child survivors of violence accessing multisectoral response services (B: <b>TBD<sup>277</sup></b>; T: 2,000)</p> <p>2. # specialised justice structures supporting child friendly justice proceedings (child friendly courts and child friendly police units) (B: 0; T: 6 for courts; T: 4 for RPNGC stations)</p> <p>3. Increase in % of children diverted away from the formal justice system (RPNGC <u>and</u> court) from the baseline (B:0; T: 20%)</p> <p>4. % of justice professionals in the target provinces trained and certified to deliver child friendly justice services (B: 0; T: 50)</p>	<p>1. Annual Reports of Office of Child and Family Services and Office of Juvenile Justice Services</p> <p>2. Provincial and district council reports</p> <p>3. Administrative reports of Provincial RPNGC Commission and District Courts</p> <p>4. Provincial and district council report(s)</p>	

Effectiveness – continued

<sup>277</sup> Baseline indicators were not defined.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders				Analysis
<b>EFFECTIVENESS</b>	<p><b>KEQ #4:</b> To what extent has the project contributed to quality of multisectoral justice and child protection services in PNG to be in line with international standards?</p>	<b>Service delivery of specialised &amp; efficient services</b>				<p>Summary from data from duty bearers related to:</p> <ol style="list-style-type: none"> <li>1. Modeling Child friendly court/RPNGC services.</li> <li>2. Modeling Child Friendly Policing Services.</li> <li>3. and Strengthening services for diversion and alternatives to detention; and</li> <li>4. Strengthening the Child Protection Workforce</li> </ol>
		<p><b>Data Source :</b> Documents</p>	<p>Child Protection Case Management; Handbook and Standards in 2019; Child Protection Case Management Module for NOCFS; Minimum Standards for Child Friendly Court and Child Friendly Police [None]; Provincial District government financial reports [None].</p>			
<b>EFFECTIVENESS</b>		<p><b>Data Source :</b> KIIs</p>	<p><b>Stakeholders:</b> Duty Bearers at Provincial &amp; District levels in five sites<sup>278</sup></p>	<p><b>Data Source :</b> KIIs</p>	<p><b>Stakeholders:</b> <b>Rights holders</b> at Provincial level in five sites (i.e., survivors, witnesses, CICL).</p>	<p>Summary of data from Rights holders' experiences.</p> <p>An attempt will be made to gather data illustrating a transformation within Child/Parents/CICL.</p>
		<b>Policy reforms &amp; improved coordination</b>				<p>Summary from data collected from duty bearers related to the effectiveness of interventions which supported:</p> <ol style="list-style-type: none"> <li>1. policy reforms.</li> <li>2. the management of the delivery of services</li> <li>3. the governance which requires coordination from other sectors, including referrals, and data sharing.</li> </ol> <p>Summary of challenges articulated to the question "What are the bottlenecks and challenges?"</p>
		<ul style="list-style-type: none"> <li>▪ Anderson, Kirsten, Catherine Burke &amp; Bruce Grant. (2022). The protection of children from all forms of violence and child focused justice in PNG: Mapping and analysis of legal and policy frameworks, Coram International;</li> <li>▪ National Juvenile Justice Action Plan 2018-2022;</li> <li>▪ Annual Reports of NOCFS &amp; Office of JJS. [None];</li> <li>▪ Provincial and district council reports. [None]; and</li> <li>▪ Administrative reports of Provincial RPNGC Commission and District Courts; Report of Provincial Child and Family Service Council. [None].</li> </ul>				

<sup>278</sup> Stakeholders include but are not limited to: CPDs; Magistrates; JCOs; RPNGC Officers; JPOs; Village Court magistrates; representatives from the Health and the Education system.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### Effectiveness – continued

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
<b>EFFECTIVENESS</b>	<b>KEQ #5:</b> What are causing the bottlenecks that impede the juvenile justice system to perform at the level of international standards (where relevant)?	<b>Data Source :</b> Documents	(1) Anderson, Kirsten, Catherine Burke & Bruce Grant. (2022). The protection of children from all forms of violence and child focused justice in PNG: Mapping and analysis of legal and policy frameworks, Coram International. (2) Save the Children. (2016). The child protection system in Papua New Guinea: An assessment of prevention and response services for children and families.	What are the key bottlenecks that UNICEF can help to minimise?
		<b>Data Source :</b> KIIs	<b>Stakeholders:</b> Rights holders at Provincial & District levels in five sites (i.e., survivors, witnesses, CICL); and Duty Bearers at Provincial & District levels in five sites.	<ol style="list-style-type: none"> <li>1. What within the data from Rights holders' experiences constitute barriers to accessing justice?</li> <li>2. What were the perspectives of duty bearers about major challenges in delivering services in the justice sector?</li> </ol>

### Equity, human rights, gender equality

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
<b>EQUITY, HR, &amp; GENDER EQUALITY</b>	<b>KEQ #6:</b> To what extent did interventions through J4C, including the emergency programming for Covid-19, help improve services for vulnerable girls and boys resulting in	<b>Data Source:</b> KIIs	<b>Stakeholders:</b> Rights holders at Provincial & District levels in five sites (i.e.,	<ol style="list-style-type: none"> <li>1. <b>For project funded activities</b>, what services have improved for vulnerable CICL, especially for those with disabilities?</li> <li>2. <b>[CPO] For emergency project funding related to Covid-19</b>, what were the available resources? [Probe: Establishment of Child Protection in Emergency Preparedness National Response Coordination</li> </ol>



## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN


Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
	increased access to justice and supportive protection services (survivors, witnesses, CICL) <sup>279</sup>		survivors, witnesses, CICL, beneficiaries during Covid-19); and <b>Duty Bearers</b> at Provincial & District levels in five sites.	Centre (CPiePNRCC) in OCFS; the National Child Protection Database System (NCPDS); and the National Coordinating Committee to present progress in Covid-19 mitigation] 3. <b>How have these</b> services improved the situation for vulnerable groups?
<b>EQUITY, HUMAN RIGHTS, GENDER EQUALITY</b>	<b>KEQ #7:</b> To what extent are the objectives of J4C appropriate and realistic given the context, resources, and timeframe?  If not, what adjustments could be made to the objectives to better define achievable outcomes for this programme or future programmes?	<b>Data Source</b>  KIIs	<b>Stakeholders:</b>  Rights holders at Provincial & District levels in five sites (i.e., survivors, witnesses, CICL); and  Duty Bearers at Provincial & District levels in five sites.	1. What can be improved with the project? 2. Given stakeholders description of their roles, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG? 3. What would stakeholders like to do more of?

<sup>279</sup> This question only relates to the juvenile justice system.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### Sustainability & Emerging Good Practices

Criteria	Key Evaluation questions	DATA SOURCES & Stakeholders		SUB-Questions to Ask
	<b>KEQ #8:</b> What factors in the operating environment favor and inhibit sustainability (of quality child friendly justice within the child protection systems approach)? <sup>280</sup>	<b>Data Source :</b>  KIIs	<b>Stakeholders:</b>  Rights holders at Provincial & District levels in five sites (i.e., survivors, witnesses, CICL); and Duty Bearers at Provincial & District levels in five sites.	1. What are the bottlenecks and challenges? 2. What is the exit / transition plan for this project? 3. What helps this project come closer to achieving the outcome?
	<b>KEQ #9:</b> What are the actual roles of different stakeholders (justice and child protection services), as well as their ideal roles, that would further the future project objectives, including but not limited to: i. Modeling Child friendly court/police services; ii. Modelling Child friendly police services; iii. <b>Regular monitoring of services; – This has been omitted from the evaluation scope.</b> iv. Coordination structure and development to strengthen services for all children; v. Strengthening Child Protection Workforce and intersectoral linkages to facilitate delivery of justice for children. vi. Provision of a minimum package of child friendly justice services through a case management system.	<b>Data Source :</b>  KIIs	<b>Stakeholders:</b>  <b>Duty Bearers at National level</b> in <sup>281</sup> : NOCFS; DJAG; RPNGC; & NJJC.  <b>Duty Bearers at Provincial and District levels:</b> PJJC; CPOs. Magistrates; JCOs. JPOs. Police Officers & FSVU; Volunteer CPOs; & JPOs., Directors of CSOs. Teachers & Health care professionals. Village Court magistrates.	What are the ideal roles, that would advance the future project objectives for stakeholders in: 1. Child friendly court ? 2. Child Friendly Police services? 3. <b>Regular monitoring of services? – This has been omitted from the evaluation scope.</b> 4. Coordination to strengthen services for all children? 5. Intersectoral linkages to facilitate delivery of justice for children?  What is the bare minimum that should be offered to children in PNG?

<sup>280</sup> This question only relates to other things outside of the juvenile justice system.

<sup>281</sup> The Duty bearers would be consulted at the national level as much as possible.

### Annex 4: Bibliography

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<https://data.unicef.org/sdgs/country/png/>

<https://www.un.org/sustainabledevelopment/peace-justice/>.



# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## Annex 5: List of Names of Stakeholders

### Summary of stakeholders

		CITIES OF PROVINCES						GENDER					
Rights holders	Sampled	NCD	Lae	Mt Hagen	Kokopo	Buka	TOTAL	Male	Female	Rights holders total	%		
Juveniles	5	2	0	2	1	0	5	5		Male	6	30%	
Women	9	4	0	0	2	3	9		9	Female	14	70%	
Children	6	0	6	0	0	0	6	1	5	<b>TOTAL</b>	20		
<b>TOTAL</b>	20						20	6	14				
		CITIES OF PROVINCES						GENDER		Duty bearers total		%	
Duty bearers	National	NCD	Lae	Mt Hagen	Kokopo	Buka	TOTAL	Male	Female	Male	Female	%	
Police	1	0	3	1	1	2	8	3	5	Female	33	50%	
CPOs	1	2	1	1	1	1	7	5	2	<b>TOTAL</b>	66		
JJOs	4	1	1	1	1	3	11	3	8				
VJJOs	0	0	0	1	6	0	7	4	3	<b>Entire Sample</b>		%	
Magistrates	0	0	0	0	0	1	1	1	0	Male	39	45.3%	
Village Courts	5	3	1	1	0	1	11	7	4	Female	47	54.7%	
Service Providers	1	2	7	0	0	3	13	6	7	<b>TOTAL</b>	86		
UNICEF	4						4	1	3				
PNGCIR	2						2	1	1				
NJJC	2						2	2					
PJJC	No number						66	33	33				

## PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### List of names of stakeholders

#### DUTY BEARERS CONSULTED OR CONTRIBUTORS TO EVALUATION PROCESS

Name	Position and Organization	Gender
Spencer Ailiy	Superintendent of Operations, Bougainville Police Services (RPNGC)	M
Marlene Asoh	Juvenile Justice Officer, Juvenile Justice Service (DJAG)	F
Kenneth Bae	Volunteer, Juvenile Justice Officer, Adventist Childrens Justice Advocates	M
Monica Balakau	Chair Lady, Village Court, Port Moresby	F
Marie Balil	Senior Juvenile Justice Officer, Juvenile Justice Service (DJAG)	F
Leonnice Bartley	Juvenile Justice Police Officer, Lae Provincial Police	F
Miranda Biari	Volunteer, Juvenile Justice Officer, Adventist Childrens Justice Advocates	F
Emily Boski	Child Protection Officer, Division for Community Development, Child and Family Services Section; and Juvenile Justice Officer/Volunteer.	F
Miriam Dondo	Coordinator CCI, Village Courts and Land Mediation Secretariat (DJAG)	F
Marianna Garofalo	(Former) Chief, Child Protection Section, UNICEF Papua New Guinea	F
Sr. Laureen Garasu	Director, Nazareen Center for Rehabilitaton	F
Baiai Gigi	Sergeant, Officer in Charge, FSVU, Kokopo Provincial Police	F
Patricia Gure	Deputy Director, Juvenile Justice Service (DJAG)	F
Perpetua Hau	Deputy Director, Village Courts and Land Mediation Secretariat (DJAG)	F
Marilyn Havini	Safe House Liaison-Haku Women's Association,	
Obed Jiara	Coordinator Child Protection & Compliance - New Guinea Islands	M
Tonga Jorbas	Volunteer, Juvenile Justice Officer, Adventist Childrens Justice Advocates	M
Sarah Kasa	Mental Health Nurse Specialist	F
Johah Kavanamur	Volunteer, Juvenile Justice Officer, Adventist Childrens Justice Advocates	M
Chiharu Kondo	Chief, Education Section, UNICEF Papua New Guinea	F
Ismaile Korake	Director, Village Courts and Land Mediation (DJAG)	M
Stanley Kote	Former Village Court Chairman and founder of village court in 1989, Port Moresby	M
Liberty Kuson	Coordinator, Juvenile Justice Service (DJAG)	M
Gini Kevin	Project Coordinator , Volunteer Network for Victims of Family, Sexual Violence, and Juvenile Justice Progamme, Salvation Army, Waigani	M

## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Name	Position and Organization	Gender
Josephine Kumai	Commander, Public Safety Unit, Lae Provincial Police	F
Shirley Kwam	Sr. Juvenile Justice Officer, Juvenile Justice Service (DJAG); and Secretariat to the PJJC	F
Quenten Kwisa	Brother, Erap Boys Town / Rehabilitation Center	M
Stephanie Laryea	Chief, Planning, Monitoring and Reporting, UNICEF Pacific	F
Esau Mailau	Deputy Chairman, Village Court, Port Moresby	M
Brian Malum	Director, Lae City Mission	M
Delorose Maita	Juvenile Justice Officer, Juvenile Justice Service (DJAG)	F
Daniel Milala	Brother, Erap Boys Town / Rehabilitation Center	M
Jerome Molup	Brother, Erap Boys Town / Rehabilitation Center	M
Ruth Murup	Police Officer, FSVU, Lae Provincial Police	F
Peter Nepil	Child Protection Officer, (National) Office of Child and Family Services	M
Johnney Pena	Provincial Liaison Officer, Village Courts and Land Mediation (DJAG)	M
Betty Ohuno	Sr. Constable, Officer in Charge, FSVU, Western Highlands Provincial Police	F
James Pious	Chief Inspector under Regional Legal Advisor, Bougainville Police Services (RPNGC)	M
Daisy G. Plana	CEO, Femili PNG	F
Anhared Price	Former Child Protection Specialist (Justice for Children)	F
Theresa Puk	Sr. Juvenile Justice Officer, Juvenile Justice Service (DJAG)	F
Nancy Richard	Executive Assistant, Parole Probation, Criminal Law and Compensation (DJAG)	F
Garba Safiyanu	Health Specialist, UNICEF Papua New Guinea	M
Joe Saferius	Executive Director, Village Courts and Land Mediation Secretariat (DJAG)	M
Collin Sakap	Executive Director, Juvenile Justice Service (DJAG)	M
Anna Salpur	Safe House Coordinator-Haku Women's Association, Village Court Magistrate, Peace Audit, Peace Facilitator	F
Max Sam	Volunteer, Juvenile Justice Officer, Adventist Childrens Justice Advocates	M
Hazel Sege	Volunteer, Juvenile Justice Officer, Adventist Childrens Justice Advocates	F
Serah Tade	Senior Child Protection Officer and Programme Officer, Remedial Services	F
Isabel Tago	Probation/Parole Officer, Juvenile Justice Service (DJAG)	F

## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

Name	Position and Organization	Gender
Bruce Tasikul	Magistrate, Autonomous Region of Bougainville	M
Martin Tisivua	Juvenile Justice Officer, Juvenile Justice Service (DJAG)	M
Peter Tutai	Acting Advisor, Community Development, West New Britain Province	M
Agnes Titus	Nazareen Center for Rehabilitaton	F
Charles Umbingui	Brother, Erap Boys Town / Rehabilitation Center	M
Anastasia Walen	Director, Family Support Center	F
Rose Walen	Director, Femili Papua New Guinea (PNG)	F
Patricia Waiman	(National) Office of Child and Family Services	F
Julian Whayman	Consultant	M

## Annex 6: Data Collection Tools

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



Children & Parents

## INFORMED CONSENT FOR PARENTS ONLY.

Please follow specific protocol for Children under 18.

Introduction: Hello, my name is \_\_\_\_\_ from Stratman, LLC/Manitou, Inc. We are conducting an evaluation of the project **Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG)**.

UNICEF is planning to roll out the programme in additional districts and provinces. The **purpose** of this evaluation is to inform the scale-up and institutionalization of the project, which may happen next year. The purpose of getting information from you is to understand your opinions about the justice & child protection sector.

**Informed consent:** Your participation is completely **voluntary**. You may choose to not participate at all. If you decide to participate, you may stop participating at any time. If you stop participating at any time, you will not be penalised or lose any benefits.

**Confidentiality:** Everything that you tell is confidential, and no one except for the people from Stratman will see this information. The information will be combined with other information to create general findings, and this interview should take no more than one hour of your time. Do you agree to take part in this interview? Can we use a recording device only to assist in notetaking? This recording will be destroyed after this evaluation is finished. The respondent must agree to all verbally. Before starting, please tell me your name.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT DIRECTOR, Dr. Tristi Nichols at the telephone and WhatsApp number: +1.914.414.8288

This family interview is completely exploratory. We will use open ended questions to find out Juvenile/child & parent's:

- capacities;
- lived experiences;
- opinions; and
- solutions (if any).

LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
Provincial	Parents/ Child	<ul style="list-style-type: none"> <li>▪ The following questions we will ask about the past may be difficult. It is important that we understand what happened, but we are more interested in how the police/courts/juvenile justice personnel (i.e., social workers or volunteer protection officer) treated you after the event.</li> <li>▪ A lot has happened over the last [time period to fill in]</li> <li>▪ Please tell us about the your experience briefly...Try to let the child speak as much as possible</li> </ul>

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	CAPACITIES	<ul style="list-style-type: none"> <li>First off, how did you know that you could go to the police/court/volunteer protection officer to talk about your experience?</li> </ul>
District		<ul style="list-style-type: none"> <li>Do you remember who received you [at the police station] or [CSO facility]? Tell me what happened.</li> </ul>
	LIVED EXPERIENCES	<ul style="list-style-type: none"> <li>What did they say after you described your experience?</li> <li>What did they do after that? [Probe: understand the 'story' and get an understanding of the roles of the different stakeholders who are part of the story (i.e., police, social worker, CPO, lawyer, judge or names of people)]</li> </ul>
	FOR CWD/PWD	<ul style="list-style-type: none"> <li>Were there any accommodations for you? [Probe: availability of any accommodations for parents/children who are deaf (i.e., sign language), with physical &amp; mental impairments] How did you feel?</li> </ul>
	OPINIONS	<ul style="list-style-type: none"> <li>Would you say that you were treated with respect in this whole experience?</li> </ul>
	SOLUTIONS	<ul style="list-style-type: none"> <li>Pretend that you had a chance to go through this experience all over again and it was a perfect world, what would be different? (Probe: reception, tone spoken to, treatment (attentive vs. indifferent), waiting time, or anything else)</li> </ul>

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



CICL

## INFORMED CONSENT FOR PARENTS ONLY.

Please follow specific protocol for Children under 18.

Introduction: Hello, my name is \_\_\_\_\_ from Stratman, LLC/Manitou, Inc. We are conducting an evaluation of the project **Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG)**.

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This juvenile interview is completely exploratory. We will use open ended questions to find out Juvenile/child & parent's:

- capacities;
- lived experiences;
- opinions; and
- solutions (if any).

LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
Provincial	CICL	<p>Try to establish rapport</p> <p>The following questions we will ask about the past may be difficult. It is important that we understand what happened, but we are more interested in your experience with the police/courts/juvenile justice personnel (i.e., social workers or volunteer protection officer).</p> <p>A lot has happened over the last [time period to fill in]</p>



# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

		<p>Please tell me your experience with the police/courts/juvenile justice personnel (i.e., social workers or volunteer protection officer).</p> <p>...Try to let the child speak as much as possible</p>
	<b>CAPACITIES</b>	What did you understand of what was happening at the time when you were with the police/courts/ juvenile justice personnel (i.e., social workers or volunteer protection officer)?
<b>District</b>		Do you remember how your were approached by the police/courts/juvenile justice personne? Tell me what happened.
	<b>LIVED EXPERIENCES</b>	What did you do while you were under their custody?
		What did they do after that? [Probe: understand the 'story' and get an understanding of the roles of the different stakeholders who are part of the story (i.e., police, social worker, CPO, lawyer, judge or names of people)]
	<b>FOR CWD/PWD</b>	Were there any accommodations for you? [Probe: availability of any accommodations for parents/children who are deaf (i.e., sign language), with physical & mental impairments] How did you feel?
	<b>OPINIONS</b>	Would you say that you were treated with respect in this whole experience?
	<b>SOLUTIONS</b>	Pretend that you had a chance to go through this experience all over again and it was a perfect world, what would be different? (Probe: reception, tone spoken to, treatment (attentive vs. indifferent), waiting time, or anything else)

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



DJAG & JJS

Introduction: Hello, my name is \_\_\_\_\_ from Stratman, LLC/Manitou, Inc. We are conducting an evaluation of the project **Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG)**.

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IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT DIRECTOR, Dr. Tristi Nichols at the telephone and WhatsApp number: +1.914.414.8288

LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
	DJAG	<b>First, we will talk about policy....</b>
<b>National</b>	Effectiveness Legal	Are you familiar with any policy frameworks developed by this project? If yes, proceed to the next question. If no, SKIP to Governance  In what way have the policy frameworks developed under this project supported the PNG justice sector? (i.e., Strengthened the operationalisation LPA, Diversion of CICLs, Rehabilitation, Reintegration Policy for CICL).
	Effectiveness Coordination	In what way have the policy frameworks developed under this project improved coordination mechanisms and increased delivery of multisectoral collaboration?  How effective are coordination mechanisms?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	Effectiveness Governance	To what extent are you coordinating with the people at the local level?
	Services	What procedures are already in place and being followed?
	Multi-sectoral	How are stakeholders from Health & Education sectors involved in the project?
	Resources	Please describe what resources are made available for services. Where are the financial reports? Where are the Provincial plans? Where are the District plans?
	<b>DJAG/JJS</b>	<b>First, we will talk about training...</b>
	Handbook	<b>What training were you provided?</b> <b>This is left blank intentionally. There is still a need to see what training topics were covered.</b>
<b>Provincial &amp; District</b>	Training in specialised JJ svcs	[JPOs] Has there been specific training for diversion issues? [Probe: training that deals with holding the child accountable without having them go through the whole court process; training to support them to not reoffend]
	Training in specialised court svcs	[Legal Practitioners] Please tell me what kind of training you received, if any [Probe: child sensitive communication skills, skill in assessing age/maturity/discernment, obligation to act in child's best interest, child participation in the process, specific procedures and documentation requirements]
		[Legal Practitioners] Are there formal guidelines on questioning child witnesses and defendants? Does this include instruction about: (1) not using leading questions, (2) using of puppets/dolls for questioning, (3) having appropriate behavior respectful of children (i.e., limiting abusive or aggressive questioning), (4) using technology for trials,
	<b>PWDs/CWDs</b>	[JPO] Is there training on accommodating CWDs in the diversion process? [Probe: availability of (i.e., sign language, interpreters or health workers), with physical & mental impairments]
		[Legal Practitioners] Is there training on accommodating CWDs in the courts? [Probe: availability of (i.e., sign language), with physical & mental impairments]
	Provincial	[For managers ONLY] In what way have the project interventions that you have benefitted from helped you to <b>manage</b> child friendly services?
	Training Quality	How has the training provided changed the quality of work? Was it helpful? Challenges? Improvements?
<b>Provincial &amp; District</b>	Multisectoral coordination	<b>Now, we will talk about coordination...</b> What child protection coordination structures exist at the provincial level? ...and at the district level? How does it work? [Probe: channels of communication, frequency of meeting, ask about the referral pathway if one exists]
<b>Provincial &amp; District</b>	Information sharing	How did the project facilitate information sharing? Can you give me an example? To what extent is sharing information on child case management part of your agenda?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

		Did any cases coming their way have additional resources (i.e., child protection, health services)?
	<b>PWDs/CWDs</b>	How are the needs of girl children and CWD being addressed at this level?
<b>DIVERSION SVCS</b>	<b>Now we will to talk about services for diversion and alternatives to detention for children...</b>	
	[ALL ] Would you happen to know if there are specific reception facilities within the RPNGC? If so, please give an example. Confirmation question.	
	[ALL ] What are the special procedures to protect the privacy and confidentiality of children in need of protection? [Probe: special rooms at the police station, handling of case files and documents] Confirmation question.	
	[JPOs] Please describe what are the diversion interventions? [Probe: who is designing these programmes? And what are the main activities (i.e., religious routines)]	
For this question, the interviewer is to sketch out a pathway with the interviewee. There is currently no pathway, and so use boxes to go from one phase to another.		
<b>PWDs/CWDs</b>	[JPOs] What is your typical workload? (i.e. how many cases handled)? In your opinion, what is the availability of JJ services to all CICL?	
	[ALL] Are special measures being taken to protect girls from all forms of violence whilst in the juvenile justice system? If so, please give an example. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.	
	[JPOs] Would you happen to know if there are interventions in place to prevent maltreatment from Police/ Prosecuting lawyers? [Probe: Police conduct] If so, please give an example.	
	[JPOs] Would you happen to know if there are specific policies/services in place for offender's protection? To what extent are these implemented? If so, please give an example.	
	[JPOs] Would you know if the CWDs go through this diversion process differently? If so, please give an example.	
	[JPOs] Are there specific policies/services at the corrections center for juveniles going back into society? [Probe: Reintegration into society to react in a positive way to shame]	
<b>FOR THE COURTS</b>	<b>Now we will to talk about Modelling Child Friendly Courts services for children...</b>	
	[Legal Practitioners/ JPOs] What is the court environment like? [Probe: Child friendly – separate waiting rooms for victims/witnesses/accused, use of technology for testimonies, private hearings, presence of guardians and other support persons besides the lawyer, privacy (child is not named) and confidentiality of proceedings]  [Probe: availability of any accommodations for children who are deaf (i.e., sign language), with physical & mental impairments]	
<b>PWDs/CWDs</b>	Would you know if there are separate accommodations for PWD (families and children)?	
	[Legal Practitioners/ JPOs] How does the judge work with children? [Probe: are there procedures to allow the judge to control trial flow and procedures with best interest of child (i.e. presence of supportive people, more frequent breaks, shorter proceedings, alternative venues).]	

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	[Legal Practitioners/ JPOs] Please give an example of a case assisting a CICL, child victims, and/or child witnesses? [In this example, please describe to me how parents, JJOs, Lawyers, Child psychologist interact with the child-if possible. [Probe: actions and responsibilities of each stakeholder]
<b>FOR CASELOADS</b>	[Legal Practitioners/ JPOs] What is your typical workload? (i.e. how many cases handled)? In your opinion, what is the availability of court services to all children?
<b>FOR SERVICES COSTS</b>	[Legal Practitioners/ JPOs] For justice seekers, what are the costs of litigation? Who has to pay for the services? What are options available? If I am a justice seeker with no money, can I get free legal assistance? What are the drawbacks of this free service, if any? [Probe: timing, competence of lawyer, quality of service overall?]
<b>FOR BAIL</b>	[Legal Practitioners/ JPOs] What are the national guidelines on BAIL? For example, are they followed? Would you know, in cases where the judge was left to decide, how often is BAIL granted? How often is BAIL rejected? What do you think influences the reasoning for these decisions?
<b>FOR SENTENCING</b>	[Legal Practitioners/ JPOs] What are the national guidelines on SENTENCING? Would you know, in the case where the judge was left to decide, how often are the CICL remanded to custodial sentences? [Probe: did the judge choose juvenile detention versus an alternative (i.e., community service, probation, or other diversion programmes)] What is the most common result? What do you think influences the reasoning for these decisions?
	[Legal Practitioners/ JPOs] How often does the judge resort to community-based conferences for sentencing? If so any difference from sentences that are not referred to conference?
<b>DATA</b>	Where are the documented case files stored for Child Friendly Courts from 2019 through 2022? Can we get access to them? [Probe: this would be for assessing evidence of cases over time-No other purpose]
	<b>Efficiency</b> <b>Just a few more questions left now...</b> [ALL] Would you happen to know how much time it takes to process legal proceedings? If so, please give an example.
	[Legal Practitioners/ JPOs] What is timing / speed of proceedings involving children? In your opinion, are the proceedings given the priority that they deserve?
	[ALL] In your opinion, what are some of the barriers to delivering timely services?
<b>Resources</b>	Please describe what resources are available for services. Where are the financial reports? Where are the Provincial plans? Where are the District plans?
<b>Challenges</b>	What are the top three main challenges that stand in the way of delivering quality child friendly justice services?
<b>Improvements</b>	What can be improved with the project?
<b>Reflections</b>	What are the ideal roles, that you would like to have that you think would support quality child friendly justice services?
	In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG.

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



## Village Courts

Introduction: Hello, my name is \_\_\_\_\_ from Stratman, LLC/Manitou, Inc. We are conducting an evaluation of the project **Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG)**.

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**Informed consent:** Your participation is completely **voluntary**. You may choose to not participate at all. If you decide to participate, you may stop participating at any time. If you stop participating at any time, you will not be penalised or lose any benefits.

**Confidentiality:** Everything that you tell is confidential, and no one except for the people from Stratman will see this information. The information will be combined with other information to create general findings, and this interview should take no more than one hour of your time. Do you agree to take part in this interview? Can we use a recording device only to assist in notetaking? This recording will be destroyed after this evaluation is finished. The respondent must agree to all verbally. Before starting, please tell me your name.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT DIRECTOR, Dr. Tristi Nichols at the telephone and WhatsApp number: +1.914.414.8288

LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
<b>Prov- incial</b>	<b>Village Courts</b>	<b>First, we will talk about training...</b>
<b>District</b>	Training	Please tell me what kind of training that you received, if any...If no skip to SERVICES
	Handbook	<b>This is left blank intentionally. There is still a need to see what training topics were covered.</b>
	<b>PWDs/CWDs</b>	Is there training on accommodating CWDs?
	Training Quality	<b>From your perspective, how has the training provided changed the quality of work?</b> Challenges? Improvements?
	Multisectoral coordination	<b>Now, we will talk about coordination....</b> Are you involved in any kind of child protection coordination structure? If so, how does it work? [Probe: frequency of meeting, ask about the referral pathway if one exists] If no skip to SERVICES
	Information sharing	How did the project facilitate information sharing? Can you give me an example? To what extent is child case management part of your agenda?
	<b>Services</b>	<b>Now we will to talk about services for children...</b>

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	Describe the process of case management? [Probe: the reception of children; safety assessment process if at all, documentation process if relevant. [Probe: for examples of specific cases]. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.
For this question, the interviewer is to sketch out a pathway with the interviewee. This is an exploratory question. Use boxes to go from one phase to another, especially if the pathway described is different from the one in the chart!!!!	
	[ALL ] Would you happen to know if there are specific reception facilities within the RPNGC? Confirmation question.
	[ALL ] Are you familiar with any existing special procedures to protect the privacy and confidentiality of children? [Probe: special rooms at the police station, guidelines re handling of case files and documentation] If yes, please give an example. Confirmation question.
	What about Child Protection services? If yes, please give an example.
	What about any special services for teens? [Diversion] If yes, please give an example.
	[ALL] Are special measures being taken to protect girls from all forms of violence in the juvenile justice system?
	[ALL] Are there separate accommodations for CWD/PWD? [Probe: availability of any accommodations for children who are deaf (i.e., sign language), with physical & mental impairments]
<b>Efficiency</b>	<p><b>Just a few more questions left now...</b></p> <p>[ALL] Would you happen to know how much time it takes to process legal proceedings?</p> <p>Probe: if you sketched a pathway (above) refer to it and ask respondent to estimate number of hours, days, weeks etc. for each step</p>
	[ALL] In your opinion, what are some of the barriers to delivering timely services?
<b>Resources</b>	Please describe what resources are available for services (if you know of any). Where are the financial reports? Where are the Provincial plans? Where are the District plans?
<b>Challenges</b>	What are the top three main challenges that stand in the way of delivering quality child friendly justice services?
<b>Improvements</b>	What can be improved with the project?
<b>Reflections</b>	What are the ideal roles, that you would like to have that you think would support quality child friendly justice services?
	In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG.



CSOs/Church Orgs.

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## INFORMED CONSENT FOR PARENTS ONLY.

Please follow specific protocol for Children under 18.

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LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
	<b>CSO/Church</b>	<b>First, we will talk about training...</b>
	Training	<b>What training were you provided?</b>
	Handbook	<b>This is left blank intentionally. There is still a need to see what training topics were covered.</b>
	<b>PWDs/CWDs</b>	Is there training on accommodating CWDs in the police station? [Probe: availability of (i.e., sign language), with physical & mental impairments]
	Training Quality	<b>From your perspective, how has the training provided changed the quality of work?</b> Challenges? Improvements?
	Multisectoral coordination	<b>Now, we will talk about coordination....</b> What child protection coordination structures with police exist at the provincial level? ...and at the district level? How does it work? [Probe: frequency of meeting, ask about the referral pathway if one exists]



# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	Information sharing	How did the project facilitate information sharing? Can you give me an example? To what extent is sharing information on child case management part of your agenda?	
	PWDs/CWDs	How are the needs of girl children and CWD being addressed at this level?	
<b>Services</b>	<b>Now we will to talk about the Services your organisation offers...</b>		
	Describe the process of case management. [Probe: the reception of children; health and safety assessment process if at all, documentation process and handling of all files, if relevant. [Probe for examples of specific cases in ] If so, please give an example. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.		
For this question, the interviewer is to sketch out a pathway with the interviewee. Use the flow chart above to guide the discussion. Use boxes to go from one phase to another, especially if the pathway described is different from the one in the chart!!!			
<b>DATA</b>	[CPOs] What is your typical workload? (i.e. how many cases handled)? In your opinion, what is the availability of CP services to all children?		
	[ALL ] Would you happen to know if there are specific reception facilities for children within the RPNGC? [Confirmation question]		
	[ALL ] Would you know if there are existing special procedures to protect the privacy and confidentiality of children in need of protection? [Probe: special rooms at the police station] [Another confirmation question]		
	What is the documentation process (i.e., use of Form 16). Can we get access to case files? <sup>282</sup>		
<b>Efficiency</b>	<b>Just a few more questions left now...</b>		
	[ALL] Would you happen to know how much time it takes to process legal proceedings? If so, please give an example. [Confirmation question.]		
	What is the overall time frame of child protection cases? Please give an example.		
	<b>Equity</b>	<ul style="list-style-type: none"> <li>In your opinion, to what extent did the project improve services for vulnerable girls and boys? [Probe: thoughts on how the person believes that there has been increased access to justice and supportive protection services] Please give examples.</li> <li>What about for CWDs/PWDs? Please give examples. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.</li> </ul>	
<b>Resources</b>	Please describe what resources are available for services.		
<b>Challenges</b>	What are the top three main challenges that stand in the way of delivering quality child friendly justice services?		

<sup>282</sup> This is just to see if we can get data only not to determine the data collection process.

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

<b>Improvements</b>	What can be improved with the project?
<b>Reflections</b>	What are the ideal roles, that you would like to have that you think would support quality child friendly justice services?
	In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG.

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



RPNGC

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LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
	RPNGC	<b>First, we will talk about policy....</b>
<b>National</b>	Effective-ness Legal	Are you familiar with any policy frameworks developed by this project? If yes, proceed to next question. If no, SKIP to Governance  In what way have the policy frameworks developed under this project supported PNG justice sector? (i.e., strengthened the operationalisation LPA and the diversion of CICL).
	Effective-ness Coordination	In what way have the policy frameworks developed under this project improved coordination mechanisms and increased delivery of multisectoral collaboration?  How effective are coordination mechanisms?
	Effectiveness Governance	To what extent are you coordinating with the people at the local level?
	Services	What standards / procedures are already in place and being followed?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	Multi-sectoral	How are stakeholders from Health & Education sectors involved in the project?
	Resources	Please describe what resources are made available for services. Where are the financial reports? Where are the Provincial plans? Where are the District plans?
	<b>Police</b>	<b>First, we will talk about training...</b>
	Training	<b>What training were you provided for child friendly policing?</b>
	Handbook	<b>Child friendly policing Handbook (now it is institutionalised).</b>
	<b>PWDs/CWDs</b>	Is there training on accommodating CWDs in the police station? [Probe: availability of (i.e., sign language), with physical & mental impairments]
	Provincial	[For managers ONLY] In what way have the project interventions that you have benefitted from helped you to <b>manage</b> child friendly policing services? Please give any examples.
Provincial & District	Training Quality	<b>From your perspective, how has the training provided changed the quality of work?</b> Challenges? Improvements?
Provincial & District	Multisectoral coordination	<b>Now, we will talk about coordination....</b> What child protection coordination structures with police exist at the provincial level? ...and at the district level? How does it work? [Probe: frequency of meeting, ask about the referral pathway if one exists]
Provincial & District	Information sharing	How did the project facilitate information sharing? Can you give me an example? To what extent is sharing information on child case management part of your agenda?
	<b>PWDs/CWDs</b>	How are the needs of girl children and CWD being addressed at this level?
	<b>POLICING SERVICES</b>	<b>Now we will to talk you about Child Friendly Policing Services for children...</b>
		[ALL ] Would you happen to know if there are specific reception facilities for children within the RPNGC? If so, please give an example. If so, please give an example. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.
		[ALL ] To what extent are there existing special procedures to protect the privacy and confidentiality of children? [Probe: special rooms at the police station] Confirmation question.
		[RPNGC] What happens to a child in RPNGC custody who cannot be with their adult caregivers?
		[ALL] If applicable, are there staff in the police specially trained and selected to deal with girls? [Probe: the subjects from training from the 'Handbook' and Trainers Manual (2019)]
		[RPNGC] Are CICL held separately from boys, and from adults, including female prisoners, when deprived of their liberty in any way?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

<b>Police conduct</b>	[JPOs] Would you happen to know if there are interventions in place to prevent maltreatment from Police/ Prosecuting lawyers? [Probe: Police conduct]	
<b>ONLY for FSVU</b>	[FSVU] Who is the stakeholder attending to the issue if a child came in? What are the special measures when receiving that individual? [Probe: in the case of sexual assault and rape] If so, please give an example. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.	
	[FSVU] What happens to that individual after a report has been made?	
	[FSVU] What are the mechanisms / questioning processes in place to prevent retraumatizing the child? [Probe: Use of dolls/puppets]	
	[FSVU] Are there records of rapes or other gender-based violence against girls in RPNGC? [Probe: Did training cover this topic? Was this training expected to trickle down to the local level?] If so, ask to see the records of investigations. If no, what are the disciplinary measures being taken against staff in such cases (if relevant)?	
<b>Efficiency</b>	<b>Just a few more questions left now...</b>	
	[ALL] Would you happen to know how much time it takes to process legal proceedings?	
	[ALL] In your opinion, what are some of the barriers to delivering timely services?	
	<b>Resources</b>	Please describe what resources are available for services. Where are the financial reports? Where are the Provincial plans? Where are the District plans?
	<b>Challenges</b>	What are the top three main challenges that stand in the way of delivering quality child friendly justice services?
	<b>Improvements</b>	What can be improved with the project?
	<b>Reflections</b>	What are the ideal roles, that you would like to have that you think would support quality child friendly justice services?
	In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG.	

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



NOCFS

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LEVEL	EVAL CRITERIA	QUESTIONS FOR [SPECIFIC] STAKEHOLDER GROUPS
National	OCFS	<b>First, we will talk about policy....</b>
	Effectiveness Legal	Are you familiar with any policy frameworks developed by this project? If yes, proceed to next question. If no, SKIP to Governance  In what way have the policy frameworks developed under this project supported PNG juvenile justice sector? (i.e., strengthened the operationalisation of LPA and the diversion of CICL).
	Effectiveness Coordination	In what way have the policy frameworks developed under this project improved coordination mechanisms and increased efficiency of multisectoral collaboration?  How effective are coordination mechanisms?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	Effectiveness Governance	To what extent are you coordinating with the people at the local level?
	Services	What standards / procedures are already in place and being followed?
	Multisectoral	How are stakeholders from Health & Education sectors involved in the project? Specify at what levels this involvement is (e.g. supervisory or monitoring to actual service delivery for children)
	Resources	Please describe what resources are made available for services. Where are the financial reports? Where are the Provincial plans? Where are the District plans? What is available at Village level?
	<b>CPOs</b>	<b>First, we will talk about training...</b>
	Training	Please tell me what kind of training that you received, if any
<b>Provincial</b>	Handbook	<b>This is left blank intentionally. There is still a need to see what training topics were covered.</b>
<b>District</b>		<b>From your perspective, how has the training provided changed the quality of work?</b> Challenges? Improvements?
	<b>PWDs/CWDs</b>	Is there training on accommodating CWDs in the child protection process? [Probe: availability of (i.e., sign language), with physical & mental impairments (access to special education resources and health providers)]
	<b>WORKFORCE</b>	If applicable, are you or volunteers specially trained and selected to deal with girls? [Probe: the subjects from training from the 'Handbook' and Trainers Manual (2019)]
	<b>Provincial</b>	[For managers ONLY] In what way have the project interventions that you have benefitted from helped you to <b>manage</b> child friendly services?
<b>Provincial &amp; District</b>		<b>Now, we will talk about coordination...</b>
	Multisectoral coordination	What child protection coordination structures exist at the provincial level? ...and at the district level? How does it work? [Probe: frequency of meeting, ask about the referral pathway if one exists]
	Information sharing	How did the project facilitate information sharing? Can you give me an example? To what extent is sharing information on child case management part of your agenda?
	Resources	Did any cases come with resources (i.e., child protection, health services)?
	<b>PWDs/CWDs</b>	How are the needs of girl children and CWD being addressed at this level?
	<b>Services</b>	<b>Now we will to talk about Child Protection Services...</b>
		Describe the process of case management. [Probe: the reception of children; health and safety assessment process if at all, documentation process and handling of all files, if relevant. [Probe for examples of specific cases] If so, please give an example. In a case, please do not tell us about the actual person, give us a different so as to anonymize the real life case.
For this question, the interviewer is to sketch out a pathway with the interviewee. Use the flow chart above to guide the discussion. Use boxes to go from one phase to another, especially if the pathway described is different from the one in the chart!!!!		
		[CPOs] What is your typical workload? (i.e. how many cases handled)? In your opinion, what is the availability of CP services to all children?

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

DATA		[ALL ] Would you happen to know if there are specific reception facilities for children within the RPNGC? [Confirmation question]
		[ALL ] Would you know if there are existing special procedures to protect the privacy and confidentiality of children in need of protection? [Probe: special rooms at the police station] [Another confirmation question]
		What is the documentation process (i.e., use of Form 16). Can we get access to case files? <sup>283</sup>
CHILD REGISTRATION SERVICES		<b>Now I would like to talk about Child Registration Services</b> (with the Protection in Emergency Preparedness National Response Coordination Centre (CPiePNRCC)
		Did you receive any training? If yes, find out the scope and perceived quality. If no, SKIP TO EFFICIENCY.
	PWDs/CWDs	Is there training on accommodating CWDs in the registration process? Are there specific guidelines to accommodate all children regardless of birth circumstances like the absence of one or both parents?
		Describe the process of child registration. [Probe: how is it done, who is involved, who do parents find out about this?]
	Efficiency	<b>Just a few more questions left now...</b> [ALL] Would you happen to know how much time it takes to process legal proceedings? If so, please give an example. [Confirmation question.]
		What is the overall time frame of child protection cases? Please give an example.
		[ALL] In your opinion, what are some of the barriers to delivering timely services?
	Resources	Please describe what resources are available for services. Where are the financial reports? Where are the Provincial plans? Where are the District plans?
	Challenges	What are the top three main challenges that stand in the way of delivering quality child friendly justice services?
	Improvements	What can be improved with the project?
	Reflections	What are the ideal roles, that you would like to have that you think would support quality child friendly justice services?
		In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG.

<sup>283</sup> This is just to see if we can get data only not to determine the data collection process.



# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



UNICEF

Introduction: Hello, my name is \_\_\_\_\_ from Stratman, LLC/Manitou, Inc. We are conducting an evaluation of the project **Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG)**.

UNICEF is planning to roll out the programme in additional districts and provinces. The **purpose** of this evaluation is to inform the scale-up and institutionalization of the project, which may happen next year. The purpose of getting information from you is to understand your opinions about the justice & child protection sector.

**Informed consent:** Your participation is completely **voluntary**. You may choose to not participate at all. If you decide to participate, you may stop participating at any time. If you stop participating at any time, you will not be penalised or lose any benefits.

**Confidentiality:** Everything that you tell is confidential, and no one except for the people from Stratman will see this information. The information will be combined with other information to create general findings, and this interview should take no more than one hour of your time. Do you agree to take part in this interview? Can we use a recording device only to assist in notetaking? This recording will be destroyed after this evaluation is finished. The respondent must agree to all verbally. Before starting, please tell me your name.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT DIRECTOR, Dr. Tristi Nichols at the telephone and WhatsApp number: +1.914.414.8288

STAKEHOLDER GROUP-UNICEF	QUESTIONS
<p><b>In the absence of a Project Manager and UNICEF staff turnover, it necessary to understand how much is known from the stakeholder about this project.</b></p>	<p>How long have you been following the achievements of this project?</p> <p>Give an example of interaction with the project (e.g., site visit, discussions with stakeholders, including UNICEF).</p>
<p><b>TECHNICAL ASSISTANCE FROM PROJECT</b></p>	<p><b>Where are the following resources??</b></p> <ol style="list-style-type: none"> <li>1. What is the scope of the training topics in the 'Handbook'?</li> <li>2. What are the capacity building interventions designed to support standards-setting? [Probe: Child Protection Case Management, Handbook and Standards in 2019, Child Protection Case Management Module for NOCFS, Minimum Standards for Child Friendly Court and Child Friendly Police]</li> <li>3. Are there any other handbooks created by other institutions [Probes; Police; Public Attorney's Office, Juvenile Justice]?</li> <li>4. What about the translations of these technical issues? Please describe this process.</li> </ol>

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	<ol style="list-style-type: none"> <li>5. Where are the minimum standards and checklists for the establishment and the operation of Child-Friendly Courts and Child Friendly RPNGC stations? Is there a written policy available for child survivors, witnesses, and offenders?</li> <li>6. Where are the child case management guidelines or standards for CIICL? Understand the diversion pathway <i>if one exists</i>.</li> <li>7. Where are the child courts guidelines or standards for CIICL? Understand the diversion pathway <i>if one exists</i>.</li> <li>8. Where can we access the Report of Provincial Child and Family Service Council available?</li> </ol>
Opinions about the support provided	<ol style="list-style-type: none"> <li>9. In your opinion, in what way has the training provided in support of developing these standards actually helped the operationalisation of the LPA?</li> <li>10. In your opinion, to what extent are these standards institutionalised? How useful/helpful are these standards? How often are they consulted? Is there a common understanding (or unified application) of these standards?</li> <li>11. The same question could be applied for the Rehabilitation and Reintegration Policy for CIICL. What are your thoughts here?</li> <li>12. Challenges?</li> <li>13. Improvements?</li> </ol>
EFFECTIVENESS	<ul style="list-style-type: none"> <li>• How effective do you believe the activities are in:               <ol style="list-style-type: none"> <li>1. Child Friendly Courts?</li> <li>2. Child Friendly Policing services?</li> <li>3. Child protection coordination mechanisms?</li> <li>4. Services for diversion and alternatives to detention?</li> <li>5. Strengthened Child Protection Workforce with greater multisectoral linkages.</li> </ol> <p>And the two new supplemental outputs?</p> <p>(6) Enabling Environment; and (7) Service Provision?</p> <p>Partnerships established?</p> </li> </ul>
EQUITY	<ul style="list-style-type: none"> <li>• In your opinion, to what extent did the project improve services for vulnerable girls and boys? [Probe: thoughts on how the person believes that there has been increased access to justice and supportive protection services] Please give examples.</li> <li>• What about for CWDs/PWDs? Please give examples.</li> <li>• In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG?</li> </ul>
FUTURE AND IMPROVEMENTS	<ul style="list-style-type: none"> <li>• From your perspective, what are the challenges? [Probe: establishing a justice foundation]. Please give examples.</li> <li>• What could be improved for the future of this project?</li> <li>• What are some of your key expectations from this evaluation?</li> </ul>
SUSTAINABILITY	<ul style="list-style-type: none"> <li>• What are the key factors that contribute to sustainability? What other factors would further strengthen sustainability?</li> <li>• What is the minimum package of child friendly justice services that you think ought to be available?</li> <li>• What are the ideal roles, that you would like to have that you think would support quality child friendly justice services?</li> <li>• Anything else?</li> </ul>

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN



Australian Government

Department of Foreign Affairs and Trade

DFAT

Introduction: Hello, my name is \_\_\_\_\_ from Stratman, LLC/Manitou, Inc. We are conducting an evaluation of the project **Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG)**.

UNICEF is planning to roll out the programme in additional districts and provinces. The **purpose** of this evaluation is to inform the scale-up and institutionalization of the project, which may happen next year. The purpose of getting information from you is to understand your opinions about the justice & child protection sector.

**Informed consent:** Your participation is completely **voluntary**. You may choose to not participate at all. If you decide to participate, you may stop participating at any time. If you stop participating at any time, you will not be penalised or lose any benefits.

**Confidentiality:** Everything that you tell is confidential, and no one except for the people from Stratman will see this information. The information will be combined with other information to create general findings, and this interview should take no more than one hour of your time. Do you agree to take part in this interview? Can we use a recording device only to assist in notetaking? This recording will be destroyed after this evaluation is finished. The respondent must agree to all verbally. Before starting, please tell me your name.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT DIRECTOR, Dr. Tristi Nichols at the telephone and WhatsApp number: +1.914.414.8288

STAKEHOLDER GROUP-Donor	QUESTIONS
PERSPECTIVES	<p>Please describe your role related to this project</p> <p>How long have you been following the achievements of this project?</p> <p>Give an example of interaction with the project (e.g., site visit, discussions with stakeholders, including UNICEF).</p> <ul style="list-style-type: none"> <li>● How effective do you believe the activities are in:               <ol style="list-style-type: none"> <li>1. Child Friendly Courts?</li> <li>2. Child Friendly Policing services?</li> <li>3. Child protection coordination mechanisms?</li> <li>4. Services for diversion and alternatives to detention?</li> </ol> </li> </ul>

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

	<p>5. Strengthened Child Protection Workforce with greater multisectoral linkages.</p> <p>And the two new supplemental outputs?</p> <p>(6) Enabling Environment; and (7) Service Provision?</p> <p>(8) Partnerships established?</p> <ul style="list-style-type: none"> <li>● What are the key factors that contribute to sustainability? What other factors would further strengthen sustainability?</li> <li>● What strengths does DFAT bring in the scaling up of the project?</li> </ul>
CHALLENGES	<p>From your perspective, what are the challenges? [Probe: establishing a justice foundation]. Please give examples.</p> <p>In your opinion, what could be further strengthened for the future if this project?</p>
EQUITY	<ul style="list-style-type: none"> <li>● In your opinion, to what extent did the project improve services for vulnerable girls and boys? [Probe: thoughts on how the person believes that there has been increased access to justice and supportive protection services] Please give examples.</li> <li>● What about for CWDs/PWDs? Please give examples.</li> <li>● In your opinion, is it realistic to expect specialised, efficient, and coordinated justice services in four or five years in PNG?</li> </ul>
	<p>What are some of your key expectations from this evaluation?</p>

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## Informed Consent & Child Assent Forms

### PARENTAL CONSENT PARENTAL INFORMED CONSENT FORM

PERMISSION FORM FOR CHILD TO PARTICIPATE IN AN INTERVIEW

Student's Name/Number: \_\_\_\_\_ Date: \_\_\_\_\_

Interview# \_\_\_\_\_ Province: \_\_\_\_\_ District: \_\_\_\_\_

I am the parent/legal guardian of the child named above. I understand that the project **Improving Access to Justice for Children and Women** is being evaluated by independent consultants from Stratman, LLC., and they would like to speak with my child, because my child may have benefitted from this project. Stratman, LLC. wishes to understand my child's ideas about the justice sector. I understand that the interview **SHOULD TAKE NO MORE THAN HOUR.**

I understand that participation is voluntary, my child may choose to not respond to some or all questions or may withdraw anytime without consequences, and that there are no risks or benefits for taking part in this study. Can we use a recording device only to assist in notetaking? This recording will be destroyed after this evaluation is finished.

My decision is indicated by my check mark and signature below.

#### STATEMENT OF CONSENT

*My signature indicates that I am at least 18 years of age; I have read this consent form, or had it read to me; my questions have been answered to my satisfaction.*

*Please check the appropriate box and sign below.*

- I DO give permission to include my child's voice to record as s/he participates in an interview conducted at \_\_\_\_\_ [location].
- I DO **NOT** give my permission to include my child's voice to record as s/he participates in an interview.

**NAME OF PARTICIPANT [Please Print]**

**Signature/Marking of Parent/Guardian**

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT DIRECTOR, Dr. Tristi Nichols at the telephone and WhatsApp number: +1.914.414.8288



**Dr. Tristi Nichols**

**Date: OCTOBER 2022**

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## CHILD ASSENT FORM PERMISSION FOR PARTICIPATING IN INTERVIEW

Student's Name/Number: \_\_\_\_\_ Date: \_\_\_\_\_

Interview# \_\_\_\_\_ Province: \_\_\_\_\_ District: \_\_\_\_\_

We are the independent consultants from Stratman, LLC, and we are doing an evaluation or study of the project Improving Access to Justice for Children and Women Project in Papua New Guinea (PNG) which you may have benefitted from, and so we wish to understand your ideas about the justice sector. We are asking you to take part in the study, because \_\_\_\_\_<sup>284</sup>recommended your name. Even though we have your name from them, they do not know that we chose to speak with you specifically. We're asking many children your age if they would like to help.

### THE INTERVIEW SHOULD TAKE 1 HOUR.

First, we will ask you to introduce yourself. Second, we will ask you to tell us about your experience when you visited the police or courts. Third, we might ask some questions.



### IMPORTANT THINGS TO KNOW...



- You get to decide if you want to take part.....You can say 'No' or you can say 'Yes'.
- No one will be upset if you say 'No'.
- If you say 'Yes', you can always say 'No' later. Just so you understand, you can say 'No' at anytime.
- Your parent(s)/guardian(s) were asked if it is OK for you to be in this study.
- Even if they say it's OK, it is still your choice whether or not to take part.
- You might get bored or tired and decide that you don't want to finish the study activities. If this happens, just tell us you want to stop.




Even though we do not feel like there will be any problems, you might feel sad when we ask about bad things that may happen in the home. You also might be upset if you remember something bad that may have happened to you in the past.

We will keep all your answers private. Only people from Stratman working on the study will see them. Can we use a recording device only to assist in notetaking? This recording will be destroyed after this evaluation is finished.



### You should know that:

You can ask any questions you have, now or later. If you think of a question later, you or your parents can contact me at (provide contact information for researcher(s), and advisor if graduate student).

Sign this form only if you:	<input checked="" type="checkbox"/> Data Collector explaining study Signature/Printed
1. have understood what you will be doing for this study	<b>NAME:</b>
2. have had the assent form read to me	<b>DATE:</b>
3. agree to take part in this study	IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE PROJECT
<input checked="" type="checkbox"/> Signature/Marking of child	<b>DIRECTOR, Dr. Tristi Nichols , WhatsApp number:</b>
<input checked="" type="checkbox"/> Confirm with a verbal agreement from Parent(s) / Legal Guardian(s)	+1.914.414.8288
	
	Dr. Tristi Nichols, Date: October 2022

<sup>284</sup> Use the name of the representative from the [RPNGC, Courts, Child Protection Office, Civil Society Organisation, or Church organisation].

# PROGRAMME EVALUATION

IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

## Annex 7: Ethical Review Approval Letter



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ERB REVIEW Eval of

# PROGRAMME EVALUATION

## IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

### Annex 8: J4C Project Results Framework

**OUTCOME:** Project outcome is “by 2022 girls & boys have increased access to justice and supportive protection services.” The indicators are:

INDICATOR OF ACHEIVEMENT	EXTENT OF TARGET MET
1. # provincial and district level child protection implementation plans with at least 60% of the budget allocated (B: NA; T:25 P-level; T: 6 D-level)	<b>Target not achieved.</b> There is no baseline figure. There is no initial proportion to determine a percentage of budget allocated. The 11 PJJCs established had a budget from UNICEF.
2. # child friendly justice proceedings (child friendly courts & child friendly police units) introduced (B: NA; T: 10)	<b>Target not achieved.</b> There is no baseline figure. Only 2 Completed. Child protection training for the police (this was integrated into the academy – expecting 200 to 300 to be trained in 2023 if rolled out); and Training of Volunteer JJOs (18 <sup>285</sup> + 21 <sup>286</sup> = 39 total)
3. % children receiving diversion by police out of the total number of children arrested in selected provinces (B: TBD; T: 50%)	<b>Target not achieved.</b> There is no baseline figure. The target of 50%. Evaluation Team identified a Baseline figure of 29% in 2019 <sup>287</sup> , and updated data of 49% in 2021 <sup>288</sup> from DJAG’s limited data available. However, this observed change cannot be attributed to the J4C project.

#### Output 1: Improved coordination mechanisms, knowledge-base and leveraging of resources

4. # child protection coordination structures at the provincial and district level that operate in a unified manner. (B: NA; T: 2 P-Level; T: 6 D-Level)	<b>Target achieved at Provincial Level.</b> There is no baseline figure. 11 (or 9 documented and confirmed) at P-Level. <sup>289</sup> Target not achieved at District Level 0 D-Level.
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<sup>285</sup> UNICEF. (2020). Improving Access to Justice for Children and Women Annual Report, page 5.

<sup>286</sup> UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report, page 6.

<sup>287</sup> DJAG. (2019). Annual Management Report, page 31. A total of 23 juveniles under Police or Court Intervention out of a total 89 juveniles on record.

<sup>288</sup> DJAG. (2021). Annual Management Report, pages 35-36. A total of 139 juveniles under supervision out of a total 285 juveniles on record.

<sup>289</sup> UNICEF. (2021). Improving Access to Justice for Children and Women Annual Report, page 10..



## PROGRAMME EVALUATION

### IMPROVING ACCESS TO JUSTICE FOR WOMEN AND CHILDREN

<p>5. # P-Level &amp; D-Level coordination structures with evidence-based costed child protection implementation plans that are ready for approval (B: NA; T: 2 P-Level; T: 6 D-Level)</p>	<p><b>Target achieved at Provincial Level.</b> There is no baseline figure. 2 P-Level. The Evaluation Team identified costed plans for PJJCs in: (1) Manus and (2) West New Britain.<sup>290</sup> <b>Target not achieved at District Level</b> 0 D-Level.</p>
<p><b>Output 2: Increased delivery of specialised and efficient child friendly justice and multisectoral services for child survivors, witnesses and alleged offenders.</b></p>	
<p>6. # child survivors of violence accessing multisectoral response services (B: TBD; T: 2,000)</p>	<p><b>Target not achieved.</b> There is no baseline figure. No evidence available to confirm such high demand for services.</p>
<p>7. # specialised justice structures supporting child friendly justice proceedings (child friendly courts and child friendly police units) (B: 0; T: 6 for courts; T: 4 for RPNGC stations)</p>	<p><b>Target not achieved.</b> 0 child friendly courts established.<sup>291</sup> 1 RPNGC station (in NCD). There were plans to roll out the plan, but significant delays persisted.<sup>292</sup></p>
<p>8. Increase in % of children diverted away from the formal justice system (RPNGC <b>and</b> Court) from the baseline (B:0; T: 20%)</p>	<p>Indicator lacks essential data. There is no baseline figure. There is no initial proportion to determine a percentage of children diverted away from the justice system (police and courts).</p>
<p>9. % of justice professionals in the target provinces trained and certified to deliver child friendly justice services (B: 0; T: 50)</p>	<p><b>Target achieved.</b> NOCFS: 169 CPOs; 1,095 VCPOs (includes 3 JJOs &amp; 1 Village Court).<sup>293</sup> JJS: 22 JPOs; 39 Volunteer JJOs.<sup>294</sup> RPNGC: Planned for 2023 through Police Training Institute (200 recruits). Salvation Army and Seventh Day Adventist: 18 Volunteers in Kokopo and East New Britain.<sup>295</sup></p>

<sup>290</sup> Country Programme Full Approved Report for Papua New Guinea (2018-2023), Reporting Year: 2020, page 94.

<sup>291</sup> 2410.KII.1.DJAG

<sup>292</sup> Interview data: 0130.KII.4.RPNGC; & 2001.KII.4.UNICEF5.

<sup>293</sup> Data secured from NOCFS.

<sup>294</sup> Data secured from JJS.

<sup>295</sup> UNICEF. (2020). Improving Access to Justice for Children and Women Annual Report, page 5.

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